

RESOLUTION AUTHORIZING THE ISSUANCE OF BONDS,  
NOTES AND OTHER OBLIGATIONS IN AN AMOUNT NOT  
TO EXCEED \$5,000,000 TO MEET THE CASH FLOW NEEDS  
OF THE TOWN OF ESSEX FOR FISCAL YEAR JULY 1, 2020-  
JUNE 30, 2021

Section 1. The sum not to exceed \$5.0 Million is authorized to be borrowed as set forth in this resolution for the purpose of funding the Town of Essex' expenses and obligations during the fiscal year commencing July 1, 2020 and ending June 30, 2021. The expenses to be finance pursuant to this authorization include expenses incurred by the town during the course of its governmental operations, including but not limited to expenses and obligations authorized to be financed pursuant to section 7-405a of the Connecticut General Statutes.

Section 2. Bonds, notes or other obligations are authorized to be issued to finance its cash flow needs including but not limited to:

- a. Revenue Anticipation Notes authorized pursuant to section 7-405a of the General Statutes; or
- b. Loan, Letter or line of credit, or other form of financing issued by a bank, or other financial institution; or
- c. Chapter 117 deficit obligations; or
- d. Any state or federal government program now or hereafter enacted or implemented to assist municipalities with funding financial operation challenges as a result of the Covid-19 pandemic;  
collectively the "obligations".

Section 3. To meet said appropriation \$5,000,000 principal amount of obligations or so much thereof as may be necessary for such purpose, shall be issued, maturing not later than the June 30, 2021 for tax anticipation notes, and the end of the fiscal year in which such federal or state grant anticipation note are payable, or such later date as may be allowed by law with respect to such obligation. The obligations may be issued in one or more series as determined by the First Selectman and the Town Treasurer, (the "Town Officials") and the amount of obligations of each series to be issued shall be fixed by the Town Officials. The obligations shall 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 the Town Treasurer, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the First Selectman, 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 be approved as to their legality by Joseph Fasi LLC, Bond Counsel, of Hartford. They shall bear such rate or rates of interest, and premium or discount pricing, as shall be determined by the Town Officials. The obligations shall be general obligations of the Town and each of the obligations shall recite that every requirement of law relating to its issue has been duly complied with, that such obligation 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 funds available for the payment thereof. The aggregate principal amount of the obligations to be issued, the annual installments of principal, redemption provisions, if any, the date, time of and manner of issue and sale and other terms,

details and particulars of such obligations, shall be determined by the Town Officials in accordance with the General Statutes of the State of Connecticut, as amended. In connection with the issuance of any obligations or notes authorized herein, the Town may exercise any power delegated to municipalities pursuant to Section 7-370b

Section 4. The Town Officials are authorized on behalf of the town to make representations with respect to existing or past conditions, future expectations, and covenants for future actions, including but not limited to: representations required of any government program currently or as may hereafter become available to the town with respect to cash flow or deficit financing, including Chapter 117 of the Connecticut General Statutes, and to comply with requirements imposed by bank or other financial institutional lenders including but not limited to the conveyance of security interests of funds or accounts, trust agreements or indentures, depository agreements, and provisions for maintenance of reserves or sinking funds.

Section 5. 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 purpose set forth in Section 1 with the proceeds of obligations authorized to be issued by the Issuer. The obligations 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 purpose, or such earlier or 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 Director of Finance or her designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement obligations, and to amend this declaration.

Section 6. The First Selectman or his designate is hereby authorized to exercise all powers conferred by section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices 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 obligations and notes authorized by this ordinance.

Section 7. It is hereby found and determined that it is in public interest to issue all, or a portion of, the 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 Town Officials are hereby authorized to issue and utilize without further approval any financing alternative currently or hereafter available to municipal governments pursuant to law including but not limited to any "tax credit bonds" or "Build America Bonds" including Direct Payment and Tax Credit versions, federal reserve loans, State of Connecticut loans.