BOARD OF SELECTMEN TOWN OF EAST WINDSOR 11 RYE STREET BROAD BROOK, CT 06016

Minutes of Regular Meeting

Tuesday, April 1, 2014 at 7:00 p.m.

These minutes are not official until approved at a subsequent meeting.

I. Call to Order

First Selectman Denise Menard called the Regular Meeting to Order at 7:00 p.m. in the Town Hall Conference Room.

II. Attendance

Present:

Denise Menard, First Selectman Jason E. Bowsza, Deputy First Selectman Steve Dearborn, Selectman Dale Nelson, Selectman James C. Richards, Selectman

III. Added Agenda Items

None

IV. Approval of Minutes

A motion was made to postpone the approval of the Board of Selectman Meeting Minutes of March 20, March 22 and March 24, 2014. It was MOVED (Bowsza) and SECONDED (Richards). Motion PASSED. In favor – J. Bowsza, S. Dearborn, D. Nelson and J. Richards; Opposed – None.

Regular Meeting of March 18, 2014

It was MOVED (Richards) and SECONDED (Bowsza) that the Board of Selectmen approve the Regular Meeting Minutes of March 18, 2014. Motion PASSED. In favor – J. Bowsza, S. Dearborn and J. Richards; Abstain – D. Nelson; Opposed – None.

Correction to March 18, 2014 minutes: VIII. Board and Commissions Appointments, Conservation Commission, Margaret Hoffman term expiring should be 5/1/2016.

Budget Workshop Minutes of March 18, 2014

It was MOVED (Bowsza) and SECONDED (Richards) that the Board of Selectmen approve the Budget Workshop Minutes of March 18, 2014. Motion PASSED. In favor – J. Bowsza, S. Dearborn and J. Richards; Abstain – D. Nelson; Opposed – None.

Budget Workshop Minutes of March 26, 2014

It was MOVED (Bowsza) and SECONDED (Richards) that the Board of Selectmen approve the Budget Workshop Minutes of March 26, 2014.

Mr. Richards wanted the following added to the minutes: He did not vote in favor of recommending the budget to the Board of Finance as he believes public money should not be used for private interest.

Motion PASSED. In favor – J. Bowsza, S. Dearborn, D. Nelson and J. Richards; Opposed – None.

V. <u>Communications</u>

None

VI. <u>Selectmen's Reports</u>

A. Denise Menard

Mrs. Menard's report is hereto attached as Attachment A.

B. Jason E. Bowsza

Mr. Bowsza's report is hereto attached as Attachment B.

C. Steve Dearborn

Mr. Dearborn attended the Board of Finance meeting on March 19, 2014. The school budget was presented and there was a presentation by the Police Department requesting the funds to hire a School Resource Officer which was approved and sent to Town Meeting.

Mr. Dearborn reported there were two liaisons assigned, Mr. Maynard to Public Works and Mr. Hayes to Education.

On March 26, 2014, Mr. Dearborn attended the WPCA meeting. He said it was a standard meeting with application approvals.

D. Dale A. Nelson

Mrs. Nelson's report is hereto attached as Attachment C.

E. James C. Richards

Mr. Richards report is hereto attached as Attachment D. Mr. Richards stated that he recently became a Justice of the Peace.

VII. Public Participation

John Mazza, 143 Winkler Road, asked why the town is spending money to re-seed the dog park? Mrs. Menard said the volunteers are doing the work at the dog park, the town does not pay for that.

Marie DeSousa, 10 Rice Road, thanked everyone who participated in the forum that took place at the High School in regard to the drug issue. She wanted to publicly thank the volunteers and organizations that showed up and put together the forum.

Mr. Mazza said he has not seen anything listed in the newspaper regarding the Charter Revision Commission and what they are trying to accomplish for the people of East Windsor. He wants to know if there is any information available. Mrs. Menard told Mr. Mazza he could come to her office to get copies of any information he requests and the meeting minutes are posted on the Town website. The Charter Revision Commission meetings are open to the public.

