

RESOLUTION TO APPROPRIATE \$7,500,000 FOR RENOVATIONS AND IMPROVEMENTS TO JOHN LYMAN ELEMENTARY SCHOOL AND TO AUTHORIZE THE ISSUANCE OF BONDS, NOTES OR TEMPORARY NOTES IN AN AMOUNT NOT TO EXCEED \$7,500,000 TO FINANCE THE APPROPRIATION

REGIONAL SCHOOL DISTRICT NO. 13
TOWNS OF DURHAM AND MIDDLEFIELD

RESOLUTION TO APPROPRIATE \$7,500,000 FOR RENOVATIONS AND IMPROVEMENTS TO JOHN LYMAN ELEMENTARY SCHOOL AND TO AUTHORIZE THE ISSUANCE OF BONDS, NOTES OR TEMPORARY NOTES IN AN AMOUNT NOT TO EXCEED \$7,500,000 TO FINANCE THE APPROPRIATION

BE IT RESOLVED:

SECTION 1. That Regional School District No. 13 (the "District") appropriate \$7,500,000 for renovations and improvements to John Lyman Elementary School in the Town of Middlefield (the "Project"). The appropriation may be expended for design, construction, renovation and installation costs, engineering and professional fees, materials, equipment, purchase costs, legal fees, financing costs, interest expense on temporary borrowings, and other costs related to the Project. The appropriation shall include any federal, state or other grants-in-aid received for the Project. The Regional School District 13 Building Committee (the "Building Committee") is authorized to determine the particulars of the Project, and may reduce or modify the scope of the Project as desirable, and the entire appropriation may be spent on the Project as so reduced or modified. The District anticipates receiving grants from the State of Connecticut for a portion of the eligible costs of the Project to defray in part the appropriation.

SECTION 2. That the District finance the Project by issuing the District's bonds or notes in an amount not to exceed \$7,500,000 which bonds or notes shall be issued pursuant to the Connecticut General Statutes, as amended. The bonds or notes may be sold as a single issue or consolidated with any other authorized issues of bonds or notes of the District. The bonds or notes shall bear the District seal or a facsimile thereof. The bonds or notes shall each recite that every requirement of law relating to its issue has been fully complied with, that such bond or note is within every debt and other limit prescribed by law, and that the full faith and credit of the District and the towns of Durham and Middlefield (the "Member Towns") are pledged to the payment of the principal thereof and the interest thereon. The Chairman and Treasurer of the District Board of Education are hereby authorized to determine the amount, date, interest rates, maturities, form and other details of the bonds or notes; to designate a bank or trust company to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to designate the persons to sign such bonds or notes by their manual or facsimile signatures in the name or on behalf of the District; 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.

SECTION 3. That the District is authorized to issue temporary notes in anticipation of the receipt of the proceeds of said bonds or notes. The temporary notes shall be issued with maturity dates in accordance with the Connecticut General Statutes, as amended. The temporary notes shall each recite that every requirement of law relating to its issue has been fully complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the District and its Member Towns are pledged to the payment of the principal thereof and the interest thereon. The Chairman and Treasurer of the District Board of Education are authorized to determine the amounts, dates, interest rates, maturities, form, and other details of the notes; to sell the notes at public or private sale; to designate the persons to execute and deliver the notes; and to perform all other acts which are necessary or appropriate to issue the notes. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing, and marketing such notes, to the extent paid from the proceeds from the issuance of bonds or notes, shall be included as a cost of the appropriation.

SECTION 4. That the District hereby declares its official intent under Treasury Regulation Section 1.150-2 of the Internal Revenue Code of 1986, as amended, that the project costs may be paid from temporary advances of available funds and that the District 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 for the Project; that the Chairman and Treasurer of the District Board of Education are authorized to bind the District pursuant to such representations and agreements as they deem necessary or advisable in order to ensure and maintain the continued exemption from Federal income taxation of interest on the bonds, notes or temporary 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; and that the Chairman and Treasurer of the District Board of Education are authorized to make representations and agreements for the benefit of the holders of the bonds, notes or temporary notes to provide secondary market disclosure information and to execute and deliver on behalf of the District an agreement to provide such information with such terms and conditions as they, with the advice of bond counsel, deem necessary and appropriate.

SECTION 5. That the bonds, notes or temporary notes authorized above, or any portion thereof, may bear interest which is includable in the gross income of holders thereof for Federal income tax purposes pursuant to the Internal Revenue Code of 1986, as amended, as the issuance of such taxable bonds, notes or temporary notes is hereby determined to be in the public interest.

SECTION 6. That the Superintendent and the Building Committee are authorized to apply for and accept or reject grants-in-aid for the Project.

SECTION 7. That the Superintendent and Building Committee are authorized to execute agreements and other documents on behalf of the District for the Project; and that other District officials and employees are authorized to take all actions necessary and proper to carry out the Project and to issue the bonds, notes or temporary notes to finance the appropriation.

SECTION 8. That the Board of Education is authorized to prepare a concise, explanatory text of this appropriation and bonding resolution which has been submitted to a referendum vote on the voting tabulators in each of the Member Towns Subject to the approval of the Board of Education's Attorney, the Board of Education is authorized to prepare and print explanatory materials regarding this resolution, such explanatory text and explanatory materials to be prepared in accordance with Connecticut General Statutes Section 9-369b.

REGIONAL SCHOOL DISTRICT NO. 13
TOWNS OF DURHAM AND MIDDLEFIELD

RESOLUTION TO SUBMIT TO REFERENDUM THE RESOLUTION TO APPROPRIATE \$7,500,000 FOR RENOVATIONS AND IMPROVEMENTS TO JOHN LYMAN ELEMENTARY SCHOOL AND TO AUTHORIZE THE ISSUANCE OF BONDS, NOTES OR TEMPORARY NOTES IN AN AMOUNT NOT TO EXCEED \$7,500,000 TO FINANCE THE APPROPRIATION

RESOLVED:

Section 1. The appropriation and bonding resolution approved by the Regional School District No. 13 Board of Education concurrently herewith shall be submitted to a referendum vote on voting tabulators by electors and citizens qualified to vote in town meetings in the Towns of Durham and Middlefield on Tuesday, February 8, 2022 between the hours of 6:00 a.m. and 8:00 p.m. and placed on the ballot labels as the following question:

“Shall Regional School District No. 13, comprised of the Towns of Durham and Middlefield, appropriate \$7,500,000 for renovations and improvements to John Lyman Elementary School and authorize the issuance of bonds, notes or temporary notes in an amount not to exceed \$7,500,000 to finance the appropriation?

YES NO”

Voters approving the resolution shall vote “Yes” and those opposing the resolution shall vote “No”.

Section 2. The following polling places shall be utilized for purposes of the referendum vote on the voting tabulators:

Coginchaug Regional High School
135 Pickett Lane
Durham, Connecticut 06422

Middlefield Community Center
405 Main Street
Middlefield, Connecticut 06455