MINUTES OF THE SPECIAL MEETING OF BOARD OF EDUCATION
OF REGIONAL SCHOOL DISTRICT NUMBER 10
HELD FEBRUARY 24, 2011

A special meeting of the Board of Education of Regional School District Number 10 was held at Lewis S. Mills High School in the Town of Burlington, Connecticut, on Thursday, February 24, 2011 at 7:53 P.M immediately following the Public Hearing.

The following Board members were present:
Joseph Arcuri
Jeanne Doerr
Beth Duffy
Paul Omichinski
Phil Penn
Elaine Schiavone
Ray Sikora

The following Board members were absent:
Noel Turner
Ted Scheidel
Kathy Deprey

Chairman of the Board, Joseph Arcuri, called the Board of Education meeting to order at 8:20pm.

Public Participation:
Mrs. Janet Burrett commented about the approval of the Academic Reading 1&2 courses at Lewis S. Mills High School. Mrs. Burrett also asked about the grand program that pays for students to work for Region 10. Mr. Beitman explained how the program works and that the State of Connecticut pays the students.

Mr. Andy Kaznay of Harwinton had some comments regarding the solar option. The Board and he agreed that it would be best if he would share his comments when that item come up later on the agenda.

Action:
A. Discussion and Vote on Setting a Referendum Date of March 29, 2011 in both Burlington and Harwinton for voting on the Appropriation and Authorization of Bonds for the Roof Replacement Project for Harwinton Consolidated School and the Partial Roof Replacement for Lake Garda School:

Mr. Arcuri indicated that the Board had a full presentation at the public hearing then called for a motion to set the referendum date and other related resolutions for the roof replacement projects at Harwinton Consolidated School and Lake Garda School.

Mr. Penn presented the following resolution, which was seconded by Mr. Omichinski:
APPROPRIATION OF $2,575,000 AND AUTHORIZATION OF BONDS AND TEMPORARY NOTES IN THE SAME AMOUNT FOR DESIGN, CONSTRUCTION AND IMPLEMENTATION OF ROOF REPLACEMENT AND OTHER IMPROVEMENTS AT HARWINTON CONSOLIDATED SCHOOL IN HARWINTON AND LAKE GARDA SCHOOL IN BURLINGTON

RESOLVED,

1. That Regional School District Number 10 of the State of Connecticut appropriate TWO MILLION FIVE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS ($2,575,000) for costs related to the design, construction and implementation of roof replacement and other improvements at Harwinton Consolidated School in Harwinton and Lake Garda School in Burlington, contemplated to include: (a) at Harwinton Consolidated School, replacement of all sections of the roof, testing and identification of any asbestos-containing roofing and flashing materials and disposal of hazardous material, temporary relocation and reinstallation of rooftop equipment; replacement of all roof drains and installation of secondary drains as needed, repointing of boiler room chimney, and ceiling tile replacement and wall restoration in affected areas; (b) at Lake Garda School, replacement of a portion of the roof, testing and identification of any asbestos-containing roofing and flashing materials and disposal of hazardous material, temporary relocation and reinstallation of rooftop equipment; replacement of gutters with new gutters and leaders, replacement of all roof drains and installation of secondary drains as needed, repointing of boiler room chimney, ceiling tile replacement and wall restoration in affected areas, and demolition of an unused modular classroom; (c) related work and improvements, and (d) costs of the financing thereof. The appropriation may be spent for design, demolition, installation and construction costs, equipment, materials, testing costs, disposal costs, architects’ fees, engineering fees, construction management costs and fees, legal fees, net interest on borrowings, other financing costs, and other expenses related to the project. The Building Committee established by the District Board of Education for the project 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 TWO MILLION FIVE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS ($2,575,000) 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 Building Committee established by the District Board of Education 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 District Board of Education; to approve design and construction expenditures for the project; and to exercise such other powers as are necessary or appropriate to complete the project. 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 Secretary of the District Board of Education and shall be open to public inspection during normal business hours. Upon completion of the project, the Committee shall make a complete report and accounting to the District Board of Education.

6. That the authorization of bonds and temporary notes shall be subject to approval by a referendum vote to be held in the Towns of Burlington and Harwinton, being all of the towns comprising said District.
The foregoing resolution was approved by the following roll-call vote which resulted in a vote of 6 in favor and 0 opposed.

