

Board of Selectmen Meeting
Grange Hall
May 4, 2015
Special Meeting Minutes

Selectmen Present: M. Walter; E. Lyman; E. Malavasi

Also Present: E. Blaschik; C. Mansfield; P. Lacy; S. Wheeler; L. Zemienieski

1. First Selectman Walter called the Board of Selectmen's meeting to order at 7:00 p.m.
2. Approval of Agenda: Motion made by Mr. Walter, seconded by Mr. Lyman, to approve the agenda as written. Unanimous aye.
3. Approval of Minutes: Special Meeting of March 30, 2015, Regular Meeting of April 1, 2015, Special Meeting of April 7, 2015, Regular Meeting of April 15, 2015, Special Meeting of April 21, 2015 and Special Meeting of May 1, 2015.

Motion made by Mr. Walter, seconded by Mr. Lyman, to approve the minutes of the Special Meeting of March 30, 2015 as written. Unanimous aye.

Motion made by Mr. Walter, seconded by Mr. Malavasi, to approve the minutes of the Regular Meeting of April 1, 2015 as written. Unanimous aye.

Motion made by Mr. Walter, seconded by Mr. Lyman, to approve the minutes of the Special Meeting of April 7, 2015 as written. Unanimous aye.

Motion made by Mr. Walter, seconded by Mr. Malavasi, to approve the minutes of the Regular Meeting of April 15, 2015 as written. Unanimous aye.

Motion made by Mr. Walter, seconded by Mr. Lyman, to approve the minutes of the Special Meeting of April 21, 2015 as written. Unanimous aye.

Motion made by Mr. Walter, seconded by Mr. Malavasi, to approve the minutes of the Special Meeting of May 1, 2015 as written. Unanimous aye.

4. Correspondence:
 - A. Board of Assessment Appeals – Spring 2015 Final Report: Mr. Blaschik reported that 13 appeals were received by the Board of Assessment Appeals who reduced the assessment of three properties for a total adjustment to the Grand List of \$113,355.00. Mr. Blaschik noted that he believed that was the smallest reduction to the Grand List ever approved by the Board.
5. First Selectmen's Report:

Mr. Walter reported that there has been recent activity on a lawsuit related to a bridge project that took place quite a while ago. He stated that he is hopeful the suit can be settled out of court but he is not certain that will occur. He provided some background information on the project and the lawsuit and stated he would provide the Selectmen with more details, in an Executive Session, when he has more information.

6. Citizens' Concerns: Mr. Lacy noted that the calendar on the Town's website indicates that the Board of Finance is meeting every day this month. Ms. Zemienieski stated that it must be a posting error and she will look into correcting it.

7. Unfinished Business

- A. Blight Ordinance Discussion: Mr. Walter reported that Land Use Administrator Ventres will attend the next Selectmen's meeting to provide input on this agenda item.
- B. A.P. Gates Road/Warner Road Drainage Discussion: Mr. Walter called the Selectmen's attention to a letter from Attorney Richard Roberts, Halloran & Sage LLP, dated May 1, 2015, related to this agenda item. He noted that it is Attorney Roberts' opinion that the developer has "... *no basis to claim that the Town is causing any damage to the property...*". Mr. Walter stated that he will draft a response to Mr. Casner regarding this issue.
- C. Wocl Road Discussion: Mr. Walter reported that an agreement has been reached on this issue and the property's deed will reflect that it is the owner's responsibility to maintain the improved section of Wocl Road. Mr. Walter stated that he would contact the new property owner to make sure s/he is aware of the agreement attached to the deed.
- D. Emergency Communications Center Contract for Municipal Services Discussion: Mr. Walter stated that Town representatives have a meeting scheduled with KX. There was a brief discussion regarding the \$400,000.00 debt KX holds.
- E. Trowbridge Road/Middle School Property Discussion: There was a general discussion regarding the property owner's proposal to exchange a piece of property he owns adjacent to the Middle School with a comparable parcel owned by the Town. The Selectmen agreed that they feel the exchange is a good solution and Mr. Walter advised he would speak with the Chairman of the Conservation Commission regarding this issue. He stated he would request a written opinion and draft resolution for the exchange from the Town's Attorney.
- F. Shagbark Solar Project Virtual Net Metering Partnership Discussion: Mr. Walter called the Selectmen's attention to a copy of an email in their meeting packets from Attorney Roberts, dated May 4, 2015, providing comments on the proposed Letter of Intent with Shagbark for their proposed solar project. The Selectmen discussed the project and Mr. Mansfield advised that he believes the Connecticut Siting Council will be the approving authority for the project. He noted that the Inland Wetlands & Watercourses Commission may be the only Town commission that will have any authority over the project.

