

EAST LYME BOARD OF SELECTMEN
SPECIAL MEETING OF JANUARY 22, 2019
AMENDED MINUTES

PRESENT: Mark Nickerson, Kevin Seery, Rose Ann Hardy, Marc Salerno, Paul Dagle and Dan Cunningham

Also in attendance were Dan Price, Chairman of the Police Commission; Mark Powers, Member of the Police Commission; Chief of Police Mike Finkelstein and Finance Director Anna Johnson

Mr. Nickerson called the meeting to order at 7:04 p.m. and led the Pledge of Allegiance.

3. Delegations
There were none.

4. Public Safety Complex

DISCUSSION: Mr. Nickerson stated that the last time this town discussed a new public safety complex was 13 years ago. He thanked the task force and the Police Commission members for their hard work and support thus far, and especially Tom Gardner who has been working on the project for a couple of years and could not be in attendance at tonight's meeting. Dan Price, Chairman, and Mark Powers, Member, of the Police Commission were in attendance to give a brief presentation and answer questions. Mr. Price briefly summarized the key points of the proposal up to this date; all of the information presented can be found on the eltownhall.com webpage. Mr. Powers stated that the Town really has a lucky break in that this piece of property is available for purchase at a time when our need for a new facility is crucial; and the March 15, 2019, deadline with Honeywell to purchase the property is approaching. Mr. Nickerson reminded the Board that the Board of Selectman unanimously supports this project at the proposed \$6,000,000; and that the Board of Selectmen has the responsibility of keeping our employees safe and healthy. Key points to note are: the Town has put a lot of money into fixing the roof, and put \$60,000 aside in this year's budget to make some major repairs; the parking lot needs a lot of work and we have pre-qualified for a Brownfield grant, but we need to wait until the employees are vacated from the building; the Police will take up 15,000 sq. ft., Emergency Operations/Dispatch/Fire Marshal will take up another 5,000 sq. ft. which leaves 8,000-10,000 extra square feet for future use; this project has always been on the table throughout the years and has always been proposed as an approximate 10-12 million dollar project; it was most recently put on the back burner to get the renovations done on the elementary schools. Once approved, Mr. Nickerson stated that a vision committee would be gathered, and will consist of 2-3 members each of the Board of Selectmen, Board of Finance and Police Commission, as well as 2-3 citizens. Mrs. Hardy inquired as to the details of the contract with Waterford, and it was reported that we are halfway through the second year of a three year contract. Mr. Seery inquired if there is a possibility that we could secure grant funding to offset the expenses incurred by the move, and Mr. Taylor responded that there are definitely grant opportunities that will be pursued. Mr. Taylor reported that he has spoken with two vendors regarding the move of electronic equipment, and has a couple of different scenarios to research; one vendor proposes constructing a communications tower at the site, while the second vendor working with a Public Safety Secure Network which will not require a tower. Chief Finkelstein addressed the Board and reiterated that having the Police Department in the same building as Dispatch, Emergency Operations and the Fire Marshal is the ideal situation and what we are striving for. Ms. Johnson stated that the average taxpayer will pay approximately \$20 more per \$100,000 of the appraised value of your property. She also wanted to reiterate that as we will be adding this debt on in the next couple of years, we will be paying debt down at the same time. Mr. Seery asked if there are any big projects coming up in the near future, and the answer is that there are none

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Jan 29 2019 AT 1:35 AM/PM
Karen Hill
EAST LYME TOWN CLERK

scheduled. The Town should be prepared for the standard things that come up throughout the year, such as having to replace a fire truck or major repair/replacement of an HVAC unit at one of the buildings.

Mr. Dagle stated that although the location of the proposed building is not ideal, purchasing this building is the best choice we have. He feels as though it is the most affordable choice and will best serve the needs of the Town's employees and taxpayers. Mr. Cunningham echoed Mr. Dagle's comments, and noted that at the beginning he was not on board but after reviewing all the facts he believes that this location will serve our purposes well and is the right choice. Mr. Seery thanked everyone who brought opposing views and in depth discussion to this matter; he believes that this is the best possible solution and moving the police department to this new location will enhance the safety of both the public and our police officers. Mrs. Hardy stated that the Town has been talking about a new police station since 1984, and she fully supports this project and the purchase of the Honeywell building. Mr. Salerno stated that he is in agreement with the other Selectmen comments, and believes after touring the new building that this is a great deal. Although he also agrees that he was not thrilled with the location, he has full faith in the people that have stated there is no worry and he has received enough positive information that he fully supports this purchase.

Mr. Powers reminded everyone that there will be an open house and tour of the existing Police Department at 278 Main Street on Saturday, January 26th from 1pm to 3pm.

