

MINUTES OF SPECIAL TOWN MEETING
OF THE TOWN OF EAST HAMPTON
MAY 21, 2013

A special town meeting of the electors and citizens qualified to vote in town meetings of the Town of East Hampton, Connecticut, was held at the East Hampton High School Library, 15 North Maple Street in East Hampton, Connecticut on the 21st of May, 2013 at 7:00 p.m.

Moderator Mr. Paul Hoffman was chosen as Moderator of the meeting. Moderator Hoffman opened the meeting at 7:10 p.m. and directed Town Clerk, Sandra Wieleba, to read the Legal Call for the meeting which was published in The Rivereast on May 10, 2013, and which is recorded in these records immediately preceding these minutes.

Moderator Hoffman asked for a motion to accept the Legal Call. Ms Susan Weintraub accepted the Legal Call and seconded by Mr. George Pfaffenbach. Moderator Hoffman called for vote on accepting the Call. Vote in the affirmative.

Item 1.

The reports of the Town Council and the Board of Finance were presented recommending an appropriation of \$51,695,000 for costs of the East Hampton High School Renovations, Improvements and Additions Project, and the issue of bonds, notes and temporary notes to defray the appropriation. The report of the Planning and Zoning Commission were presented approving the proposed project.

The Moderator requested that the resolution prepared for this item be presented.

Ms Susan Weintraub presented the following resolution which was seconded by Mr. George Pfaffenbach.

RESOLVED, that the reading of the resolution to be presented to this Special Town Meeting under item 1 of the notice be waived and that the full text of the resolution, a copy of which, has been made available to all those in attendance at this meeting, be incorporated into the text of this meeting.

Upon motion duly made and seconded, the foregoing resolution was adopted by voice vote.

Ms. Susan Weintraub presented the resolution to be considered under item 1 of the Notice, the full text of the resolution is attached to and made a part of these minutes, which resolution was seconded by Mr. George Pfaffenbach. Moderator Hoffman stated that the meeting was open for discussion of the foregoing resolution.

Public Comment

None.

Item 2.

Ms. Susan Weintraub presented the following resolution which was seconded by Mr. George Pfaffenbach.

RESOLVED, that this town meeting be adjourned to a referendum vote on the resolution considered pursuant to item 1 of the Notice to be held on Tuesday, June 4, 2013 between the hours of 6:00 a.m. and 8:00 p.m. in the East Hampton High School Gymnasium, 15 North Maple Street, East Hampton, CT.

Upon motion duly made and seconded, the foregoing resolution was adopted by voice vote.

Moderator Hoffman declared that the town meeting was adjourned to a referendum vote on Tuesday, June 4, 2013, between the hours of 6:00 a.m. and 8:00 p.m., and that the resolution would be placed upon the ballots under the following heading:

"SHALL THE TOWN OF EAST HAMPTON APPROPRIATE \$51,695,000 FOR THE EAST HAMPTON HIGH SCHOOL RENOVATIONS, IMPROVEMENTS AND ADDITIONS PROJECT, AND AUTHORIZING THE ISSUE OF BONDS AND NOTES TO FINANCE THE PORTION OF THE APPROPRIATION NOT DEFRAID FROM GRANTS ?"

Voters approving said resolution will vote "Yes" and those opposing said resolution will vote "No". Electors will vote at the East Hampton High School, 15 North Maple Street, East Hampton, CT in the gymnasium.

Persons qualified to vote in town meetings who are not electors will vote at the same location.

Absentee ballots will be available from the Town Clerk's Office.

Motion made by Mr. George Pfaffenbach and seconded by Ms. Barbara Moore to adjourn the town meeting to a referendum vote.

The town meeting adjourned at 7:20 p.m. for a referendum vote on the resolution under item 1 of the Notice.

The referendum was held on Tuesday, June 4, 2013, between the hours of 6:00 a.m. and 8:00 p.m. Moderator Hoffman announced that the question had been approved by the following vote:

Number of "Yes" votes 1,536

Number of "No" votes 1,259

Adjourn

Motion to adjourn at 8:10 p.m. by Mr. Kyle Dostaler and seconded by Mrs. Susan Weintraub. Vote in the affirmative.

