

TOWN OF LITCHFIELD
SPECIAL TOWN MEETING
NOVEMBER 20, 2013

A Special Town Meeting of the Town of Litchfield was held on Wednesday, November 20, 2013 at the Litchfield Firehouse. There were approximately 22 people present including press. First Selectman, Leo Paul, Jr. called the meeting to order at 7:00 p.m.

David T. Wilson made motion to nominate Cleve Fuessenich as Moderator, seconded by Paul Parsons. There were no other nominations. Nominations were closed with a motion by David T. Wilson, seconded by Paul Parsons. It was then unanimously voted by voice vote that Cleve Fuessenich serve as moderator.

The Moderator read the call of the meeting, a copy of which was made available to all those in attendance.

The Moderator stated the following:

The return of posting and publication of this notice, on file and of record, states that said Notice had been posted on the Town's sign post near the office of the Town Clerk on November 14, 2013, and a copy thereof had been published in the Republican-American, a newspaper having substantial circulation in said Town, in its issue of November 15, 2013.

Persons eligible to vote at Town Meeting are (i) any person who is an elector of the Town of Litchfield and (ii) any citizen eighteen years of age or more, who jointly or severally, is liable to the Town of Litchfield for taxes assessed against him or her on an assessment of not less than One Thousand Dollars on the last completed grand list of the Town, or who would be so liable if not entitled to an exemption under subdivision (17), (19), (22), (23), (25) or (26) of Section 12-81 of the General Statutes.

The Moderator read Item I: As recommended by the Board of Selectmen, to approve an "INTERLOCAL AGREEMENT BY AND BETWEEN THE TOWN OF LITCHFIELD AND THE TOWN OF MORRIS AND THE BANTAM LAKE AUTHORITY CONCERNING THE RELOCATION, CONSTRUCTION AND OPERATION OF THE BANTAM LAKE JAMBS"

A copy of the Agreement was made available to those in attendance and is incorporated into these minutes as Exhibit A.

Oren Boynton made motion to adopt said agreement, seconded by Diane Knox. There was no discussion. Vote was taken by hand count. 18 were in favor, 1 was opposed. Motion carried.

Communications were received from the Board of Selectmen and Board of Finance indicating the Litchfield Capital Improvement Plan 2013-2014 bond resolution was

approved by each Board, and they will be incorporated into the minutes of this meeting as Exhibits B and C.

The Moderator read Item II: To consider and act upon the resolution entitled "A RESOLUTION AMENDING A RESOLUTION APPROPRIATING \$2,580,000 FOR THE LITCHFIELD CAPITAL IMPROVEMENT PLAN 2013-2014 AND AUTHORIZING THE ISSUE OF \$2,580,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE"

The purpose of the amendment is to increase the appropriation and bond authorization from \$2,580,000 to \$2,965,000, and to ratify, confirm and adopt all prior authorizations in connection therewith.

A copy of the bond resolution authorizing a \$385,000 increase in the Town CIP 2013-2014 appropriation and bond authorization, from \$2,580,000 to \$2,965,000 was made available to all in attendance. Jon Tarrant moved to waive the reading of the resolution, incorporating its full text into the minutes of this meeting, seconded by P. Parsons. The motion carried unanimously by voice vote in favor of waiving the reading. The full resolution is attached as Exhibit D.

P. Parsons made motion to adopt the amended \$2,965,000 Town CIP 2013-2014 Bond Resolution, seconded by D. T. Wilson.

There was no discussion.

Vote was taken by hand count. 17 were in favor. 0 opposed.

The Moderator declared the amended \$2,965,000 Town CIP 2013-2014 Bond Resolution adopted.

The Moderator read Item III: To received communication from the Board of Selectmen and Board of Finance with respect to, and to consider and act upon the resolution entitled "RESOLUTION APPROPRIATING \$420,000 FOR BOARD OF EDUCATION COMPUTERS, COPIERS AND OTHER TECHNICAL SUPPORT EQUIPMENT AND AUTHORIZING THE ISSUE OF \$420,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE"

Letters were received and are incorporated into these minutes as Exhibits E and F. A full copy of the bond resolution was made available to all in attendance. D. T. Wilson moved to waive the reading of the resolution, incorporating its full text into the minutes of this meeting, seconded by P. Parsons. The motion carried unanimously by voice vote in favor of waiving the reading. The full resolution is attached as Exhibit G.

