

TOWN OF COLCHESTER
NOTICE OF SPECIAL TOWN MEETING — MAY 5, 2009
NOTICE OF REFERENDUM — MAY 12, 2009

A special town meeting of the electors and citizens qualified to vote in town meetings of the Town of Colchester, Connecticut, will be held at Colchester Town Hall, 127 Norwich Avenue, in the Town of Colchester, Connecticut, on Tuesday, May 5, 2009 immediately following Annual Budget Meeting scheduled for 7:00 p.m., for the following purposes:

1. To consider a resolution,

(a) to appropriate \$760,000 for costs related to the acquisition of a new fire engine tank to replace functionally the 27year old apparatus. The appropriation may be spent for acquisition and delivery costs, related equipment, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing;

(b) to authorize the issue of bonds or notes of the Town in an amount not to exceed \$760,000; and to authorize a majority of the Selectmen and the Treasurer of the Town to determine, the amount, date, interest rates, maturities, form and other particulars of the bonds or notes;

(c) to authorize a majority of the Selectmen and the Treasurer to issue temporary notes of the Town in an amount not to exceed \$760,000 in anticipation of such bonds or notes;

(d) to declare under Federal Income Tax Regulation Section 1.150-2 the Town's official intent 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 for the project; and to authorize a majority of the Selectmen and the Treasurer 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 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 of the Town to take any other action which is necessary or desirable to enable the Town to complete the project and to issue bonds or notes to finance the aforesaid appropriation.

2. To consider a resolution,

(a) to appropriate \$560,000 for road improvements including: road reconstruction of portions of Chestnut Hill Road, Linwood Cemetary Road and Clark Lane; pavement enhancement of portions of Christy Lane, Sashel Lane and Jurach Road; surface treatment of Shailor Hill, Shugrue Road, Waterhole Road, West Road, Louis Lane, and the intersection of Wall Street and Gill Street, substantially as described in Memorandum of the Public Works Department dated March 11, 2009. The appropriation may be spent for design and construction costs, equipment, materials, land and easement acquisition, site improvements, engineering fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing. The Board of Selectmen may reduce or modify the scope of the project and the entire appropriation may be spent on the project as so reduced or modified;

(b) to authorize the issue of bonds or notes of the Town in an amount not to exceed \$560,000; and to authorize a majority of the Selectmen and the Treasurer of the Town to determine, the amount, date, interest rates, maturities, form and other particulars of the bonds or notes;

(c) to authorize a majority of the Selectmen and the Treasurer to issue temporary notes of the Town in an amount not to exceed \$560,000 in anticipation of such bonds or notes;

(d) to declare under Federal Income Tax Regulation Section 1.150-2 the Town's official intent 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 for the project; and to authorize a majority of the Selectmen and the Treasurer 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 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 of the Town to take any other action which is necessary or desirable to enable the Town to complete the project and to issue bonds or notes to finance the aforesaid appropriation.

3. To consider a resolution,

(a) to appropriate \$280,000 for acquisition of a new type 1 medium duty ambulance. The appropriation may be spent for acquisition and delivery costs, related equipment, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing;

(b) to authorize the issue of bonds or notes of the Town in an amount not to exceed \$280,000; and to authorize a majority of the Selectmen and the Treasurer of the Town to determine, the amount, date, interest rates, maturities, form and other particulars of the bonds or notes;

(c) to authorize a majority of the Selectmen and the Treasurer to issue temporary notes of the Town in an amount not to exceed \$280,000 in anticipation of such bonds or notes;

(d) to declare under Federal Income Tax Regulation Section 1.150-2 the Town's official intent 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 for the project; and to authorize a majority of the Selectmen and the Treasurer 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 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 of the Town to take any other action which is necessary or desirable to enable the Town to complete the project and to issue bonds or notes to finance the aforesaid appropriation.

