

TOWN OF HARWINTON

BOARD OF FINANCE

SPECIAL MEETING

AGENDA

Tuesday, May 23, 2017

7:30 P.M.

KASZNAY LAND PURCHASE

"RESOLUTION APPROPRIATING \$5,170,000 FOR THE EXPANSION AND RENOVATION OF THE HARWINTON PUBLIC LIBRARY AND AUTHORIZING THE ISSUE OF \$4,170,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE"

RECEIVED

MAY 19 2017

TOWN CLERK

Peter B. Thierry, Chairman Board of Finance

RETURN OF POSTING
OF AGENDA FOR
THE BOARD OF FINANCE SPECIAL MEETING
HELD May 23, 2017

I, Nancy E. Eldridge, the duly elected, qualified and acting Town Clerk of the Town of Harwinton, Connecticut, HEREBY CERTIFY that I caused a copy of the above Agenda, attached hereto, of the special meeting of said Board of Finance duly warned and held on May 23, 2017 to be posted and filed in the Town Clerk's office, and at all other places designated by the Town on May 19, 2017, not less than twenty-four hours before such meeting (excluding any day during which the office of the Town Clerk is closed to the public), and in accordance with the Rules of the Board of Selectmen, if any.

I FURTHER CERTIFY that, pursuant to Section 1-225 of the General Statutes, the schedule of all regular Board of Finance meetings for the 2017 calendar year has been filed with the Town Clerk (i) at least 31 days prior to the date of the above-referenced meeting, and (ii) no later than January 31, 2017.

Signed and sealed at Harwinton, Connecticut, this 19th day of May, 2017.

Nancy E. Eldridge
Nancy E. Eldridge
Town Clerk

[Seal]

Received for record

May 19, 2017:

Nancy E. Eldridge
Nancy E. Eldridge
Town Clerk

RESOLUTION APPROPRIATING \$5,170,000 FOR THE
EXPANSION AND RENOVATION OF THE HARWINTON
PUBLIC LIBRARY AND AUTHORIZING THE ISSUE OF
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APPROPRIATION AND PENDING THE ISSUANCE
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FOR SUCH PURPOSE

Section 1. The sum of up to \$5,170,000 is appropriated for the expansion and renovation of the Harwinton Public Library at 88 Bentley Drive, Harwinton, Connecticut approximately in accordance with "Construction Documents 6/30/16" prepared by Drummey Rosane Anderson, Inc., as amended, including increasing the size of the library by 6,500 square feet to accommodate larger Children's and reading areas, a Community room, a Young Adult area, a Business Center for printing, copying and faxing services, increased technology capacity, additional computers, outlets and charging stations, additional small conference rooms, new roof and updated mechanicals, improved physical accessibility, consultants, warranties, and general building upgrades or so much thereof or such additional improvements as may be accomplished within the foregoing appropriation (the "Project"), and for administrative, advertising, printing, financing costs, services and appurtenances related thereto.

Section 2. The total estimated cost of the project is \$5,170,000. The estimated useful life of the project is not less than twenty years. An estimated \$1.0 million of the total Project cost is expected to be paid from State grants and \$4,170,000 from the proceeds of bonds authorized herein. Construction of the Project shall not commence unless the State Bond Commission, or other State funding if applicable, has made a grant commitment of not less than \$1,000,000 toward the Project.

Section 3. To meet said appropriation \$4,170,000 bonds (including bank, USDA or other debt obligations) of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date or such later date as may be authorized by law. Said bonds may be issued in one or more series as determined by any two of the First Selectman and Town Treasurer (hereafter the "Town Officials"), and the amount of bonds of each series to be issued shall be fixed by the Town Officials, 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 said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the Town and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Town Officials, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Town Officials, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Town Officials, and be approved as to their legality by Joseph Fasi

LLC, Bond Counsel, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Town Officials. 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, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon and shall be paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds 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, shall be determined by the Town Officials, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 4. Said bonds shall be sold by the Town Officials in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals, auction, or similar competitive process at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. 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 5. The Town Officials are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Town Officials, bear the Town seal or a facsimile thereof, be payable at a bank or trust company designated by the Town Officials, be approved as to their legality by Joseph Fasi LLC, Bond Counsel, of Hartford, and be certified by a bank or trust company designated by the Town Officials, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the 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 said 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 6. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this resolution in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds 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 First Selectman or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 7. The Town Officials 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 nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories 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 Repositories made prior hereto are hereby confirmed, ratified and approved.

Section 8. It is hereby found and determined that it is in public interest to issue all, or a portion of, the Bonds, Notes or other obligations of the Town as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation. The Town Officials are hereby authorized to issue and utilize without further approval any financing alternative currently or hereafter available to municipal governments pursuant to law including but not limited to any "tax credit bonds" or "Build America Bonds" including Direct Payment and Tax Credit versions.

Section 9. The Board of Selectmen are authorized to de-activate this appropriation and bond authorization at any time after September 30, 2017, or, if as of September 30 2017 a bidder to be awarded the Project construction pending State Bond Commission approval, is holding its bid pending such approval, any time after such bidder is no longer holding its bid.

Section 10. The Board of Selectmen are authorized to appoint a library building committee and to determine its duties and responsibilities, members, term of service, removal, and all other terms, conditions and details of its establishment, function and disbandment from time to time.