D.T.Wilson moved to adopt the \$420,000 Board of Education Purchase of Technical Equipment Bond Resolution, seconded by P. Parsons.

There was no discussion.

Vote was taken by hand count. 17 were in favor. 0 opposed.

The Moderator declared the \$420,000 Board of Education Purchase of Technical Equipment Bond Resolution adopted.

The Moderator read Item IV: To consider and act upon the resolution "THAT THE RECOMMENDATION OF THE BOARD OF FINANCE IS ACCEPTED AND THAT A SUPPLEMENTAL APPROPRIATION FROM GENERAL FUND SURPLUS TO THE OPEB AND PENSION PLAN ACCOUNT FOR THE CURRENT FISCAL YEAR IN THE AMOUNT OF \$240,000 BE APPROVED;

D. T. Wilson moved to adopt said resolution, seconded by P.Parsons. Vote was taken by hand count. 17 were in favor. 0 opposed. 1abstained. The motion carried.

The Moderator read Item V: To consider and act upon various line item transfers to adjust General Fund departmental budgets to be within approved spending limits for fiscal year 2012/13 in the total amount of \$121,888, as recommended by the Board of Finance.

A copy of the line item transfers was made available to all those in attendance and is incorporated into these minutes as Exhibit H.

D. T. Wilson moved to adopt said resolution, seconded by P. Parsons. There was no discussion. Vote was taken by hand count. 17 were in favor. 0 opposed. The motion carried.

J. Tarrant moved to adjourn the meeting at 7:15 p.m., seconded by P. Parsons. All voted in favor. Meeting was adjourned.

Respectfully submitted,



Lisa A. Losee
Town Clerk
Town of Litchfield

Exhibit A

INTERLOCAL AGREEMENT
BY AND BETWEEN THE
TOWN OF LITCHFIELD AND THE TOWN OF MORRIS
AND THE BANTAM LAKE AUTHORITY
CONCERNING THE RELOCATION, CONSTRUCTION AND OPERATION OF THE
BANTAM LAKE JAMBS

This Interlocal Agreement is made and entered into by and between the TOWN OF LITCHFIELD (hereinafter referred to as "Litchfield"), a Connecticut municipal corporation located in Litchfield County; the TOWN OF MORRIS (hereinafter referred to as "Morris"), a Connecticut municipal corporation located in Litchfield County; and the BANTAM LAKE AUTHORITY an inter-municipal lake authority formed by Litchfield and Morris pursuant to Connecticut General Statutes, Section 7-151a (hereinafter referred to as the "Bantam Lake Authority") pursuant to the authorization, for the purposes and subject to the terms and conditions set forth herein.

WITNESSETH:

WHEREAS, Bantam Lake is Connecticut's largest natural lake comprising 930 acres of surface area, 32 square miles of watershed and 10 miles of shoreline, located approximately two-thirds in Morris and one-third in Litchfield and has considerable ecological, environmental, cultural, recreational, economic and historic significance to the State of Connecticut and the Towns of Litchfield and Morris and for that reason has been designated as a "Heritage Lake" by the State of Connecticut; and

WHEREAS, Bantam Lake is 23 \pm feet deep at its known deepest point, with its major supply source being the Bantam River which enters the lake at its northeast corner and exits the lake at its northwest corner; and as a result, Bantam Lake experiences considerable evaporation and seasonal weed and algae problems from impaired current circulation and elevated surface temperature; and

WHEREAS, the existing aged outlet structure which controls the water elevation of Bantam Lake is a manually operated set of boards and jambs situated on land owned by the

WHEREAS, Connecticut General Statutes, Section 7-148(c)(8)(A), authorizes a municipality to provide for the protection and improvement of the environment including, but not limited to, coastal areas, wetlands and areas adjacent to waterways in a manner not inconsistent with the Connecticut General Statutes; and

WHEREAS, Connecticut General Statutes, Section 22a-339f, directs the Commissioner of Energy and Environmental Protection to designate Bantam Lake to be the subject of a program of preservation and enhancement of the historic, cultural, recreational, economic, scenic, public health and environmental value of lakes in this state; and

