

First Selectman William Davidson called the meeting to order at 6:35 P.M.

The Pledge of Allegiance was recited.

Mr. Davidson opened the floor for nominations for moderator. Marge Davidson nominated Dan Smolnik. Phill Kurtz seconded the nomination. With no further nominations a hand vote was taken and passed unanimously. Dan Smolnik was elected Moderator.

Due to the length of the call of the meeting and the length of the Resolutions of the four items on the agenda, Moderator Smolnik asked for a consensus to waive the reading of the call and all resolutions. With no objections, all readings were waived.

TOWN OF BROOKFIELD

WARNING: NOTICE OF SPECIAL TOWN MEETING

The legal voters of the Town of Brookfield, and those entitled to vote therein, are hereby warned and notified to meet at Meeting Room 133 at the Brookfield Town Hall, 100 Pocono Road, Brookfield, Connecticut, on Thursday, March 21, 2013 at 6:30 P.M., for the following purposes, to wit:

ITEM 1. PENSION TRUST FUND CONTRIBUTION. To consider and act upon a recommendation by the Board of Selectmen and approved by the Board of Finance to appropriate the amount of \$622,000, as part of the 2013 calendar year contribution to the Town's Pension Trust Fund. The entire \$622,000 is to be provided by the "Support Fund for the Pension Trust Fund" that has been previously established and funded.

ITEM 2. LEGAL REQUIREMENTS FOR FIRE STATION LOT BORROWINGS. To consider and act upon a resolution authorizing certain matters relating to the issuance of bonds or notes for the fire station parking lots (the "Fire Station Lot Project") previously approved by the Town as part of the capital plan included in the Town of Brookfield's Fiscal Year 2012-13 Annual Budget, and delegating authority to certain officers of the Town with respect to determinations to be made with respect to such bonds or notes, including, authorizing (a) the irrevocable pledge of the full faith and credit of the Town to secure any bonds, notes or temporary notes issued by the Town to fund the costs of the Fire Station Parking Lot; (b) the First Selectman and the Treasurer of the Town to determine the amount (not to exceed \$248,642), date, interest rates (provided that the net interest cost of such bonds or note and temporary notes shall not exceed ten percent (10%) per annum), maturities (within the limits permitted by the General Statutes), form and other details of the bonds or notes and temporary notes; and (c) the First Selectman, the Treasurer and other proper officers of the Town to (i) make representations and enter into agreements to provide secondary market disclosure information with respect to any borrowings for the Fire Station Lot Project, and (ii) take all other action which is necessary or desirable to complete the Fire Station Lot Project and to issue bonds, notes or obligations to defray the appropriation for such Project.

ITEM 3. BOND RESOLUTION FOR CONDO SEWER EXTENSION PROJECT. To discuss and consider a resolution (a) authorizing an appropriation of \$2,500,000 to fund the costs of sewer extensions to the High Meadow, Ledgewood and Newbury Crossing Condominiums and related improvements (the "Condo Sewer Extension Project") and authorizing the Town to issue general obligation bonds, notes or obligations and temporary notes or interim funding obligations in the aggregate maximum amount of \$2,500,000 to finance said appropriation; (b) authorizing the First Selectman and the Treasurer to determine the amount, date, interest rates (provided the net interest cost does not exceed 10% per annum), maturities, form and other details of the bonds, notes or obligations and temporary notes or interim funding obligations; (c) declaring the Town's official intent under Federal Income Tax Regulations to reimburse itself from proceeds of borrowings for any temporary advances of funds of the Town to pay Project costs; (d) authorizing the First Selectman, the Treasurer and other proper officers of the Town to make representations and enter into agreements to provide secondary market disclosure information with respect to any borrowings for the Project; (d) authorizing the Brookfield WPCA to (i) construct the Condo Sewer Extension Project, approve design and construction expenditures and any land acquisition costs incurred in connection with the Condo Sewer Extension Project, and contract with engineers, contractors and others on behalf of the Town for said Project, (ii) reduce the scope of the Condo Sewer Extension Project and spend the entire amount of the appropriation on the

Project as so reduced in scope if the Condo Sewer Extension Project cannot be completed for the amount appropriated, and (iii) levy benefit assessments in connection with the Condo Sewer Extension Project, the revenues from which shall be applied to the payment of Project costs and/or the payment of principal and interest on the bonds, notes or obligations issued for the Condo Sewer Extension Project or to reimburse the Town for the costs thereof); and (e) authorizing the First Selectman, the Treasurer, the WPCA and other proper officers of the Town (i) to apply for and accept Federal and State grants to defray said appropriation and enter into any grant agreements for the accomplishment of the Condo Sewer Extension Project, the proceeds of which grants may be used to pay project costs or principal and interest on bonds, notes or obligations, and (ii) take all other action which is necessary or desirable to complete the Condo Sewer Extension Project and to issue bonds, notes or obligations to defray the aforesaid appropriation.

