

TOWN OF EAST LYME
SPECIAL TOWN MEETING
MARCH 1, 2017
MEETING MINUTES

Recorded Mar 4 20 17
8:35 AM Lesley A. Blais
PM
East Lyme Town Clerk

The meeting was called to order at 7:00 p.m. by Town Meeting Moderator, Gene Cushman.

The Assistant Town Clerk, Karen Miller Galbo, read the Call of the Meeting and stated that the Notice had been posted on the signpost on February 16, 2017, and that a copy thereof had been published in The Day, a newspaper published in the City of New London and of general circulation in the Town of East Lyme, in its issue of February 23, 2017.

The Moderator then explained that in accordance with Section 7-7 of the General Statutes of Connecticut, the Board of Selectmen of the Town of East Lyme removed Item 2 on the Call of the Special Town Meeting to an adjourned Town Meeting to be held on March 14, 2017 for the purpose of submitting said Item to a Referendum vote on such date at the time to be determined at this meeting and that this meeting would continue for discussion purposes only on said Item.

The Moderator stated that in accordance with Section 7-6 of the Connecticut General Statutes, only an elector of the Town or a citizen of the United States of the age of eighteen years or more who, jointly or severally, was liable to the Town for taxes assessed against him or her based on an assessment of not less than \$1,000 on the last completed Grand List of the Town or who would have been so liable if not entitled to an exemption under subdivision (17), (19), (22), (23), (25) or (26) of Section 12-81 of the Connecticut General Statutes would be entitled to vote at the Adjourned Town Meeting and that absentee ballots shall be available as provided by law at the Town Clerk's office during business hours.

The Moderator appointed the Registrars of Voters as checkers and tellers.

1. To receive communications from the Board of Selectmen and the Board of Finance with respect to a resolution entitled "Resolution Making An Appropriation In The Amount Of \$37,500,000 For The Planning, Design, Acquisition, Construction, Equipping and Furnishing Of Alterations And Upgrades Of The Lillie B. Haynes, Flanders and Niantic Center Elementary Schools And Authorizing The Issuance Of \$37,500,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose".

The Moderator confirmed with the Assistant Town Clerk that the Communications from the Board of Selectmen and the Board of Finance had been received.

2. To discuss the resolution entitled "Resolution Making An Appropriation In The Amount Of \$37,500,000 For The Planning, Design, Acquisition, Construction, Equipping and Furnishing Of Alterations And Upgrades Of The Lillie B. Haynes, Flanders and Niantic Center Elementary Schools And Authorizing The Issuance Of \$37,500,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose".

At its meeting held on February 15, 2017, the Board of Selectmen voted to submit Item 2 of the call of the Special Town Meeting to a referendum vote at an Adjourned Town Meeting to take place at the East Lyme Community Center, on March 14, 2017, at the hours to be determined by the Town Meeting.

Attorney Ed O'Connell introduced the attached resolution. Complete copies of the Resolution were made available to members of the public attending this meeting.

Attorney O'Connell moved Item 2.

Seconded by Jamie Barr Shelburn.

There was no vote.

3. To set the hours of voting of the above referendum.

Mr. Cushman stated the Statutes require that the hours of the Referendum be at least noon to 8:00 p.m. Traditionally our Referendums go from 8:00 a.m. to 8:00 p.m.

Motion(1) Mr. Nickerson moved to set the hours of voting at the Referendum on March 14, 2017 from 8:00 a.m. to 8:00 p.m.

Seconded by Marc Salerno.

Motion Passed

4. To transact any other business proper to come before the meeting.

Mr. Nickerson stated they chose not to have a presentation tonight as they have held many of them. Mr. Hagen and Mr. Newton are here to answer any questions the public might have. He also stated that the Community Center would be our place of voting for all three districts.

Mary Smith, Registrar of Voters stated the Grand List will be available at the Referendum for anyone eligible to vote, other than registered voters. They also will have a copy of the Resolution available in the library the day of the Referendum.

Prakash Keshary of 35 Harvest Glen asked about the tax liability to the people of East Lyme.

Mr. Nickerson stated the amount, \$37,500 is the most it can possible be, there are contingencies built into that number. They also anticipate money from the State. They expect the project to be around 30 million, roughly 10 million per school. This will breathe life into these buildings. It will amount to approximately \$400 to \$500 per household over a 20 year period. There is other debt coming off the rolls. The buildings are aging and they are in very tired shape. This started as a 100 million project, it has been whittled down. This is rehabilitating good buildings.

