



TOWN OF NEWINGTON

200 Garfield Street Newington, Connecticut 06111

Office of the Town Clerk

James E. Krupienski CCTC
Town Clerk

CERTIFICATION OF TOWN COUNCIL RESOLUTION

I, James E. Krupienski, Town Clerk of the Town of Newington, a municipal corporation organized and existing under the law of the State of Connecticut, Do Hereby Certify the attached to be a true and correct copy of Resolution #2023-125 & Resolution #2023-126, duly adopted at a meeting of the Newington Town Council held and convened on August 22, 2023. During which meeting a duly constituted quorum of the Town Council was present and acting throughout, and such Resolution has not been modified, repealed, or rescinded and is at present in full force and effect.

IN WITNESS WHEREOF, the undersigned has affixed his signature and the Seal of the Town of Newington this 11th day of September, 2023.

ATTEST:



James E. Krupienski, CCTC
Newington Town Clerk

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IN NEWINGTON, CT

2023 AUG 29 PM 1:27

AGENDA ITEM: 6.B1

DATE: 8/22/2023

RESOLUTION NO. 2023-125

RESOLVED:

John O'Byrne Jr.
John O'Byrne Jr.
Town Clerk

The Newington Town Council hereby waives the reading of the entire resolution entitled "RESOLUTION AUTHORIZING AN APPROPRIATION OF \$10,997,600 FOR THE JOHN WALLACE MIDDLE SCHOOL RENOVATION PROJECT AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$5,498,800 AND THE USE OF GRANTS AND SUCH OTHER SOURCES OF FUNDS, AS WELL AS ESTABLISHING A DATE FOR A REFERENDUM", and hereby incorporates its full text into the minutes of the meeting.

Council Members Roll Call Vote:

ROLL CALL:

Councilor Anest – yes
Deputy Mayor Budrejko – yes
Councilor Camillo – absent
Councilor Donahue – yes
Councilor Manke – yes
Councilor Nagel – yes
Councilor Page – yes
Councilor Radda – yes
Mayor DelBuono – yes



MOTION BY: Councilor Page

SECONDED BY: Councilor Manke

VOTE: 8-0 (Councilor Camillo not in room)

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2023 AUG 29 PM 1:27

John J. Siegel
John J. Siegel
Town Clerk

AGENDA ITEM: 6.B2

DATE: 8/22/2023

RESOLUTION NO. 2023-126

RESOLVED:

The Newington Town Council hereby moves to adopt the foregoing Resolution entitled, "RESOLUTION AUTHORIZING AN APPROPRIATION OF \$10,997,600 FOR THE JOHN WALLACE MIDDLE SCHOOL RENOVATION PROJECT AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$5,498,800 AND THE USE OF GRANTS AND SUCH OTHER SOURCES OF FUNDS, AS WELL AS ESTABLISHING A DATE FOR A REFERENDUM", and hereby schedules a Referendum date of November 7, 2023.

Council Members Roll Call Vote:

ROLL CALL:

Councilor Anest – yes
Deputy Mayor Budrejko – yes
Councilor Camillo – absent
Councilor Donahue – yes
Councilor Manke – yes
Councilor Nagel – yes
Councilor Page – yes
Councilor Radda – yes
Mayor DelBuono – yes



MOTION BY: Councilor Radda

SECONDED BY: Councilor Nagel

VOTE: 8-0 (Councilor Camillo not in room)

TOWN OF NEWINGTON

TOWN COUNCIL

**RESOLUTION AUTHORIZING AN APPROPRIATION OF \$10,997,600 FOR
THE JOHN WALLACE MIDDLE SCHOOL RENOVATION PROJECT AND
THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF
GENERAL OBLIGATION BONDS AND NOTES IN ANTICIPATION OF SUCH
BONDS IN AN AMOUNT NOT TO EXCEED \$5,498,800 AND THE USE OF
GRANTS AND SUCH OTHER SOURCES OF FUNDS, AS WELL AS
ESTABLISHING A DATE FOR A REFERENDUM**

RESOLVED, (1) That the Town of Newington (the "Town") appropriate the sum of \$10,997,600 for costs related to the John Wallace Middle School renovation project, consisting of certain building and infrastructure repairs, renovations, construction and improvements, and equipment acquisition, at the John Wallace Middle School, including, without limitation, (i) the demolition, renovation, repair, reconfiguration, reallocation, consolidation, conversion and/or construction of classrooms, corridors, break out spaces, lavatories, storage space and other building areas within the three (3) classroom wings for Grades 6, 7 and 8, (ii) the installation, repair and replacement of windows and lockable doors, (iii) room and wall construction and renovation, (iv) code compliance work, including handicapped accessibility code improvements, (v) hazardous materials remediation and abatement, (vi) the removal, replacement and installation of flooring (tiles, rugs and carpets), (vii) the installation and construction of lockers, (viii) the purchase and installation of security cameras, security modules and other security system and safety equipment and improvements, (ix) the purchase and installation of fire alarm and fire protection equipment and improvements, (x) the purchase and installation of information technology, projectors, monitors and other video equipment, wiring infrastructure, power sources, sound system and acoustical improvements, technology improvements, and equipment and materials related thereto, (xi) the purchase and installation of telephone infrastructure, public address system improvements and a voice broadcasting system to benefit handicapped individuals and enhance classroom instruction (voicelift system called Topcat), (xii) electrical, mechanical, plumbing, lighting, HVAC system, climate controls/ventilation system, communication and other building system improvements, (xiii) site improvements, (xiv) the purchase and/or installation of equipment, fixtures, furniture and other materials, (xv) the preparation and printing of bid documents, cost estimate reports and studies, environmental reports, informational materials and other preliminary materials, studies and reports related to the project, and (xvi) design, demolition, construction, site work, engineering, project and construction management, architectural, permit, insurance, testing and inspections, legal, administration, temporary and permanent financing costs and expenses and any other costs and expenses related thereto, all of the above with such changes as the Town Council may approve (the "Project"). The Town Council is authorized to determine the scope and particulars of the Project. The Town Council may reduce or modify the scope of the Project, and the entire appropriation authorized hereby may be spent on the Project as so reduced or modified.

