

**LEGISLATIVE COUNCIL MEETING
COUNCIL CHAMBERS, 3 PRIMROSE STREET, NEWTOWN, CT
WEDNESDAY, MAY 6, 2020**

MINUTES

PRESENT VIA ZOOM TELECONFERENCE: Jordana Bloom, Alison Plante, Chris Smith, Phil Carroll, Ryan Knapp, Judit DeStefano, Paul Lundquist, Chris Eide, Dan Wiedemann, Cathy Reiss, Andy Clure, Dan Honan

ALSO PRESENT: First Selectman Dan Rosenthal, Finance Director Bob Tait, BOE Chair Michelle Embree Ku; 0 public, 0 press.

CALL TO ORDER: Mr. Lundquist called the meeting to order with the Pledge of Allegiance at 7:35 pm.

VOTER COMMENT: None

Minutes: Mr. Honan moved to accept the minutes of the April 22, 2020 Legislative Council Special Meeting. Seconded by Mr. Wiedemann. All in favor. Motion passes (12-0).

COMMUNICATIONS: *See attachment A.*

COMMITTEE REPORTS:

Education Committee – None

Finance Committee – None

Municipal Operations Committee – None

Ordinance Committee – None

FIRST SELECTMAN'S REPORT: First Selectman Dan Rosenthal reported that he is working with the Health Director on a plan to get the Town staff back in full time - Public Works and the Parks and Rec Maintainers will be back to full strength this coming Monday. From a budget standpoint, things are manageable and no changes have been made. The police project continues to run smoothly. Everything is going well considering the circumstances. He mentioned that last week, the Lieutenant Governor announced that he is forming a long term recovery committee. Selectman Maureen Crick Owen agreed to chair that for the BOS. It will consist of a combination of Town staff and volunteers from the public. The role of this is still in the works and will be appointed in the next meeting. There will be a website related to it as well.

UNFINISHED BUSINESS

Discussion and Possible Action

- 2020-2021 Municipal and Education Budget

Ms. DeStefano moved to approve the Town and Board of Education budget with the Board of Selectmen budget at \$42,947,759 and the Board of Education budget at \$78,651,776 as recommended by the Legislative Council for a total of \$121,626,535 pursuant to the Governor's Executive Order No. 71, Section 13 (7b), Section 1 and 7S, Section 7. Seconded by Ms. Bloom. All in favor. Motion passes (12-0).

Mr. Carroll began by expressing his concern over voting on a budget without getting the public's input. He noted that in regards to the BOE budget, they now show as having over a \$1.7 million surplus while expenditures are being made without giving the opportunity for public input. Mr. Lundquist clarified that the amount of revenue from delayed services is an issue being contended with on the Town side as well. It is slightly separate from the immediate budget question in consideration. Nothing would be spent

without any oversight or prior authorization. Ms. Ku responded that the concerns Mr. Carroll have were things that came up on a proposed CIP list that came through for next year. This proposal had been discussed prior to knowing the Covid response. The First Selectman clarified that any budget surplus on the BOE side is predicated on the BOF authorizing the depositing of it into the non-lapsing account at the end of the fiscal year. On the Town side, any funds not spent go into fund balance and would like to continue building the capital non-recurring account.

- **FEMA Reimbursement Allocation**

Mr. Lundquist stated that we will do one budget amendment before the end of the fiscal year. Two main components are relating to \$700,000 that will go back to police, fire, highway, public building and maintenance including the BOE that will be done as an appropriation from the fund balance to capital and non-recurring. Included with that will be the additional \$997,000 that will be going towards things like the Community Center fund, Public Works, Fairfield Hills, and others. The First Selectman noted that this appropriations process will begin at the next BOS meeting.

NEW BUSINESS

Discussion and Possible Action

- “Resolution Providing For A Special Appropriation In The Amount Of \$7,541,933 For Emergency Radio System Upgrades As Authorized In The Capital Improvement Plans (2020-21 To 2021-22) And Authorizing The Issuance Of \$7,541,933 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, a copy of which is available on the town website, said special appropriation was initiated by the First Selectman in a letter dated February 18, 2020, a copy of which is available on the town website, in accordance with Chapter 6, Section 6-35 of the Town Charter and without a Referendum pursuant to Governor Lamont’s Executive Order No. 7S, Section 7.

