

AMITY REGIONAL SCHOOL DISTRICT NO. 5

Bethany Orange Woodbridge
25 Newton Road, Woodbridge, Connecticut 06525
(203) 397-4811

Dr. Jennifer P. Byars
Superintendent of Schools

AMITY REGIONAL SCHOOL DISTRICT NO. 5 BOARD OF EDUCATION

Special Meeting

October 29, 2019

6:45 p.m.

25 Newton Road, Woodbridge, CT

1. Call to Order
2. To consider and act upon resolutions with respect to an appropriation and borrowing authorization for costs related to various improvements at Amity Regional High School; Amity Middle School, Bethany Campus; and Amity Middle School, Orange Campus; the calling of a District referendum thereon; and related matters. *Page 2*
3. To consider and act upon resolutions with respect to an appropriation and borrowing authorization for costs related to various athletic facility improvements at Amity Regional High School; the calling of a District referendum thereon; and related matters. *Page 4*
4. Adjournment



Jennifer P. Byars
Superintendent of Schools

JPB/pjp

pc: Town Clerks: Bethany, Orange, Woodbridge

Working to "enable every Amity student to become a lifelong learner and a literate, caring, creative and effective world citizen." District Mission Statement

If you require accommodations to participate because of a disability,
please contact the office of the Superintendent of Schools in advance at (203) 397-4811.

AMITY REGIONAL SCHOOL DISTRICT NO. 5

Bethany Orange Woodbridge
25 Newton Road, Woodbridge Connecticut 06525



Theresa Lumas
Director of Finance and Administration
terry.lumas@amityregion5.org

Phone (203) 397-4813
Fax (203) 397-4864

To: Dr. Jennifer Byars, Superintendent of Schools

From: Theresa Lumas, Director of Finance and Administration

Re: Required Motions for Special Board Meeting

Date: October 28, 2019

The Board will need to make the following four (4) motions to move forward in the referendum process:

Agenda Item 2. To consider and act upon resolutions with respect to an appropriation and borrowing authorization for costs related to various improvements at Amity Regional High School, Amity Middle School, Bethany Campus and Amity Middle School, Orange Campus, the calling of a District referendum thereon, and related matters.

“Motion to pass the resolution with a roll call vote”

Which may be amended to read:

“Motion to pass the resolution with a roll call vote and waive the reading of the resolution”.

RESOLUTION APPROPRIATING \$3,194,300 AND AUTHORIZING THE ISSUE OF BONDS AND TEMPORARY NOTES IN THE SAME AMOUNT FOR VARIOUS IMPROVEMENTS AT AMITY REGIONAL HIGH SCHOOL, AMITY MIDDLE SCHOOL, BETHANY CAMPUS AND AMITY MIDDLE SCHOOL, ORANGE CAMPUS

RESOLVED,

1. That Regional School District Number 5 of the State of Connecticut appropriate THREE MILLION ONE HUNDRED NINETY-FOUR THOUSAND THREE HUNDRED DOLLARS (\$3,194,300) for costs related to various improvements at Amity Regional High School, Amity Middle School, Bethany Campus, and Amity Middle School, Orange Campus contemplated to include: (a) at Amity Regional High School, replacement of the eight air handlers with combination heating/cooling units, replacement of the air handlers serving the counseling area, main gym, student street, several classrooms

and cafeteria, addition of air-conditioning to the auxiliary gym, variable air volume (VAV) controls and zoning modifications in the counseling area, refurbishment of chillers, and replacement of various parking lots and driveway areas, (b) at Amity Middle School, Bethany Campus, design and installation of acoustical improvements in the cafeterias, gymnasiums and music rooms, and (c) at Amity Middle School, Orange Campus, design and installation of acoustical improvements in the cafeterias, gymnasiums and music rooms. The appropriation may be spent for design, construction, acquisition and installation costs, equipment, materials, consultant fees, legal fees, net interest on borrowings, other financing costs, and other expenses related to the project. The District Board of Education is authorized to determine the scope and 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.

2. That the District issue its bonds and temporary notes in an amount not to exceed THREE MILLION ONE HUNDRED NINETY-FOUR THOUSAND THREE HUNDRED DOLLARS (\$3,194,300) to finance the appropriation for the project. The amount of the bonds or notes authorized shall be reduced by the amount of grants received by the District for the project. The bonds and temporary notes shall be issued pursuant to Section 10-56 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds and notes shall be general obligations of the District and its member towns, secured by the irrevocable pledge of the full faith and credit of the District and its member towns. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds and notes. The Chairman and the Treasurer, or such officer or body to whom the Board of Education delegates the authority to make such determinations, are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds and notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for keeping a record of the bonds or notes; to designate a financial advisor to the District in connection with the sale of the bonds or notes; 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.

3. That the District 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 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 above for the project. The Chairman and Treasurer, or such officer or body to whom the Board of Education delegates such authority, are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the District 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.

4. That the Chairman and Treasurer, or such officer or body to whom the Board delegates such authority, are authorized to make representations and enter into written agreements 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.

5. That the authorization of bonds and temporary notes shall be subject to approval by a referendum vote to be held in the Towns of Bethany, Orange and Woodbridge, being all of the towns comprising said District.

Agenda Item 3 - To consider and act upon resolutions with respect to an appropriation and borrowing authorization for costs related to various athletic facility improvements at Amity Regional High School, the calling of a District referendum thereon, and related matters.

“Motion to pass the resolution with a roll call vote”

Which may be amended to read:

“Motion to pass the resolution with a roll call vote and waive the reading of the resolution”.