ITEM 4. REFERENDUM DATE. To discuss and act upon a resolution setting Tuesday, May 21, 2013 from the hours of 6:00 a.m. through 8:00 p.m., as the date and polling hours for the referendum vote on the resolution contained in Item # 3 of the call of the meeting.

Copies of the resolutions referred to in items 2 and 3 of this notice, are on file and available for public inspection at the Office of the Brookfield Town Clerk.

Dated at Brookfield, Connecticut, this 4th day of March, 2013.

Board of Selectmen,

William R. Davidson, First Selectman

Howard Lasser, Selectman

George F. Walker, Selectman

ITEM # 1.

PENSION TRUST FUND CONTRIBUTION. To consider and act upon a recommendation by the Board of Selectmen and approved by the Board of Finance to appropriate the amount of \$622,000, as part of the 2013 calendar year contribution to the Town's Pension Trust Fund. The entire \$622,000 is to be provided by the "Support Fund for the Pension Trust Fund" that has been previously established and funded.

With the reading of the call being waived, Irv Agard made a motion to move the question. Phil Kurtz seconded the motion.

Moderator Smolnik opened the floor for discussion. There were questions, comments and opinions from the following:

Joanne Keever

3 Comstock Trail

William R. Davidson

19 Cove Road

With no further discussion, Moderator Smolnik called for a vote on the resolution. A hand vote was taken and passed unanimously.

Item # 2

Irv Agard made a motion to waive the call and the Resolution for Item #2 on the agenda. Phil Kurtz seconded the motion. With no objections, the motion passed unanimously.

**RESOLUTION OF THE TOWN OF BROOKFIELD
LEGAL REQUIREMENTS WITH RESPECT TO BORROWINGS
FOR THE FIRE STATION PARKING LOTS**

Error! Unknown document property name.

WHEREAS, on May 15, 2012, as part of the capital plan included in the Town of Brookfield's Fiscal Year 2012-13 Annual Budget, the Town authorized an appropriation in the amount of \$248,642 to fund the costs of the fire station parking lots (the "Fire Station Lot Project") and provided that such appropriation be funded from proceeds of bonds or notes to be issued by the Town in the future for such purpose; and

WHEREAS, in order to effect the issuance of such bonds or notes for the Fire Station Lot Project, it is necessary that the Town (a) authorize the pledge of the full faith and credit of the Town as security for such bonds or notes, and the issuance of temporary borrowings in anticipation of the issuance of such bonds or notes, and (b) delegate to certain officers of the Town the authority to make determinations relating to the terms and details of the bonds or notes and other related matters.

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWN OF BROOKFIELD:

(a) That the bond or notes issued by the Town to fund the costs of the Fire Station Parking Lot shall be secured by the irrevocable pledge of the full faith and credit of the Town, which bonds or notes may be issued in one or more series, and any series may be sold as a single issue or consolidated with any other bonds or notes of the Town.

(b) That in anticipation of the receipt of the proceeds from the sale of the bonds or notes, the Town may issue and renew its temporary notes from time to time in an aggregate amount not to exceed \$248,642 pursuant to Section 7-378 of the General Statutes of Connecticut, as amended, which temporary notes shall be secured by the irrevocable pledge of the full faith and credit of the Town.

(c) That the First Selectman and the Treasurer of the Town shall sign the bonds or notes and temporary notes by their manual or facsimile signatures, and are hereby authorized to determine the amount (not to exceed \$248,642), date, interest rates (provided that the net interest cost of such bonds or note and temporary notes shall not exceed ten percent (10%) per annum), maturities (within the limits permitted by the General Statutes), form and other details of the bonds or notes and temporary notes; to sell the bonds or notes and temporary notes at public or private sale; to deliver the bonds or notes and temporary notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes and temporary notes.

(d) That the First Selectman, Treasurer and other proper officers of the Town are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes and temporary 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.

(e) That the First Selectman, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the Fire Station Lot Project and to issue bonds or notes to defray the aforesaid appropriation.

Tulio E. Lopez made a motion to move the Resolution.. Irv Agard seconded the motion. A hand vote was taken and passed

Moderator Smolnik opened the floor for discussion. With no discussion, Moderator Smolnik called for a vote on the resolution. A hand vote was taken and passed unanimously.

Item # 3

Phil Kurtz made a motion to waive the call and the Resolution for Item #3 on the agenda. Irv Agard seconded the motion. With no objections, the motion passed unanimously

**BOND RESOLUTION
OF THE TOWN OF BROOKFIELD
CONDO SEWER EXTENSION PROJECT**

Upon the favorable recommendation of the Board of Selectmen and approval of the Board of Finance, BE IT RESOLVED:

(a) That the Town of Brookfield (the "Town") appropriate TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) to fund the costs of planning, design, acquisition, construction and/or installation of sewer extensions to the High Meadow, Ledgewood and Newbury Crossing Condominiums and related improvements (the "Condo Sewer Extension Project"). The appropriation may be spent for design and construction costs, surveys, testing materials, engineering fees, architects' fees, land acquisition, site improvements, legal fees, net interest on borrowings, and other expenses related to the Condo Sewer Project.