WHEREAS, Connecticut General Statutes, Section 7-151a, provides that any two or more towns which have within their territorial limits a body of state water may establish by ordinance a lake authority which shall: (1) act as agent for the member towns in cooperating with the Commissioner of Energy and Environmental Protection in the enforcement of the boating laws on such water; (2) control and abate algae and aquatic weeds in cooperation with the Commissioner of Energy and Environmental Protection; (3) study water management including, but not limited to, water depth and circulation and make recommendations for action to its member towns; (4) act as agent for member towns with respect to filing applications for grants and reimbursements with the Department of Energy and Environmental Protection and other state agencies in connection with state and local federal programs; and (5) act as agent for member towns with respect to receiving gifts for any of its purposes; and

WHEREAS, the Towns of Litchfield and Morris adopted ordinances on December 18, 1967 and February 19, 1968, respectively, to form the Bantam Lake Authority in furtherance of the purposes set forth in Connecticut General Statutes, Section 7-151a; and

WHEREAS, over the course of the past forty years, the State of Connecticut, and the Towns of Litchfield and Morris, have expended considerable federal, state and local funds on the improvement of the water quality of, and public access to, Bantam Lake, most recently with the State of Connecticut acquiring the property known as "Beverly's" on Connecticut Route 209, for a public boat launch facility; and during the same period of time, the property owners around Bantam Lake have devoted considerable volunteer time and effort to preserving and improving Bantam Lake through the Bantam Lake Protective Association; and

2. TERM. The initial term of this Agreement shall commence upon approval of this Agreement by the Board of Selectmen, the Board of Finance and a town meeting in each town, execution of this Agreement by the First Selectman of each town, and approval of this Agreement by the Bantam Lake Authority and execution by its Chairman, in accordance with Connecticut General Statutes, Section 7-339c. This Agreement shall remain in effect for successive terms of five (5) years each, commencing with its initial effective date and automatically renewing every five (5) years thereafter unless and until any one of the parties gives written notice to the other parties of its intention not to renew the Agreement at least ninety (90) days before the commencement of the next successive term; provided, however, the term of this Agreement shall not exceed a total of forty (40) years at which time the parties shall review and revise the Agreement, if necessary, and resubmit the new Agreement to the Board of Selectmen of each town, the Bantam Lake Authority and a town meeting in each Town for approval. The expiration or termination of this Agreement shall not affect title to the outlet structure and the leased premises upon which the outlet structure is located, or title to any temporary or permanent easements, all of which shall remain vested in the Towns of Litchfield and Morris as tenants in common.

3. RESPONSIBILITIES OF LITCHFIELD AND MORRIS.

- A. Litchfield and Morris shall jointly lease the site of the new outlet structure and access right-of-way from the Connecticut Light and Power Company and shall acquire such temporary construction and permanent easements from adjacent property owners as may be necessary or convenient for construction and completion of the Project as shown on the Project engineering plans and survey maps, after referring such property acquisition to each town's Planning and Zoning Commission pursuant to Connecticut General Statutes, Section 8-24; and obtaining approval of such acquisition by the Board of Selectmen and a town meeting in each town pursuant to Connecticut General Statutes, Section 7-148(c)(3)(A).
- B. After deduction of available grant funds, Litchfield and Morris shall appropriate and contribute such funds as are reasonably necessary to finance the engineering, design, construction and completion of the relocation and

- (viii) Reimbursing Morris its proportionate share of state and federal funding if Morris has advanced its municipal funds initially to secure any such grant;
- (ix) Ensuring that the general contractor and any subcontractors selected to construct the Project comply with all state and federal statutory and regulatory requirements set forth in the grant agreements and exhibits thereto, including but not limited to, work place safety, prevailing wage, non-discrimination, minority and small contractor set asides, retainage, payment and performance bond requirements, environmental, wetlands and watercourses, erosion control, hazardous materials handling and disposal, and securing all necessary federal, state and local permits for the Project; and
- (x) Executing and delivering all documents and doing all acts necessary or convenient to construct and complete the Project.