Ms. DeStefano introduced the Resolution entitled “Resolution Providing For A Special Appropriation In The Amount Of \$7,541,933 For Emergency Radio System Upgrades As Authorized In The Capital Improvement Plans (2020-21 To 2021-22) And Authorizing The Issuance Of \$7,541,933 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, a copy of which is available on the town website, said special appropriation was initiated by the First Selectman in a letter dated February 18, 2020, a copy of which is available on the town website, in accordance with Chapter 6, Section 6-35 of the Town Charter and moved the said resolution to be adopted as introduced and read without a Referendum pursuant to Governor Lamont’s Executive Order No. 7S, Section 7. Seconded by Ms. Plante. All in favor. Motion passes (12-0). See attachment B.

First Selectman Rosenthal has spent a lot of time working with others and thinking about this project in trying to reconcile it against the Governor's Executive Orders. There is a public safety element to this, the equipment is 18 years old and we run a risk of having the equipment fail. In delaying its replacement, there is a 10-11 month process for getting the equipment ordered and installed. From a financial loss perspective, for each month that passes that we don't approve this, we will have to keep the remains free to open and operational to dispatch until the new equipment arrives and can be installed in the new building. With the police building's projected completion of November, in truth they will probably not be able to move in until the first quarter of the new year. In general, this is a necessary in order to keep an orderly operation of the town. Being sensitive to the fact that this is a large capital project, and the public is not being afforded the ability to vote on it – the Charter does permit the Council to approve \$1.5 million. In speaking with the consultant, the CIP this year calls out for \$2.5 million and is really what is necessary to move this project forward. The balance of the funds will probably not be spent until later next year, i.e July of 2021. In consideration of the Governor's order, the

First Selectman proposed this amendment to the resolution and feels that it will be more appropriate after further consideration that we approve the year one amount. Then either in November or next April, the public will have the opportunity to vote on the balance.

Ms. DeStefano asked the First Selectman if the \$2.5 million is appropriated, what would be our ability to use our purchase if the second portion wouldn't get passed - would there be any utilizing of that equipment. The First Selectman replied that, yes, it would allow us to replace the equipment in dispatch. Even though we will be changing over to an all digital system, it would still allow us to communicate with the existing police, fire and EMS radios. It would improve coverage modestly. It is a project that is absolutely necessary, but he doesn't feel that he could request the Council to approve it all now simply because the whole thing may not pass. We will endanger a lot of good will towards the project by handling it the right way rather than having the public feel that we've over reached on moneys that we won't be spending until later next year. The First Selectman continued by saying that we are blessed to have a large volunteer contingency that will be involved with this and go out to advocate for the project. He reiterated that we are not compromising the project, we are basically saying that we can get public inset on this before we spend the next traunch.

Ms. DeStefano moved to amend the motion and reduce the appropriation to \$2.5 million instead of the original amount. Seconded by Mr. Eide. All in favor. Motion passes (12-0).

Mr. Knapp noted that we are all disappointed that we cannot have a referendum this year. While we cannot have a referendum, he suggested why we couldn't have an outreach system to the voters like what has been done in the past. The spirit of the charter is to get voter input. He proposes pushing this two weeks and make an effort with outreach using electronic means. Including non-advocacy information that would normally be distributed and allowing groups to raise awareness. Although these items are listed on the posted agendas and the public is allowed to call in and be a part of these meetings, he believes people are very distracted right now and putting in the extra effort at this time could make a difference.

Mr. Wiedemann asked the First Selectman if this is something absolutely necessary that we need to vote on tonight from a financial perspective or would it not harm anything to hold it an additional two weeks. The First Selectman replied that he is sensitive to Mr. Knapp's point, which is why he proposed this amendment. The information has been out there for quite some time, articles have been posted in the Bee and Voices. He supposes we could wait if need be but it would also be a challenge to put together non-advocacy materials to distribute within two weeks.

Ms. DeStefano would prefer to wait and reach out to voters as well, but in reality, because we can't poll people they may not receive enough response. However, she tends to agree that she doesn't believe that we will get more input at this point.

Ms. Bloom reiterated that this is a public safety issue and feels that the public would appreciate it more if we went about this in the modified version as proposed by the First Selectman.

Mr. Smith felt that Mr. Knapp's suggestion to push it off may not be such a bad idea.

Mr. Lundquist confirmed that, we as the Legislative Council, would not be the ones putting forth any non-advocacy materials. These projects were voted to send to referendum back on February 5th. While he is sensitive to Mr. Knapp's concerns, he noted that no one has been talking about it, and he's not sure any difference could be made at this point in time.