Mr. Mansfield agreed to request input on the project from Mr. Meyer, the Town's energy consultant.

- G. Tax Incentive Program for Certain Emergency Services Volunteers Ordinance
Discussion: Mr. Walter called the Selectmen's attention to a copy of an email in their meeting packets from Attorney Roberts, dated April 21, 2015, stating that, under Connecticut General Statutes, leased automobiles do not qualify for the tax exemption the Town provides to certain emergency services volunteers. Mr. Walter stated he would advise the volunteer of the opinion provided by the Town's attorney.
- H. Regional Animal Control Agreement Approval: Mr. Walter called the Selectmen's attention to a Memorandum of Agreement to form a Regional Animal Control Department with the Town of East Hampton. Mr. Mansfield reported that East Hampton is having the document reviewed by their attorney and he reviewed some of the details of the agreement. He noted that East Hampton will budget the same amount as the Town of East Haddam for the expenses related to the Animal Control Department. He noted, however, that each town will be responsible for maintaining its own vehicle. In response to a question raised by Mr. Malavasi, Mr. Mansfield confirmed that there is only one employee in the department who is benefit eligible.

Mr. Walter advised that the agreement needs to move forward to Board of Finance and Town Meeting.

Motion made by Mr. Walter, seconded by Mr. Lyman, to send to the Board of Finance, then to Town Meeting for approval, the authorization for the First Selectman to execute a five-year Memorandum of Agreement with the option to renew in one (1) year periods thereafter on behalf of the Town of East Haddam with the Town of East Hampton for a Regional Animal Control Department.
Unanimous aye.

8. New Business

- A. Historic Documents Preservation Grant Resolution: Mr. Walter called the Selectmen's attention to materials in their meeting packets from the Town Clerk regarding the 2016 Historic Documents Preservation Grant. He noted that the Town applies for this grant every year.

Motion made by Mr. Walter, seconded by Mr. Lyman, to authorize the following resolution:

RESOLVED, that Mark B. Walter, First Selectman, is empowered to execute and deliver in the name and on behalf of this municipality, a contract with the Connecticut State Library for a Historic Documents Preservation Grant. Unanimous aye.

- B. Bid Award – Old Middle School Field Site Survey/Engineering: Mr. Walter reported a

field site survey and engineer's report is the first step in a multi-phase process to improve/develop the sports fields at the Old Middle School. He advised that the bids for this project were reviewed by Craig Mansfield, Tiffany Quinn and Jim Ventres who recommended awarding the bid to Anchor Engineer Services Inc.

Motion made by Mr. Walter, seconded by Mr. Lyman, to award the bid for the Old Middle School Field Site Survey/Engineering to Anchor Engineering Services in the amount of \$28,400.00. Unanimous aye.

- C. Bid Award – Tractor: Mr. Walter advised that the bids for this piece of equipment were reviewed by himself, Craig Mansfield and Mike Olzacki and that they recommend awarding the bid to Big Boy's Toys LLC. He advised that the tractor will be purchased with funds that were gifted to the Town. In response to a question from Mr. Malavasi, Mr. Mansfield advised that the tractor will be stored at Public Works and that, although it is intended primarily for use at the Harris Property, it can also be used for other Town projects.

Motion made by Mr. Walter, seconded by Mr. Malavasi, to award the bid for a Massey Ferguson Tractor Model 1736L with loader and rear hydraulics to Big Boy's Toys LLC. for a total amount of \$21,670.00. Unanimous aye.

- D. Elementary School Project Resolution: Mr. Walter explained that the resolutions have been prepared to move the proposed Elementary School project to Board of Finance on May 11, 2015, Board of Selectmen on May 20, 2015, Town Meeting on June 4, 2015 and referendum on June 16, 2015.