E. Morris shall serve as a participating municipality for the construction of the Project and shall have the following responsibilities:

- (i) Assisting Litchfield in applying for state and federal funding or any private foundation grants as may become available;
- (ii) Appropriating its share of funds for the Project;
- (iii) Reimbursing its share of the total Project cost upon receipt of itemized invoices and reasonably requested supporting documentation; and
- (iv) Providing its full participation, cooperation and support as necessary or convenient to construct and complete the Project.

4. RESPONSIBILITIES OF THE BANTAM LAKE AUTHORITY. The Bantam Lake Authority shall be responsible for determining the proper water level on Bantam Lake, for each season and during storm events; determining the proper setting of the hinged crest gate outlet structure to maintain the proper water level on Bantam Lake; and insuring that water discharged to the Bantam River is discharged in such a manner so as not to cause foreseeable damage to downstream properties (unusual storm events excepted). The Bantam Lake Authority shall make recommendations to the Interlocal Advisory Board as to the operation, maintenance and repairs of the new outlet structure, the proposed operational and capital budget for the outlet

- (v) Applying for and accepting any state, federal or private grants which may become available for the purposes of this Agreement.

6. INDEMNIFICATION AND INSURANCE. Each municipality agrees to indemnify and save harmless the other municipality and the Bantam Lake Authority, and their respective officials, members, employees and agents, pursuant to Connecticut General Statutes, Sections 7-101a and 7-465, for any and all claims, demands, suits, liabilities or judgments, including attorney's fees and costs, arising from, or related to, construction of the Project or the operation and maintenance of the new outlet structure; provided, however, this provision shall not be deemed to expand or otherwise alter the nature or scope of municipal liability to third parties or limit in anyway the nature or scope of municipal defenses. Each municipality shall provide adequate insurance to cover such liability and indemnification, and each municipality agrees to waive its right of subrogation as against the other municipality, its officials, members, employees or agents, for claims arising out of, or related to, construction of the Project or the operation and maintenance of the new outlet structure. Such insurance shall include public liability, construction operations, property damage and environmental liability insurance as may be necessary or advisable. This provision shall survive the completion of the Project and in the event of termination of this Agreement, shall remain in effect until all relevant statutes of limitation have expired.

7. DISPUTE RESOLUTION. All claims, demands, disputes, controversies and differences which may arise under this Agreement or between the parties to this Agreement shall be submitted first to the Interlocal Advisory Committee for mediation. If mediation is unsuccessful, then such matters shall be submitted to unrestricted binding arbitration before a three (3) member arbitration panel consisting of one member chosen by each municipality within fifteen (15) days of receipt of demand for arbitration by the other municipality, and a third member chosen by the two arbitrators within fifteen (15) days thereafter, who shall meet in the Litchfield or Morris within fifteen (15) days thereafter to hear the parties' claims pursuant to the Commercial Arbitration Rules of the American Arbitration Association, the cost of which shall be borne equally by the parties. If the two arbitrators are unable to agree upon the choice of a third arbitrator, application shall be made to the Superior Court for the Judicial District of Litchfield for appointment of a third arbitrator and the panel thus chosen shall convene within fifteen (15)

adjudicated in the Superior Court of the State of Connecticut in and for the Judicial District of Litchfield.

Dated at Litchfield and Morris, Connecticut as of this ____ day of _____, 2013.

WITNESSED:

TOWN OF LITCHFIELD

Leo Paul, Jr., First Selectman

TOWN OF MORRIS

Barbara Bongiolatti, First Selectman

BANTAM LAKE AUTHORITY

Thomas Weik, Its Chairman

STATE OF CONNECTICUT)
) ss: Litchfield/Morris
COUNTY OF LITCHFIELD)

On this the ____ day of _____, 2013, before me, _____, the undersigned officer, personally appeared Thomas Weik, Chairman of the Bantam Lake Authority, known to me (or satisfactorily proven) to be the person described in the foregoing instrument, and acknowledged he executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof I hereunto set my hand.