Mr. Gilbert Hayes, 143 Rye Street, said he visited the Historical Society Academy grounds for the first time last Saturday and it is a hidden jewel. He said it was a pleasure to meet the volunteers and see the history of East Windsor. Mr. Hayes said Mr. Burnham is trying to enhance the Academy by restoring the Barber Hill Schoolhouse and he hopes the Board of Selectmen give consideration to Mr. Burnham and the Historical Society and Academy to move forward with the project.

Mr. Richard Pippin, 37 Woolam Road, President and CEO of Pippin and Son Inc. said there has been a lot of discussion about delinquent taxpayers bidding on work within the town. He said the policy is a good tool for the Tax Collector to collect back taxes. It is not fair to increase taxes on those who pay because of those who do not pay.

VIII. Board and Commissions Appointments

Resignations:

Conservation Commission

James Strempfer (R), regular member

Motion was made to accept with regret the resignation of James Strempfer from the Conservation Commission. It was MOVED (Richards) and SECONDED (Nelson). Motion PASSED. In favor – J. Bowsza, S. Dearborn, D. Nelson and J. Richards; Opposed – None.

Mr. Bowsza said Mr. Strempfer's resignation is a loss for the Conservation Commission and the Town.

Re-appointments:

None

New Appointments:

Conservation Commission

Robert Slate (U), regular member

Motion was made to appoint Robert Slate to the Conservation Commission as a regular member for a term expiring 4/1/2017. It was MOVED (Richards) and SECONDED (Nelson). Motion PASSED. In favor – J. Bowsza, S. Dearborn, D. Nelson and J. Richards; Opposed – None.

Mrs. Menard checked and there are no conflicts with Mr. Slate serving on both the Inland, Wetlands and Watercourses Agency and the Conservation Commission.

A motion was made to recess for the Town Meeting. It was MOVED (Bowsza) and SECONDED (Richards).

The Board of Selectmen's meeting was called back to Order at 9:05 p.m.

IX. Unfinished Business

A. Discussion of Barber Hill Schoolhouse

John Burnham was in attendance to answer questions.

Mrs. Menard stated she deposited a list of 4 or 5 things to the Town Attorney and he is putting together information, which once received, she will bring back to the Board of Selectmen. Mrs. Nelson asked how it is moving along with Planning and Zoning and Mr. Burnham said things are going forward and it is on the agenda for the next Planning and Zoning meeting. He presented the Board of Selectmen with a map detailing site coverage and zones. Mr. Burnham said there are no issues with parking.

B. Discussion of Policies and Procedures re: Purchase Orders and Bids

This item was requested back on the agenda by Mr. Dearborn. He said the policy denies anyone in town from bidding on jobs who are delinquent on taxes and it is counterproductive. Mr. Dearborn said C.G.S. Sec. 12-146b. withholding of municipal payments for failure to pay property taxes, allows the Town to confiscate any monies owed up to the amount due. Mr. Dearborn was not aware of the statute until he was given a copy today. He does not agree with the Town taking the whole amount owed but as long as the person knew up front and wanted to pay he should be allowed to bid.

A motion was made to affirm the policy as it stands. It was MOVED (Bowsza) and SECONDED (Nelson).

There was discussion about the policy. Mr. Richards said he thinks there should be a compromise because not everyone who is delinquent is a bad taxpayer. He feels if someone is faithful to a tax payment plan, why penalize those who are stuggling due to the economy? Mr. Bowsza said Mr. Pippin summarized it well. Mr. Bowsza said it is not fiscally responsible to hire someone who did not pay what they owe and it is inherently unfair to those who pay taxes. Mr. Bowsza said public money should not be used for someone not in good standing with the Town.

Motion PASSED. In favor – J. Bowsza and D. Nelson; Opposed – S. Dearborn; Abstained – J. Richards.

C. Discussion of Selectmen's Priorities

Mrs. Menard asked to have this item postponed to the next meeting.

