

From: Susan Mazurski April 16, 2012 4:54:15 PM
Subject: Board of Selectmen Minutes 03/27/2012 Special Approved
To: SimsburyCT_SelectMin
Cc:

TOWN OF SIMSBURY - BOARD OF SELECTMEN
SPECIAL MEETING MINUTES
MARCH 27, 2012

CALL TO ORDER

A Special Meeting of the Board of Selectmen was called to order at 10:44 p.m. in the Simsbury High School Amphitheatre at 34 Farms Village Road. Present were: First Selectman Mary Glassman; Board members Sean Askham, Lisa Heavner, John Hampton and Moira Wertheimer. Nancy Haase was absent. Others in attendance included, Mary Ann Harris, Richard Sawitzke, Sean Kimball and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance

PUBLIC AUDIENCE

Maria Ecky of Simsbury spoke during public audience and asked whether the budget had ever gone down. First Selectman Glassman responded that the Town operating budget was reduced three years ago.

SELECTMEN ACTION

Item 1:

Mr. Hampton introduced the following resolution, which was seconded by Ms. Wertheimer:

RESOLVED, that pursuant to Section 910 of the Charter, the Board of Selectmen calls the Annual Town Meeting for consideration of the budget to be held on the first Tuesday of May, 1, 2012 at 7:00 P.M. in the Simsbury High School Auditorium, 34 Farms Village Road.

The resolution was approved by 5 votes in favor and 0 votes opposed.

Item 2:

The Board of selectmen reviewed the modifications made by the Board of Finance to the Notice of Special Town Meeting.

Items 3 & 4:

Ms. Wertheimer introduced the following resolution, which was seconded by

Mr. Askham:

RESOLVED, that pursuant to Section 509 of the Charter, the Board of Selectmen calls a Special Town Meeting for Tuesday, May 1, 2012 immediately following the Annual Town Meeting for consideration of the budget scheduled for 7:00 P.M. in the Simsbury High School Auditorium, 34 Farms Village Road to consider and act upon resolutions as outlined in the Notice of Special Town Meeting, which is attached to these Minutes as Appendix "A", which notice is hereby approved.

FURTHER RESOLVED,

(a) that pursuant to Section 506 of the Charter the resolutions under items 1 and 5 of the Notice of Special Town Meeting, shall be submitted to the voters in the manner provided by said Section on May 15, 2012, between the hours of 6:00 A.M. and 8:00 P.M.

(b) The resolutions shall be placed upon the voting machines or paper ballots under the following headings:

"SHALL THE TOWN OF SIMSBURY APPROPRIATE \$2,050,000 FOR ACQUISITION OF 49.85 ACRES OF LAND FOR OPEN SPACE (ETHEL WALKER PHASE 2A) AND AUTHORIZE BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION?"

"SHALL THE TOWN OF SIMSBURY APPROPRIATE \$1,800,000 FOR BOARD OF EDUCATION NETWORK INFRASTRUCTURE IMPROVEMENTS AND AUTHORIZE BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION?"

Voters approving said resolutions will vote "Yes" and those opposing said resolutions shall vote "No".

Electors and persons qualified to vote in town meetings who are not electors will vote at the following polling place:

Henry James Memorial Junior High School Gymnasium
155 Firetown Road, Simsbury, Connecticut

Absentee ballots will be available from the Town Clerk's office.

(c) Notice of the referendum shall be given by the Town Clerk and incorporated into the notice of the Town Meeting.

The resolution was approved by 5 votes in favor and 0 votes opposed.

ADJOURN

Ms. Glassman made a motion to adjourn the meeting at 10:53 P.M., seconded by Ms. Heavner. All were in favor and the motion passed.

Respectfully submitted,

Mary A. Glassman
First Selectman

APPENDIX "A"

NOTICE OF SPECIAL TOWN MEETING

TOWN OF SIMSBURY

MAY 1, 2012

REFERENDUM MAY 15, 2012

A special town meeting of the electors and citizens qualified to vote in town meetings of the Town of Simsbury, Connecticut, will be held at Simsbury High School Auditorium, 34 Farms Village Road, in the Town of Simsbury, Connecticut, on Tuesday, May 1, 2012 immediately following the Annual Town Meeting for consideration of the budget scheduled for 7:00 P.M. The Special Town Meeting will be held to consider and discuss the following resolutions and to vote on those which do not require a referendum vote:

1. ACQUISITION OF LAND FOR OPEN SPACE (ETHEL WALKER PHASE 2A)

(a) That the Town of Simsbury appropriate TWO MILLION FIFTY THOUSAND DOLLARS (\$2,050,000) for acquisition for open space of approximately 49.85 acres (Ethel Walker Phase 2A) as described in an Agreement dated July 11, 2007. The Town anticipates receipt of grants in the amount of \$691,666.00 to defray, in part, the appropriation. The appropriation may be spent for survey fees, engineering and other consultants' fees, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen may determine the particulars, and may reduce or modify the scope, of the project, and the entire appropriation may be spent on the reduced or modified project.

