

TOWN OF EAST LYME, CONNECTICUT
NOTICE OF BOARD OF SELECTMEN SPECIAL MEETING

AMENDED

Notice is hereby given of a special meeting of the Board of Selectmen of the Town of East Lyme, Connecticut to be held via ZOOM on Wednesday, July 29, 2020 at 7:30 P.M. (ET) for the following purposes:

1. To receive communications from the Board of Finance with respect to a resolution entitled "Resolution Making An Appropriation In The Amount Of \$635,000 For The Acquisition Of A Fire Pumper And Authorizing The Issuance Of \$635,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose".

2. To consider and act upon a resolution entitled "Resolution Making An Appropriation In The Amount Of \$635,000 For The Acquisition Of A Fire Pumper And Authorizing The Issuance Of \$635,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose".

3. Discussion and Possible Action – Special Appropriation CNRE Radios - \$211,206.

4. Update and Discussion – Public Safety Building Project.

5. Executive Session – To Discuss Real Estate Matters.

Instructions on how to join the Zoom Webinar are listed below and available on the Town's website at eltownhall.com/government.

Dated at East Lyme, Connecticut, this 23rd day of July, 2020.

East Lyme is inviting you to a scheduled Zoom meeting.

Topic: Selectman Special Meeting

Time: Jul 29, 2020 07:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/82361412332>

Meeting ID: 823 6141 2332

Dial by your location

+1 646 558 8656 US (New York)

Find your local number: <https://us02web.zoom.us/j/kcTtKig6FE>

FILED

July 27 2020 AT 12:15 AM/PM
Kenneth F. Galt
EAST LYME TOWN CLERK

RESOLUTION MAKING AN APPROPRIATION IN THE AMOUNT OF \$635,000 FOR THE ACQUISITION OF A FIRE PUMPER AND AUTHORIZING THE ISSUANCE OF \$635,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

RESOLVED:

Section 1. The sum of \$635,000 is hereby appropriated by the Town of East Lyme, Connecticut (the "Town") for the acquisition of a fire pumper, with a 1,500 gallon per minute pump and a 1,250 gallon water tank, and administrative, financing and costs of issuance related thereto, said appropriation to be inclusive of any and all State and Federal grants-in-aid thereof (the "Project").

Section 2. To meet said appropriation, \$635,000 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. Pursuant to Executive Order 7S, Section 7, adoption of this Resolution to finance the Project is necessary to permit the orderly operation of the Town and there is a need to act immediately and during the duration of the public health and civil preparedness emergency declared by the Governor in order to avoid endangering public health and welfare, prevent significant financial loss, or is otherwise necessary for the protection of persons and property within the Town.

Section 4. 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 5. 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 6. 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 7. 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 8. 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.

Request for Board of Selectmen Action

TO: Board of Selectmen

FROM: John R. Dwire, NFD Chief
William J. Rix, FFD Chief

DATE: 07/28/2020

SUBJECT: Special Appropriation NFD & FFD Upgrade Mobile & Portable Radios to Multiband – CNRE - \$211,176

Summary of Agenda Item:

During the budget process, included in the Capital Improvement Plan (CIP) was to upgrade the Niantic and Flanders Fire Department existing mobile and portable radios to multiband. The total amount included in the CIP was \$211,206; \$103,112 for NFD and \$108,094 for FFD. The departments went out to bid and received two bids one from Utility Communications \$261,556.08 and the other from Marcus Communications \$262,637. While each of the bids received exceeded the amount budgeted, we are recommending placing an order with Utility Communications per individual item pricing for what we can afford within the budget in the CIP.

Action Needed:

Move to approve a special appropriation and transfer in the amount of \$211,176.00 in CNRE Fund 32 as follows: from account 32-70-300-500-999 (Town-wide Projects) - to an account to be established titled, "NFD-FFD Multiband Radios" and forward to the Board of Finance for approval. This project is consistent with the 2020/2021 Capital Improvement Plan. This resolution is passed under the guidance of Executive Order 7S with no town meeting and being less than 1% of the current budget.

Attachments:

- Bid Pricing Sheet Multiband Radios

Prepared By: Anna M. Johnson, Finance Director

Selectmen's Agenda
Item No. 3
Date: 07/29/20