4. To consider a resolution,

(a) to appropriate \$680,000 for reconstruction of the track at Bacon Academy. The appropriation may be spent for costs related to the design, construction, testing and permitting costs, equipment materials, site improvements, utilities, engineering fees, management costs and fees, consultant fees, legal fees, net interest on borrowings, other financing costs, and other expenses related to the project or its financing. This appropriation is in addition to the \$46,000 reserved for this project by the Board of Education, for an aggregate appropriation of \$726,000;

(b) to authorize the issue of bonds or notes of the Town in an amount not to exceed \$680,000; and to authorize a majority of the Selectmen and the Treasurer of the Town to determine, the amount, date, interest rates, maturities, form and other particulars of the bonds or notes;

(c) to authorize a majority of the Selectmen and the Treasurer to issue temporary notes of the Town in an amount not to exceed \$680,000 in anticipation of such bonds or notes;

(d) to declare under Federal Income Tax Regulation Section 1.150-2 the Town's official intent 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 for the project; and to authorize a majority of the Selectmen and the Treasurer 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 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 First Selectman to execute all contracts and change orders with respect to the project; and to authorize any school building committee as may be established from time-to-time for the project established for the project to act as a school building committee for the project, and to exercise such powers and duties consistent with its charge as are necessary or appropriate to complete the project;

(g) to authorize the Board of Education, the Superintendent of Schools or the Superintendent's designee, the Chairman of any school building committee as may be established from time-to-time for the project, and other proper officers and officials of the Board of Education to apply for and accept state grants for the project; and

(h) to authorize the Board of Selectmen, the First Selectmen, the Treasurer, the Board of Education, any school building committee as may be established from time-to-time for the project 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.

5. Pursuant to the Town Charter and to Section 7-7 of the General Statutes of Connecticut, Revision of 1958, as amended, to adjourn said town meeting at its conclusion and to submit the aforesaid resolution under items 1, 2, 3, and 4 of this notice to vote upon voting machines on Tuesday, May 12, 2009 between the hours of 6:00 a.m. and 8:00 p.m.

Electors and persons qualified to vote in town meetings who are not electors will vote at the following polling place: Colchester Town Hall, 127 Norwich Avenue in Colchester, Connecticut. The aforesaid resolutions will be placed on the voting machines under the following headings:

“SHALL THE TOWN OF COLCHESTER APPROPRIATE AND AUTHORIZE THE BOARD OF SELECTMEN TO EXPEND A SUM NOT TO EXCEED \$760,000 FOR ACQUISITION OF A NEW FIRE ENGINE TANK AND

AUTHORIZE THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION?"

"SHALL THE TOWN OF COLCHESTER APPROPRIATE AND AUTHORIZE THE BOARD OF SELECTMEN TO EXPEND A SUM NOT TO EXCEED \$560,000 FOR ROAD IMPROVEMENTS AND AUTHORIZE THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION?"

"SHALL THE TOWN OF COLCHESTER APPROPRIATE AND AUTHORIZE THE BOARD OF SELECTMEN TO EXPEND A SUM NOT TO EXCEED \$280,000 FOR ACQUISITION OF A NEW TYPE 1 MEDIUM DUTY AMBULANCE AND AUTHORIZE THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION?"

"SHALL THE TOWN OF COLCHESTER APPROPRIATE AND AUTHORIZE THE BOARD OF SELECTMEN TO EXPEND A SUM NOT TO EXCEED \$680,000 FOR RECONSTRUCTION OF TRACK AT BACON ACADEMY (IN ADDITION TO PRIOR BOARD OF EDUCATION APPROPRIATION OF \$46,000) AND AUTHORIZE THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION?"

Voters approving said resolutions will vote "Yes" and those opposing said resolutions will vote "No." Absentee ballots will be available from the Town Clerk's office.

Dated at Colchester, Connecticut, this 26th day of March, 2009.