(b) That the Town issue bonds or notes in an amount not to exceed TWO MILLION FIFTY THOUSAND DOLLARS (\$2,050,000) to finance the appropriation for the project. The amount of bonds or notes authorized to be issued shall be reduced by the amount of any grants received by the Town for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The term of the bonds or notes shall not exceed ten years.

(c) That the Town issue and renew temporary 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 TWO MILLION FIFTY THOUSAND DOLLARS (\$2,050,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(d) That the First Selectman and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of

the bonds or notes. The First Selectman and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or 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 the keeping of a record of the bonds or notes; to designate a financial advisor to the Town 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.

(e) That the Town 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 (except to the extent reimbursed from grant moneys) the Town 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 First Selectman and the Treasurer are authorized to amend such declaration of 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 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.

(f) That the First Selectman and the Treasurer 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.

(g) That the Board of Selectmen, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

(h) That the First Selectman is authorized to apply for and accept grants to finance the project, if available, and to enter into any grant agreement necessary to obtain such grants.

(i) The term of the bonds issued pursuant to this resolution shall not exceed ten years. The term of any bonds issued to refund any bond anticipation notes shall be reduced by the period of time that the bond anticipation notes are outstanding in excess of two years. The Town shall retire any such notes which are outstanding in excess of two years in an amount equal to at least 1/10th of such notes no later than three years from the date of initial note borrowing and again no later than four years from the date of initial note borrowing.

2. DISPATCH RADIO CONSOLE REPLACEMENT

That the Town of Simsbury appropriate ONE HUNDRED EIGHTY-FIVE THOUSAND

DOLLARS (\$185,000) from the General Fund for replacement of the police dispatch radio console. The appropriation may be spent for design, engineering and other consultants' fees, acquisition and equipment costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen may determine the particulars, and may reduce or modify the scope, of the project, and the entire appropriation may be spent on the reduced or modified project.

3. EMERGENCY GENERATOR IMPROVEMENTS

RESOLVED,

(a) That the Town of Simsbury appropriate SEVENTY-FOUR THOUSAND DOLLARS (\$74,000) from the General Fund for emergency operations improvements. The project will include improvements to stationary and mobile generators, a Tariffville School emergency shelter use study, generator, switch & re circuit; Building & Grounds Service Center 30 kw generator & switch; High School Shelter re-circuiting to better serve kitchen; Library re-circuit to better serve boilers select space in the building, for mobile hook-up; Eno re-circuit to better serve boilers, for mobile hook-up; EOC/Dispatch Center backup generator, switch & re-circuit. The appropriation may be spent for design, engineering and other consultants' fees, acquisition and equipment costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen may determine the particulars, and may reduce or modify the scope, of the project, and the entire appropriation may be spent on the reduced or modified project.

4. OWENS BROOK/WEST STREET GREENWAY IMPROVEMENTS

RESOLVED, that the Town of Simsbury appropriate THREE HUNDRED FIFTY-EIGHT THOUSAND DOLLARS (\$358,000) for sidewalk reconstruction of approximately 0.75 miles of Owens Brook Boulevard between Hopmeadow Street and Hearthstone Drive; an approximately 0.25 mile extension from Hearthstone Drive to Firetown Road, as identified in the Fitzgerald & Halliday Safe Routes to School Report; the installation of 550' of sidewalk on the south side of West Street, a crosswalk and pedestrian signal crossing heads for pedestrians to cross Bushy Hill Road (Route 167) at Farms Village Rd (Route 309), east of Simsbury High School; and improvements to the oldest Greenway Multi-Use trails including resurfacing, replacement signs & fences and related work. The appropriation may be spent for design, engineering and other consultants' fees, site work, construction and equipment costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen may determine the particulars, and may reduce or modify the scope, of the project, and the entire appropriation may be spent on the reduced or modified project.