Mr. Dearborn wanted to discuss the Broad Brook Mill property. Mrs. Menard said she has been working together with the Town Planner and a Vice President from Hamilton Sundstrand, Brian Kalbania. Permits were stalled with the DEEP AND EPA due to river bank issues.

Mr. Dearborn wants to speak to Brian Kalbania. Mrs. Menard said she will request Mr. Kalbania attend a future Board of Selectmen's meeting to speak to the Board as a group.

D. *Discussion of Farm Leases

Not discussed at this meeting but remains on the agenda pending receipt of additional information.

X. New Business

A. Approval of Tax Refunds

Motion was made to approve the tax refunds of March 24, 2014 in the amount of \$138.41. It was MOVED (Nelson) and SECONDED (Bowsza). Motion PASSED. In favor – J. Bowsza, S. Dearborn, D. Nelson and J. Richards; Opposed – None.

B. Discussion of Referendum Polling Hours

This was discussed and approved at tonight's Town Meeting.

A motion was made to affirm the decision of Town Meeting that polls be open from 6 a.m. to 8 p.m. for referendums. It was MOVED (Bowsza) and SECONDED (Richards). In favor – J. Bowsza, S. Dearborn, D. Nelson and J. Richards; Opposed – None.

XI. Budget Matters

A. Financing Town Hall Heating/Cooling

Mrs. Menard said the Town is in the process of creating a draft lease/purchase document that will go to bond counsel and to legal. The Board of Finance has approved the lease/purchase method of financing. The town will be using the lease/purchase master document as a blanket document. This will reduce costs and the need for bond counsel to review this type of document in the future.

B. Resolution for Refunding of 2004 Bonds

The resolution for refunding of 2004 Bonds is hereto attached as Attachment E.

Mrs. Menard said the Board of Finance felt this should be privately done with Webster Bank. This will save the town money as credit checks have been done with Webster Bank within the past 45 days. The lease/purchase agreement will go out to bid to other financial institutions.

A motion was made that the Board of Selectmen, Town of East Windsor, pursuant to section 7-370c of the Connecticut General Statutes, approve the resolution refunding bonds hereto attached as Attachment E.

C. Budget Transfers

Motion was made to transfer #2014-75 in the amount of \$4,000.00 from Salary/Full Time to Office Equipment, to be forwarded to the Board of Finance and Town Meeting if needed. It was MOVED (Richards) and SECONDED (Nelson). Motion PASSED. In favor – J. Bowsza, S. Dearborn, D. Nelson and J. Richards; Opposed – None.

Motion was made to transfer #2014-76 in the amount of \$2,000.00 from Salary/Full Time to Professional Services, to be forwarded to the Board of Finance and Town Meeting if needed. It was MOVED (Richards) and SECONDED (Nelson). Motion PASSED. In favor – J. Bowsza, S. Dearborn, D. Nelson and J. Richards; Opposed – None.

Motion was made to transfer #2014-77 in the amount of \$2,600.00 from Salary to Professional Services, to be forwarded to the Board of Finance and Town Meeting if needed. It was MOVED (Richards) and SECONDED (Nelson). Motion PASSED. In favor – J. Bowsza, S. Dearborn, D. Nelson and J. Richards; Opposed – None.

Motion was made to transfer #2014-78 in the amount of \$10.00 from Salary to Overtime, to be forwarded to the Board of Finance and Town Meeting if needed. It was MOVED (Richards) and SECONDED (Nelson). Motion PASSED. In favor – J. Bowsza, S. Dearborn, D. Nelson and J. Richards; Opposed – None.

XII. Executive Session

Pursuant to C.G.S. Section 1-200 (6) (a) Personnel & (b) Litigation. Motion was made to enter Executive Session. MOVED (Nelson) and SECONDED (Richards). The Board of Selectmen entered into Executive Session at 9:45 p.m.; came out of Executive Session at 10:25 p.m.