Motion made by Board Member Walter, seconded by Board Member Malavasi, 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 appropriate the sum of \$2,707,000 for costs related to improvements at the East Haddam Elementary School, including, without limitation, the costs of (i) the replacement, repair and renovation of roofs and the installation of a new drainage system, (ii) the replacement and installation of boilers, (iii) the remediation and removal of asbestos and PBCs in the roof and boiler areas, (iv) the pavement resurfacing, sealing and repair of the parking lots, (v) the preparation and printing of bid documents, cost estimate reports and studies, informational materials and other preliminary materials, studies and reports, and (vi) design, construction, materials, engineering, architectural, legal, administration, temporary and permanent financing, costs of issuance, printing, capitalized interest and any other costs and expenses related thereto, all of the above with such changes as the Board may approve (the "Project"). The Board is authorized to determine the scope and particulars of the Project. The Board may reduce or modify the scope of the Project if funds are insufficient to complete all components of the Project, and the entire appropriation authorized hereby may be spent on the Project as so reduced or modified.

(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 \$2,707,000 (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, general fund monies and/or capital reserve funds).

(3) That the Town issue and renew notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the Project or the receipt of grants for the Project. The amount of the notes outstanding at any time shall not exceed \$2,707,000. The notes shall be issued pursuant to Section 7-378 of the Connecticut General Statutes. The Town shall comply with the provisions of Section 7-378a of the Connecticut General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(4) 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 \$2,707,000 (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, 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.

(5) 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.

(6) 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 \$2,707,000. 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.

(7) 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.

(8) That the First Selectman is hereby authorized, on behalf of the Town, to execute any contracts with engineers, contractors, architects and other persons for the Project, to apply for and accept state and federal grants to finance the appropriations for the Project, and to execute and file any application or enter into any grant agreement or other obligations prescribed by the State of Connecticut or the federal government, as applicable.

(9) That the Officials are authorized to take all other actions which are necessary or desirable to complete the Project consistent with the foregoing and to issue bonds or notes to finance the aforesaid appropriation.

(10) That this resolution shall become effective after approval at referendum vote.
Unanimous aye.

- E. Firehouse Project Resolution: Mr. Walter explained that the resolutions have been prepared to move the proposed Firehouse project to Board of Finance on May 11, 2015, Board of Selectmen on May 20, 2015, Town Meeting on June 4, 2015 and referendum on June 16, 2015.

Motion made by Board Member Walter, seconded by Board Member 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 appropriate the sum of \$508,000 for costs related to improvements to the Town Street Firehouse (Company No. 1) and the Moodus Firehouse (Company No. 2), including, without limitation, the costs of (i) the repair, renovation and upgrade of kitchens, bathrooms and other areas and the installation of fire exit additions at both firehouses, (ii) certain structural repairs at both firehouses, (iii) the installation of vehicle exhaust systems at both firehouses, (iv) the pavement resurfacing, sealing and repair of the parking lot at the Moodus Firehouse, (v) the construction of an additional drive through bay for emergency vehicles at the Moodus Firehouse, (vi) the preparation and printing of bid documents, cost estimate reports and studies, informational materials and other preliminary materials, studies and reports, and (vii) design, construction, materials, engineering, architectural, legal, administration, temporary and permanent financing, costs of issuance, printing, capitalized interest and any other costs and expenses related thereto, all of the above with such changes as the Board may approve (the "Project"). The Board is authorized to determine the scope and particulars of the Project. The Board may reduce or modify the scope of the Project if funds are insufficient to complete all components of the Project, and the entire appropriation authorized hereby may be spent on the Project as so reduced or modified.

(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 \$508,000 (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, general fund monies and/or capital reserve funds).

(3) That the Town issue and renew notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the Project or the receipt of grants for the Project. The amount of the notes outstanding at any time shall not exceed \$508,000. The notes shall be issued pursuant to Section 7-378 of the Connecticut General Statutes. The Town shall comply with the provisions of Section 7-378a of the Connecticut General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(4) 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 \$508,000 (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, 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.

(5) 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.

(6) 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 \$508,000. 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.

(7) 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.

