

BOARD OF SELECTMEN SPECIAL MEETING
May 23, 2017

A meeting of the Board of Selectmen was held on Tuesday, May 23, 2017 in the selectmen's conference room. Due to capacity issues it was moved to the Main Assembly Hall in order to accommodate the public. A notice of the changed location was posted on the conference room door.

Members present: First Selectman Michael Criss, Selectman Evan Brunetti, Selectwoman Nancy Schnyer

Attendees: Jen Minery -- Recording Minutes, Town Attorney Mike Rybak, Bond Attorney Joe Fasi

Call to Order

Mr. Criss called the meeting to order at 7:00pm stating that nothing can be added to the Agenda. Public comment is not included on the Agenda, however because there is public here he allowed the public to speak 3mins each on either of the two items on the agenda. Discussion ensued.

Resolution

Mr. Criss introduced and read the following resolution:

RESOLVED: That the resolution entitled: "RESOLUTION APPROPRIATING \$5,170,000 FOR THE EXPANSION AND RENOVATION OF THE HARWINTON PUBLIC LIBRARY AND AUTHORIZING THE ISSUE OF \$4,170,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE" is hereby approved and recommended for adoption by the Town.

A Motion to waive the reading of the entitled resolution of the entitled resolution and incorporate its full text into the Minutes of the meeting was made by Mr. Brunetti and seconded by Ms. Schnyer all were in favor the motion carried.

A Motion was made by Mr. Brunetti and seconded by Ms. Schnyer to adopt the bond resolution. All were in favor the motion carried.

Mr. Criss read the following titled resolution:

RESOLVED: That the resolution entitled: "Resolution Providing for Special Meeting and Referendum Vote at Adjourned Town Meeting", be adopted.

Mr. Criss asked for a motion to waive the reading of the entitled resolution and incorporate its full text into the Minutes of the meeting? All were in favor the motion carried.

Adoption of the resolution was moved by Ms. Schnyer seconded by Mr. Brunetti all in favor motion carries.

Review Kasznay Feasibility Study – The Board of Finance requested a Feasibility Study to determine if the land is buildable and a recommendation and review by the Northwest Conservation District before a vote could be held on the recommendation of the purchase of the land to a referendum. Steve McDonald of WMC Engineering provided a summary report for the feasibility study. Mr. Criss read the third page of the summary report, reading, 'Based upon our investigations, it is our opinion that the parcel has adequate available land and natural underlying soils to support the development of a Senior Housing Facility consisting of approximately 32 one and two bedroom units. Additionally, the overall parcel appears to be an excellent candidate for other Town purposes such as recreational fields, trails or other Town supported uses". Mr. Criss also read the opinion of the Northwest Conservation district, prepared by Sean Hayden paragraph 2 " I believe this property will be a spectacular asset for the town. Its size, its location, its healthy wetland systems, its agricultural soil and large forest blocks will surely benefit the town, all in ways we may not even know until many years into the future. I understand that currently there is an ongoing feasibility study for the development of a senior housing complex which is fine. However, included in this feasibility study should be an analysis of the portions of the property that will be set aside for permanent open space, a vital component in a healthy, thriving town center". Mr. Criss asked if the Board had any questions on the studies.

At 7:35p.m. Mr. Brunetti made a motion to recess before the Call is set to get Board of Finance approval on the proposed items. Ms. Schnyer seconded all were in favor motion carried.

At 8:13pm Mr. Brunetti made the motion to come back from the recess and Ms. Schyner seconded all were in favor motion carried.

Set the Call for the Special Town Meeting – Mr. Criss stated that the Board of Finance had approved both items for a public referendum and it was up to the Selectmen to determine to either hold one public meeting and referendum for both items or one for each. Mr. Criss stated he has prepared drafts of two Calls and would entertain a Motion of either Call he also stated it would cost \$2831 roughly for both to be on one and \$5662 if they separated them. The first Call is the Warning of the Special Town Meeting set for June 13th to be voted on by referendum set for June 20th, not voted at that Town meeting under CGS 7-7, indicating both items which would be the Library Expansion and the Kasznay Property purchase. The second Call prepared is slated for the Library expansion only to be set for a public meeting on June 13th but voted on at referendum under CGS 7-7 on June 20th. Mr. Criss stated he would entertain a motion for either call. Mr. Brunetti made a motion to put them both to Town meeting as part of the same Call. Mr. Criss seconded. Discussion ensued. Ms. Schnyer stated she felt they needed to be separated. Mr. Brunetti made a motion to vote pursuant to CGS section 7-7 to set the vote to put both items on the Town Meeting June 13th and a referendum scheduled for June 20, ²⁰¹⁷ between the hours of 6am – 8pm. Mr. Brunetti voted Yes Mr. Criss voted Yes Ms. Schnyer voted No. Motion carries. Mr. Brunetti made a motion to have the Board of Finance create the fiscal impact of both projects available for public review before the Town meeting and referendum vote. Ms. Schnyer seconded all in favor motion carries.