XIII. Adjournment

Motion to adjourn made by (Bowsza) and seconded by (Richards). The meeting was adjourned at 10:26 p.m.

Respectfully Submitted,

Heidi Vane Recording Secretary

April 1, 2014 My report to the Board of Selectmen

The Selectmen held a very successful first Chairmen's meeting last night. There were 17 participants, Jason, Dale and 15 Board/Commission Chairmen. It was an excellent first step toward sharing of ideas across boards rather than the silos that currently exist. Each chairman was asked to speak briefly about his or her role and focus on future plans for East Windsor. Everyone agreed to attend the second meeting planned for June 30.

On May 1st for the second year, a group will be gathering for a Day of Prayer at 6 p.m. on the Warehouse Point Green.

Judy Hall and I have decided to readvertise for the Social Services Director. We are also advertising for the Tax Collector position.

Attached is information on property listed as 41 Depot Street which is actually better known as Pond Street. We have all received an email in which a property owner on Pond Street is suggesting the Town take over the road. In light of this email and the attached information, I will be contacting the Connecticut Water Company about the condition of the road.

I have been asked by the Mayor of South Windsor to participate as a panelist in a Regional Economic Development Conference on May 1. There will be 2 panels, one on Qualities and Character of an Economic Development Friendly Town and the second Role of the Region in Economic Development. It will be at the South Windsor Town Hall from 6-9 pm. I'm sure you are all welcome to attend.

We have received calls from people that are confused about the Town's Fund Balance and the difference between a budget transfer and an added appropriation. For your information, I am providing you with a copy of our Fund Balance policy, an analysis of the Fund Balance as of the end of the last fiscal year and a copy of page 42, Section 8-6 B) of the Town Charter that speaks to a budget transfer or added appropriation.

Enjoy this great Spring weather.

Danise Manare

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03/31/2014

Date Printed

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eQuality Valuation Services LLC

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The Connecticut Water Company 25 North Road PO Box 657 East Windsor, CT 06088-0857

Office: 860,292,5500 Pax: 860,292,5591

Customer Service: 800.286.5700



February 9, 2000

Walter Lynch 31 Pond Street Broad Brook, CT. 06016

Dear Mr. Lynch:

This letter is in regards to the conversation we had pertaining to the property and roadway maintenance at our facilities on Pond Street in Broad Brook, CT. As we discussed. The Connecticut Water Company leases this property, but does not own it.

Historically, Connecticut Water Company has plowed the street and made repairs to the roadway as needed to insure access for our facilities. We will continue to do this on a priority basis.

If you have any questions please feel free to contact me at (860) 292-5533.

Sincerely.

Michael J. Cunningham Assistant Region Manager

- Mike well check into CT Water Co ownerships + well get back to me - Spoke w/ Leslie-contract did not fly due to road circumstances



