

Board of Selectmen
First Selectman's Office
March 8, 2013
Special Meeting Minutes

Selectmen Present: Mark Walter; Emmett Lyman and John Blaschik
Also Present: C. Varricchio and L. Zemienieski

1. First Selectman Walter called the meeting to order at 10:40 am and the attendees said the Pledge of Allegiance. The meeting began later than scheduled due to snow and Selectman Walter altered the order of the agenda to accommodate the invited attendees. Items 5 & 6 will be discussed first.

5. General Budget Review Workshop:

Cynthia Matthew, Rob Smith & John Matthew arrived at 10:40 am.

Conservation Commission

Ms. Matthew and Mr. Smith explained that with the current volunteer staff they have they can better manage the stewardship and ongoing maintenance of our open space properties. They noted that there were minor increases in the budget. The largest increase was for stewardship supplies for the ongoing maintenance and upkeep of various open space parcels to include gravel, posts, trail work, signs and barriers.

Conservation Commission – Capital Plan

Connecting Foot Bridge – The Commission is requesting \$23,500 for a large connecting foot bridge across the Eightmile River that will connect the Chapal Farm-Patrell and Boot Rock Preserves. The bridge will link the East Haddam origin of a 10.5 mile continuous trail system on protected open space properties. The trail will extend through the Eightmile River Wild and Scenic Watershed, passing through Lyme, Salem and eventually terminating in East Lyme.

Rose Hill Farm – The Commission is requesting \$4,500 to create two safe gravel parking lots with vehicle controls and trail heads at Town Street and to construct a 20' foot bridge across Hemlock Valley Brook.

Chapal Farm-Patrell – The Commission is requesting \$2,000 to construct boundary fencing, gravel parking lot, removal of old foundation and install a utility road access barrier.

Additional Stewardship – Funding is also requested for stewardship needs for 2014-2015 and 2015-2016. Beginning in 2016-2017 the commission will be able to budget \$5,000 per year in their operating budget for maintenance.

The total capital request for 2013-2014 is \$30,000. Mr. Walter asked if the Public Works Administrator helped calculate the gravel for the parking lot projects. Mr. Smith noted that she did not. The board and commission discussed the funding for the potential purchases of the Pages and Zeiller open space properties.

Cynthia Matthew, Rob Smith & John Matthew departed at 11:05 am.

Mike Sassi arrived at 11:05 am.

Youth & Family Services

Mr. Sassi reported that he managed the financials for Youth and Family Services. He noted Youth and Family Services has \$20,000 in unrestricted funds and \$33,000 in invested mutual funds. He noted that the \$20,000 in unrestricted donations has been assigned to revenue in this year's budget. He noted that they will try to sustain the \$20,000 with fundraising appeals. He noted that they have designated their invested mutual funds as an "emergency" reserve fund to compensate for a shortfall in the event state funds are decreased over the next two years.

Mr. Sassi discussed the increase in salaries. He further noted that they have absorbed the cost of building renovations to accommodate the new hire required by the Drug Free Communities grant using funds from the 2012-2013 appeal.

Mr. Sassi reported that the Food Bank had \$30,000 between their checking and savings account. Mr. Walter asked where this was reflected in the budget. Mr. Sassi responded that it was not included in the budget. Mr. Walter commented that he felt the Food Bank budget should be reflected in Youth and Family Services budget. The board discussed the options to include the Food Bank in the budget with Ms. Varricchio. The board also discussed the Food Bank vehicle and what was paid for by the Food Bank and what was paid by the town. Mr. Sassi said that they could certainly report financials for the Food Bank and how they operate. The board noted that they would like some additional detail on the salaries line and grant funding Youth and Family Services was receiving as well as Food Bank funding detail.

Mr. Walter discussed renaming the Food Bank in honor of Sophie Soja. The board and Mr. Sassi were in agreement with this and discussed doing it now while Sophie Soja was still involved in the operation.

General Budget Discussion

Ms. Varricchio presented changes made to the budget. She noted that \$75,000 was added to the Shared Services budget for a human resources position.

The board discussed the mill rate increase, decrease in revenues and impact of the recent revaluation. They discussed using some of the general fund balance to offset the budget. The board deliberated on their changes. Mr. Walter asked if there was anything the other Selectmen felt should be adjusted in the budget. The board proposed postponing the foot bridges in the Conservation Commission capital budget.

6. Budget Resolution: Ms. Varricchio recalculated the budget figures and the board voted to send the budget to the Board of Finance.

Motion made by Mr. Walter, seconded by Mr. Lyman, to recommend to the Board of Finance for fiscal year 2013-2014, a budget of \$29,270,481. Unanimous aye.
Selectman Blaschik department at 12:30 pm.