A true record

Attest: _____

Sandra M. Wieleba, Town Clerk

Attachment: Bond Resolution

TOWN OF EAST HAMPTON
RESOLUTION APPROPRIATING \$51,695,000 FOR THE EAST
HAMPTON HIGH SCHOOL RENOVATIONS, IMPROVEMENTS AND
ADDITIONS PROJECT, AND AUTHORIZING THE ISSUE OF
BONDS AND NOTES TO FINANCE THE PORTION OF THE
APPROPRIATION NOT DEFRAYED FROM GRANTS

RESOLVED,

1. That the Town of East Hampton appropriate FIFTY-ONE MILLION SIX HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$51,695,000) for costs in connection with renovations, improvements and additions to East Hampton High School, contemplated to include but not limited to renovation to like new status (20 year standard) of approximately 95,000 square feet of the existing building including abatement of hazardous materials, installation of new building systems including air conditioning and reconfiguration of the interior to create a more efficient and effective use of space; demolition of the two "1975" wings of the building; construction of approximately 32,000 square feet of additions consisting of a new science wing, cafeteria area, circulation, and lecture hall; upgrades to the exterior circulation (parent/student drop zones) and the creation of a "loop road" with additional parking; various site improvements; related work and improvements; and for costs in connection with the financing of the project. The East Hampton High School Building

Committee shall be authorized to determine the scope and particulars of the project and to reduce or modify the scope of the project, and the entire appropriation may be expended on the project as so modified or reduced. The appropriation may be spent for design, construction, acquisition and installation costs, related work and improvements, equipment, furnishings, materials, architect, engineering, project management, construction management and other consultant fees, legal fees, administrative and grant application costs, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Town anticipates receiving State of Connecticut Department of Education grants to defray in part the appropriation for the project, and estimates that the net project cost to the Town will be \$28,342,855. This appropriation is in addition to the \$200,080 appropriation from unassigned General Fund balance for preliminary costs associated with

project as approved at Special Town Meeting held on November 1, 2012.

2. That the Town issue bonds or notes in an amount not to exceed FIFTY-ONE MILLION SIX HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$51,695,000) to finance the appropriation for the project. The amount of bonds or notes authorized to be issued shall be reduced by the amount of grants received by the Town for the project. The bonds or notes shall be issued pursuant to Sections 7-369 and 10-289 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes 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 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 temporary notes outstanding at any time shall not exceed FIFTY-ONE MILLION SIX HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$51,695,000). The temporary notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The temporary notes 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 Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

4. That the Chairman or the Vice-Chairman of the Town Council and the Town Manager or the Finance Director of the Town shall sign any bonds, notes or temporary notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds, notes or temporary notes. The Chairman or the Vice-Chairman of the Town Council and the Town Manager or the Finance Director are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds, notes or temporary notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds, notes or temporary notes; 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, notes or temporary notes; to sell the bonds, notes or temporary notes at public or private sale; to deliver the bonds, notes or temporary notes; and to perform all other

acts which are necessary or appropriate to issue the bonds, notes or temporary notes.

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 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 Chairman or the Vice-Chairman of the Town Council and the Town Manager or the Finance Director 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, 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.

6. That the Chairman or the Vice-Chairman of the Town Council and the Town Manager or the Finance Director are authorized to make representations and enter into written agreements for the benefit of holders of the bonds, notes or temporary 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, notes or temporary notes.

7. That the East Hampton High School Building Committee is authorized to act as a school building committee for, and to carry out, the project, including the authority to approve design, construction, acquisition and installation costs for the project including without limitation the preparation of schematic drawings and outline specifications for the project, to select architects, engineers, contractors and others to complete the project, and to exercise such other powers as are necessary or appropriate to complete the project and to obtain grants to offset the costs of the project and its financing. Committee members shall not receive any compensation for their services. Necessary expenses of the committee shall be included in the cost of the project. The records of the committee shall be filed with the Town Clerk and open to public inspection during normal business hours. Upon completion of the project, the committee shall make a complete report and accounting to the Town Council.

8. That Board of Education is authorized to apply to the State of Connecticut Commissioner of Education for, and to accept or reject, State grants for the project. The Board of Education is authorized to file notices and applications with the State Board of Education for the project, to execute grant agreements for the project, and to file such documents as may be required by the State Board of Education to obtain grants for the costs of financing the project, and to take any other actions necessary to obtain such grants or to implement such grant agreement.

9. That the Town Council, the Chairman and the Vice-Chairman of the Town Council, the Town Manager, the Finance Director, the Board of Education, the East Hampton High School Building Committee, and other proper officers and officials 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 temporary notes and obtain grants to finance the aforesaid appropriation.