700 Poquonock Ave • Windsor, CT 06095 Office (860) 683-1177 • Fax (860) 683-0052



Get 11, 2000

To: Carol Madre. FAX # 623-4798

From: Cheryl Fallette FAX # 285-0192

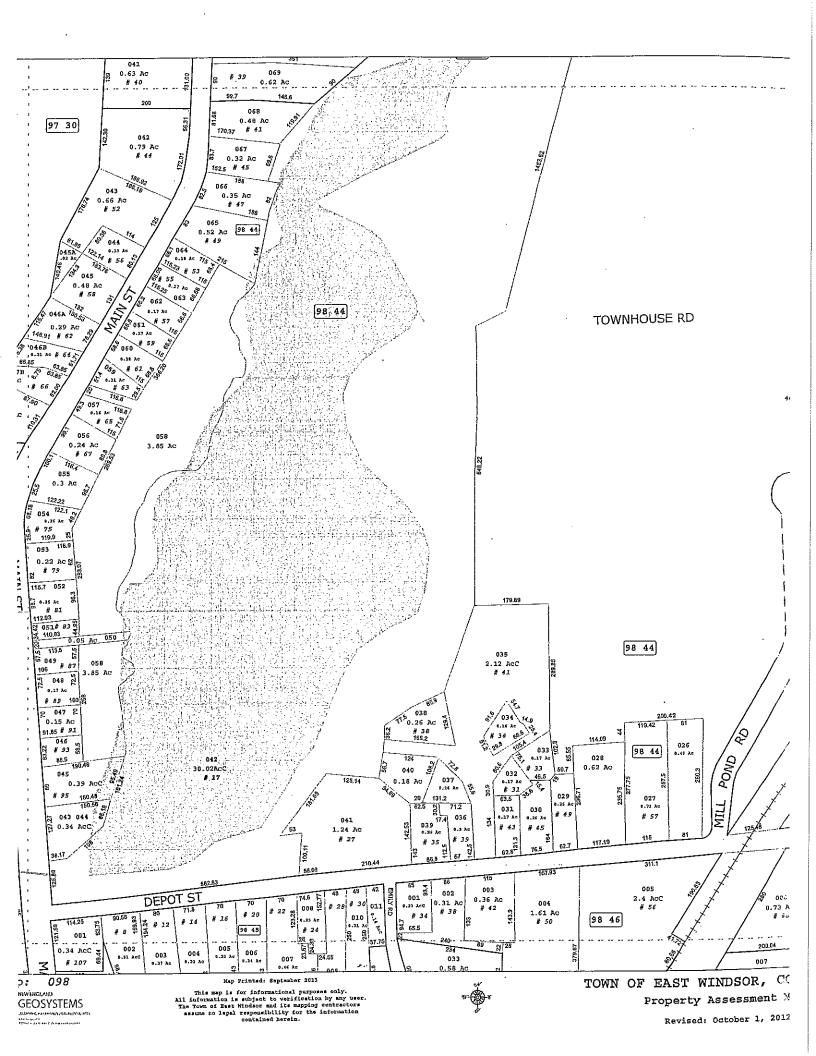
Re: 31 fond St & our Conversation, questioning letter from & Water & leaving Pond St. See attacked letter from Water Co.

Carol thanks for following up on this as I said I will be away but please contact Reslie Call at office regarding your outcome. If you could also call the hoar officer at uses/Rural Development and let him know as well that would be great,

STEVE LACOSTE phone # 6887621 HT 128 USDA/RURAL DEVELOPMENT Phone # 6887621 HT 128

LESLIE COIT 683-1177 Affice 586-4720 VM Pager

"Where Everyone's Home Is A Castle"



Fund Balance Policy

Any year end operating unassigned surplus will revert to unrestricted fund balance for use in maintaining reserve levels. The level of fund balance percentage the Town strives to maintain will be an adequate amount of unreserved funds as set forth in this policy.

The general fund balance at the end of the year should be in a range of five percent (5 %) to seventeen percent (17 %) in good economic times. Unrestricted fund balance at the higher level is approximately equal to the amount two months operating expenditures/revenues from the general fund as required in GASB 54. Arrangements of a gradual increase of one percent (1%) per year are required to restore the general fund unrestricted balance should it fall below the minimum level for any unforeseen circumstance. Amounts in excess of the good economic times percentage will be assigned by the recommendation of the Board of Selectmen and approved by the Board of Finance in accordance with the Town Charter.

Should any portion of the fund balance be allocated to a subsequent fiscal year that amount shall be deemed nonspendable fund balance.

The maintenance of unrestricted fund balance is an element of sound fiscal management required for sustaining a good credit rating and financial management flexibility.

Fund Balance Analysis as of 6/30/2013

(Using last audited figures- the current fund balance is higher because we still have three months of expenditures this fiscal year.)

