

RESOLUTION AMENDING A RESOLUTION APPROPRIATING \$25.54 MILLION FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF SANITARY SEWERS, PHASE IV, PART B, CONTRACT IV (THE "Project") BY INCREASING THE APPROPRIATION AND BOND AUTHORIZATION \$3.0 MILLION, AND RATIFYING AND CONFIRMING ALL PRIOR PROJECT BOND RESOLUTIONS.

Section 1. The Town of Trumbull has to date adopted three bond authorizing resolutions to finance the planning, acquisition and construction of the Sanitary Sewers, Phase IV, Part B, Contract IV, (the "Project") consisting of an \$850,000 bond authorizing resolution adopted by the Town Council on March 2, 2009, an additional \$610,000 bond authorizing resolution adopted by the Town Council on May 4, 2009, and an additional \$25.54 million bond authorization on September 8, 2009 (collectively the "Prior Resolutions"). The total of the appropriations and bond issuance authorizations of the Prior Resolutions is \$27.0 million. The Prior Resolutions are hereby ratified, confirmed and adopted. The sum of the appropriations and bond issuance authorizations for the Project after taking into account the additional \$3.0 million of this amendment is \$30 million.

Section 2. The Prior Resolution adopted September 8, 2009, entitled "RESOLUTION APPROPRIATING AN ADDITIONAL \$25,540,000 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF SANITARY SEWERS, PHASE IV, PART B, CONTRACT IV AND AUTHORIZING THE ISSUE OF \$25,540,000 BONDS OR NOTES OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE," is amended to increase the appropriation and bond authorization therein by \$3,000,000, from \$25,540,000 to \$28,540,000 as follows:

Section 1. The title of the Resolution is amended to read as follows:

RESOLUTION APPROPRIATING \$28,540,000 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF SANITARY SEWERS, PHASE IV, PART B, CONTRACT IV AND AUTHORIZING THE ISSUE OF \$28,540,000 BONDS OR NOTES OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 2. Section 1 of the Resolution is amended to read as follows:

"Section 1. The sum of \$28,540,000 is appropriated for the planning, acquisition and construction of the installation of sanitary sewers pursuant to Phase IV, Part B, Contract IV, including the North Nichols area of Town, or so much thereof, or such additional streets within the area as shall be determined by the Water Pollution Control Authority and First Selectman,

and as may be accomplished within said appropriation and bond authorization provided herein, and including gravity sewer lines, grinder pumps, force mains, pump stations, manholes, acquisition easements and other interest in property, associated utility, street and drainage improvements, repair and relocation, appurtenances related thereto, licenses and permits, blasting if and as necessary, and for testing, surveying, paving, engineering, administrative, advertising, printing, legal, financing costs (hereafter the "Project"). Said appropriation shall be inclusive of state and federal grants in aid of the thereof, and in addition to all prior appropriations for the Project."

Section 3. The amount \$28,540,000 is substituted for the amount \$25,540,000 wherever \$25,540,000 appears in the Prior Resolution of September 8, 2009.

Section 4. The following is added as section 12 of the Resolution:

"Section 12. 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, Treasurer and Director of Finance, are hereby authorized to issue and utilize without further approval any financing alternative available to municipal governments pursuant to HR1, "Making Supplemental Appropriations for Job Preservation and Creation, Infrastructure Investment, Energy Efficiency and Science, Assistance to the Unemployed, and State and Local Fiscal Stabilization, for the Fiscal Year Ending September 30, 2009, and for other purposes" (the "American Recovery and Reinvestment Act of 2009"), including but not limited to any "tax credit bond," or "Build America Bonds" including Direct Payment and Tax Credit Versions."