Mr. Clure asked to confirm whether the news outlets had it noted that the public was not going to be able to vote on it. The First Selectman and Mr. Lundquist both confirmed that the Newtown Bee published it electronically and Voices had it published in print.

Mr. Wiedemann said that it's not a question of whether or not we support this project and whether there is no harm in waiting. The First Selectman said there may not be harm in waiting for the radio project. In regards to the EDA grant for the sewer project, he cannot speak to the fact that it can wait an additional 2 weeks.

Mr. Carroll agrees with both sides but in lieu of having these things at our meetings for months and prior to Covid, no one came out to voice their opinion. He doesn't feel that we will get a different response. He does not see value in waiting and would not want to risk losing the grant for Fairfield Hills.

Mr. Knapp concluded that he will still support these motions but he is merely advocating this as his general discomfort with what the Executive Order allows them to do in relation to the Charter. He does not feel that we should delay it if no one else is in agreement.

- “Resolution Providing For A Special Appropriation In The Amount Of \$1,829,963 For The Planning, Design, Engineering, Reconstruction And Construction Of Fairfield Hills Sewer Infrastructure Improvements As Authorized In The Capital Improvement Plan (2020-21) And Authorizing The Issuance Of \$1,829,963 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, a copy of which is available on the town website, said special appropriation was initiated by the First Selectman in a letter dated February 18, 2020, a copy of which is available on the town website, in accordance with Chapter 6, Section 6-35 of the Town Charter and without a Referendum pursuant to Governor Lamont’s Executive Order No. 7S, Section 7.

Ms. DeStefano introduced the Resolution entitled “Resolution Providing For A Special Appropriation In The Amount Of \$1,829,963 For The Planning, Design, Engineering, Reconstruction And Construction Of Fairfield Hills Sewer Infrastructure Improvements As Authorized In The Capital Improvement Plan (2020-21) And Authorizing The Issuance Of \$1,829,963 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, a copy of which is available on the town website, said special appropriation was initiated by the First Selectman in a letter dated February 18, 2020, a copy of which is available on the town website, in accordance with Chapter 6, Section 6-35 of the Town Charter and moved that said resolution be adopted as introduced and read without a Referendum pursuant to Governor Lamont’s Executive Order No. 7S, Section 7. Seconded by Mr. Honan. All in favor. Motion passes (12-0). See attachment C.

First Selectman Rosenthal noted that the portion of the Governor's Executive Order which is addressed with this project is the risk of losing the \$914,000 grant from EDA. To confirm, this is a project where we were awarded this grant and the Council went through the grant approval process back in the Fall, but the EDA awarded it too late for us to get it on the November ballot. The EDA was expecting us to get it on the November ballot, however we could not get our match and affirmation until April. Because of this, he is quite certain that we cannot wait to vote on this project. He confirmed that this will not be paid by general taxation but through assessments.

- “Resolution Providing For A Special Appropriation In The Amount Of \$750,000 For The Planning, Design, Engineering, Reconstruction And Construction Of Town Roads As Authorized In The Capital Improvement Plan (2020-21) And Authorizing The Issuance Of \$750,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, a copy of which is available on the town website, said special appropriation was initiated by the First Selectman in a letter dated February 18, 2020, a copy of which is available on the town website, in accordance with Chapter 6, Section 6-35 of the Town Charter.

Ms. DeStefano introduced the Resolution entitled “Resolution Providing For A Special Appropriation In The Amount Of \$750,000 For The Planning, Design, Engineering, Reconstruction And Construction Of Town Roads As Authorized In The Capital Improvement Plan (2020-21) And Authorizing The Issuance Of \$750,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, a copy of which is available on the town website, said special appropriation was initiated by the First Selectman in a letter dated February 18, 2020, a copy of which is available on the town website, in accordance with Chapter 6, Section 6-35 of the Town Charter and moved that said resolution be adopted as introduced and read without a

Referendum pursuant to Chapter 6, Section 6-35 of the Town Charter. Seconded by Mr. Honan. All in favor. Motion passes (12-0). See attachment D.

- “Resolution Providing For A Special Appropriation In The Amount Of \$300,000 For The Planning, Design And Engineering Of Ventilation And HVAC Renovations To Hawley School As Authorized In The Capital Improvement Plan (2020-21) And Authorizing The Issuance Of \$300,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, a copy of which is available on the town website, said special appropriation was initiated by the First Selectman in a letter dated February 18, 2020, a copy of which is available on the town website, in accordance with Chapter 6, Section 6-35 of the Town Charter.

