

Town of East Windsor  
Special Town Meeting  
October 5, 2010

A Special Town Meeting of the Town of East Windsor was held at the Town Hall, 11 Rye Street, Broad Brook, CT on October 5, 2010. The meeting was called to order by First Selectmen, Denise Menard at 7:35 P.M.

Motion was made by Leonard Norton and seconded by Gilbert Hayes to nominate John Burnham for Moderator. Gilbert Hayes made a motion to have nominations cease, seconded by Jim Richards. Both motions passed unanimously. Town Clerk, Joanne M. Slater read the call to the meeting. Moderator, John Burnham read the statement of eligibility to vote.

The following resolution was introduced and read by Kathleen Pippin.

**Item #1: Resolved:** To transfer \$44.00 from Engineering Part Time Salary 1-01-25-3190-1-101-0000-0 to Engineering Full time salary 1-01-25-3190-1-100-0000-0 from the 2009/2010 budget.

Kathleen Pippin moved the resolution, seconded by Jim Richards. The following discussion followed:

**Denise Menard, 1<sup>st</sup> Selectman:** The 2009/2010 transfers are standard transfers done at the end of the year to adjust the budget to have it in balance for when the auditors come.

**The resolution passed unanimously.**

The following resolution was introduced and read by Leonard Norton.

**Item #2: Resolved:** To transfer \$119.91 from Public Works over Time Account (1-01-25-3180-1-102-0000-0) \$5.10 to Public Works Full Time Salary (1-01-25-3180-1-100-0000-0), \$45.53 to Public Works Longevity (1-01-25-3180-1-106-0000-0) and \$69.28 to Public Works Salary P & R Grounds (1-01-25-3180-1-1111-0000-0) in the 2009/2010 budget.

Leonard Norton moved the resolution, seconded by Jim Richards. No discussion followed. **The resolution passed unanimously.**

The following resolution was introduced and read by Gilbert Hayes.

**Item #3: Resolved:** To transfer \$56.61 from Public Works Longevity- Park & Rec Grounds (1-01-25-3180-1-113-0000-0) to Public Works Overtime- Park & Rec Grounds 1-01-25-3180-1-112-0000-0 in the 2009/2010 budget.

Gilbert Hayes moved the resolution, seconded by Carol Madore. No discussion followed. **The resolution passed unanimously.**

The following resolution was introduced and read by Gerry Bancroft.

**Item #4: Resolved:** To transfer \$19,240.00 from CIP- Park & Rec Equipment (1-01-55-9445-7-799-0582-0) to BBFD Extrication Equipment (1-01-55- 9445-7-799-0148-0) in the 2010/2011 budget.

Gerry Bancroft moved the resolution, seconded by Gilbert Hayes. No discussion followed. **The resolution passed unanimously.**

The following resolution was introduced and read by David Lockwood.

**Item #5: Resolved:** To transfer \$8,360.00 from CIP Public Works Heating Units 1-01-55-9447-7-799-0634-0 to the BBFD Extrication Equipment 1-01-55-9445-7-799-0148-0 in the 2010/2011 budget.

David Lockwood moved the resolution, seconded by Jim Richards. No discussion followed. **The resolution passed unanimously.**

The following resolution was introduced and read by Laura Hanson.

**Item #6: Resolved:** To acknowledge the “scrivener’s error” regarding the correct spelling of Niederwerfer Road (adopted as Neiderwerfer Road) which was made at a Town Meeting held on September 14, 1956. Town records will be changed to reflect this correction.

Laura Hanson moved the resolution, seconded by Gerry Bancroft. The following discussion followed:

**Denise Menard, 1<sup>st</sup> Selectman:** This resolution came about because of a phone call from someone who lives on Niederwerfer Rd. and has been upset for quite sometime that the spelling of this road is incorrect. This resolution is clearing up an error from 1956.

**Gilbert Hayes:** Asked if the spelling on the road sign was the correct spelling.

**Carol Madore:** Leonard Norton, Public Works will check on the spelling on the road sign tomorrow.

**Jim Richards:** As a longtime friend of the Niederwerfer family, he is sure that they would appreciate the town getting the spelling correct.

