

RESOLUTION APPROPRIATING \$5,433,298 FOR THE TOWN OF LITCHFIELD 2023-2024 CAPITAL IMPROVEMENT PROGRAM, INCLUDING LIBRARY, BOARD OF FIRE COMMISSIONERS & EMS AND PUBLIC WORKS IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$5,433,298 BONDS (\$3,928,959 IS EXPECTED TO BE PAID FROM GRANTS AND TOWN FUNDS) OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$5,433,298 is appropriated for the planning, acquisition and construction of the Town of Litchfield Capital Improvement Plan 2023-2024, as adopted and amended by the Board of Selectmen from time to time, and including, but not limited to: (i) Library; (ii) Fire Commissioners and EMS; and (iii) Public Works Department; and for debt administration, appurtenances, equipment and services related thereto, or so much thereof as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs to the extent paid therefrom. The Board of Selectmen may by resolution transfer funding herein authorized among projects within the 2023-2024 CIP. See Attachment A.

Section 2. The total estimated cost of the 2023-2024 CIP Improvement Plan to be authorized to be financed with debt is \$5,433,298, an estimated \$3,928,959 of which is expected to be paid from grants and other Town funds, for a net town expected financing of \$1,504,339.

Section 3. To meet said appropriation \$5,433,298 bonds 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 the First Selectman and Treasurer, and the amount of bonds of each series to be issued shall be fixed by the First Selectman and Treasurer, in the amount necessary to meet the Town's share of the cost of the project determined after considering the estimated amount of the State and Federal grants-in-aid of the project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, 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 First Selectman and Treasurer bear, the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the First Selectman and Treasurer, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the First Selectman and Treasurer, and be approved as to their legality by bond counsel. They shall bear such rate or rates of interest as shall be determined by the First Selectman and Treasurer. 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 sources. 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 First Selectman and Treasurer, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 4. Said bonds shall be sold by the First Selectman and Treasurer 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. If the bonds are sold by negotiation, the provisions of the purchase agreement shall be subject to approval of the Board of Selectmen.

Section 5. The First Selectman and Treasurer 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 First Selectman and Treasurer, bear the Town seal or a facsimile thereof, be payable at a bank or trust company designated by the First Selectman and Treasurer, be approved as to their legality by bond counsel, and be certified by a bank or trust company designated by the First Selectman and Treasurer, 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, 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 sources. 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 Finance Director or designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 7. The First Selectman and Treasurer 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 First Selectman and Treasurer, are hereby authorized to issue and utilize without further approval any financing alternative available to municipal governments pursuant to law, including but not limited to any "tax credit bond," or "tax-advantaged bond" including direct payment and tax credit versions.

Attachment A

| TOWN OF LITCHFIELD PROPOSED CIP 2023-2024 | | | | | | |
|--|--|---------------------|--------------------------|---------------|------------------------------|-----------------------------|
| TOWN OF LITCHFIELD - CAPITAL BUDGET | | | | | | |
| Dept. | Project Description | Proposed Total Cost | Less Grant/Other Funding | Net Town Cost | Pay As You Go - Fund Balance | AMT. TO BE BONDED AUG. 2023 |
| BOARD OF EDUCATION | | | | | | |
| | BOARD OF EDUCATION | \$ - | \$ - | \$ - | | |
| LIBRARY | Generator | \$ 60,318 | \$ 30,318 | \$ 30,000 | \$ 30,000 | \$ - |
| | TOTAL LIBRARY | \$ 60,318 | \$ 30,318 | \$ 30,000 | \$ 30,000 | \$ - |
| POLICE | | | | | | |
| | TOTAL POLICE | \$ - | \$ - | \$ - | \$ - | |
| BOARD OF FIRE COMMISSIONERS & EMS | | | | | | |
| | Fire Ponds | \$ 10,000 | | \$ 10,000 | \$ 10,000 | \$ - |
| | Litchfield FD Apparatus Ramp | \$ 310,000 | | \$ 310,000 | \$ 310,000 | \$ - |
| | Northfield Engine 1 (1995) | \$ 850,000 | | \$ 850,000 | \$ 850,000 | \$ - |
| | ELFD Exhaust System | \$ 40,000 | | \$ 40,000 | \$ 40,000 | \$ - |
| | NFD Hose Replacement | \$ 50,000 | | \$ 50,000 | \$ 50,000 | \$ - |
| | BFD Piping | \$ 242,250 | | \$ 242,250 | \$ 242,250 | \$ - |
| Total | BOARD OF FIRE COMMISSIONERS & EMS | \$ 1,502,250 | \$ - | \$ 1,502,250 | \$ 1,502,250 | \$ - |
| PARK & RECREATION | | | | | | |
| | TOTAL PARK AND RECREATION | \$0 | \$ - | \$ - | \$ - | |
| DEPARTMENT OF PUBLIC WORKS | | | | | | |
| | Bridge Program | \$ 25,000 | | \$ 25,000 | \$ 25,000 | \$ - |
| | Vehicles & Equipment Replacement | \$ 70,000 | | \$ 70,000 | \$ 70,000 | \$ - |
| | Town Aid Road Funding | \$ 383,844 | \$ 383,844 | \$ - | | \$ - |
| | Major Road Projects | \$ 2,671,214 | \$ 1,400,000 | \$ 1,271,214 | | \$ 1,271,214 |
| | Facilities - Town Maintenance | \$ 400,672 | \$ 214,797 | \$ 185,875 | 185,875 | \$ - |
| | Facilities - School Maintenance | \$ 260,000 | | \$ 260,000 | \$ 26,875 | \$ 233,125 |
| | Total Department of Public Works | \$ 3,810,730 | \$ 1,998,641 | \$ 1,812,089 | \$ 307,750 | \$ 1,504,339 |
| | Debt Administration | \$ 60,000 | | \$ 60,000 | \$ 60,000 | \$ - |
| | TOTAL CAPITAL PROJECT REQUESTS | \$ 5,433,298 | \$ 2,028,959 | \$ 3,404,339 | \$ 1,900,000 | \$1,504,339 |
| | \$500,000 (Self Medical Insurance) | | | | | |
| | Use of Fund Balance | | | | | |