

BEACON FALLS BOARD OF SELECTMEN
Special Meeting
Tuesday, August 20, 2013
MINUTES
(Draft Copy-Subject to Revision)



Call to Order/Pledge of Allegiance

First Selectman Gerard F. Smith called the Special Meeting of the Beacon Falls Board of Selectmen to order at 6:31 P.M. with the Pledge to the Flag.

PRESENT: First Selectman G. Smith, Selectman D. D'Amico and Selectman C. Bielik.

G. Smith noted the purpose of this Special Meeting was to amend the previously adopted Bond Resolutions.

G. Smith explained the wording changes to the previously adopted bond resolutions, which follow, but only apply to **sections 3a and 3b**, cited below, with the addition of the grant.

G. Smith clarified that the Board of Finance has no say in how the truck is purchased, thus the Board of Finance resolutions don't change, the BOF only allows the appropriation for the money.

G. Smith explained the town's options when going to a town meeting, if the fire truck purchase is approved, to either pay cash, get a bond or loan, or apply for a grant for the fire truck.

D. D'Amico commented that previously the Boards of Selectmen and Finance all agreed to appropriate \$700,000 for a fire truck and this may be perceived as backing away from original support to the previous resolution.

G. Smith suggested that it might be smarter to pay a professional grant writer for this application.

Motion to amend the resolution as previously presented for the Notice of Public Hearing/Special Town Meeting to be held on September 3, 2013: **Bielik/D'Amico**; all aye.

Adjournment

With no other business, **D. D'Amico made a motion to adjourn the meeting at 6:42 P.M. 2nd by C. Bielik. All aye.**

Respectfully submitted,

Martha Melville
Temporary Clerk for the Board of Selectmen – Special Meeting 8/20/13

TOWN OF BEACON FALLS
NOTICE OF PUBLIC HEARING/SPECIAL TOWN MEETING
September 3, 2013

The Town of Beacon Falls, Connecticut, will hold a public hearing at Beacon Hose Company No. 1 Volunteer Fire Department at 35 North Main Street in Beacon Falls, Connecticut, on September 3, 2013, at 7 P.M. to consider the advisability of (1) Supervisory control and data acquisition (SCADA) systems and integration, emergency bypass and readiness provisions, and mechanical improvements for the Railroad Avenue, Pine Bridge, and West Road pump stations, and (2) Short-term measures to address interim phosphorous removal requirements at the Wastewater Treatment Plant. Affected property owners and voters of the Town of Beacon Falls, Connecticut will be heard at the public hearing concerning the proposed projects.

Immediately following the Public Hearing, at 7 P.M., a special town meeting of the electors and citizens qualified to vote in town meetings of the Town of Beacon Falls, Connecticut, will be held at the same location for the following purposes:

1. To consider and act upon a resolution to increase by \$420,000 the \$3,690,000 appropriation and bond and note authorization for the 2006 Depot Street Bridge Rehabilitation Project approved at referendum held June 27, 2006 and at Special Town Meeting held August 28, 2006, for an aggregate appropriation and bond and note authorization of \$4,110,000; and to take such action to allow temporary advances of available funds which the Town reasonably expects will be reimbursed from the proceeds of borrowings

2. To consider and act upon a resolution,

(a) to appropriate \$700,000 for costs in connection with various improvements to the Town's wastewater systems, as to be determined by the Water Pollution Control Authority, contemplated to include: supervisory control and data acquisition (SCADA) systems and integration, emergency bypass and readiness provisions, and mechanical improvements for the Railroad Avenue, Pine Bridge, and West Road pump stations; short-term measures to address interim phosphorous removal requirements at the Wastewater Treatment Plant, and for related bond and note issuance and other financing costs. The appropriation may be spent for design, acquisition, installation and construction, appurtenances, equipment, materials, engineering and inspection fees and costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project. The Water Pollution Control Authority will be authorized to reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project;

(b) to authorize the issue bonds, notes or other obligations of the Town in an amount not to exceed \$700,000 to finance the appropriation for the project; and to authorize the issue temporary notes or interim funding obligations of the Town in an amount not to exceed \$700,000 in anticipation of such bonds, notes or obligations;

(c) to authorize a majority of the Selectmen and the Treasurer of the Town to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds, notes or other obligations; and to perform all other acts which are necessary or appropriate to issue the bonds, notes or other obligations;