MOTION (1)

Mr. Seery MOVED the following motion:

Following a thorough review of the available options for a Police Station and Public Safety Complex, and in consideration of the status of the current location of the Police Department, the Board of Selectmen unanimously endorses the recommendations of the Public Safety Complex Committee. The major reasons for the endorsement are as follows:

1. In 2005 when the current location of the Police Department was established it was planned to be there for no more than three (3) to five (5) years while a permanent solution could be acted upon. The Police Department has now been located at its current site for thirteen (13) years.
2. The Town does not own the building, and it is in need of immediate extensive and expensive repairs and does not provide a healthy and safe working environment. This is in spite of the fact that the Town has expended over one hundred thousand (\$100,000) dollars to maintain the facility as best as possible.
3. The building was never designed to fulfill public safety needs.
4. The current facility is too small and there is no ability to expand the building to accommodate the growth of public safety needs, including the consolidation of various public safety departments in Town.
5. The Town does not currently own an appropriate site for the construction of a new building, and the cost of such would significantly exceed the cost of purchase and renovation of the proposed facility.

The availability of the Honeywell building, situated on seventeen and a half (17.5) acres on West Main Street, provides a solution to the critical need, not only to meet the need for a new Police Station, but allowing the unification of other emergency management services, including Police and Fire dispatch. The proposed six million dollar (\$6M) plan is in the best interest of the Town's immediate needs and future needs.

In 1984 the Town received its first report where the need for a new Police Station and independent police department was cited. One of the two goals has been accomplished. In the intervening years, the Town has approved a major renovation of the high school (1997), the construction of a new middle school (1999), the purchase/renovation of a building to serve as a new public works garage (2009), and a needed major renovation to the three elementary schools (2017). Additionally, there have been numerous upgrades to the Town's parks and athletic facilities as well as technology upgrades throughout the Town and school

facilities. All were warranted improvements to address the needs of a growing town. Now is the time to address the Town's public safety needs.

Therefore, after extensive review of numerous reports and studies, and upon the recommendations of the East Lyme Police Commission and the Public Safety Complex Committee, it is the unanimous position of the East Lyme Board of Selectmen that the proposal best meets the immediate and future needs to provide a safe, secure, and modern facility for the Town and its residents.

The proposed building will provide the personnel that use the facility on a twenty four hour a day, three hundred sixty five day a year basis, an environment that enhances their ability to perform their professional duties and serve the public. And forward to the Board of Finance.

Seconded by Mr. Salerno. Motion passed 6-0.

MOTION (2)

Mr. Seery MOVED to make an appropriation in the amount of \$6,000,000 for the planning, design, acquisition, construction, equipping and furnishing of a public safety building and authorizing the issuance of \$6,000,000 bonds of the Town to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purchase.

RESOLVED:

Section 1. The sum of \$6,000,000 is hereby appropriated by the Town of East Lyme, Connecticut (the "Town") for planning, design, acquisition, construction, equipping and furnishing of a public safety building at 277 West Main Street, Niantic, Connecticut, of approximately 31,000 square feet on 17 acres, for police, dispatch, emergency operations and fire, including, but not limited to, demolition, renovation, reconstruction and repairs of interior space for interview rooms, prisoner processing and detention, evidence, weapons and records processing and storage; expenses related to architectural services, engineering, permitting, soil, groundwater, geological, environmental and other testing and inspection of the site; relocate and upgrade bathrooms, shower facilities and locker rooms; installation of safety glass, security doors, video security and biometric access; installation of elevator; installation of 911 system and associated data and communications infrastructure; acquisition and installation of video and audio recording systems and other furniture, fixtures, equipment and carpeting; renovation, reconstruction and replacement of roof, skylights, exterior masonry, and windows; reconstruction and installation of air quality, heating, ventilation and air conditioning systems and ductwork; upgrade of electrical, plumbing, lighting, telephone, video, data, technology (Wi-Fi), life safety and security, energy, public address system and other infrastructure; ADA and building code compliance improvements; abatement of all hazardous materials and storage tanks; installation of sanitary sewer and water lines; earthwork, site work, and landscaping; construction, reconstruction and improvement of parking areas, sidewalks, driveways and access road; temporary parking and storage; 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, \$6,000,000 bonds of the Town, or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the 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.

Seconded by Mr. Salerno. Motion passed 6-0.

MOTION (3)

Mr. Seery moved to adjourn the January 22, 2019, regular meeting of the East Lyme Board of Selectmen at 8:35 p.m.

Seconded by Mr. Salerno. Motion passed 6-0.

Respectfully submitted,



Sandra Anderson
Recording Secretary