Mr. Lundquist explained that this project is still being discussed on how it will be funded. Essentially the BOE is the primary group that needs to act on it. Ms. Ku reported that the BOE did meet and is in favor of using the \$300,000 from the education non-lapsing account but is dependent on the BOF discussing and approving it at this point. No action would be taken on it at this time. *See attachment E.*

VOTER COMMENT: None

ANNOUNCEMENTS: The First Selectman announced that they are close to a resolution on the Community Center, and may need to hold a special BOS meeting within the next two weeks.

ADJOURNMENT: There being no further business, Mr. Wiedemann moved to adjourn the meeting at 9:08 p.m. Seconded by Ms. Reiss.

*Respectfully submitted,
Rina Quijano, Clerk*

**THESE MINUTES ARE SUBJECT TO APPROVAL BY THE LEGISLATIVE COUNCIL
AT THE NEXT MEETING.**

Attachment A

Submitted on Monday, April 27, 2020 - 9:03am

Your name: Willaim A. Pelletreau

Your e-mail address: wpellellc@aol.com

Subject: Noise Ord.

Message:

Please amend the Noise Ord. to include private and commercial leaf blowers. The noise these machines make is deafening. There is a constant din from them every day of the week . The advancements that have been made in baffling and noise reduction are substantial and the citizens of Newtown need relief . Stop the noise, please.

Submitted on Sunday, April 26, 2020 - 5:02pm

Your name: Anthony R. Filiato, Esq.
Your e-mail address: tonyfiliato@ymail.com
Subject: Referendum For Bonding

Message:

Dear Legislative Council:

Thank you for your continued work on behalf of our Town through these difficult times. Moreover, thank you for your thoughtful approach to the budget in light of the fact that the residents of the Town will not have the opportunity to vote on its passage. Clearly, the Town requires a budget and under the circumstances a flat budget is the only sensible choice considering the lack of a public vote.

However, I am dismayed that the Council is even considering voting on bonding items that under normal circumstances would be placed before the residents by referendum. The residents of this Town after much work and deliberation recently voted to amend the Town Charter to deny the Legislative Council this very power. The four items that would have gone to referendum are not urgent. They are certainly not urgent enough to override the will of the Town's residents who placed the power of passage in their own hands. In short, the residents did not and do not want the Council to possess this power.

Moreover, certain of the items are controversial and would face opposition in a referendum. In particular, there are those in Town who believe that in light of enrolment figures not seen since 1975, that rather than investing \$4 million dollars in Hawley, that it should be closed. By voting on \$300k this cycle the Council could very well be spending money to no purpose. These items can and should be delayed until they can be placed before the voters as per the Charter. I understand that the Governor has granted Legislative Council the legal ability to pass the bonding items; however, just because something is technically legal does not make it right.

Thank you for your consideration.

Best Regards,

Tony Filiato
24 Washbrook Road
Newtown, CT 06470

From: Steve Hinden <steve.hinden@gmail.com>
Date: Thu, Apr 23, 2020 at 7:15 PM
Subject: Re: Form submission from: Contact Michelle Embree Ku
To: Daniel Rosenthal <dancrosenthal@gmail.com>
Cc: Ku, Michelle <kum_boe@newtown.k12.ct.us>, Paul Lundquist <plundquist.newtown@gmail.com>, Sandy Roussas <sandyroussasBOF@gmail.com>

Dan, your response disappoints me on three levels:

- 1) you still haven't responded to the questions I posed in my original email yesterday, including, what is the plan if distancing persists. I don't think "we will cross that bridge when we come to it" is a good strategy, so knowing what plans A, B and C are sooner rather than later is critical.
- 2) you did not respond to the question I posed in my email today, which is how will we address the fact that we are covering operational budgets outside of ongoing revenue, instead relying on a one-time FEMA reimbursement that I believe was meant for the general fund.
- 3) your "spare me" dismissive response, when I am expressing concern about using those one-time funds to support operational needs, and the impact that will have on the later years when that gap will have to be made up on an ongoing basis (and so can be reasonably construed as financial manipulation of operational budgets), is not worthy of your role in responding to constituents, and I don't understand why you seem to have taken it personally. I appreciate the positive impact on taxpayers this year, so I am not suggesting it is the wrong move, only that it needs to be said NOW that this approach will have an impact on budget growth in later years. If that has already been expressed and acknowledged, I think that's great and I hope it is noted on the record, but it is not apparent from what you or anyone else has said in these responses.