2. Grant Acceptance – Farmland Restoration Grant: Mr. Walter explained that this grant was for fencing for the Harris property.

Motion made by Mr. Walter, seconded by Mr. Lyman, to accept a grant in the amount of \$20,000 from the State of Connecticut, Department of Agriculture, Farmland Restoration Grant Program, for the purpose of installing fencing around the cultivated parcels, and send acceptance of said grant to the Board of Finance and then to Town Meeting for approval. In favor: Walter, Lyman. Absent: Blaschik. Motion carried by a majority of ayes.

3. RFQ Award – Program Manager for Four Municipal Facilities Projects: Mr. Walter noted that four proposals for the program manager were received. He explained that a selection committee was formed to review the proposals and three firms were selected for interview. After the interviews the committee selected the firm that best met the town's needs. The recommended proposal was submitted by O&G Industries, Inc. of Torrington, CT. He noted that he has met with O&G and checked into their qualifications and has found them qualified for a job of this scope. Mr. Walter did explain that he would need to get final approval for funding at the next Board of Finance meeting then Town Meeting.

Motion made by Mr. Walter, seconded by Mr. Lyman, to award the contract for a Program Manager for Four Municipal Facilities Projects to O&G Industries, Inc. in the amount of \$47,390.00 pending funding from the Board of Finance and Town Meeting. In favor: Walter, Lyman. Absent: Blaschik. Motion carried by a majority of ayes.

4. Open Space Resolutions: Mr. Walter explained that all the resolutions have been prepared to move the proposed open space purchases to town meeting on March 28, 2013 and referendum on April 9, 2013.

A. Pages Property: Motion made by Board Member Mark Walter, seconded by Board Member Emmett Lyman, to adopt the following resolution:

RESOLVED, that the Board of Selectmen (the "Board") of the Town of East Haddam (the "Town") hereby adopts, and recommends to the Board of Finance, the following:

(1) That the Town (i) appropriate the sum of \$1,007,500 for costs related to the acquisition of approximately 238 acres of land or rights therein located on Mill Road and Parker Road (also known as the Pages property) in East Haddam, Connecticut, shown and designated as Lot 023 on the East Haddam Assessor's Map #20 (the "Property") for open space purposes (the "Project"), including, without limitation, the costs of land acquisition, site work, demolition and removal, easement acquisition, engineering, legal, administration, temporary and permanent financing and any other costs and expenses related thereto, including the costs of printing explanatory text and any other materials in accordance with Section 9-369b of the Connecticut General Statutes, and (ii) authorize the Board, through the actions of the First Selectman, to acquire the Property from Mauricio Pages and Patricia K. Pages pursuant to the terms of a certain contract dated June 26, 2012, as amended on December 13, 2012.

(2) That to finance said appropriation for the Project, general obligation bonds and notes of the Town may be issued pursuant to Chapter 109 of the Connecticut General Statutes,

Revision of 1958, as amended (the "Connecticut General Statutes"), or any other applicable provision of law thereto enabling, in an amount not to exceed \$1,007,500 (or so much thereof as may be necessary after the deduction of grants or other sources of funds available therefor, including, but not limited to, a contribution from the East Haddam Land Trust in the amount of \$35,000 and a grant from the State of Connecticut in the amount of \$464,000, general fund monies and/or capital reserve funds).

(3) That the First Selectman, or a majority of the Board, and the Treasurer (the "Officials") be authorized to issue and sell bonds and notes secured by the full faith and credit of the Town in an amount not to exceed \$1,007,500 (or so much thereof as may be necessary after the deduction of grants or other sources of funds available therefor, including, but not limited to, a contribution from the East Haddam Land Trust in the amount of \$35,000 and a grant from the State of Connecticut in the amount of \$464,000, general fund monies and/or capital reserve funds), pursuant to the Connecticut General Statutes or any other applicable provision of law thereto enabling, to finance the appropriation for such project having been made by this resolution; that the Officials are hereby authorized to appoint a bank or trust company to be the certifying agent, registrar, transfer agent and paying agent for such bonds and notes; that Updike, Kelly & Spellacy, P.C., Hartford, Connecticut is designated as the attorneys at law to render an opinion approving the legality of such issue or issues; that the Officials be authorized to sign any bonds by their manual or facsimile signatures; and that the Officials be authorized to determine the rate or rates of interest for such bonds and notes, their date or dates, the dates of principal and interest payments on such bonds and notes, the form of such bonds and notes, the provisions for protecting and enforcing the rights and remedies of the holders of such bonds and notes and all other terms, conditions and particular matters regarding the issuance and securing of such bonds and notes and to sell and deliver the same, in accordance with the provisions of the Connecticut General Statutes and any other act of the General Assembly thereto enabling.