(2) That to finance said appropriation for the Project, the Town issue bonds and/or notes in an amount not to exceed \$5,498,800 and use grants and/or such other sources of funds available for said Project. The bonds or notes shall be issued pursuant to Chapter 109 of the Connecticut General Statutes, Revision of 1958, as amended (the "Connecticut General Statutes"), including, without limitation, Section 7-369 of the Connecticut General Statutes, Section 10-289 of the Connecticut General Statutes, and any other enabling acts.

(3) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the Project or the receipt of grants for the Project. The amount of the notes outstanding at any time shall not exceed \$5,498,800. The notes shall be issued pursuant to the Town Charter and 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 Town Manager and the Director of Finance of the Town (the "Officials") be authorized to sign said bonds or notes by their manual or facsimile signatures and to determine the amounts, rates of interest, dates, maturities, dates of principal and interest payments on such bonds or notes, the form of such bonds or notes; the provisions for protecting and enforcing the rights and remedies of the holders of such bonds or notes and all other terms, conditions and particular matters regarding the issuance and securing of such bonds or notes and to execute, sell and deliver the same, and provide all supporting documentation as may be necessary or desirable to accomplish such purposes and to comply with the requirements of the Internal Revenue Code of 1986, as amended, Securities and Exchange Commission Rule 15c2-12, the Town Charter, the provisions of the Connecticut General Statutes and any other applicable provision of law thereto enabling. The bonds and notes authorized hereby shall be general obligations of the Town secured by the full faith and credit of the Town.

(5) That the Officials are hereby authorized to designate a bank or trust company to be the certifying bank, registrar, transfer agent and paying agent for such bonds and notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; that the law firm of 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.

(6) That the Officials are authorized to sell the bonds and 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.

(7) That the Town hereby declares its official intent under Federal Income Tax Regulations 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 moneys) 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 Officials 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 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.

(8) That the Officials are authorized to make representations and enter into written agreements or otherwise covenant 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 or rules pertaining to the sale or purchase of such bonds or notes.

(9) That the Town Manager is hereby authorized, on behalf of the Town, to execute any contracts with engineers, contractors, architects and other persons for the Project, and to apply for and accept state or other grants to finance the appropriation for the Project, excluding grants to be applied for by the Newington Board of Education, as authorized by the Town Council under separate resolution.

(10) That the Officials are authorized to take all other actions which are necessary or desirable to complete the Project consistent with the foregoing and to issue bonds or notes to finance the aforesaid appropriation.

(11) That this resolution shall become effective after it has been voted on and approved by a majority of the qualified electors voting thereon at referendum duly called and held for such purpose.

BE IT FURTHER RESOLVED,

(1) That should the Town Council adopt the foregoing resolution, pursuant to Section C-408 of the Town Charter, said resolution shall be submitted to the voters at referendum to be held on Tuesday, November 7, 2023, between the hours of 6:00 a.m. and 8:00 p.m., for a yes or no vote, in the designated voting locations in the manner provided by said Charter and the Connecticut General Statutes, Revision of 1958, as amended, and that the Town Clerk is directed to post and publish notice of such referendum in accordance with the provisions of said Charter and the Connecticut General Statutes, which notice shall state the question to be voted on as follows:

"Shall the resolution entitled, RESOLUTION AUTHORIZING AN APPROPRIATION OF \$10,997,600 FOR THE JOHN WALLACE MIDDLE SCHOOL RENOVATION PROJECT AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$5,498,800 AND THE USE OF GRANTS AND SUCH OTHER SOURCES OF FUNDS", be approved?

Yes _____ No _____"

The ballot label for said question shall read as follows:

"Shall the Town of Newington appropriate \$10,997,600 for the John Wallace Middle School renovation project and authorize the issuance of general obligation bonds and notes in an amount not to exceed \$5,498,800 and the use of grants and such other sources of funds to finance said appropriation?

Yes _____ No _____"

BE IT FURTHER RESOLVED, That the Town Council hereby authorizes the preparation and printing by the Town Clerk, subject to the approval of the Town Attorney, of explanatory text for the question approved hereby for submission to the voters at referendum on November 7,



2023 specifying the intent and purpose of the Project in accordance with Section 9-369b of the Connecticut General Statutes. Subject to the approval of the Town Attorney, the Town Council further authorizes the preparation and printing of materials concerning the question approved hereby for submission to the voters at referendum in addition to the explanatory text in accordance with Section 9-369b of the Connecticut General Statutes.