(b) That the Town issue its serial bonds, notes or obligations in an amount not to exceed TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) to finance the appropriation for the Condo Sewer Extension Project. The bonds, notes or obligations shall be issued pursuant to Section 7-259 or Section 22a-475 to 22a-483 of the General Statutes of Connecticut, Revision of 1958, as amended (the "General Statutes"), and any other enabling acts. The bonds, notes or obligations shall be secured by the irrevocable pledge of the full faith and credit of the Town.. The bonds, notes or obligations may be issued in one or more series, and any series may be sold as a single issue or consolidated with any other bonds or notes of the Town. The Treasurer shall keep a record of the bonds, notes or obligations. The First Selectman and the Treasurer of the Town shall sign the bonds, notes or obligations by their manual or facsimile signatures. The bonds, notes or obligations shall bear the seal of the Town or a facsimile of the seal. The First Selectman and the Treasurer are authorized to determine the amount, date, interest rates (provided that the net interest cost of such bonds, note or obligations shall not exceed ten percent (10%) per annum), maturities (within the limits permitted by the General Statutes), form and other details of the bonds, notes or obligations; to sell the bonds, notes or obligations at public or private sale; to deliver the bonds, notes or obligations; and to perform all other acts which are necessary or appropriate to issue the bonds, notes or obligations.

(c) That the Town issue and renew its temporary notes or interim funding obligations from time to time in anticipation of the receipt of the proceeds from the sale of the bonds, notes or obligations for the Condo Sewer Extension Project, provided the amount of notes or obligations outstanding at any time for said project shall not exceed TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000). The notes or obligations shall be issued pursuant to Sections 7-264 and 7-378 or Sections 22a-475 to 22a-483 of the General Statutes of Connecticut, Revision of 1958, as amended, 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 if the notes do not mature within the time permitted by said Section 7-378. The First Selectmen and the Treasurer are authorized to determine the amounts, dates, interest rates (provided that the net interest cost of such notes or obligations shall not exceed ten percent (10%) per annum), maturities, form, and other details of the notes or obligations; to sell the notes or obligations at public or private sale; to deliver the notes or obligations; and to perform all other acts which are necessary or appropriate to issue the notes or obligations.

(d) 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 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 Condo Sewer Extension Project. The First Selectman and 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.

(e) That the First Selectman, Treasurer and other proper officers of the Town are authorized to make representations and enter into written agreements for the benefit of holders of the bonds, notes or 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 or notes.

(f) That the Brookfield Water Pollution Control Authority (the "WPCA") is authorized to reduce the scope of the Condo Sewer Extension Project and spend the entire amount of the appropriation on such Project as so reduced in scope if such Project cannot be completed for the amount appropriated.

(g) That the WPCA is authorized to construct the Condo Sewer Extension Project, to levy benefit assessments in connection with the Condo Sewer Extension Project, to approve

planning and construction expenditures incurred in connection with the Condo Sewer Extension Project, and to contract with engineers, contractors and other on behalf of the Town for said Project. Any revenues received from benefit assessments levied for the Condo Sewer Extension Project shall be applied to the payment of Project costs and or the payment of principal and interest on the bonds, notes or obligations issued for the Condo Sewer Extension Project or to reimburse the Town for the costs thereof.

(h) That the First Selectman, Treasurer, the WPCA or other proper officers of the Town designated by the First Selectman and the Treasurer, as appropriate, are authorized to apply for and accept Federal and State grants and/or loans to defray said appropriation and enter into contracts and agreements for the accomplishment of the Condo Sewer Extension Project. Any grant proceeds may be used to pay Project costs or principal and interest on bonds, notes, obligations and temporary notes or interim funding obligations. The authority to issue bonds or notes under this resolution for the Condo Sewer Extension Project will be reduced by the amount of grant funds, if any, received by the Town for such Project unless an additional appropriation for the expenditure of such grant proceeds on such Project is approved in accordance with the Town Charter.

(j) That the First Selectman, the Treasurer, the WPCA and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the Condo Sewer Extension Project and to issue bonds or notes to defray the aforesaid appropriation.

Marge Davidson made a motion to move the resolution. Peter Citrone seconded the motion.

Moderator Smolnik opened the floor for discussion. There were questions, comments and opinions from the following:

Joan Keever 3 Comstock Trail

Patrick Blanchfield 18 White Pine Drive

With no further discussion, Moderator Smolnik called for a vote on the resolution. A hand vote was taken and passed unanimously.

Item # 4

REFERENDUM DATE. To discuss and act upon a resolution setting Tuesday, May 21, 2013 from the hours of 6:00 a.m. through 8:00 p.m., as the date and polling hours for the referendum vote on the resolution contained in Item # 3 of the call of the meeting.

Gail Bristol made a motion to move the resolution. Phil Kurtz seconded the motion. With no discussion Moderator Smolnik called for a vote. A hand was taken and passed unanimously.

A motion to adjourn was made and seconded. The meeting was adjourned at 6:42 P.M.

Respectfully Submitted,

Joan M. Locke
Town Clerk