

**REGION 9 BOARD OF EDUCATION SPECIAL PUBLIC HEARING AGENDA
JOEL BARLOW HIGH SCHOOL – AUDITORIUM
APRIL 19, 2006**

Meeting called to order at 7:20pm.

Present: Mrs. Pemberton, Mr. Coppinger, Mr. Lewis, Mr. Bonfanti, Mr. Poltrack, Dr. Fossbender, Mrs. Sullivan, Mr. Craw, Judge Emerson, three members of the press and four members of the public.

Public Comment

Mrs. Kubick – Redding asked:

1. Whether additional State Reimbursement was possible on the additional \$1.3 million?
2. What was the answer to the question at the last meeting from Mr. Jennings regarding the total amount spent on legal fees?

Motion: Judge Emerson was elected to be the Moderator of the meeting (Poltrack, Coppinger adopted unanimously).

Judge Emerson explained the purpose of the meeting and read Resolution 1 (attached below as “Resolution 1 and Explanatory Text”. This was provided to the public in the Green paper handout. This resolution - “Resolution appropriating \$1,300,000” - will serve to authorize an additional 1.3 million in spending authorization and associated borrowing for the building project

Mrs. Pemberton made a brief presentation that explained why additional funds are needed and what they will be used for.

Public Question and Answer on the matter

Mrs. Sullivan answered Mrs. Kubick’s questions.

1. She is researching how much of both the \$4.3 million in the last referendum and the proposed \$1.3 million will be eligible for state reimbursement. She expects that some will be and hopes to have an answer before the May 23rd referendum date. She explained that a full CO is not required to obtain full State reimbursement and that she is in the process of closing out the project, which will enable her to file for all the remaining possible state reimbursements.
2. Legal fees to date are \$607,000. This includes \$55,000 for the Bond Counsel but does not include \$97,000 in invoices that have been received but not yet approved by the Board

Mr. Ford – Redding indicated his support for contractors being paid and his concern that the amount proposed may not be enough to complete the project. He asked about progress on the outstanding items required for a full CO. Mr. Poltrack explained that sign-off from KBA (the Architect) has been received and that he is making progress to obtain signoff from vanZelm (the project's Engineer) and the four town bodies involved.

Mrs. Sullivan read the Resolution's Explanatory Text in the record. This text is Sections 1-8 in "Resolution 1" attached below (the Green Handout).

Dr. Fossbender read the Referendum Resolution and the Question ("Resolution to Submit to Referendum...") into the Record. This material (the Yellow handout) is attached below marked as "Resolution 2 and The Question"

1. The Board unanimously (5-0 with no abstentions) adopted three motions (Coppinger, Poltrack) :

- 1. Motion to approve Resolution 1 and the Explanatory Text contained below**
- 2. Motion to send the matter to a referendum. This is contained in the top part of the "Resolution 2 and the Question" attached below.**
- 3. Motion to approve "The Question" contained in the second part of "Resolution 2 and the Question" attached below.**

2. Adjournment at 7:55 (Coppinger, Poltrack adopted unanimously)

Respectfully submitted by Mark Lewis, acting for Mr. Stone.

Resolution 1 and Explanatory Text (The Green Handout mentioned above)

RESOLUTION APPROPRIATING \$1,300,000 (EASTON'S SHARE CURRENTLY EQUAL TO 43.75% OR \$568,750; AND REDDING'S SHARE CURRENTLY EQUAL TO 56.25% OR \$731,250) FOR EXPANSION, RENOVATIONS, CODE COMPLIANCE, CAPITAL IMPROVEMENTS AND PURCHASE OF EQUIPMENT FOR JOEL BARLOW HIGH SCHOOL AND AUTHORIZING THE ISSUE OF \$1,300,000 BONDS OF THE DISTRICT TO MEET SAID APPROPRIATION AND PENDING THE ISSUE OF BONDS THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

RESOLVED:

Section 1. The sum of \$1,300,000 (Easton's share currently equal to 43.75% or \$568,750; and Redding's share currently equal to 56.25% or \$731,250) is hereby appropriated for design, expansion, renovation, code compliance, capital improvements and purchase of equipment for Joel Barlow High School. The School Building Committee shall determine the particulars of the project and may reduce or modify the project scope, and the entire appropriation may be spent for design and construction costs, materials, equipment, furnishings, fixtures, parking facilities, site development and improvements, utilities, engineering costs, legal fees, net interest on borrowing and other financial costs and other expenses related to the project. This appropriation is separate from and in addition to the \$37,696,309 previously appropriated and approved at referendum for the same purposes as otherwise above. Approval of this appropriation will in no way affect the previously approved amount.