Commissioner of Superior Court
Notary Public
My Commission Expires:

[seal]

7. "MAP SHOWING TEMPORARY EASEMENT ACQUIRED FROM CONNECTICUT LIGHT AND POWER BY TOWN OF LITCHFIELD RELOCATION OF BANTAM RIVER JAMB Scale: 1" = 20' March, 2012", Sheets 1 and 2 of 2, Date 03/28/2012, William Brian Hearn LS #18,857.
8. "MAP SHOWING EASEMENT ACQUIRED FROM CONNECTICUT LIGHT AND POWER BY BANTAM LAKE AUTHORITY RELOCATION OF BANTAM RIVER JAMB Scale: 1" = 20' March", 2012 Sheets 1 and 2 of 2, Date 03/28/2012, William Brian Hearn LS #18,857.
9. "MAP SHOWING TEMPORARY EASEMENT ACQUIRED FROM WHITE MEMORIAL CONSERVATION CENTER BY TOWN OF LITCHFIELD RELOCATION OF BANTAM RIVER JAMB Scale: 1" = 20' March, 2012", Sheet 1 of 1, Date 03/28/2012, William Brian Hearn LS #18,857.



TOWN OF LITCHFIELD

P.O. BOX 488
LITCHFIELD, CONNECTICUT 06759

~~Exhibit B~~
Exhibit B

September 10, 2013

To the Legal Voters of the Town of Litchfield:

At a Regular Meeting of the Board of Finance held on September 9, 2013, the following resolution was adopted:

A RESOLUTION AMENDING A RESOLUTION APPROPRIATING \$2,580,000 FOR THE LITCHFIELD CAPITAL IMPROVEMENT PLAN 2013-2014 AND AUTHORIZING THE ISSUE OF \$2,580,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Very truly yours,

David W. Geiger
Chairman, Board of Finance
Town of Litchfield



TOWN OF LITCHFIELD
OFFICE OF THE FIRST SELECTMAN
74 West St. • P.O. Box 488
Litchfield, Connecticut 06759-0488
Phone: (860) 567-7550 • Fax: (860) 567-7552

~~Exhibit A~~
Exhibit C

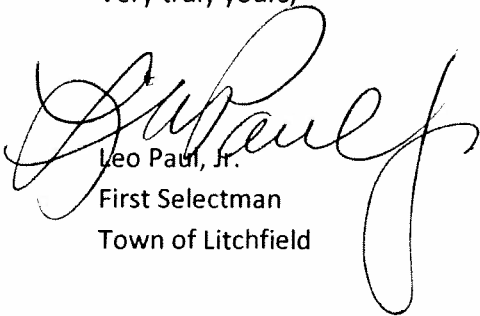
September 23, 2013

To the Legal Voters
Of the Town of Litchfield:

At a meeting of the Board of Selectmen held September 17, 2013, the following resolution was adopted:

A RESOLUTION AMENDING A RESOLUTION APPROPRIATING \$2,580,000 FOR THE LITCHFIELD CAPITAL IMPROVEMENT PLAN 2013-2014 AND AUTHORIZING THE ISSUE OF \$2,580,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Very truly yours,



Leo Paul, Jr.
First Selectman
Town of Litchfield

A RESOLUTION AMENDING A RESOLUTION APPROPRIATING \$2,580,000 FOR THE LITCHFIELD CAPITAL IMPROVEMENT PLAN 2013-2014 AND AUTHORIZING THE ISSUE OF \$2,580,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

A resolution entitled "RESOLUTION APPROPRIATING \$2,580,000 FOR THE LITCHFIELD CAPITAL IMPROVEMENT PLAN 2013-2014 AND AUTHORIZING THE ISSUE OF \$2,580,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE," adopted at Town Meeting held on May 8, 2013 which resolution is hereby ratified, confirmed and adopted, is hereby amended to increase the appropriation and bond authorization therein by \$385,000 from \$2,580,000 to \$2,965,000, as follows:

Section 1. The title of the Resolution is amended to read as follows:

"RESOLUTION APPROPRIATING \$2,965,000 FOR THE LITCHFIELD CAPITAL IMPROVEMENT PLAN 2013-2014 AND AUTHORIZING THE ISSUE OF \$2,965,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE"

Section 2. The following is substituted for Section 1 of the Resolution:

"Section 1. The sum of \$2,965,000 is appropriated for the planning, acquisition and construction of the Town of Litchfield Capital Improvement Plan 2013-2014, as adopted and amended by the Board of Selectmen from time to time, and including: (i) Public Works Department; (ii) Board of Education; (iii) Board of Fire Commissioners and EMS; (iv) Parks and Recreation; (v) Oliver Wolcott Library; (vi) Town Clerk and (vii) Debt Administration, and for appurtenances, equipment and services related thereto, or so much thereof as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs to the extent paid therefrom. The Board of Selectmen may by resolution transfer funding herein authorized among projects within the 2013-2014 CIP.