(8) That the First Selectman is hereby authorized, on behalf of the Town, to execute any contracts with engineers, contractors, architects and other persons for the Project, to apply for and accept state and federal grants to finance the appropriations for the Project, and to execute and file any application or enter into any grant agreement or other obligations prescribed by the State of Connecticut or the federal government, as applicable.

(9) That the Officials are authorized to take all other actions which are necessary or desirable to complete the Project consistent with the foregoing and to issue bonds or notes to finance the aforesaid appropriation.

(10) That this resolution shall become effective after approval at referendum vote.

Unanimous aye.

- F. Radio System Project Resolution: Mr. Walter explained that the resolutions have been prepared to move the proposed Radio System project to Board of Finance on May 11, 2015, Board of Selectmen on May 20, 2015, Town Meeting on June 4, 2015 and referendum on June 16, 2015.

Motion made by Board Member Walter, seconded by Board Member 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 appropriate the sum of \$2,100,000 for costs related to certain town-wide radio system improvements for use by first responders, emergency personnel and municipal officials, including the construction of communications towers and the purchase and installation of antennas, cable and other equipment at various tower sites to be determined (the “Project”). The appropriation may be spent for design and construction costs, equipment, materials, architects’ fees, engineering fees, permit fees, legal fees, capitalized interest, temporary and permanent financing costs, costs of issuance, printing and any other costs and expenses related thereto, all of the above with such changes as the Board may approve. The Board is authorized to determine the scope and particulars of the Project. The Board may reduce or modify the scope of the Project if funds are insufficient to complete all components of the Project, and the entire appropriation authorized hereby may be spent on the Project as so reduced or modified.

(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 \$2,100,000 (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, general fund monies and/or capital reserve funds).

(3) That the Town issue and renew notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the Project or the receipt of grants for the Project. The amount of the notes outstanding at any time shall not exceed \$2,100,000. The notes shall be issued pursuant to Section 7-378 of the Connecticut General Statutes. The Town shall comply with the provisions of Section 7-378a of the Connecticut General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(4) 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 \$2,100,000 (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, 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.

(5) 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.

(6) 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 \$2,100,000. 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.

(7) 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.

(8) That the First Selectman is hereby authorized, on behalf of the Town, to execute any contracts with engineers, contractors, architects and other persons for the Project, to apply for and accept state and federal grants to finance the appropriations for the Project, and to execute and file any application or enter into any grant agreement or other obligations prescribed by the State of Connecticut or the federal government, as applicable.

(9) That the Officials are authorized to take all other actions which are necessary or desirable to complete the Project consistent with the foregoing and to issue bonds or notes to finance the aforesaid appropriation.

(10) That this resolution shall become effective after approval at referendum vote.
Unanimous aye.

- G. Municipal Office Conservation Project Resolution: Mr. Walter explained that the resolutions have been prepared to move the proposed Municipal Office Conversion project to Board of Finance on May 11, 2015, Board of Selectmen on May 20, 2015, Town Meeting on June 4, 2015 and referendum on June 16, 2015.

Motion made by Board Member Walter, seconded by Board Member Malavasi, 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 appropriate the sum of \$15,000,000 for costs related to the conversion of the former Nathan Hale-Ray Middle School building for Town, Board of Education and other municipal offices, including, without limitation, the costs of (1) the planning, design, demolition, renovation, repair and reconstruction of the former Nathan Hale-Ray Middle School building located at 1 Plains Road, Moodus, Connecticut, which shall include, without limitation, (i) the demolition of approximately 18,300 square feet constituting the Ray portion of the building, (ii) the renovation, repair, fit-out and conversion of classrooms, offices, conference rooms, public areas, lavatories, and storage space and other support areas located within the Nathan Hale portion of the building, including renovations to gymnasium space to be used by the Town's Parks and Recreation Department and as a polling location, (iii) the installation of a vault for the Town Clerk's office, (iv) code compliance work, including handicapped accessibility code improvements, (v) hazardous material and asbestos abatement, (vi) the renovation and/or conversion of interior spaces, the making of exterior façade improvements, the restoration of the exterior shell of the building, masonry restoration, and the installation of new windows, doors and roofing systems, (vii) room, wall and floor construction and