Nancy A. Bray, Town Clerk

Linda Hodge, 1st Selectman

Linda M. Hodge

John F. Malsbenden, Selectman

John F. Malsbenden

Stan Soby, Selectman

Gregory E. Cordova, Selectman

Rosemary Coyle, Selectman

Rosemary Coyle

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Nancy A. Bray
NANCY A. BRAY
TOWN CLERK

**SPECIAL TOWN MEETING MINUTES
MAY 5, 2009**

Present: Linda Hodge, First Selectman, Selectmen: John Malsbenden, Stan Soby, Gregory Cordova, Rosemary Coyle; Board of Education: Karen Loiselle, Superintendent, Bill Hettrick, Chairman, Betsy Ciccone, Monica Swyden-Bolles, Tim Lamp, Donald Kennedy; Maggie Cosgrove, CFO, Jon Sandberg, Treasurer, Board of Finance: Bruce Hayn, Chairman, Ronald Goldstein, Ron Crabb, Brian Smith, Mike Ryan; Nancy Bray, Town Clerk, 78 townspeople and 1 reporter.

Meeting was called to order by Linda Hodge, First Selectman, at 7:07 p.m.

Motion that Nicholas Norton be Moderator made by John Malsbenden, seconded by Gary Avery. Motion to close nominations made by Dot Mrowka, seconded by Greg Cordova. MOTION CARRIED.

Motion that Nick Norton be Moderator. SO VOTED AND CARRIED.

Motion to waive reading of the entire text of resolutions made by Stan Soby, seconded by Bruce Hayn as follows:

“I move that the reading of the resolutions to be presented to this Special Town Meeting under Items #1 (a) – (f), #2 (a) – (f), #3 (a – f) and #4 (a – h) of the Notice be waived and that the full text of the resolutions, as made available to those in attendance at this meeting, be recorded with the minutes of this meeting.”

Motion to move all four resolutions to the floor made by John Malsbenden, seconded by Gary Avery.

Discussion:

Steve Schuster – Motion to amend bonding question on track; he would like to see the track removed from bonding because he is opposed to spending money on it for the following reasons: doesn't like location, accessibility, the budget won't pass and the town can't afford it.

No Second was made; motion died.

Moderator addressed one resolution at a time and took the vote on each item individually.

Item #1, To consider a resolution to appropriate \$760,000 for costs related to the acquisition of a new fire engine tank (Motion by Ron Crabb, second by Gary Avery); SO VOTED AND CARRIED.

Item #2, To consider a resolution to appropriate \$560,000 for road improvements (Motion by John Malsbenden, second by Stan Soby); SO VOTED AND CARRIED.

Item #3, To consider a resolution to appropriate \$280,000 for acquisition of a new type 1 medium duty ambulance (Motion by John Malsbenden, second by Greg Cordova); SO VOTED AND CARRIED.

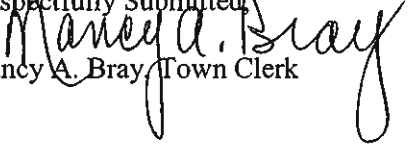
Item #4, To consider a resolution to appropriate \$680,000 for reconstruction of the track at Bacon Academy (Motion by John Malsbenden, second by Greg Cordova); SO VOTED AND CARRIED.

Copies of the entire resolutions are attached to these minutes.

Motion to move Item #5, To adjourn said town meeting and to submit the aforesaid resolution under items 1,2,3 and 4 of this notice to a referendum vote on Tuesday, May 12, 2009 between the hours of 6:00 a.m. and 8:00 p.m., Colchester Town Hall, made by Greg Schuster, seconded by Stan Soby. SO VOTED AND CARRIED.

Motion to adjourn made by Stan Soby, seconded by Gary Avery at 7:13 p.m.

Respectfully Submitted,


Nancy A. Bray, Town Clerk

Received for record at Colchester, Conn.
on May 6, 2009 at 11:46 a.m.

Attest, Nancy A. Bray, Town Clerk