Section 2. To meet said appropriation, \$1,300,000 bonds of the District, or so much thereof as shall be necessary to be used in an amount to be determined after reduction by any grants from the State of Connecticut to meet said appropriation for such purpose, shall be issued, maturing not later than the twentieth year after their date. The bonds shall be issued in fully registered form, be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman and the Treasurer of the Board and be approved as of their legality by the law firm of Levy & Droney, P.C., bond counsel to the District. The bonds shall be general obligations of the District and its member towns and may be issued in book-entry form, 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, and that the full faith and credit of the District and its member towns are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of bonds to be issued, the form of issuance as serial or term bonds, the dated date, the denomination, the annual installments of principal, terms of redemption, if any, the interest rates, the dates and times of issue and sale and other terms, details and particulars of such bonds shall be determined by the Treasurer of the Board and the Director of Finance and Operations in accordance with the General Statutes of the State of Connecticut, as amended. While it is anticipated that the bonds will qualify as tax-exempt bonds, the Treasurer of the Board and the Director of Finance and Operations are authorized, upon the advice of bond counsel, to issue all or any portion of the bonds as bonds the interest on which is includable in the gross income of the owners thereof for federal income tax purposes, and it is hereby found and determined that the issuance of any such bonds is in the public interest.

Section 3. Said bonds shall be sold by the Treasurer of the Board and the Director of Finance and Operations, at public sale or private sale. If sold at public sale, the bonds shall be sold upon sealed proposals at a discount or at not less than par and accrued interest on the basis of the lowest true interest cost to the District. A notice of sale describing the bonds and setting forth the terms and conditions of the sale shall be published at least seven days in advance of the sale in a recognized publication or media carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold at private sale, the purchase agreement shall be approved by the Treasurer of the Board and the Director of Finance and Operations.

Section 4. The Treasurer of the Board and the Director of Finance and Operations are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Chairman and Treasurer of the Board, have the seal of the District or a facsimile thereof affixed, be approved as to their legality by the law firm of Levy & Droney, P.C., bond counsel to the District, and be certified by a bank or trust company, pursuant to Section 10-56 of the General Statutes of the State of Connecticut, as amended. They shall be issued with maturity dates in accordance with Section 10-56 of the

General Statutes of the State of Connecticut, as amended, or such legislation as may be enacted authorizing an extension of the maturity date of such notes. The notes shall be general obligations of the District and its member towns, 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 District and its member towns are pledged to the payment of the principal thereof and interest thereon. The true interest cost on such notes, including the renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from proceeds of such renewals or said bonds, may be included as a cost of the project. Upon the sale of 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 5. The Treasurer of the Board or the Director of Finance and Operations is hereby authorized in the name and on behalf of the District to apply for and accept grants from the Commissioner of Education and the State of Connecticut for reimbursement of project costs.

Section 6. The District reasonably expects to incur expenditures in connection with the project of which a general functional description is contained above. Such expenditures may be paid from temporary advances of available funds, and the District reasonably expects to reimburse itself for any such advances with respect to the project with proceeds of debt to be incurred by the District with respect to the project within eighteen (18) months after the date of such expenditures or the date the project is placed in service or abandoned, whichever is later but in no event more than three (3) years after the original expenditures are paid. This declaration of official intent is made pursuant to Section 1.150-2 of the Treasury Regulations.

Section 7. The School Building Committee, established by the Board for the project, is authorized to contract with architects, engineers, contractors and others in the name and on behalf of the District with respect to the project following approval from the Board, to approve design and construction expenditures for the project, and to exercise such other powers as are necessary or appropriate to complete the project.

Section 8. This resolution shall take effect when the same shall have been approved by a majority of those voting at a referendum called and warned for such purpose. The date of such referendum shall be determined by resolution of the Board. In the event that this resolution not be approved at such referendum, it shall be null and void, and of no effect.