All, please also consider this communications to your respective boards. Thanks.

-- Steve

On Apr 23, 2020, at 4:42 PM, Daniel Rosenthal <dancrosenthal@gmail.com> wrote:

Manipulation, Steve? Spare me. Both budgets are being funded and the taxpayers won't have an increase. I'm glad we had the flexibility and I stand by the move.

Best,
Dan

On Apr 23, 2020, at 3:31 PM, Steve Hinden <steve.hinden@gmail.com> wrote:

From: Steve Hinden <steve.hinden@gmail.com>

Date: Thu, Apr 23, 2020 at 3:31 PM

Subject: Re: Form submission from: Contact Michelle Embree Ku

To: Ku, Michelle <kum_boe@newtown.k12.ct.us>, Daniel Rosenthal <dancrosenthal@gmail.com>, Paul Lundquist <plundquist.newtown@gmail.com>, Sandy Roussas <sandyroussasbof@gmail.com>

Sounds to me like manipulation. Now the BOE budget next year has a 450k lower starting point, so year on year increases look higher to voters. Or am I missing something? All, please consider this as communications to your respective boards.

-- Steve

On Apr 23, 2020, at 2:29 PM, Ku, Michelle <kum_boe@newtown.k12.ct.us> wrote:

Steve,

Thank you for weighing in on the budget and the flexibility that we will need in the coming year. You are right to be concerned and are not alone. In the last couple of weeks, there has been increasing focus within the education community about sufficient funding to address public health concerns as well as academic challenges next year. There are efforts at the state level to form regional task forces to help in planning. Unfortunately, many towns are passing budgets now and have already made reductions to budgets in anticipation of an economic downturn.

The Legislative Council adjusted the budgets last evening and will seek public comment on the proposal. Essentially, the BOE-requested budget has been reduced by \$100,000 (by the BOF), and \$450,000 (by the LC), with \$450,000 then allocated to the BOE from FEMA money to make up for the LC reduction. Personally, I support this proposal (though, I think it would have been more clean to have simply changed the revenues rather than the spending - but the outcome is similar).

As you may know, the BOE is projecting a significant surplus at the end of this fiscal year as a result of the COVID crisis. Unfortunately, the crisis does not pay attention to the fiscal year. The BOE's ability to access this year's surplus for next year's expenses is dependent on the BOF and their willingness to allow the BOE to deposit the surplus into the education non-lapsing account. In July and August is when this transfer will be considered, and I suggest that a reminder from you and others about the importance of education and the ability to respond to the crisis will be of substantial importance.

Thank you for taking the time to write,

Michelle Embree Ku
Newtown Board of Education, Chair
203-364-9862

Submitted on Wednesday, April 22, 2020 - 7:39am

Your Name: : Steve Hinden

Your e-mail address: steve.hinden@gail.com

Subject: Budget questions for consideration

Message:

Dear Dr. Ku, please share this with your other BOE members (there was no “email all” option on the website). Thanks.

First, I want to thank you all for your service to the community during these challenging times. As mostly volunteers, the demands on you are undoubtedly more than could have been anticipated, and I am grateful for the time and thoughtfulness you are bringing to our community.

As we look ahead, there continues to be great uncertainty about how long distancing will persist. There are many trade offs, including being responsive to the economic stress our community is facing, and I understand that any budget savings can have a direct impact in relieving that stress.

However, I would like to understand how you are factoring into these considerations the needs of the community if distancing continues into 2021 or beyond, should effective treatments or vaccines for COVID-19 remain elusive (as seems to be likely, at least into 2021). Specifically:

1. Is the BOE budget sufficient to address effective distance learning, particularly for special education needs? Will additional funds, or non lapsing funds, be directed here? Is there a strategy to improve these capabilities for what might be a longer time horizon than initially planned? Has the feedback been sought, obtained and considered from parents, teachers and students, on how well distance learning has worked and what needs to be improved? Have you considered the potential exposure to costs and liability if our current efforts are not improved?
2. Is the town budget sufficient to address distance operations, particularly video meeting capability, including recordings (ours is not up to the standards and needs of the times) and phone line availability and reliability?
3. Generally, as you think about redeploying “savings” from this year’s distancing efforts, have you considered the balance between returning to taxpayers and positioning our town to deliver on needs and services that may require significant investments? Have those required investments been identified and quantified? In sum, is there a plan if distancing is not short term?