(b) That the Town issue bonds or notes in an amount not to exceed THREE HUNDRED FIFTY-EIGHT THOUSAND DOLLARS (\$358,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant

to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The term of the bonds or notes shall not exceed ten years.

(c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed THREE HUNDRED FIFTY-EIGHT THOUSAND DOLLARS (\$358,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(d) That the First Selectman and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The First Selectman and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or 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 the keeping of a record of the bonds or notes; to designate a financial advisor to the Town 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.

(e) That the Town 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 Town 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 First Selectman and the Treasurer are authorized to amend such declaration of 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 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.

(f) That the First Selectman and the Treasurer 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.

(g) That the Board of Selectmen, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

(h) The term of the bonds issued pursuant to this resolution shall not exceed ten years. The term of any bonds issued to refund any bond anticipation notes shall be reduced by the period of time that the bond anticipation notes are outstanding in excess of two years. The Town shall retire any such notes which are outstanding in excess of two years in an amount equal to at least 1/10th of such notes no later than three years from the date of initial note borrowing and again no later than four years from the date of initial note borrowing.

5. BOARD OF EDUCATION NETWORK INFRASTRUCTURE IMPROVEMENTS
RESOLVED,

(a) That the Town of Simsbury appropriate ONE MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$1,800,000) for design, acquisition and installation of a school district-owned network infrastructure to replace aging equipment. The appropriation may be spent for design, engineering and other consultants' fees, equipment costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Education may determine the particulars, and may reduce or modify the scope, of the project, and the entire appropriation may be spent on the reduced or modified project.

(b) That the Town issue bonds or notes in an amount not to exceed ONE MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$1,800,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Sections 7-369 and 10-289 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The term of the bonds or notes shall not exceed ten years.

(c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed ONE MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$1,800,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(d) That the First Selectman and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of

the bonds or notes. The First Selectman and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or 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 the keeping of a record of the bonds or notes; to designate a financial advisor to the Town 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.

(e) That the Town 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 Town 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 First Selectman and the Treasurer are authorized to amend such declaration of 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 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.

(f) That the First Selectman and the Treasurer 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.

(g) That the Board of Selectmen, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

(h) The term of the bonds issued pursuant to this resolution shall not exceed ten years. The term of any bonds issued to refund any bond anticipation notes shall be reduced by the period of time that the bond anticipation notes are outstanding in excess of two years. The Town shall retire any such notes which are outstanding in excess of two years in an amount equal to at least 1/10th of such notes no later than three years from the date of initial note borrowing and again no later than four years from the date of initial note borrowing.

6. WOLCOTT PUMP STATION IMPROVEMENTS

RESOLVED, that the Town of Simsbury appropriate ONE MILLION THREE HUNDRED SEVENTY-EIGHT THOUSAND DOLLARS (\$1,378,000) from the Sewer Use Fund for improvements to the Wolcott Pump Station. The appropriation may be spent for design, engineering and other consultants' fees, site work,

construction and equipment costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Water Pollution Control Authority may determine the particulars, and may reduce or modify the scope, of the project, and the entire appropriation may be spent on the reduced or modified project.

7. Pursuant to Section 506 of the Town Charter, to adjourn said town meeting at its conclusion and to submit the resolutions presented under items 1 and 5 to vote upon voting machines or paper ballots between the hours of 6:00 A.M. and 8:00 P.M. on Tuesday, May 15, 2012 under the following headings:

“SHALL THE TOWN OF SIMSBURY APPROPRIATE \$2,050,000 FOR ACQUISITION OF 49.85 ACRES (ETHEL WALKER PHASE 2A) OF LAND FOR OPEN SPACE AND AUTHORIZE BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION?”

“SHALL THE TOWN OF SIMSBURY APPROPRIATE \$1,800,000 FOR BOARD OF EDUCATION NETWORK INFRASTRUCTURE IMPROVEMENTS AND AUTHORIZE BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION?”

Voters approving a resolution will vote “Yes” and those opposing a resolution will vote “No”.

Electors and persons qualified to vote in town meetings who are not electors will vote at the following polling place:

Henry James Memorial Junior High School Gymnasium
155 Firetown Road, Simsbury, Connecticut

Absentee ballots will be available from the Town Clerk’s office.

Dated at Simsbury, Connecticut, this 27 day of March, 2012.

BOARD OF SELECTMEN

Mary A. Glassman

John K. Hampton

Lisa L. Heavner

Sean P. Askham

Nancy M. Haase

Moir K. Wertheimer

Town Clerk