Resolution 2 and the Question (The Yellow Handout mentioned above)

**RESOLUTION TO SUBMIT TO REFERENDUM THE RESOLUTION TO RENOVATE
JOEL BARLOW HIGH SCHOOL TO TAKE PLACE MAY 23, 2006.**

**(Note: the material above is Resolution 2 and was approved in the 2nd motion above. The
resolve below is “The Question” approved in the 3rd motion above.)**

RESOLVED:

Section 1. The appropriation and bonding resolution approved by the Board concurrently herewith shall be submitted to a referendum vote on voting machines by persons qualified to vote in town meetings in the Towns of Easton and Redding on May 23, 2006 between the hours of 6:00 a.m. and 8:00 p.m. (E.D.T.) and placed on the ballot labels as the following question:

“Shall Regional School District No. 9, comprised of the Towns of Easton and Redding, appropriate \$1,300,000 (Easton’s share currently equal to 43.75% or \$568,750; and Redding’s share currently equal to 56.25% or \$731,250), in addition to \$37,696,309 previously appropriated, for expansion, renovations, code compliance, capital improvements and purchase of equipment for Joel Barlow High School and authorize \$1,300,000 in bonds, in addition to bonds previously authorized, to be issued in an amount to be determined after reduction by any grants from the State of Connecticut, to meet said appropriation?”

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

Samuel Staples Elementary School
515 Morehouse Road
Easton, Connecticut

Redding Community Center
37 Lonetown Road
Redding, Connecticut

Section 3. Warnings of the referendum vote shall be published in newspapers having a general circulation within the Towns of Easton and Redding, respectively, not less than thirty (30) days before the date of said referendum, which warnings shall be in substantially the following forms:

**WARNING
REFERENDUM VOTE
Regional School District No. 9
Town of Easton
May 23, 2006**

A referendum vote of the electors and citizens qualified to vote in town meetings of the Town of Easton, Connecticut will be held in the Town of Easton at the following place:

Samuel Staples Elementary School
515 Morehouse Road
Easton, Connecticut

and simultaneously in Redding, Connecticut on Tuesday, May 23, 2006, between the hours of 6:00 a.m. and 8:00 p.m. pursuant to Section 10-56 of the General Statutes of the State of Connecticut, Revision of 1958, as amended, upon a resolution adopted by the Regional Board of Education at a meeting held on April 19, 2006.

The resolution will be placed on the ballot labels as the following question:

“Shall Regional School District No. 9, comprised of the Towns of Easton and Redding, appropriate \$1,300,000 (Easton’s share currently equal to 43.75% or \$568,750; and Redding’s share currently equal to 56.25% or \$731,250), in addition to \$37,696,309 previously appropriated, for expansion, renovations, code compliance, capital improvements and purchase of equipment for Joel Barlow High School and authorize \$1,300,000 in bonds, in addition to bonds previously authorized, to be issued in an amount to be determined after reduction by any grants from the State of Connecticut, to meet said appropriation?”

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

Absentee ballots will be available from the Town Clerk’s office.

Dated in Easton, Connecticut this 20th day of April, 2006.

W. Derek Buckley
Easton Town Clerk

**WARNING
REFERENDUM VOTE
Regional School District No. 9
Town of Redding
May 23, 2006**

A referendum vote of the electors and citizens qualified to vote in town meetings of the Town of Redding, Connecticut will be held in the Town of Redding at the following place:

Redding Community Center
37 Lonetown Road
Redding, Connecticut

and simultaneously in Easton, Connecticut on Tuesday, May 23, 2006, between the hours of 6:00 a.m. and 8:00 p.m. pursuant to Section 10-56 of the General Statutes of the State of Connecticut, Revision of 1958, as amended, upon a resolution adopted by the Regional Board of Education at a meeting held on April 19, 2006.

The resolution will be placed on the ballot labels as the following question:

“Shall Regional School District No. 9, comprised of the Towns of Easton and Redding, appropriate \$1,300,000 (Easton’s share currently equal to 43.75% or \$568,750; and Redding’s share currently equal to 56.25% or \$731,250), in addition to \$37,696,309 previously appropriated, for expansion, renovations, code compliance, capital improvements and purchase of equipment for Joel Barlow High School and authorize \$1,300,000 in bonds, in addition to bonds previously authorized, to be issued in an amount to be determined after reduction by any grants from the State of Connecticut, to meet said appropriation?”

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

Absentee ballots will be available from the Town Clerk’s office.

Dated in Redding, Connecticut this 20th day of April, 2006.

Michele R. Grande
Redding Town Clerk