

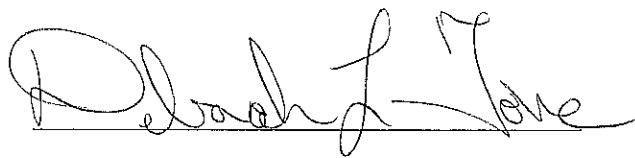
# GREATER NEW HAVEN WATER POLLUTION CONTROL AUTHORITY

## NOTICE OF PUBLIC HEARING

The Greater New Haven Water Pollution Control Authority (the "GNHWPCA") will meet at 260 East Street, New Haven, Connecticut on June 9, 2009, at 5:50 P.M. for the purpose of holding a public hearing pursuant to CGS Section 22a-504 on (i) the construction of improvements to the Fats, Oil and Grease Receiving Facility and (ii) the acquisition of easements in connection with the replacement of the Maple Street Bridge over the Farm River in the Town of East Haven.

Copies of the resolution relating to the construction of improvements to the Fats, Oil and Grease Receiving Facility are on file open to public inspection at the office of the GNHWPCA at 260 East Street, New Haven, Connecticut, as well as the offices of the City/Town Clerk for each of New Haven, East Haven, Hamden and Woodbridge.

Dated this 22<sup>nd</sup> day of May, 2009.

A handwritten signature in cursive script, reading "Deborah L. Torre", written over a horizontal line.

Deborah L. Torre, Secretary  
Greater New Haven  
Water Pollution Control Authority

RESOLUTION APPROPRIATING \$700,000 FOR IMPROVEMENTS TO THE  
FATS, OIL AND GREASE RECEIVING FACILITY, AND AUTHORIZING THE  
ISSUANCE OF \$700,000 CLEAN WATER FUND OBLIGATIONS OF THE  
AUTHORITY UNDER THE STATE OF CONNECTICUT CLEAN WATER  
FUND PROGRAM SECURED SOLELY BY REVENUES OF THE SEWERAGE  
SYSTEM AND AUTHORIZING THE AUTHORITY TO ENTER INTO GRANT  
AND LOAN AGREEMENTS

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GREATER NEW HAVEN  
WATER POLLUTION CONTROL AUTHORITY:

Section 1. Under and pursuant to the provisions of the Bylaws of the Greater New Haven Water Pollution Control Authority (the "Authority") and all other general or special laws thereto enabling, there be and hereby is approved the appropriation of \$700,000 for the construction of improvements to the Fats, Oil and Grease ("FOG") Receiving Facility, including, but not limited to, (i) modifications to existing truck offloading area to incorporate a spill containment and storm water diversion system, as well as an increase to the heated tank capacity and an odor study, (ii) conversion of two existing concrete lime tanks into FOG receiving and processing tanks, (iii) cleaning and sealing of the existing 3,900 gallon tanks, (iv) installation of (1) Stainless Steel Platecoil heat elements, (2) a new truck off-load line, (3) a new settling box and grinder in the off-load piping, (4) two new transfer/decant pumps, and (5) a metering pump, and (v) for engineering, administrative, printing, legal and financing costs related thereto, including but not limited to, trustee fees, credit enhancement, and bond funded reserve requirements as applicable, said appropriation to be inclusive of any and all State and Federal grants-in-aid thereof (collectively, the "Project").

Section 2. To meet said appropriation, not exceeding \$700,000, interim funding obligations and project loan obligations of the Authority may be issued (hereinafter "Clean Water Fund Obligations") evidencing an obligation to repay any portion of the costs of the Project determined by the State of Connecticut Department of Environmental Protection to be eligible for funding under Section 22a-475 et seq. of the Connecticut General Statutes, as the same may be amended from time to time (the "Clean Water Fund Program"). The Executive Director or Interim Executive Director is authorized in the name and on behalf of the Authority to apply for and accept any and all Federal and State loans and/or grants-in-aid of the Project and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith to contract in the name of the Authority with engineers, contractors and others. The Executive Director or Interim Executive Director is hereby authorized to execute and deliver to the State in the name of and on behalf of the Authority Project Loan and Project Grant Agreements under the Clean Water Fund Program. The Authority may issue Clean Water Fund Obligations in one or more series and in such denominations as the Executive Director or Interim Executive Director and the Treasurer shall determine. The Executive Director or Interim Executive Director and the Treasurer are hereby

authorized to determine the amount, date, maturity, interest rate, form and other details and particulars of the Clean Water Fund Obligations subject to the provisions of the Clean Water Fund Program, and to execute and deliver the same.

Section 3. The payment of the principal and interest on the Clean Water Fund Obligations shall be secured solely by revenues derived from the operation of the sewerage system, including use charges, connection charges, benefit assessments or any combination thereof, investment income derived therefrom, or other property of the sewerage system or revenue derived from the operation of the sewerage system, subject to the provisions of the Clean Water Fund Program. Each of the Clean Water Fund Obligations shall recite to the effect that every requirement of law relating to its issue has been duly complied with, that such Clean Water Fund Obligation is within every debt and other limit prescribed by law, that such Clean Water Fund Obligation does not constitute a general obligation of the Authority for which its full faith and credit is pledged, and that such Clean Water Fund Obligation is payable solely from revenues, assessments, charges or property of the sewerage system specifically pledged thereto and therefor.

Section 4. All or any portion of the Clean Water Fund Obligations may be issued pursuant to an indenture of trust, (hereafter the "Indenture") which Indenture may contain provisions customarily included in revenue bond financings, including, without limitation, identification and pledge of revenues securing the Clean Water Fund Obligations, providing for the form of the Clean Water Fund Obligations, conditions precedent to the issuance of Clean Water Fund Obligations and additional Clean Water Fund Obligations, the establishment and maintenance of funds and the use and disposition thereof, including but not limited to accounts for the payment of debt service, the payment of operating expenses, debt service reserve and other reserve accounts, providing for the issuance of subordinated indebtedness, defining an event of default and providing for the allocation of revenues in such event, credit enhancement, providing for a pledge and allocation of sewer revenues to pay for obligations issued by third parties, and provisions of a similar and different nature and which are necessary, convenient or desirable in connection with the issuance of the Clean Water Fund Obligations and their marketability. The Executive Director or Interim Executive Director and the Treasurer are authorized to execute and deliver the Indenture and their signatures shall evidence their approval on behalf of the Authority of all such provisions contained therein pursuant to this section and shall be effective to the Authority in accordance therewith.

Section 5. The Executive Director or Interim Executive Director and the Treasurer are hereby authorized and directed to execute and deliver any and all additional instruments, agreements, documents and certificates in connection with the issuance and sale of the Clean Water Fund Obligations as shall be necessary or appropriate to consummate the transactions contemplated by this resolution and the aforementioned documents.

Section 6. The Authority 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 anytime after the date of passage of this resolution in the maximum amount and for the Project with the proceeds of bonds, or other obligations authorized to be issued by the

Authority. The bonds or other obligations authorized to be issued shall be issued to reimburse such expenditures not later than eighteen months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Authority hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Treasurer or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 7. This resolution shall be effective upon its approval by the Board of Directors of the Authority.