\$5,853,623	\$34,157,469	17.14%	\$5,823,623	71 075
Unassigned Fund Balance	General Fund expenditures FY13	Percentage of Operating Expenditure	If fund balance was reduced by \$30,000	Percentage of Operating Expenditure

sufficient to cover two months of General Fund operating expenditures. It is the Town's policy to maintain unassigned fund balance to total fund expenditures. Unassigned fund balance represents 17.14% of total fund balance was \$6,272,482. As a measure of the General Fund's liquidity, it may be useful to compare At the end of Fiscal Year 2013, unassigned fund balance of the General Fund was \$5,853,623 while total General Fund expenditures. Expressed another way, unassigned fund balance for the General Fund was a fund balance in the General Fund between 5% and 17% of operating expenditures.

Section 8-6 Duties of the Board of Finance on Other Financial Matters

- A) The estimate of expenditures submitted by the Board of Finance to the Budget Meeting shall include a recommendation for a contingency fund which shall not exceed three percent (3%) of the total expenditures for the proposed fiscal year. No expenditure or transfer may be made from this contingency fund without the approval of the Board of Finance, or as otherwise provided for in this Charter.
- B) Supplementary Appropriation. Upon request of any office, board, commission or similar body that additional funds in excess of what had been provided in the approved annual budget or, if funds are required for which no provision was made in the budget, the Board of Finance, after inquiry into and review of the request, may approve one or more appropriations not to exceed twenty thousand (\$20,000.00) dollars. Said funds may be taken from any cash surplus available or from the contingency fund. The amount requested and approved shall not exceed twenty thousand (\$20,000.00) dollars for any one office, board, commission or similar body in any one year without Town Meeting approval.
- C) Any appropriation that needs to go to bonding, with the exception of anticipation bonds, requires an automatic referendum.

Section 8-7 Purchasing

Purchases for the Town of East Windsor, with the exception of the Board of Education, shall be made under such rules and regulations as may be established by the Board of Selectmen.

Section 8-8 Unexpended Appropriations

Any portion of an annual appropriation remaining unexpended or unencumbered at the

Town of East Windsor Charter revisions adopted by the voters of East Windsor on November 3, 2009 42

Selectmen's Report - April 1,2014

The last two weeks have been filled with budget prep work for the Board of Selectmen. Some of the highlights of really promising and important initiatives include funding for a human resource consultant, an economic development consultant, a school resource office, and potential funding for part time fire fighters to supplement the existing volunteer corps.

On Tuesday the 25th the Planning and Zoning Commission did an extensive review of zoning regulations in town.

On Thursday the 27th the Conservation and Ag commissions met. The conservation commission did not have a quorum, but did have a general discussion about process and procedure as part of their continuing effort to increase efficiencies. I had to leave before the Ag Commission started because we had to present our budget to the Board of Finance.

Last night was the 1st quarterly meeting of the chairmen of town boards and commissions. I thought this was a very open and constructive meeting and I think it will serve as a good framework to build on inter-board collaboration moving forward.

Respectfully submitted,

Jason E. Bowsza Deputy First Selectmen

Attachment C

I did not attend the BOS meeting on March 18th; here is a little back information

3/10 - Park and Rec hosted a POCD meeting at the High School Cafeteria. Some of the thoughts that were put on the table are:

- 1 Youth center with the possibility of a pool
- 2 Dredge the EW Park pond
- 3 Walking trails with access to CT and Scantic river- snowshoe or x-country skiing
- 4 BB Pond may also need to be dredged (environmentally may take care of itself)
- 5 Secure river bank rite-o-ways
- 6 Bocce court
- 7 Regional bike trail

The Dog Park will close 3/11 for 4 to 8 weeks due to mud and re-seeding

Discussion of the Disk Park being a safety issue they will need a buffer near the dog park fence. It was stated the fence was damaged during the retention pond project. One member of P&R passed out and started a whole litany about the Disk Park being a safety issue. I left at this time

3/11 "Night of Guidance and Reflection" at the High School

I found the program to be well presented; this is an issue locally as well as state wide. There was a great exchange of information in the cafeteria after the presentation

3/22 Budget Meeting at 900

EW Condo Association presented their case regarding Safety Issues of street lights and water for the hydrants. Plowing is off the table. For the purpose of discussion (so it can continue) it was decided to \$10,000 in a line item (3185 AND 2150).

