

Valerie Pucival
RECEIVED

14 JAN 15 AM 9:58



Town of Griswold
Board of Selectmen
Special Meeting
December 17, 2013
10:30 AM
Downstairs Meeting Room, Town Hall
28 Main Street, Jewett City



APPROVED MINUTES

1. **Call to Order/Roll Call** – Meeting was called to order at 10:30 AM by Kevin Skulczyck, First Selectman

Members Present: Kevin Skulczyck, First Selectman
Steve Mikutel, Second Selectman
Philip Anthony, Third Selectman (arrived at 10:36 AM)

Others Present: Lisa M. Wood, Executive Assistant
Erik Christensen, Finance Director

2. **New Business**

- a. **To consider and act upon a resolution entitled:**
RESOLUTION APPROPRIATING \$3,000,000 FOR THE REPLACEMENT OF THE GRISWOLD HIGH SCHOOL ROOF AND AUTHORIZING THE ISSUE OF \$3000,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWING FOR SUCH PURPOSE.

MOTION: Motion was made by S. Mikutel, seconded by K. Skulczyck, to waive reading the entitled resolution and incorporate its full text into the minutes of the meeting.

There was no discussion.

Motion passed: S. Mikutel in favor, K. Skulczyck in favor.

The voted upon resolution is incorporated into these minutes on the following pages:

RESOLUTION APPROPRIATING \$3,000,000 FOR THE REPLACEMENT OF THE GRISWOLD HIGH SCHOOL ROOF AND AUTHORIZING THE ISSUE OF \$3,000,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$3,000,000 is appropriated for the planning, acquisition and construction of the replacement of the Griswold High School roof, including wararanty, architectural, engineering and other consultant fees, equipment, repair and replacement of structures and building components due to replaced roof's deficiencies, and for administrative, advertising, printing, legal and financing costs and appurtenances and services related thereto, or for so much thereof or such additional improvements as may be accomplished witin said appropriation. Said appropriation shall be inclusive of state and federal grants.

Section 2. To meet said appropriation, \$3,000,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series as determined by the First Selectman and the Town Treasurer (the First Selectman and the Town Treasurer hereinafter the "Town Officials"), and the amount of bonds of each series to be issued shall be fixed by the Town Officials. Said bonds shall be issued in the amount necessary to provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the Town and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Town Officials, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Town Officials, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Town Officials and be approved as to their legality by Bond Counsel. They shall bear such rate or rates of interest as shall be determined by the Town Officials. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The aggregate principal amount of the bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the Town Officials, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 3. Said bonds shall be sold by the Town Officials in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals, auction, or similar competitive process at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary

thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds.

Section 4. The Town Officials are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Town Officials, bear the Town seal or a facsimile thereof, be payable at a bank or trust company designated by the Town Officials, be approved as to their legality by Bond Counsel, and be certified by a bank or trust company designated by the Town Officials, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town (the "Issuer") 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 after the date of passage of this resolution in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 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 Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Finance Director or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 6. The Town Officials are hereby authorized to exercise all powers conferred by section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution.

Section 7. It is hereby found and determined that it is in the public interest to issue all, or a portion of, the Bonds, Notes or other obligations of the Town authorized herein as qualified private activity bonds, or with interest that is includable in gross income of the holders

Thereof for purposes of federal income taxation. The First Selectman and the Town Treasurer are hereby authorized to issue and utilize without further approval any financing alternative currently or hereafter available to municipal governments pursuant to law including but not limited to any "tax credit bond," or "Build America Bonds" including Direct Payment and Tax Credit versions.

Section 8. The Superintendent of the Board of Education is authorized to apply for and accept on behalf of the Town State and Federal grants in aid of the project.

MOTION: Motion was made by S. Mikutel, seconded by K. Skulczyck, that the above resolution be adopted.

There was no discussion.

Motion passed: S. Mikutel in favor, K. Skulczyck in favor.

- b. **To consider and act upon resolution entitled:
RESOLUTION PROVIDING FOR SPECIAL TOWN MEETING AND
REFERENDUM VOTE AT ADJOURNED TOWN MEETING
*(for the above resolution)**

MOTION: Motion was made by S. Mikutel, seconded by K. Skulczyck, to waive reading the entitled resolution and incorporate its full text into the minutes of the meeting.

There was no discussion.

Motion passed: S. Mikutel in favor, K. Skulczyck.