renovations, and (viii) electrical, mechanical, plumbing, lighting, HVAC system and other building system improvements; (2) the construction of a free standing garage to house police and municipal vehicles and equipment; (3) the purchase of furniture, fixtures, equipment, IT infrastructure, and other materials for the foregoing project; (4) site improvements, including parking, lighting, regrading and improved site lines; (5) the pavement, resurfacing, sealing and repair of the existing tennis courts; (6) the preparation and printing of bid documents, cost estimate reports, traffic and other studies, environmental reports, informational materials and other preliminary materials, studies and reports related to the project; and (7) design, demolition, construction, site work, permit fees, engineering, construction management, architectural, insurance, testing and inspections, legal, administration, temporary and permanent financing, costs of issuance, printing, capitalized interest and any other costs and expenses related thereto, all of the above with such changes as the Board may approve (the "Project"). The Board is authorized to determine the scope and particulars of the Project. The Board may reduce or modify the scope of the Project if funds are insufficient to complete all components of the Project, and the entire appropriation authorized hereby may be spent on the Project as so reduced or modified.

(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 \$15,000,000 (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, general fund monies and/or capital reserve funds).

(3) That the Town issue and renew notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the Project or the receipt of grants for the Project. The amount of the notes outstanding at any time shall not exceed \$15,000,000. The notes shall be issued pursuant to Section 7-378 of the Connecticut General Statutes. The Town shall comply with the provisions of Section 7-378a of the Connecticut General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(4) 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 \$15,000,000 (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, 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.

(5) 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.

(6) 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 \$15,000,000. 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.

(7) 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.

(8) That the First Selectman is hereby authorized, on behalf of the Town, to execute any contracts with engineers, contractors, architects and other persons for the Project, to apply for and accept state and federal grants to finance the appropriations for the Project, and to execute and file any application or enter into any grant agreement or other obligations prescribed by the State of Connecticut or the federal government, as applicable.

(9) That the Officials are authorized to take all other actions which are necessary or desirable to complete the Project consistent with the foregoing and to issue bonds or notes to finance the aforesaid appropriation.

(10) That this resolution shall become effective after approval at referendum vote.

In response to a question from Mr. Malavasi, Mr. Mansfield advised that the garage in the project will be used to store municipal vehicles. There was a brief discussion regarding the probability of repairing the tennis courts and Mr. Mansfield stated that the repairs would be done only if there are any funds remaining after the work on the Hale Building is completed. Unanimous aye.

H. Tax Refunds: There were no tax refunds discussed at the meeting.

9. Public Comment: There was no additional public comment.

10. Selectmen's Discussion

A. Budget Referendum (May 5, 2015 – 6:00am to 8:00pm): Mr. Walter reminded the public about the Budget Referendum scheduled for May 5th.

In response to Mr. Lyman's inquiry about the availability of water at the Harris Property plots, Mr. Walter advised that a well is planned but it will not be drilled in time for the summer growing season. He stated that, last year, Ballek's loaned the Town a commercial sized water container for use by the plot owners and he will see if it is available this summer.

Mr. Walter advised that he is working with the Town's insurance carrier to provide a rider to cover parking on the First Church property when there are Town Meetings and Referendums at the Grange.

In response to a question from Mr. Malavasi, Mr. Walter stated that paving the O'Connell Road Extension is in the proposed budget and, provided the budget passes, the work will occur this summer.

In response to a question raised by Mr. Malavasi, Mr. Walter advised that the funds from the Consumer Union's gift were spent on the River House sign, and the Welcome to East Haddam and Moodus signs. He stated that Town employees can install civic organization plaques if the organizations provide replacements for the ones that were damaged/lost over the winter.

Ms. Zemienieski advised that she has made a certificate of recognition for the young boy who noticed a boater in distress on Lake Hayward which resulted in her rescue. She suggested a certificate could be presented at the next Selectmen's meeting. She also suggested presenting the Town's proclamation for Viola Kalinowski's 100th birthday at the same meeting. The Selectman agreed with her suggestions and Mr. Malavasi stated he will check to see if Viola Kalinowski will be able to attend the May 20th meeting.

11. Adjournment: There being no additional business to discuss, a motion was made by Mr. Walter, seconded by Mr. Malavasi, to adjourn the meeting at 8:20 p.m. Unanimous aye.

Recorded

Respectfully submitted,

Emmett Lyman, Secretary