Adjournment

Mr. Criss asked for a motion to adjourn at 8:38pm. Mr. Brunetti made the motion, Ms. Schnyer seconded all in favor motion carries.

Minutes submitted by _____
Jen Minery

RECEIVED FOR RECORD AT HARWINTON CT
ON 05/31/2017 AT 8:30 AM
ATTEST NANCY E. ELDRIDGE TOWN CLERK

RESOLUTION APPROPRIATING \$5,170,000 FOR THE
EXPANSION AND RENOVATION OF THE HARWINTON
PUBLIC LIBRARY AND AUTHORIZING THE ISSUE OF
\$4,170,000 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 up to \$5,170,000 is appropriated for the expansion and renovation of the Harwinton Public Library at 88 Bentley Drive, Harwinton, Connecticut approximately in accordance with "Construction Documents 6/30/16" prepared by Drummey Rosane Anderson, Inc., as amended, including increasing the size of the library by 6,500 square feet to accommodate larger Children's and reading areas, a Community room, a Young Adult area, a Business Center for printing, copying and faxing services, increased technology capacity, additional computers, outlets and charging stations, additional small conference rooms, new roof and updated mechanicals, improved physical accessibility, consultants, warranties, and general building upgrades or so much thereof or such additional improvements as may be accomplished within the foregoing appropriation (the "Project"), and for administrative, advertising, printing, financing costs, services and appurtenances related thereto.

Section 2. The total estimated cost of the project is \$5,170,000. The estimated useful life of the project is not less than twenty years. An estimated \$1.0 million of the total Project cost is expected to be paid from State grants and \$4,170,000 from the proceeds of bonds authorized herein. Construction of the Project shall not commence unless the State Bond Commission, or other State funding if applicable, has made a grant commitment of not less than \$1,000,000 toward the Project.

Section 3. To meet said appropriation \$4,170,000 bonds (including bank, USDA or other debt obligations) 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 or such later date as may be authorized by law. Said bonds may be issued in one or more series as determined by any two of the First Selectman and Town Treasurer (hereafter the "Town Officials"), and the amount of bonds of each series to be issued shall be fixed by the Town Officials, provided that the total amount of bonds to be issued shall not be less than an amount which will 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 Joseph Fasi

LLC, Bond Counsel, of Hartford. 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, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon and shall be paid from property taxation to the extent not paid from other funds available for the payment thereof. 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 4. 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 5. 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 Joseph Fasi LLC, Bond Counsel, of Hartford, 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 6. 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 First Selectman or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 7. The Town Officials are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories 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. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

Section 8. It is hereby found and determined that it is in public interest to issue all, or a portion of, the Bonds, Notes or other obligations of the Town 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 Town Officials 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 bonds" or "Build America Bonds" including Direct Payment and Tax Credit versions.

Section 9. The Board of Selectmen are authorized to de-activate this appropriation and bond authorization at any time after September 30, 2017, or, if as of September 30 2017 a bidder to be awarded the Project construction pending State Bond Commission approval, is holding its bid pending such approval, any time after such bidder is no longer holding its bid.

Section 10. The Board of Selectmen are authorized to appoint a library building committee and to determine its duties and responsibilities, members, term of service, removal, and all other terms, conditions and details of its establishment, function and disbandment from time to time.

RECEIVED

MAY 18 2017

TOWN CLERK

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

A Special Town Meeting to consider and act upon the resolution entitled:

“RESOLUTION APPROPRIATING \$5,170,000 FOR THE EXPANSION AND RENOVATION OF THE HARWINTON PUBLIC LIBRARY AND AUTHORIZING THE ISSUE OF \$4,170,000 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 in such meeting to a referendum vote at Adjourned Town Meeting to be held on Tuesday, June 20, 2017, at Harwinton Town Hall, Main Assembly Room, 100 Bentley Drive, Harwinton, Connecticut, between the hours of 6:00 A.M. and 8:00 P.M. for the approval or disapproval of the Resolution, or such other location if necessary as may be determined by the First Selectman.

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 Harwinton Town Hall, Main Assembly Room, 100 Bentley Drive, Harwinton, Connecticut, on Tuesday, June 13, 2017, at 7:00 P.M., to consider the Resolution as of this date approved by the Board of Selectmen, to cause the preparation of material (if any) explaining and concerning the referendum and project, 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 \$5,170,000 FOR THE EXPANSION AND RENOVATION OF THE HARWINTON PUBLIC LIBRARY AND AUTHORIZING THE ISSUE OF \$4,170,000 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 Selectmen and Finance, be approved? YES/NO”

The ballot label for said question shall read as follows:

“Shall the \$5,170,000 appropriation for the Renovation and Expansion of the Harwinton Library, to be financed by a \$1,000,000 State grant and \$4,170,000 of Town general obligation bonds, 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".

The First Selectman is authorized to make such revisions and otherwise provide for notices and the vote on the question herein authorized to be voted as necessary or appropriate to comply with law.

RECEIVED

MAY 18 2017

TOWN CLERK