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Mr. Sikora presented the following resolution, which was seconded by Mrs. Duffy:

RESOLVED, that the Board of Education recommends to the towns comprising Regional School District Number 10 that the aforesaid bond and temporary note authorizations be approved by referendum vote; and that said referendum be held on Tuesday, March 29, 2011; 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 Burlington and Harwinton be substantially in the following form:
“WARNING
REFERENDUM VOTE
Regional School District Number 10
Towns of Burlington and Harwinton
March 29, 2011

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

Burlington Town Hall
200 Spielman Highway
Burlington, CT 06013

Harwinton Town Hall
100 Bentley Drive
Harwinton, CT 06791

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 a resolution adopted by the Regional Board of Education which will be placed on the ballot labels as the following question:

SHALL REGIONAL SCHOOL DISTRICT NUMBER 10 APPROPRIATE $2,575,000 AND AUTHORIZE BONDS AND TEMPORARY NOTES IN THE SAME AMOUNT FOR DESIGN, CONSTRUCTION AND IMPLEMENTATION OF ROOF REPLACEMENT AND OTHER IMPROVEMENTS AT HARWINTON CONSOLIDATED SCHOOL IN HARWINTON AND LAKE GARDA SCHOOL IN BURLINGTON?

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 at __________, Connecticut this __________ day of March, 2011.

______________________________
Town Clerk
Town of Burlington/Harwinton

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Ms. Schiavone presented the following resolution, which was seconded by Mr. Sikora:

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 question to be submitted to the voters of the District at referendum to be held March 29, 2011, such explanatory text to be subject to the approval of the District’s general counsel and to be prepared and distributed in accordance with subsections (a) and (b) of Section 9-369b of the General Statutes of Connecticut, Revision of 1958, as amended.

The foregoing resolution was approved by the following roll-call vote which resulted in a vote of 6 in favor and 0 opposed.

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Mr. Penn presented the following resolution, which was seconded by Mrs. Duffy:

RESOLVED, that the Superintendent of Regional School District Number 10 and the Chairman and Secretary of the Regional Board and the Chairman of the Building Committee are authorized on behalf of the District to execute one or more applications for State grants in aid of the proposed school building projects and to accept or reject such grants on behalf of the District and to execute any and all necessary agreements and other documents in connection therewith.

The foregoing resolution was approved by the following roll-call vote which resulted in a vote of 6 in favor and 0 opposed.

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B. **Review and Discussion of Solar Option for Lake Garda Elementary School Including Application of Grants and a Purchase Power Agreement:**

Mr. Lenihan presented the following solar proposal for Lake Garda School:

- DBS Energy will design, build and maintain a cost competitive solar system on the Lake Garda roof at no cost to Regional School District #10
- Lake Garda School meets the minimum project size of 50kw. The project is contingent on approval of funding by the CT Clean Energy Fund (CCEF) that received $3 million of funding from the Federal Stimulus Program in October 2010.
- RSD#10 would contract with DBS Energy under a Power Purchase Agreement to purchase Green Energy at a guaranteed (20%) discounted electricity rate compared to actual electric rates in place.
- DBS Energy owns, maintains, and operates the system over the first 20 years of operation.
  - System component inspections performed quarterly
  - Annual maintenance of the inverter
- RSD#10 makes no upfront capital investment
- DBS Energy applies and receives CCEF grant which offsets approximately 50% of the capital investment cost of the solar PV system. The balance of the project cost is borne by DBS Energy and is amortized through the receipt of energy revenues from the sale of renewable energy to the Lake Garda Elementary School.

Mr. Lenihan indicated that a legal review of the agreement is being performed. Reference checks have been very favorable.

Following the Board’s discussion of the solar option Mr. Andy Kaznay of Harwinton spoke in support of the solar option.

A **motion** was made by Mr. Sikora and was seconded by Ms. Schiavone to direct the Superintendent and the business manager to enter into Power Purchase agreement subject to proper legal review and receipt of energy grant with DBS Energy to implement the above proposal to install solar system on Lake Garda School. This is contingent upon the successful passing of the referendum. All in favor none opposed. Motion carries. 6/0/0

A **motion** to adjourn the meeting was made by Mrs. Duffy and was seconded by Mr. Omichinski. All in favor none opposed. Motion carries. (6/0/0)

The meeting adjourned at 9:14 p.m.

Respectfully submitted,

Jeanne Doerr, Secretary

[Signature]

Date

3/14/11