(d) to take such action to allow temporary advances of available funds which the Town reasonably expects will be reimbursed from the proceeds of borrowings; and to authorize a majority of the Selectmen and the Treasurer to bind the Town pursuant to such representations and covenants as they

deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds, notes or other obligations authorized by the resolution if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years;

(e) to authorize a majority of the Selectmen and the Treasurer to make representations and enter into written agreements for the benefit of holders of the bonds, notes or other obligations to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds, notes or other obligations;

(f) to authorize the First Selectman to apply for and accept grants and loans to finance the appropriation for the project, and to enter into any grant or loan agreement; and to authorize the Board of Selectmen, the First Selectman, the Water Pollution Control Authority, the Treasurer and other proper officers and officials of the Town to take any other actions necessary to obtain such grants or loans, or to implement such grant or loan agreements;

(g) to authorize the Water Pollution Control Authority to complete the sewer project, to approve design and other expenditures incurred for the sewer project, and to contract with engineers, contractors and others on behalf of the Town for said sewer project; and

(h) to authorize the Board of Selectmen, the First Selectman, the Water Pollution Control Authority, the Treasurer and other proper officers and officials of the Town to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations and obtain grants to finance the aforesaid appropriation.

3. To consider and act upon a resolution,

(a) to appropriate \$700,000 for costs related to acquisition of a 75 foot quintuple combination pumper (“quint”) fire truck and related equipment for use by Beacon Hose Company No. 1 Volunteer Fire Department, and for related bond and note issuance and other financing costs. The appropriation may be spent for acquisition and delivery costs, equipment, consultants’ fees, legal fees, net temporary interest and other financing costs, and other costs related to the project. **Prior to July 1, 2014, there shall be no encumbrance under this resolution while a request is pending under the FEMA Assistance to Firefighters Grant Program;**

(b) to authorize the issue bonds or notes of the Town in an amount not to exceed \$700,000 to finance the appropriation for the project; and to authorize the issue temporary notes of the Town in an amount not to exceed \$700,000 in anticipation of such bonds or **notes (such bonds or notes of the Town to be reduced by the amount of grants received);**

(c) to authorize a majority of the Selectmen and the Treasurer of the Town to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes;

(d) to take such action to allow temporary advances of available funds which the Town reasonably expects will be reimbursed from the proceeds of borrowings; and to authorize a majority of the Selectmen and the Treasurer to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by the resolution if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years;

(e) to authorize a majority of the Selectmen and the Treasurer to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes;

(f) to authorize the Board of Selectmen, the First Selectman, the Treasurer and other proper officers and officials of the Town to take all other action which is necessary or desirable to complete the project and to issue bonds or notes and obtain grants to finance the aforesaid appropriation.

Dated at Beacon Falls, Connecticut, this _____ day of _____, 2013.

Gerard F. Smith, First Selectman

David D'Amico, Selectman

Chris Bielik, Selectman

RESOLUTION OF SPECIAL TOWN MEETING APPROPRIATING \$700,000 FOR ACQUISITION OF A FIRE TRUCK FOR USE BY BEACON HOSE COMPANY NO. 1 VOLUNTEER FIRE DEPARTMENT, AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION

RESOLVED,

1. That the Town of Beacon Falls appropriate SEVEN HUNDRED THOUSAND DOLLARS (\$700,000) acquisition of a 75 foot quintuple combination pumper (“quint”) fire truck and related equipment for use by Beacon Hose Company No. 1 Volunteer Fire Department, and for related bond and note issuance and other financing costs. The appropriation may be spent for acquisition and delivery costs, equipment, consultants’ fees, legal fees, net temporary interest and other financing costs, and other costs related to the project and its financing. Prior to July 1, 2014, there shall be no encumbrance under this resolution while a request is pending under the FEMA Assistance to Firefighters Grant Program.

2. That the Town issue bonds or notes in an amount not to exceed appropriate SEVEN HUNDRED THOUSAND DOLLARS (\$700,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The amount of bonds or notes authorized to be issued shall be reduced by the amount of grants received by the Town for the project. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

3. That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes. The amount of the notes outstanding at any time shall not appropriate SEVEN HUNDRED THOUSAND DOLLARS (\$700,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

4. That the Selectmen, or a majority of them, and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The Selectmen, or a majority of them, and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

5. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Selectmen, or a majority of them, and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to

bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

6. That the Selectmen, or a majority of them, and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

7. That the Board of Selectmen, the First Selectman, the Treasurer and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes and obtain grants to finance the aforesaid appropriation.