3/22 at 1200 attended a ceremony at the BBFD along with Denise and Jason – Cheryl was rescued from a fire at Millpond when she was 4 years old. She wanted to thank the fire and police departments.

3/24 at 600 PM - Rotary meeting

3/26 at 545 BOS budget work shop

3/27 at 600PM – Rotary meeting

3/31 at 630PM- Chairmen meeting with the Board of Selectmen (Denise, Jason and I attended)

Barbara Smigiel – Historical Comm, Al Rodrigue- Building Committee, Albert Grant – Conservation Comm, Jose Giner – Zoning Board of Appeals, Chris Mickey – BOE, Dick Sherman –

American River Heritage, Tom Strempfer – Police Comm, Jim Barton – Veteran's comm, Rick LeBorious – Charter Revision, Jerilyn Corso (for Joe Pellegrini) - BOF, Ron Masters – Volunteer Incentive, Joe Sauerhouefer – CIP, Ron Savaria-inland wetlands, Paul Anderson – WPCA. Good exchange of ideas, all liked this meeting and it was decided to get together again. Focus on how to get the word out the whole community and economic growth. Add to the invitation EDC, Town Planner, Park and Rec, Park Hill, Elderly Comm and a few more.

Respectfully,

Dale

Attachment D

Board of Selectman Liaison report Jim Richards 4/1/14

Board of Education -

CAPT Graduation requirement suspended due to State Confusion.

Possible move to of April vacation to March to allow SMART testing to run 12 weeks.

With school calendar State Task force urging all schools to use the same calendar-seems to be a $\mathbf{1}^{\text{st}}$ step in trying to regionalize school system-

Economic Development Commission-Did not attend -was working /next meeting 4/21 6pm

Parks & Recreation-Next meeting 4/14 6pm

<u>Historical Preservation Commission-</u> Next meeting 4/10 630pm

Housing Authority-

I have not attended due to I am not sure when regular meeting is with their special meeting sked.

<u>Veterans Commission-</u> Not showing a meeting for this month

<u>American River Heritage Commission-</u> Next meeting 4/17 7pm

Attachment E

TOWN OF EAST WINDSOR BOARD OF SELECTMEN RESOLUTION

RE: APPROPRIATION OF TWO MILLION NINE HUNDRED THOUSAND DOLLARS (\$2,900,000) TO REFUND CERTAIN OF THE TOWN'S OUTSTANDING BONDS AND AUTHORIZATION OF THE ISSUANCE OF REFUNDING BONDS TO FINANCE SUCH APPROPRIATION.

At a meeting of the Board of Selectmen held on _	, 2014, on a motion by Board Member
and seconded by I	Board Member, the
following resolution was adopted:	

RESOLVED, that the Board of Selectmen of the Town of East Windsor pursuant to Section 7-370c of the Connecticut General Statutes hereby approves the following resolution:

- (i) that the Town of East Windsor (the "Town") appropriate TWO MILLION NINE HUNDRED THOUSAND DOLLARS (\$2,900,000) to fund the redemption and the payment, in whole or in part, as determined by the First Selectman and the Treasurer of the Town, of the outstanding principal, accrued interest and any call premium on all or any portion of any issue of the Town's General Obligation Bonds including, but not limited to, the Town's General Obligation Bonds, Issue of 2004 (the "Prior Bonds"), together with the costs of issuance including, but not limited to, any applicable consultants' fees, legal fees, trustee and escrow agent fees, investment fees, verification fees, credit enhancement fees, underwriters' fees, bond insurance premiums, net temporary interest and other financing or transactional costs, and other expenses related to the payment or redemption of such bonds for the purposes of refunding them; and
- (ii) that the Town is hereby authorized to issue its refunding bonds, in an amount not to exceed TWO MILLION NINE HUNDRED THOUSAND DOLLARS (\$2,900,000) (the "Refunding Bonds"), to fund the appropriation authorized by section (i) of this resolution. The Refunding Bonds shall be issued pursuant to Section 7-370c of the Connecticut General Statutes, as amended, and any other provision of law thereto enabling. The Refunding Bonds shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town; and
- (iii) that the First Selectman and the Treasurer shall sign the Refunding Bonds by either manual or facsimile signatures and that the law firm of Pullman & Comley, LLC is designated as bond counsel to approve the legality of the Refunding Bonds; and