RESOLUTION APPROPRIATING \$3,538,000 AND AUTHORIZING THE ISSUE OF BONDS AND TEMPORARY NOTES IN THE SAME AMOUNT FOR VARIOUS ATHLETIC FACILITY IMPROVEMENTS AT AMITY REGIONAL HIGH SCHOOL

RESOLVED,

1. That Regional School District Number 5 of the State of Connecticut appropriate THREE MILLION FIVE HUNDRED THIRTY-EIGHT THOUSAND DOLLARS (\$3,538,000) for costs related to various athletic facility improvements at Amity Regional High School, contemplated to include: (a) at the stadium field, replacement of the track with a post-tensioned concrete track, and installation of field lights, a scoreboard and an all-weather field, and (b) at field #3, installation of a walkway to provide access in accordance with the Americans with Disabilities Act, bleachers and a scoreboard. The appropriation may be spent for design, construction, acquisition and installation costs, equipment, materials, consultant fees, legal fees, net interest on borrowings, other financing costs, and other expenses related to the project. The District Board of Education is authorized to determine the scope and 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.

2. That the District issue its bonds and temporary notes in an amount not to exceed THREE MILLION FIVE HUNDRED THIRTY-EIGHT THOUSAND DOLLARS (\$3,538,000) to finance the appropriation for the project. The amount of the bonds or notes authorized shall be reduced by the amount of grants received by the District for the project. The bonds and temporary notes shall be issued pursuant to Section 10-56 of the General Statutes of Connecticut, Revision

of 1958, as amended, and any other enabling acts. The bonds and notes shall be general obligations of the District and its member towns, secured by the irrevocable pledge of the full faith and credit of the District and its member towns. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds and notes. The Chairman and the Treasurer, or such officer or body to whom the Board of Education delegates the authority to make such determinations, are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds and notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for keeping a record of the bonds or notes; to designate a financial advisor to the District in connection with the sale of the bonds or notes; 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.

3. That the District 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 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 above for the project. The Chairman and Treasurer, or such officer or body to whom the Board of Education delegates such authority, are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the District 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.

4. That the Chairman and Treasurer, or such officer or body to whom the Board delegates such authority, are authorized to make representations and enter into written agreements 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.

5. That the authorization of bonds and temporary notes shall be subject to approval by a referendum vote to be held in the Towns of Bethany, Orange and Woodbridge, being all of the towns comprising said District.

Agenda Items 2 and 3... the calling of a District referendum thereon

“Motion to pass the resolution with a roll call vote”

Which may be amended to read:

“Motion to pass the resolution with a roll call vote and waive the reading of the resolution”.

RESOLVED, that the Board of Education recommends to the towns comprising Regional School District Number 5 that the aforesaid bond and temporary note authorizations be approved by referendum vote; and that said referendum be held on Wednesday, December 4, 2019; that notice of said referendum be given by publication and posting between five and fifteen days before said date, and that said notices of the referendum in the Towns of Bethany, Orange and Woodbridge be substantially in the following form:

"WARNING
REFERENDUM VOTE
Regional School District Number 5
Town of _____
December 4, 2019

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

[INSERT TOWN POLLING PLACES]

and simultaneously in the other Towns in Regional School District Number 5 on Wednesday, December 4, 2019 between the hours of 6:00 A.M. and 8:00 P.M. pursuant to Section 10-56 of the General Statutes of Connecticut, Revision of 1958, as amended, upon resolutions adopted by the Regional Board of Education at meeting held October 29, 2019, which will be placed on the ballots as the following questions:

SHALL REGIONAL SCHOOL DISTRICT NUMBER 5 APPROPRIATE \$3,194,300 AND AUTHORIZE THE ISSUE OF BONDS AND TEMPORARY NOTES IN THE SAME AMOUNT FOR VARIOUS IMPROVEMENTS AT AMITY REGIONAL HIGH SCHOOL, AMITY MIDDLE SCHOOL, BETHANY CAMPUS AND AMITY MIDDLE SCHOOL, ORANGE CAMPUS?

SHALL REGIONAL SCHOOL DISTRICT NUMBER 5 APPROPRIATE \$3,538,000 AND AUTHORIZE THE ISSUE OF BONDS AND TEMPORARY NOTES IN THE SAME AMOUNT FOR VARIOUS ATHLETIC FACILITY IMPROVEMENTS AT AMITY REGIONAL HIGH SCHOOL?

Voters approving a resolution shall vote "Yes" and those opposing the resolution shall vote "No". Absentee ballots will be available from the Town Clerk's office. The full text of each of the resolutions adopted by the Regional Board of Education is on file and available for public inspection in the Town Clerk's office.

Dated at _____, Connecticut this _____ day of _____, 2019.

Agenda Items 2 and 3. Resolution to Authorize Amity Regional School District no. 5 to Prepare an Explanatory Text for the Referendum Questions

“Motion to pass the resolution with a roll call vote”

Which may be amended to read:

“Motion to pass the resolution with a roll call vote and waive the reading of the resolution”.

FURTHER RESOLVED, that the Secretary of the Board of Education is authorized, in such official’s discretion, to prepare, and to cause to be printed and distributed, a concise explanatory text regarding the aforesaid questions to be submitted to the voters of the District at referendum to be held December 4, 2019, such explanatory text to be subject to the approval of the District’s general counsel and to be prepared and distributed in accordance with subsection (a) of Section 9-369b of the General Statutes of Connecticut, Revision of 1958, as amended.