I realize that these questions have likely already been raised, but when we hear rumors of a budget that has already been approved by the BOF being re-examined for a zero increase year on year, I get concerned that the questions raised above are getting short shrift.

Thank you again for your service and considerations of these issues. And I hope you are all managing these times well and are staying healthy.

Steve Hinden 25 Horseshoe Ridge Road

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$7,541,933 FOR EMERGENCY RADIO SYSTEM UPGRADES AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLANS (2020-21 TO 2021-22) AND AUTHORIZING THE ISSUANCE OF \$7,541,933 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

RESOLVED:

Section 1. The sum of \$7,541,933 is a special appropriation made pursuant to Chapter 6, Section 6-35 of the Town Charter of the Town of Newtown (the "Town") for the acquisition and installation of emergency radio system upgrades, all pursuant to the Emergency Radio System Upgrades as authorized in the (2020-21 to 2021-22) Capital Improvement Plans, and for administrative, financing, legal and costs of issuance related thereto (collectively, the "Project"), said appropriation to be inclusive of any and all State, Federal or other grants-in-aid thereof.

Section 2. To meet said appropriation, \$7,541,933 bonds of the Town, or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the maximum maturity permitted by the General Statutes of the State of Connecticut, as amended from time to time (the "Connecticut General Statutes"). The bonds may be issued in one or more series as determined by the Financial Director, and the amount of bonds of each series to be issued shall be fixed by the Financial Director, in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amount of State and Federal grants-in-aid of the Project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of the bonds outstanding at the time of the issuance thereof, and to pay for the costs of issuance of such bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the First Selectman and the Financial Director, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, Connecticut. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds including approval of the rate or rates of interest shall be determined by the First Selectman and the Financial Director, in accordance with the Connecticut General Statutes.

Section 3. Said bonds shall be sold by the First Selectman and the Financial Director in a competitive offering and the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. To the extent required by the Charter of the Town of Newtown, bids shall be solicited from at least three lending institutions. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds.

Section 4. The First Selectman and the Financial Director are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the First Selectman and the Financial Director, have the seal of the Town affixed, be

payable at a bank or trust company designated by the First Selectman, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, and be certified by a bank or trust company designated by the First Selectman pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The First Selectman is authorized in the name and on behalf of the Town to apply for and accept any and all Federal and State loans and/or any grants-in-aid of the Project and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith, to contract in the name of the Town with engineers, contractors and others.

Section 6. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and any time after the date of passage of this resolution in the maximum amount and for the Project with the proceeds of bonds or bond anticipation notes or other obligations ("Tax-Exempt Obligations") authorized to be issued by the Town. The Tax-Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Financial Director or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of Tax-Exempt Obligations, and to amend this declaration.

Section 7. The First Selectman and the Financial Director are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The First Selectman is hereby authorized, on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution.

Section 9. This resolution shall become effective upon its approval by the Legislative Council of the Town in accordance with Governor Lamont's Executive Order No. 7S, issued April 1, 2020. The Legislative Council hereby finds that such approval, without a duly warned referendum pursuant to Chapter 6, Section 6-35 of the Town Charter, is necessary to permit the orderly operation of the Town and that there is a need to act immediately and during the duration of the public health and civil preparedness emergency in order to avoid endangering public health and welfare, prevent significant financial loss, or that action is otherwise necessary for the protection of persons and property within the Town.

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$1,829,963 FOR THE PLANNING, DESIGN, ENGINEERING, RECONSTRUCTION AND CONSTRUCTION OF FAIRFIELD HILLS SEWER INFRASTRUCTURE IMPROVEMENTS AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2020-21) AND AUTHORIZING THE ISSUANCE OF \$1,829,963 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

RESOLVED:

Section 1. The sum of \$1,829,963 is a special appropriation made pursuant to Chapter 6, Section 6-35 of the Town Charter of the Town of Newtown (the "Town") for the planning, design, engineering, reconstruction and construction of new Town sewer mains, all pursuant to the Fairfield Hills Sewer Infrastructure Improvement Project as authorized in the Capital Improvement Plan (2020-21), and for administrative, financing, legal and costs of issuance related thereto (collectively, the "Project"), said appropriation to be inclusive of any and all State, Federal or other grants-in-aid thereof.