(4) That the Officials are authorized 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. If the bonds or notes authorized by this resolution are issued on a tax-exempt basis, the Officials are authorized to bind the Town 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, including covenants to pay rebates of investment earnings to the United States in future years.

(5) That the Town reasonably expects to incur expenditures (the "Expenditures") in connection with the Project described above. The Town reasonably expects to reimburse itself for the cost of the Expenditures with the proceeds of general obligation bonds and notes of the Town described above. The maximum principal amount of such debt (both bonds and notes) is not expected to exceed \$1,007,500. This declaration of official intent is a declaration of official intent made pursuant to Federal Income Tax Regulations Section 1.150-2. The Officials are authorized to amend such declaration or official intent as they deem necessary or advisable and to bind the Town 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 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.

(6) That the Officials 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 of rules pertaining to the sale or purchase of such bonds or notes.

(7) That the First Selectman is hereby authorized to enter into and/or execute any agreements, documents and instruments necessary or in furtherance of the acquisition of the Property.

(8) That the Officials are authorized to take all other actions which are necessary or desirable to complete the Project consistent with the foregoing.

FURTHER RESOLVED, that, should the Board of Finance approve the resolution for the appropriation of funds for the Project and the issuance of bonds and notes to finance such appropriation as recommended above, the Board hereby calls a Special Town Meeting of the Town to be held on Thursday, March 28, 2013 at the Town Meeting Hall located on Town Street, East Haddam, Connecticut at 8:00 p.m., and submits said proposed Project to the electors and citizens eligible to vote at town meetings of the Town for their approval or disapproval, at said town meeting, the notice of such meeting to be published as required by the Connecticut General Statutes.

FURTHER RESOLVED, that the Board hereby authorizes the preparation and printing of explanatory text in accordance with Section 9-369b of the Connecticut General Statutes for the question to be voted upon approved hereby. Subject to the approval of the Town Attorney, the Board further authorizes the preparation and printing of materials concerning the question to be voted upon approved hereby in addition to the explanatory text in accordance with Section 9-369b of the Connecticut General Statutes.

FURTHER RESOLVED, that the Board, pursuant to Section 7-7 of the Connecticut General Statutes, hereby removes the aforesaid resolution on the call of the Special Town Meeting for submission to the voters for “yes” or “no” vote by voting machine by the voters entitled to vote at the Special Town Meeting on Tuesday, April 9, 2013 during the hours from twelve o’clock p.m. to eight o’clock p.m. at the Town Meeting Hall, Town Street, East Haddam, Connecticut. The aforesaid resolution will be placed on the voting machines under the following heading:

SHALL THE TOWN APPROPRIATE \$1,007,500 FOR THE ACQUISITION OF APPROXIMATELY 238 ACRES OF LAND ALSO KNOWN AS THE PAGES PROPERTY LOCATED ON MILL ROAD AND PARKER ROAD FOR OPEN SPACE PURPOSES AND AUTHORIZE THE ISSUANCE OF BONDS AND NOTES OF THE TOWN IN THE SAME AMOUNT, OR SO MUCH THEREOF AS MAY BE NECESSARY AFTER THE DEDUCTION OF GRANTS OR OTHER SOURCES OF FUNDS AVAILABLE THEREFOR, TO FINANCE SUCH APPROPRIATION?

The moderator of such Special Town Meeting shall adjourn such meeting after reasonable discussion of such resolution and conclusion of other business as may properly come before the

Special Town Meeting and order such vote by voting machine in accordance with this resolution and Section 7-7 of the Connecticut General Statutes.

In Favor: Mark Walter, Emmett Lyman

Opposed: None

Absent: John Blaschik

B. Zeiller Property: Motion made by Board Member Mark Walter, seconded by Board Member Emmett Lyman, to adopt the following resolution:

RESOLVED, that the Board of Selectmen (the "Board") of the Town of East Haddam (the "Town") hereby adopts, and recommends to the Board of Finance, the following:

(1) That the Town (i) appropriate the sum of \$474,000 for costs related to the acquisition of approximately 98.22 acres of land or rights therein located on Clark Hill Road and Florida Road (also known as the Zeiller Associates property) in East Haddam, Connecticut, shown and designated as Lot 030 on the East Haddam Assessor's Map #12 (the "Property") for open space purposes (the "Project"), including, without limitation, the costs of land acquisition, site work, demolition and removal, easement acquisition, engineering, legal, administration, temporary and permanent financing and any other costs and expenses related thereto, including the costs of printing explanatory text and any other materials in accordance with Section 9-369b of the Connecticut General Statutes, and (ii) authorize the Board, through the actions of the First Selectman, to acquire the Property Zeiller Associates, a Partnership under the Connecticut Uniform Limited Partnership Act acting by its General Partners, Bette Ann Romaine and Robert Zeiller pursuant to the terms of a certain contract dated June 25, 2012.