The voted upon resolution is incorporated into these minutes on the following pages:

RESOLUTION PROVIDING FOR SPECIAL TOWN
MEETING
AND REFERENDUM VOTE AT
ADJOURNED TOWN MEETING

Pursuant to the provisions of Section 7-7 of the Connecticut General Statutes, as amended, a Special Town Meeting to consider and act upon the resolution entitled "RESOLUTION APPROPRIATING \$3,000,000 FOR THE REPLACEMENT OF THE GRISWOLD HIGH SCHOOL ROOF AND AUTHORIZING THE ISSUE OF \$3,000,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE" (the "Resolution") shall be called and held, and the vote on such resolution shall be removed from the call of such meeting and adjourned to be submitted to electors and citizens qualified to vote in such meeting to a referendum vote at Adjourned Town Meeting to be held on January 14, 2014, between the hours of 6:00 A.M. and 8:00 P.M. in both voting districts as follows:

First District - Griswold Town Hall, 28 Main Street, Griswold, CT
Second District - Pachaug Town Hall, 883 Voluntown Road, Griswold, CT

for the approval or disapproval of the Resolution.

The First Selectman is hereby authorized and directed to call a Special Town Meeting, in accordance with the provisions of this resolution, to be held at Griswold Middle School Auditorium, 211 Slater Ave., Jewett City, Connecticut on January 6, 2014 at 6 p.m., to consider the Resolution as of this date approved by the Board of Selectmen, to receive communications concerning said Resolution and to submit action by the Special Town Meeting on said Resolution to a vote of Town electors and qualified voters at a referendum by Adjourned Town Meeting. The Warning of said Town Meeting shall state the question to be voted upon and the ballot label with respect thereto as follows:

Question 1:

"Shall the resolution entitled 'RESOLUTION APPROPRIATING \$3,000,000 FOR THE REPLACEMENT OF THE GRISWOLD HIGH SCHOOL ROOF AND AUTHORIZING THE ISSUE OF \$3,000,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE,' as adopted by the Boards of Finance and Selectmen, be approved? YES NO"

The ballot label for said question shall read as follows:

"Shall the \$3,000,000 appropriation and general obligation bond issuance authorization to pay for replacement of the existing Griswold High School Roof (after taking into account estimated State grants to be applied, the amount of Town bonds estimated to be issued is \$1,000,000), as adopted by the Boards of Selectmen and Finance, be approved? YES/NO?"

The voting will be by paper/electronic ballot. Those desiring to vote for the question shall fill in the box in front of the question on the ballot at "YES". Those desiring to vote against the question shall fill in the box in front of the question on the ballot at "NO". Absentee ballots will be made available in accordance with law.

The warning shall also state that the full texts of the aforesaid resolution and question are on file, open to public inspection, in the office of the Town Clerk, that the vote on the aforesaid Resolution is taken under the authority of Section 7-7 and Chapters 90 and 152 of the Connecticut General Statutes, as amended, and that absentee ballots will be made available in accordance with law.

MOTION: Motion was made by S. Mikutel, seconded by K. Skulczyck, that the above resolution be adopted.

There was no discussion.

Motion passed: S. Mikutel in favor, K. Skulczyck in favor.

P. Anthony, Selectman arrived at this point (10:36 AM).

3. Old Business

- a. **Discussion and possible action on proposed tax settlement for Ames Department store** – R. Grabowski, Tax Collector mentioned he spoke to Atty. Willis whose first impression was since this is a personal property tax, the town should agree to the amount. However, he did also state he wished to look into it a little further. R. Grabowski also commented there was a settlement a number of years ago and confirmed this is the only bill outstanding for Ames department store. It was noted that what we may spend in attorney fees may eat up the amount of the proposed settlement. R. Grabowski noted for Mr. Anthony that generally interest in not paid in bankruptcy cases, but he has seen cases where they have changed the interest rate or not paid anything. R. Grabowski noted his feeling is to take the settlement. K. Skulczyck agreed.

MOTION: Motion was made by P. Anthony, seconded by S. Mikutel, to accept the tax settlement for Ames department store bankruptcy settlement in the amount of \$4462.32. **Motion carried unanimously.**

- b. **Discussion and possible action on making the Town Planner a full time position** – E. Christensen commented that the only option at this time to go full time is to ask the BOF for an additional appropriation from surplus and that amount would be around \$31,000 and would have to go to town meeting. P. Anthony commented he could not, in good faith, ask the BOF to take money from the surplus, even though he has always been in full support of the Town Planner being a full-time position. P. Anthony feels we are so close to budget season, that his feeling is to advocate for full time once again through the budget process. E. Christensen commented if you give him overtime you are in danger of the State coming after you to offer benefits. S. Mikutel noted he is in agreement. K. Skulczyck also felt that was the best option.

4. Adjournment

MOTION: Motion was made by S. Mikutel, seconded by P. Anthony, to adjourn the meeting at 10:48 AM. **Motion carried unanimously.**

Respectfully Submitted,



**Lisa M. Wood,
Executive Assistant**