Section 2. To meet said appropriation, \$1,829,963 bonds of the Town, or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the maximum maturity permitted by the General Statutes of the State of Connecticut, as amended from time to time (the "Connecticut General Statutes"). The bonds may be issued in one or more series as determined by the Financial Director, and the amount of bonds of each series to be issued shall be fixed by the Financial Director, in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amount of State and Federal grants-in-aid of the Project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of the bonds outstanding at the time of the issuance thereof, and to pay for the costs of issuance of such bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the First Selectman and the Financial Director, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, Connecticut. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds including approval of the rate or rates of interest shall be determined by the First Selectman and the Financial Director, in accordance with the Connecticut General Statutes.

Section 3. Said bonds shall be sold by the First Selectman and the Financial Director in a competitive offering and the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. To the extent required by the Charter of the Town of Newtown, bids shall be solicited from at least three lending institutions. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds.

Section 4. The First Selectman and the Financial Director are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings

shall be signed by the First Selectman and the Financial Director, have the seal of the Town affixed, be payable at a bank or trust company designated by the First Selectman, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, and be certified by a bank or trust company designated by the First Selectman pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The First Selectman is authorized in the name and on behalf of the Town to apply for and accept any and all Federal and State loans and/or any grants-in-aid of the Project and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith, to contract in the name of the Town with engineers, contractors and others. To meet any portion of the costs of the Project determined by the State of Connecticut Department of Energy and Environmental Protection to be eligible for funding under Section 22a-475 *et seq.* of the Connecticut General Statutes, as the same may be amended from time to time (the "Clean Water Fund Program"), the Town is authorized to and may issue interim funding obligations in anticipation of project loan obligations and project loan obligations (collectively, the "Clean Water Fund Obligations") in such denominations as the First Selectman and the Financial Director shall determine. Clean Water Fund Obligations and Project Loan and Grant Agreements under the Clean Water Fund Program, and any other instruments, agreements or certificates required under the Clean Water Fund Program shall be executed in the name and on behalf of the Town by the manual or facsimile signatures of the First Selectman and the Financial Director, and bear the Town seal or a facsimile thereof. The aggregate principal amount of the Clean Water Fund Obligations to be issued, the dated date, final maturity, rate or rates of interest, the date, time of issue and sale and all other terms, details and particulars of such Clean Water Fund Obligations, subject to the provisions of the Clean Water Fund Program, shall be determined by the First Selectman and the Financial Director. Said Clean Water Fund Obligations may be secured as to both principal and interest by the full faith and credit of the Town and/or by special revenues of the Town pledged therefor in accordance with the Clean Water Fund Program, the Town's Charter and Connecticut General Statutes. Each of the Clean Water Fund Obligations shall recite that every requirement of law relating to its issue has been duly complied with and that such obligation is within every debt and other limit prescribed by law.

Section 6. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and any time after the date of passage of this resolution in the maximum amount and for the Project with the proceeds of bonds or bond anticipation notes or other obligations ("Tax-Exempt Obligations") authorized to be issued by the Town. The Tax-Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Financial Director or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of Tax-Exempt Obligations, and to amend this declaration.

Section 7. The First Selectman and the Financial Director are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide

information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The First Selectman is hereby authorized, on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution.

Section 9. This resolution shall become effective upon its approval by the Legislative Council of the Town in accordance with Governor Lamont's Executive Order No. 7S, issued April 1, 2020. The Legislative Council hereby finds that such approval, without a duly warned referendum pursuant to Chapter 6, Section 6-35 of the Town Charter, is necessary to permit the orderly operation of the Town and that there is a need to act immediately and during the duration of the public health and civil preparedness emergency in order to avoid endangering public health and welfare, prevent significant financial loss, or that action is otherwise necessary for the protection of persons and property within the Town.

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$750,000 FOR THE PLANNING, DESIGN, ENGINEERING, RECONSTRUCTION AND CONSTRUCTION OF TOWN ROADS AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2020-21) AND AUTHORIZING THE ISSUANCE OF \$750,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

RESOLVED:

Section 1. The sum of \$750,000 is a special appropriation made pursuant to Chapter 6, Section 6-35 of the Town Charter of the Town of Newtown (the "Town") for the planning, design, engineering, reconstruction and construction of Town roads, including, but not limited to, pavement, curbs, drainage, grinding and overlay, micropaving, chipsealing and cracksealing, and other road improvements, all pursuant to the Capital Road Program as authorized in the Capital Improvement Plan (2020-21), and for administrative, financing, legal and costs of issuance related thereto (collectively, the "Project"), said appropriation to be inclusive of any and all State, Federal or other grants-in-aid thereof.