**Carol Madore:** When we do assign road names we have to be careful when we approve them because this kind of thing happens. When she started working here, she went back into the records to find out the correct spelling of the street names in order to put them into the system. She ended up changing what people thought was right to what was in the records.

**The resolution passed unanimously.**

Since resolution #7 was so long, the Moderator, John Burnham asked the voters if they were in favor of just reading the top section of the resolution instead of the whole document. All voters were in favor of just reading the top section of resolution #7.

The following top section of this resolution was introduced and read by Jason Bowsza.

**Item #7: Resolved: to approve the following resolution entitled:**

**“RESOLUTION CONFIRMING AND APPROVING THE APPROPRIATION OF \$715,000 FOR THE ACQUISITION OF A FIRE APPARATUS FOR THE REPLACEMENT OF ENGINE 238 AND THE AUTHORIZATION OF THE ISSUANCE OF \$715,000 BONDS OR TEMPORARY NOTES OF THE TOWN TO MEET SAID APPROPRIATION OR A LEASE/PURCHASE AGREEMENT AT A COST NOT TO EXCEED \$815,000 “**

Section 1. The sum of \$715,000 is hereby appropriated for the acquisition of a fire apparatus for the replacement of Engine 238 and related equipment and appurtenances and related costs, and for administrative, legal and costs of issuance related thereto.

Section 2. To meet said appropriation \$715,000 of bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued maturing not later than the fifth year after their date. 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. 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 to be issued, the annual installments of principal, the certifying, registrar and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the approval of the rate or rates of

interest, shall be determined by the First Selectman and the Town Treasurer in accordance with the General Statutes of the State of Connecticut, as amended.

Section 3. Said bonds shall be sold by the First Selectman and the Town Treasurer in a competitive offering or by negotiation, in their discretion. If sold in a competitive offering the bonds shall be sold at not less than par and accrued interest, if any, 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.

Section 4. In lieu of issuing bonds, the First Selectman and Town Treasurer may permanently finance the acquisition of such apparatus through a lease purchase agreement providing for substantially equal principal payments, provided the total of principal and interest components of such lease shall not exceed \$815,000. The First Selectman and Town Treasurer are authorized to enter into a lease purchase agreement containing such terms and provisions as they shall determine to be in the best interest of the Town pursuant to the authority of this section.

Section 5. In lieu of issuing such bonds, the First Selectman and the Town Treasurer are authorized to issue and sell temporary notes of the Town not to exceed \$715,000 in anticipation of the receipt of the proceeds from the sale of such bonds and to determine the amount, date, date of maturity, interest rate, form and other details of such notes or bonds, pursuant to Chapter 109 of the Connecticut General Statutes, as amended, the Town Charter or any other provision of law thereto enabling, provided that the proceeds from the sale of such notes shall be used for said purpose.

Section 6. The Town hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this resolution in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Town. The Bonds 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 Treasurer or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds.

Section 7. The First Selectman is 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 nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material 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 ordinance. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

Jason Bowsza moved the resolution, seconded by Jim Richards. The following discussion followed:

**Denise Menard, 1<sup>st</sup> Selectman:** This is the second year of a five-year financing commitment. The interest rates on notes are significantly low, so they decided to go for 1-year notes that have to be rolled over the next year. The town changed bond counsel this year. The bond counsel felt that there was something in the wording that they preferred to have it written in another way to be sure that when they

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go out to the market for these notes that every word is exactly the way she feels comfortable with. There is no change in the rates or the dollar amounts. This is being done so that we know that the wording is absolutely correct.

**The Resolution passed unanimously.**

Dale Nelson made a motion to adjourn, 2<sup>nd</sup> by Carol Madore. The meeting adjourned at 7:55 PM.

Respectfully Submitted,  
Joanne M. Slater, CCTC

Attest: \_\_\_\_\_  
Town Clerk