TOWN OF EAST HADDAM
SPECIAL TOWN MEETING (JANUARY 17, 2024)
AND REFERENDUM (JANUARY 30, 2024)

RESOLUTION
(*For distribution at Special Town Meeting and to be on file with Town Clerk)*

RESOLVED:

(1) That the Town appropriate the sum of $4,150,000 for costs related to (i) the purchase, installation, remediation, repair, upgrade and/or replacement of heating, ventilation and air conditioning (HVAC) system equipment and other indoor air quality improvements, including, without limitation, the upgrading and replacement of building management systems, electrical systems and the implementation of moisture control measures at the East Haddam Elementary School and (ii) the purchase, installation and replacement of an air cooling chiller at the Nathan Hale-Ray High School (the "Projects"). The appropriation may be spent for design, manufacture, installation, replacement and construction costs, equipment, materials, electrical costs, roof work, duct work, the preparation of bid documents, grant applications, cost estimate reports and studies, informational materials and other preliminary materials, studies and reports, the preparation of schematic drawings, plans and specifications, site work, architects' fees, engineer/designer fees, architectural fees, legal fees, capitalized interest, costs of issuance, financing costs, and other expenses related to the Projects or their financing. The Board of Selectmen is authorized to determine the scope and particulars of the Projects. The Board of Selectmen may reduce or modify the scope of the Projects, and the entire appropriation authorized hereby may be spent on the Projects as so reduced or modified.

(2) That to finance said appropriation for the Projects, the Town issue general obligation bonds and notes pursuant to Chapter 109 of the Connecticut General Statutes, Revision of 1958, as amended (the "Connecticut General Statutes"), or any other applicable provision of law thereto enabling, in an amount not to exceed $4,150,000 (or so much thereof as may be necessary after the deduction of grants or other sources of funds available therefor).

(3) That the Town issue and renew notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the Projects or the receipt of grants for the Projects. The amount of the notes outstanding at any time shall not exceed $4,150,000. The notes shall be issued pursuant to Section 7-378 of the Connecticut General Statutes. The Town shall comply with the provisions of Section 7-378a of the Connecticut General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(4) That the First Selectman, or a majority of the Board of Selectmen, and the Treasurer (the "Officials") be authorized to issue and sell bonds and notes secured by the full faith and credit of the Town in an amount not to exceed $4,150,000 (or so much thereof as may be necessary after the deduction of grants or other sources of funds available therefor), pursuant to the Connecticut General Statutes or any other applicable provision of law thereto enabling, to finance the appropriation for such projects having been made by this resolution; that the Officials are hereby authorized to appoint a bank or trust company to be the certifying agent, registrar,

transfer agent and paying agent for such bonds and notes; that Updike, Kelly & Spellacy, P.C., Hartford, Connecticut is designated as the attorneys at law to render an opinion approving the legality of such issue or issues; that the Officials be authorized to sign any bonds or notes by their manual or facsimile signatures; and that the Officials be authorized to determine the rate or rates of interest for such bonds and notes, their date or dates, the dates of principal and interest payments on such bonds and notes, the form of such bonds and notes, the provisions for protecting and enforcing the rights and remedies of the holders of such bonds and notes and all other terms, conditions and particular matters regarding the issuance and securing of such bonds and notes and to sell and deliver the same, in accordance with the provisions of the Connecticut General Statutes and any other act of the General Assembly thereto enabling.

(5) That the Officials are authorized to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes. If the bonds or notes authorized by this resolution are issued on a tax-exempt basis, the Officials are authorized to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes, including covenants to pay rebates of investment earnings to the United States in future years.

(6) That the Town reasonably expects to incur expenditures (the "Expenditures") in connection with the Project described above. The Town reasonably expects to reimburse itself for the cost of the Expenditures with the proceeds of general obligation bonds and notes of the Town described above. The maximum principal amount of such debt (both bonds and notes) is not expected to exceed $4,150,000. This declaration of official intent is a declaration of official intent made pursuant to Federal Income Tax Regulations Section 1.150-2. The Officials are authorized to amend such declaration or official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(7) That the Officials are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws of rules pertaining to the sale or purchase of such bonds or notes.

(8) That the First Selectman is hereby authorized, on behalf of the Town, to execute any contracts with engineers, contractors, architects and other persons for the Projects, to apply for and accept local, state and federal grants to finance the appropriation for the Projects, and to execute and file any grant application or enter into any grant agreement or other obligations prescribed by such granting entity, including the State of Connecticut.

(9) That the Officials and other proper officers of the Town are authorized to take all other actions which are necessary or desirable to complete the Projects consistent with the foregoing and to issue bonds or notes to finance the aforesaid appropriation.

(10) That this resolution shall become effective after approval at referendum vote.