Section 2. To meet said appropriation, \$750,000 bonds of the Town, or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the maximum maturity permitted by the General Statutes of the State of Connecticut, as amended from time to time (the "Connecticut General Statutes"). The bonds may be issued in one or more series as determined by the Financial Director, and the amount of bonds of each series to be issued shall be fixed by the Financial Director, in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amount of State and Federal grants-in-aid of the Project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of the bonds outstanding at the time of the issuance thereof, and to pay for the costs of issuance of such bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the First Selectman and the Financial Director, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, Connecticut. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds including approval of the rate or rates of interest shall be determined by the First Selectman and the Financial Director, in accordance with the Connecticut General Statutes.

Section 3. Said bonds shall be sold by the First Selectman and the Financial Director in a competitive offering and the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. To the extent required by the Charter of the Town of Newtown, bids shall be solicited from at least three lending institutions. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds.

Section 4. The First Selectman and the Financial Director are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the First Selectman and the Financial Director, have the seal of the Town affixed, be payable at a bank or trust company designated by the First Selectman, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, and be certified by a bank or trust company designated by the First Selectman pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The First Selectman is authorized in the name and on behalf of the Town to apply for and accept any and all Federal and State loans and/or any grants-in-aid of the Project and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith, to contract in the name of the Town with engineers, contractors and others.

Section 6. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and any time after the date of passage of this resolution in the maximum amount and for the Project with the proceeds of bonds or bond anticipation notes or other obligations ("Tax-Exempt Obligations") authorized to be issued by the Town. The Tax-Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Financial Director or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of Tax-Exempt Obligations, and to amend this declaration.

Section 7. The First Selectman and the Financial Director are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The First Selectman is hereby authorized, on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution.

Section 9. This resolution shall become effective upon its approval by the Legislative Council of the Town in accordance with Chapter 6, Section 6-35 of the Town Charter.

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$300,000 FOR THE PLANNING, DESIGN AND ENGINEERING OF VENTILATION AND HVAC RENOVATIONS TO HAWLEY SCHOOL AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2020-21) AND AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

RESOLVED:

Section 1. The sum of \$300,000 is a special appropriation made pursuant to Chapter 6, Section 6-35 of the Town Charter of the Town of Newtown (the "Town") for the planning, design and engineering of ventilation and HVAC renovations to Hawley School, all pursuant to the Hawley – Ventilation and HVAC Renovations – DESIGN as authorized in the Capital Improvement Plan (2020-21), and for administrative, financing, legal and costs of issuance related thereto (collectively, the "Project"), said appropriation to be inclusive of any and all State, Federal or other grants-in-aid thereof.

Section 2. To meet said appropriation, \$300,000 bonds of the Town, or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the maximum maturity permitted by the General Statutes of the State of Connecticut, as amended from time to time (the "Connecticut General Statutes"). The bonds may be issued in one or more series as determined by the Financial Director, and the amount of bonds of each series to be issued shall be fixed by the Financial Director, in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amount of State and Federal grants-in-aid of the Project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of the bonds outstanding at the time of the issuance thereof, and to pay for the costs of issuance of such bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the First Selectman and the Financial Director, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, Connecticut. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds including approval of the rate or rates of interest shall be determined by the First Selectman and the Financial Director, in accordance with the Connecticut General Statutes.

Section 3. Said bonds shall be sold by the First Selectman and the Financial Director in a competitive offering and the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. To the extent required by the Charter of the Town of Newtown, bids shall be solicited from at least three lending institutions. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds.

Section 4. The First Selectman and the Financial Director are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings

shall be signed by the First Selectman and the Financial Director, have the seal of the Town affixed, be payable at a bank or trust company designated by the First Selectman, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, and be certified by a bank or trust company designated by the First Selectman pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The First Selectman is authorized in the name and on behalf of the Town to apply for and accept any and all Federal and State loans and/or any grants-in-aid of the Project and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith, to contract in the name of the Town with engineers, contractors and others.

Section 6. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and any time after the date of passage of this resolution in the maximum amount and for the Project with the proceeds of bonds or bond anticipation notes or other obligations ("Tax-Exempt Obligations") authorized to be issued by the Town. The Tax-Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Financial Director or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of Tax-Exempt Obligations, and to amend this declaration.

Section 7. The First Selectman and the Financial Director are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The First Selectman is hereby authorized, on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution.

Section 9 This resolution shall become effective upon its approval by the Legislative Council of the Town in accordance with Chapter 6, Section 6-35 of the Town Charter.