

RESOLUTION APPROPRIATING \$10,000,000 FOR WASTEWATER TREATMENT FACILITIES IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$10,000,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION

RESOLVED,

1. That the Town of Stonington appropriate Ten Million Dollars (\$10,000,000) for improvements to the Town's wastewater treatment facilities, to the extent of available funds. The project shall consist of repairs, improvements, replacements and upgrades of and to buildings, structures, equipment and machinery at the Town's wastewater treatment facilities in Mystic, Pawcatuck and the Borough of Stonington and to the Town's distribution systems, as well as at various sewer pump stations, including, but not limited to: all equipment necessary to implement biological treatment of wastewater; influent pumps, controls, and comminution; grit, grease, and scum removal systems; clarifiers and related equipment; aeration blowers and diffusers; disinfection systems; process piping, valves, pumps and controls; retrofit digester tanks for sludge management; sludge thickening; odor control systems; biological nitrogen removal equipment, including mixers pumps and ballast distribution and removal equipment; and various improvements, upgrades, repairs, and replacements to the sites, buildings, tanks, electrical systems including emergency supply; HVAC, plumbing and fire protection; and instrumentation and controls. The appropriation may be spent for facilities plans, design and construction costs, equipment, materials, site improvements, legal fees, net or capitalized interest on borrowings and other financing costs, and other expenses related to the project or its financing. The Water Pollution Control Authority is authorized to determine the scope and particulars of the project. The foregoing descriptions and components of the project are not intended as limitations and the project shall include all work, services and materials necessary to complete the project with all changes, overruns and unforeseen conditions that have occurred or may occur during the course of the project. The Water Pollution Control Authority may reduce or modify the scope of the project, and the entire appropriation may be spent on the project as so reduced or modified.

2. That the Town issue bonds or notes or obligations in an amount not to exceed Ten Million Dollars (\$10,000,000) to finance the appropriation for the project. The bonds or notes or obligations shall be issued pursuant to Section 7-259 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts and statutes. The bonds or notes or obligations shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

3. That the Town issue and renew temporary notes or interim funding obligations from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes or obligations for the project or the receipt of Federal or state grants and/or loans for the project. The amount of the notes or obligations outstanding at any time shall not exceed Ten Million Dollars (\$10,000,000). The notes or obligations shall be issued and renewed pursuant to Sections 7-264 and 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts and statutes. The notes or obligations shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Sections 7-378a and 7-378b of the General

Statutes with respect to any notes that or obligations do not mature within the time permitted by said Sections 7-264 or 7-378.

4. That the First Selectman, or in the absence of the First Selectman any other Selectman, and any two (2) of the Town Treasurer, Director of Finance and Director of Administrative Services, shall sign any bonds or notes or obligations by their manual or facsimile signatures.

The law firm of Tobin, Carberry, O'Malley, Riley & Selinger, P.C. is designated as bond counsel to approve the legality of the bonds or notes or obligations. The First Selectman, or in the absence of the First Selectman any other Selectman, and any two (2) of the Town Treasurer, Director of Finance and Director of Administrative Services, are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes or obligations; whether the bonds, notes or other obligations shall be issued on a taxable or tax-exempt basis; denomination, discount or premium; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes or obligations; to provide for the keeping of a record of the bonds or notes or obligations; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes or obligations at public or private sale; to determine all other terms, details and particulars relative to the issuance, sale and delivery of the bonds, notes or other obligations; to deliver the bonds or notes or obligations; and to perform all other acts which are necessary or appropriate to issue the bonds or notes or obligations.

5. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant monies) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The First Selectman, or in the absence of the First Selectman any other Selectman, and any two (2) of the Town Treasurer, Director of Finance and Director of Administrative Services, are authorized to amend such declaration of 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 bonds or notes or obligations 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.

6. That the First Selectman, or in the absence of the First Selectman any other Selectman, and any two (2) of the Town Treasurer, Director of Finance and Director of Administrative Services, are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes or obligations 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 or rules pertaining to the sale or purchase of such bonds or notes or obligations.

7. That the First Selectman or Director of Finance, or other town officials on behalf of the Town, is authorized to apply for and accept any available federal or state grants-in-aid

and/or loans to defray the appropriation for the project and finance the project, and to enter into any grant agreement prescribed by the United States or state. The Board of Selectmen, First Selectmen, and Director of Finance are authorized to take any other actions necessary to obtain such grants or implement such grant agreements.

8. That the Water Pollution Control Authority is authorized to construct the sewer project; to approve design and construction expenditures and any land acquisition costs incurred for the sewer project; and to contract with engineers, contractors and others on behalf of the Town for said sewer project.

9. That the First Selectman, any other Selectman, the Town Treasurer, Director of Finance and Director of Administrative Services, the Water Pollution Control Authority and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.