(2) That to finance said appropriation for the Project, general obligation bonds and notes of the Town may be issued pursuant to Chapter 109 of the Connecticut General Statutes, Revision of 1958, as amended (the "Connecticut General Statutes"), or any other applicable provision of law thereto enabling, in an amount not to exceed \$474,000 (or so much thereof as may be necessary after the deduction of grants or other sources of funds available therefor, including, but not limited to, a grant from the State of Connecticut in the amount of \$232,500, general fund monies and/or capital reserve funds).

(3) That the First Selectman, or a majority of the Board, and the Treasurer (the "Officials") be authorized to issue and sell bonds and notes secured by the full faith and credit of the Town in an amount not to exceed \$474,000 (or so much thereof as may be necessary after the deduction of grants or other sources of funds available therefor, including, but not limited to, a grant from the State of Connecticut in the amount of \$232,500, general fund monies and/or capital reserve funds), pursuant to the Connecticut General Statutes or any other applicable provision of law thereto enabling, to finance the appropriation for such project having been made by this resolution; that the Officials are hereby authorized to appoint a bank or trust company to be the certifying agent, registrar, transfer agent and paying agent for such bonds and notes; that Updike, Kelly & Spellacy, P.C., Hartford, Connecticut is designated as the attorneys at law to render an opinion approving the legality of such issue or issues; that the Officials be authorized to sign any bonds by their manual or facsimile signatures; and that the Officials be authorized to determine the rate or rates of interest for such bonds and notes, their date or dates, the dates of

principal and interest payments on such bonds and notes, the form of such bonds and notes, the provisions for protecting and enforcing the rights and remedies of the holders of such bonds and notes and all other terms, conditions and particular matters regarding the issuance and securing of such bonds and notes and to sell and deliver the same, in accordance with the provisions of the Connecticut General Statutes and any other act of the General Assembly thereto enabling.

(4) That the Officials are authorized 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. If the bonds or notes authorized by this resolution are issued on a tax-exempt basis, the Officials are authorized to bind the Town 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, including covenants to pay rebates of investment earnings to the United States in future years.

(5) That the Town reasonably expects to incur expenditures (the "Expenditures") in connection with the Project described above. The Town reasonably expects to reimburse itself for the cost of the Expenditures with the proceeds of general obligation bonds and notes of the Town described above. The maximum principal amount of such debt (both bonds and notes) is not expected to exceed \$474,000. This declaration of official intent is a declaration of official intent made pursuant to Federal Income Tax Regulations Section 1.150-2. The Officials are authorized to amend such declaration or official intent as they deem necessary or advisable and to bind the Town 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 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.

(6) That the Officials 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 of rules pertaining to the sale or purchase of such bonds or notes.

(7) That the First Selectman is hereby authorized to enter into and/or execute any agreements, documents and instruments necessary or in furtherance of the acquisition of the Property.

(8) That the Officials are authorized to take all other actions which are necessary or desirable to complete the Project consistent with the foregoing.

FURTHER RESOLVED, that, should the Board of Finance approve the resolution for the appropriation of funds for the Project and the issuance of bonds and notes to finance such appropriation as recommended above, the Board hereby calls a Special Town Meeting of the Town to be held on Thursday, March 28, 2013 at the Town Meeting Hall located on Town Street, East Haddam, Connecticut at 8:00 p.m., and submits said proposed Project to the electors and citizens eligible to vote at town meetings of the Town for their approval or disapproval, at said town meeting, the notice of such meeting to be published as required by the Connecticut General Statutes.

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FURTHER RESOLVED, that the Board, pursuant to Section 7-7 of the Connecticut General Statutes, hereby removes the aforesaid resolution on the call of the Special Town Meeting for submission to the voters for “yes” or “no” vote by voting machine by the voters entitled to vote at the Special Town Meeting on Tuesday, April 9, 2013 during the hours from twelve o’clock p.m. to eight o’clock p.m. at the Town Meeting Hall, Town Street, East Haddam, Connecticut. The aforesaid resolution will be placed on the voting machines under the following heading:

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The moderator of such Special Town Meeting shall adjourn such meeting after reasonable discussion of such resolution and conclusion of other business as may properly come before the Special Town Meeting and order such vote by voting machine in accordance with this resolution and Section 7-7 of the Connecticut General Statutes.

In Favor: Mark Walter, Emmett Lyman
Opposed: None
Absent: John Blaschik

7. Adjournment: There being no further business to discuss, a motion was made by Mr. Walter, seconded by Mr. Lyman, to adjourn the meeting at 12:45 p.m.

Tape: None

Respectfully submitted,

Emmett Lyman, Secretary