- (iv) that the First Selectman and the Treasurer are authorized to determine which of the Prior Bonds are to be redeemed and the amount, date, interest rates and interest mode, maturities, redemption provisions, form and other details of the Refunding Bonds; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the Refunding Bonds and escrow agent with respect to the refunding escrow or escrows to be funded with proceeds of the Refunding Bonds; to provide for the keeping of a record of the Refunding Bonds; to sell the Refunding Bonds at public or private sale by negotiation or direct purchase; to deliver the Refunding Bonds; and to perform all other acts which are necessary or appropriate to issue the Refunding Bonds; and
- (v) that the First Selectman and the Treasurer are authorized to call irrevocably for redemption such of the maturities of the Prior Bonds, as they shall determine to refund from the proceeds of the Refunding Bonds and other moneys as they may determine to make available for this purpose and to defease such Prior Bonds by executing and delivering an escrow agreement in such form and upon such terms as they shall approve, such approval to be conclusively evidenced by their execution thereof; and
- (vi) that the First Selectman and the Treasurer are authorized 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 Refunding Bonds authorized by this resolution, including covenants to pay rebates of investment earnings to the United States in future years; and
- (vii) that the First Selectman is authorized to make representations and enter into written agreements for the benefit of holders of the Refunding Bonds to provide secondary market disclosure information, which agreements may include such terms as she deems advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such Refunding Bonds; and
- (viii) that the First Selectman and the Treasurer, or any one of them, are authorized to take all other action which is necessary or desirable to enable the Town to effectuate the refunding of all or a portion of the Prior Bonds and to issue Refunding Bonds authorized hereby for such purposes, including, but not limited to, the entrance into agreements on behalf of the Town with underwriters, banks, trustees, escrow agents, bond insurers, and others to facilitate the sale and issuance of the Refunding Bonds, the escrow of the proceeds thereof and investment earnings thereon and the payment of the Prior Bonds in whole or in part; and
- (ix) that the First Selectman is authorized, if she determines it is in the Town's best interest, to acquire, on behalf of the Town, bond insurance or other forms of credit enhancement guaranteeing the Refunding Bonds on such terms as the First Selectman determines to be appropriate, such terms to include, but not be limited to, those relating to fees, premiums and other costs and expenses incurred in connection with such credit enhancement, the terms of payment of such expenses and costs and such other undertakings as the issuer of the credit enhancement shall require; and the First Selectman, if she determines that it is appropriate, is authorized, on the Town's behalf, to grant security to the issuer of the credit enhancement to

secure the Town's obligations arising under the credit enhancement, including the establishment of a reserve from the proceeds of the Refunding Bond; and

(x) that the First Selectman and the Treasurer are authorized in connection with the issuance and carrying of the Refunding Bonds to execute and deliver on behalf of the Town such reimbursement agreements, remarketing agreements, interest rate swap agreements, standby bond purchase agreements, and any other appropriate agreements the First Selectman and the Treasurer deem necessary, appropriate or desirable to place the obligation of the Town on such interest rate or cash flow basis as the First Selectman and the Treasurer shall determine and the First Selectman and the Treasurer are authorized on behalf of the Town to determine the terms and conditions and to secure the payment of such agreements with the full faith and credit of the Town, if they deem it necessary, appropriate or desirable.