Mike Schulz of Lovers Lane stated many parents need to be thanked as this could have been much more expensive. Niantic Center School is a mess. In the future the Board of Education needs to do a better job maintaining the schools.

The meeting was adjourned to March 14, 2017 to Referendum from 8:00 a.m. to 8:00 p.m.

Respectfully Submitted,



Karen Miller Galbo
Assistant Town Clerk

RESOLUTION MAKING AN APPROPRIATION IN THE AMOUNT OF \$37,500,000 FOR THE PLANNING, DESIGN, ACQUISITION, CONSTRUCTION, EQUIPPING AND FURNISHING OF ALTERATIONS AND UPGRADES OF THE LILLIE B. HAYNES, FLANDERS AND NIAN TIC CENTER ELEMENTARY SCHOOLS AND AUTHORIZING THE ISSUANCE OF \$37,500,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Recorded Feb 6 2017
8:30 AM
8:30 PM Leahy A. Blaw
East Lyme Town Clerk

RESOLVED:

Section 1. The sum of \$37,500,000 is hereby appropriated by the Town of East Lyme, Connecticut (the "Town") for planning, design, acquisition, construction, equipping and furnishing of alterations and upgrades of the Lillie B. Haynes, Flanders and Niantic Center Elementary Schools, including, but not limited to, air quality systems, heating, ventilation and air conditioning systems, ADA compliance improvements for bathrooms, fixtures and interior doors, new security systems with cameras, new door lock hardware, new public address and audio systems, replacement of ceilings, flooring, drinking fountains, case work and furniture, refurbishment of front entries, upgrade of electrical, lighting, data and technology (Wi-Fi) infrastructure, and new laptop computers; for Flanders Elementary School, the replacement of an underground oil tank, new roof, expansion and reconfiguring of main office, replacement of single pane windows, abatement and improvements to basement crawl space, replacement of wall partitions, and replacement bathroom exhaust systems, cafeteria blinds and gym wall pads; for Lillie B. Haynes Elementary School, site work for bus and parent drop-offs, new parking areas, repaving of existing parking areas, sanitary sewer line, new boiler, reestablishment of second gym, and conversion of locker rooms to classrooms; and for Niantic Center School, repaving of existing parking lots and driveways, landscaping for front entry, replacement of oil tank, restoration of exterior masonry, replacement of windows and a boiler, ADA compliance improvements to gym and stage, replacement of gym floor, addition of north wall and windows, and new basketball backboards; and related legal, consulting, licensing, advisory, administrative, governmental fees and expenses and costs of issuance related thereto, said appropriation being inclusive of any and all State and Federal grants-in-aid thereof (the "Project").

Section 2. To meet said appropriation, \$37,500,000 bonds of the Town, or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the maximum maturity permitted by the General Statutes of Connecticut, Revision of 1958, as amended from time to time (the "Connecticut General Statutes"). Said bonds may be issued in one or more series as determined by the First Selectman and the Town Treasurer, in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amounts of State and Federal grants-in-aid of the Project, or the actual amounts thereof, if this be ascertainable and the anticipated times of the receipt of the proceeds thereof, 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, financing, legal and other costs of issuance of such bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the First Selectman and the Town Treasurer, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson &

Cole LLP, Attorneys-at-Law, of Hartford, Connecticut. 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 interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds including the rate or rates of interest shall be determined by the First Selectman and the Town Treasurer, in the best interest of the Town, in accordance with the Connecticut General Statutes.

Section 3. Said bonds shall be sold by the First Selectman in a competitive offering or by negotiation, in his discretion. If sold in a competitive offering, the bonds shall be sold 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. If the bonds are sold by negotiation, the purchase agreement shall be approved and signed by the First Selectman and the Town Treasurer.

Section 4. The Town Treasurer is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the First Selectman and the Town Treasurer, have the seal of the Town affixed, be payable at a bank or trust company designated by the First Selectman, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, Connecticut, and be certified by a bank or trust company designated by the First Selectman pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes. 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 the notes, 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 the 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. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and any time after the date of passage of this resolution in the maximum amount and for the Project with the proceeds of bonds, notes, or other obligations ("Tax Exempt Obligations") authorized to be issued by the Town. The Tax Exempt Obligations 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 Town 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 with this resolution pending the issuance of Tax Exempt Obligations.

Section 6. The First Selectman, Director of Finance and the Town Treasurer 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 the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of 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 the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 7. The First Selectman and the Town Treasurer, or either of them, are hereby authorized, on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution.