Section 3. The following is substituted for Section 2 of the Resolution:

"Section 2. LOCIP and other grant funds received and expended on the above purposes shall be included in and applied against this appropriation and bond authorization. It is expected that Grant funding will be received in the amount of \$498,696 and bonds of the Town will finance \$2,466,304.

Section 4. The amount \$2,965,000 is substituted for the amount \$2,580,000 in the Prior Resolution unless otherwise provided herein.



TOWN OF LITCHFIELD

OFFICE OF THE FIRST SELECTMAN
74 West St. • P.O. Box 488
Litchfield, Connecticut 06759-0488
Phone: (860) 567-7550 • Fax: (860) 567-7552

~~Exhibit D~~
Exhibit E

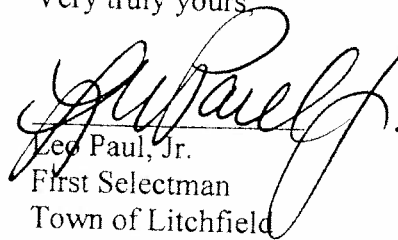
Sept. 10, 2013

To the Legal Voters
of the Town of Litchfield:

At a meeting of the Board of Selectmen held Sept. 3, 2013, the following resolution was adopted:

RESOLUTION APPROPRIATING \$420,000 FOR BOARD OF EDUCATION COMPUTERS, COPIERS AND OTHER TECHNICAL SUPPORT EQUIPMENT AND AUTHORIZING THE ISSUE OF \$420,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Very truly yours,


Leo Paul, Jr.
First Selectman
Town of Litchfield



TOWN OF LITCHFIELD

P.O. BOX 488
LITCHFIELD, CONNECTICUT 06759

~~Exhibit E~~

Exhibit F

September 10, 2013

To the Legal Voters of the Town of Litchfield:

At a Regular Meeting of the Board of Finance held on September 9, 2013, the following resolution was adopted:

RESOLUTION APPROPRIATING \$420,000 FOR BOARD OF EDUCATION COMPUTERS, COPIERS AND OTHER TECHNICAL SUPPORT EQUIPMENT AND AUTHORIZING THE ISSUE OF \$420,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Very truly yours,

David W. Geiger
Chairman, Board of Finance
Town of Litchfield

RESOLUTION APPROPRIATING \$420,000 FOR BOARD OF
EDUCATION COMPUTERS, COPIERS AND OTHER
TECHNICAL SUPPORT EQUIPMENT AND AUTHORIZING
THE ISSUE OF \$420,000 BONDS OF THE TOWN TO MEET
SAID APPROPRIATION AND PENDING THE ISSUANCE
THEREOF THE MAKING OF TEMPORARY BORROWINGS
FOR SUCH PURPOSE

Section 1. The sum of \$420,000 is appropriated for the purchase of Board of Education computers, copiers, other technical support equipment, and for appurtenances, equipment and services related thereto, or so much thereof as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs to the extent paid therefrom.

Section 2. To meet said appropriation \$420,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the fourth year after their date. Said bonds may be issued in one or more series as determined by the First Selectman and the Treasurer (hereafter the Town Officials), and the amount of bonds of each series to be issued shall be fixed by the Town Officials. Said bonds shall be issued in the amount not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. Capital project revenues, including bid premiums and investment income derived from investment of bond proceeds (and net investment income derived from note proceeds) are authorized to be credited by the Director of Finance to the project account and expended to pay project expenses customarily paid therefrom. The remaining appropriation and bond authorization shall be reduced by the amount of capital project revenues so credited. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the Town and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Town Officials, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Town Officials, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Town Officials, and be approved as to their legality by Joseph Fasi LLC, Attorneys-at-law, Bond Counsel of Hartford. They shall bear such rate or rates of interest as shall be determined by the Town Officials. 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 the interest thereon. The aggregate principal amount of the bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the Town Officials, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 3. Said bonds shall be sold by the Town Officials, in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals, auction, or similar competitive process at not less than par and accrued interest 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. If the bonds are sold by negotiation, the provisions of purchase agreement shall be subject to approval of the Town Council.

Section 4. The Town Officials, are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Town Officials, bear the Town seal or a facsimile thereof, be payable at a bank or trust company designated by the Town Officials, be approved as to their legality by Joseph Fasi LLC, Attorneys-at-law, Bond Counsel, of Hartford, and be certified by a bank or trust company designated by the Town Officials, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note 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 the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town (the "Issuer") 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 after the date of passage of this ordinance 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 Issuer. 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 Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 6. The Town Officials, are hereby authorized to exercise all powers conferred by section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices 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.

Section 7. It is hereby found and determined that it is in the public interest to issue all, or a portion of, the Bonds, Notes or other obligations of the Town authorized to be issued herein as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation. The Town Officials are hereby authorized to issue and utilize without further approval any financing alternative currently or hereafter available to municipal government pursuant to law, including but not limited to any "tax credit bond," or "Build America Bonds" including Direct Payment and Tax Credit Versions.

Memorandum

Date: August 20, 2013
To: BOS/BOF/Town Meeting
From: Rose Bouchard, Director of Finance
Re: Fiscal year 2012/2013 – Budget Transfer #5 - \$121,888.00

The Finance Department is requesting the following year-end transfer to adjust General Fund departmental budgets, including salaries, to be within approved spending limits. Note, although some departments increases are less than the \$20,000 threshold that requires a Town Meeting, at year end, the Town consistently includes them in the final year end transfer. The total of \$121,888.00 is .4% of the original budget of \$27,230,401.

FY12/13 Budgetary Transfer Required:

	Dept	Object	Debit (Decrease)	Credit (Increase)
TO	1102	50102 BOARD OF SELECTMEN – ELECTED OFFICIALS P/T		175
TO	1104	50101 TAX COLLECTOR – ELECTED OFFICIALS F/T		585
TO	1104	50104 TAX COLLECTOR – PERMANENT P/T		844
TO	1104	50108 TAX COLLECTOR – OVERTIME		9
TO	1105	50103 TOWN CLERK – PERMANENT F/T		26
TO	1107	50106 REGISTRARS TEMPORARY P/T		75
TO	1108	51417 ELECTIONS - MEALS		477
TO	1201	52111 FINANCE – PROFESSIONAL SERVICES OTHER		10,300
TO	1401	52111 PLANNING & ZONING –PROFESSIONAL SERVICES OTHER		2,246
TO	1402	51401 WETLANDS - ADVERTISING		820
TO	1601	54140 PROBATE – LITCHFIELD PROBATE DISTRICT COURT		1
TO	1801	52111 LEGAL-PROFESSIONAL SERVICES OTHER		17,320
TO	1803	53108 CENTRAL SERVICES – POSTAGE		520
TO	2102	50103 PATROL – PERMANENT F/T		2,534
TO	2202	52102 FIRE PROTECTION – PROFESSIONAL SERVICES-MEDICAL		3,500
TO	3101	55102 SUPERVISION – OFFICE EQUIPMENT SMALL		3,300
TO	3102	50108 OPERATIONS - OVERTIME		11,400
TO	3102	50109 OPERATIONS – OVERTIME STANDARD TIME WINTER		35,300
TO	3106	51415 SOLID WASTE & RECYCLING-SOLID WASTE REMOVAL		30,400
TO	4201	54124 AMBULANCE - LITCHFIELD VOLUNTEER AMBULANCE		2,000
TO	5301	54153 CO-OP PROGRAMS – PLUMB HILL MAINTENANCE		56
FROM	1802	52401 LIABILITY INSURANCE	48,874	
FROM	1903	51703 CONTINGENCY	58,000	
FROM	7101	55301 DEBT SERV BOND INTEREST	15,014	
TOTALS			\$121,888	\$121,888