

**TOWN OF POMFRET
SPECIAL TOWN MEETING MINUTES
TUESDAY, JULY 21, 2015 AT 7:00 PM**

A Special Town Meeting of the electors and citizens qualified to vote in Town Meetings of the Town of Pomfret, Connecticut, was held at the Pomfret Community School, 20 Pomfret Street in Pomfret, Connecticut, on Tuesday, July 21, 2015, at 7:06 PM. Mr. Jim Rivers was chosen as moderator of the meeting and Bonnie Ryan acted as clerk.

In Attendance: First Selectman Maureen Nicholson, Selectmen Barry Jessurun, Peter Mann. Also present: Approximately 40 citizens and interested parties.

Article 1: To choose a Moderator for said meeting – M. Nicholson opened the Special Town Meeting at 7:06 PM. She then asked for nominations for Moderator. T. McNally moved that Jim Rivers be named Moderator. B. Jessurun seconded. There were no further nominations. T. McNally moved to close nominations. Motion duly seconded and all were in favor to close nominations. All in favor to name Jim Rivers as Moderator. T. McNally made the motion to waive the reading of the Notice into the record. Seconded by B. Jessurun. All were in favor to waive reading of the Notice. The Notice was published in the Putnam Town Crier on July 15, 2015, and is recorded in these records immediately preceding these minutes.

Article 2: To consider and act on a resolution

(a) to appropriate \$7,990,000 for costs related to the design, construction, installation and equipping of sanitary sewer facilities along Pomfret Street / State Route 44 from the Pomfret School property to the Loos & Co., Inc. property, and then along Airline North State Park Trail from the trail's intersection with Pomfret Street / State Route 44 northeast along the trail to a connection at the inlet to the Town of Putnam's sanitary sewerage treatment plant, and related improvements and appurtenances; and for costs related to the financing thereof. The project is contemplated to include, but is not limited to, the construction of approximately 37,000 linear feet of force main and of three pumping stations located to serve the Rectory School, the Pomfret School and the Loos & Co., Inc. properties. The project is contemplated to be completed substantially as shown on a preliminary drawing, entitled "Sanitary Sewer Service Area, Town of Pomfret, Connecticut" dated January, 2015 and prepared by Weston & Sampson, a copy of which preliminary drawing is on file in the office of the Town Clerk. The appropriation may be spent for design, construction, acquisition and installation costs, land and easement acquisition, site and other improvements, equipment, materials, utility installation and relocation, landscaping, pavement and site restoration, costs of connection to the Town of Putnam sanitary sewerage system, permit fees, survey and study costs, grant and loan application costs, engineering and other consultant fees, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen, in its capacity as the Town's Water Pollution Control Authority, shall be authorized to determine the scope and the particulars of the project, and to reduce or modify the scope of the project as necessary or desirable; and the entire appropriation may be expended on the project as so reduced or modified. The Town anticipates receiving grants in an amount of up to 25% of the eligible costs of the project from the United States Department of Agriculture to defray in part the appropriation for the project;

(b) to authorize the issue of bonds or notes of the Town in an amount not to exceed \$7,990,000 to finance the appropriation; to provide that the amount of bonds or notes authorized shall be reduced by the amount of grants received by the Town to the extent that such grants are not separately appropriated to pay additional project costs; to authorize the issue of temporary notes of the Town in an amount not to exceed \$7,990,000 in anticipation of such bonds or notes and the receipt of grants; and to authorize the majority of the Selectmen and the Treasurer of the Town to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds, notes or temporary notes; and to perform all other acts which are necessary or appropriate to issue the bonds, notes or temporary notes;

(c) to take such action to allow temporary advances of available funds and to reasonably expect the Town to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project; to authorize the 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, notes or temporary notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years; and to make representations and enter into written agreements for the benefit of holders of the bonds, notes or temporary notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds, notes or temporary notes;

(d) to authorize the Board of Selectmen, acting in its capacity as the Town's Water Pollution Control Authority, to construct the project, to approve expenditures incurred for the project, and to contract with engineers, contractors and others on behalf of the Town for said project;

(e) to authorize the First Selectman, acting in such capacity and in the First Selectmen's capacity as the Chairman of the Town's Water Pollution Control Authority, to apply for and accept federal and state grants to help finance the appropriation for the sewer project;

(f) to authorize the First Selectman, acting in such capacity and in the First Selectmen's capacity as the Chairman of the Town's Water Pollution Control Authority, and other proper officers and officials of the Town, to enter into one or more agreements with Loos & Co., the Pomfret School and the Rectory School with respect to the payment of costs of the project or of debt service on financings of the Town issued therefor, and other matters related to the project and its financing; and

(g) to authorize the Board of Selectmen, in both its own capacity and in its capacity as the Town's Water Pollution Control Authority, the First Selectman, the Treasurer, and other proper officers and officials of the Town to take all other action which is necessary or desirable to construct and complete the project, to issue bonds, notes or temporary notes and to obtain grants to finance the appropriation for the project, and to implement any agreement or agreements among any or all of the Town, the Water Pollution Control Authority and Loos & Co., the Pomfret School and the Rectory School with respect to the project and its financing.

The Moderator called for the Resolution warned under this Article 2 of Notice appropriating \$7,990,000 for cost related to the design, construction, installation and equipping of the 2015 Sanitary Sewer Facilities Project to serve the Rectory School, Pomfret School, and Loos & Co., Inc. properties, and authorizing borrowings to finance the appropriation. T. McNally moved that the reading of the full text of the Resolution into the minutes be waived as copies are available to the public. B. Blackmer seconded and all were in favor to waive the reading of the full text of the Resolution. T. McNally moved the Resolution for adoption as presented. The motion was duly seconded. A copy of the full text of the Resolution is recorded following these minutes. J. Rivers stated that reports were available to the public that recommended the project appropriation and borrowing authorization from the Board of Selectmen, Board of Finance, Planning and Zoning Commission, and the Water Pollution and Control Authority. The Moderator then opened the meeting for further discussion and questions of the foregoing Resolution. There was no further discussion or questions and discussion was closed.

The foregoing Resolution was approved by a show of hands vote:

Number of 'Yes' votes : 38

Number of 'No' Votes: 2

Article 3: To do any other business proper to come before said meeting – There was no further business and T. McNally moved to adjourn. B. Jessurun seconded. The Special Town Meeting was adjourned at 7:12 PM.

Duly Recorded: _____
Bonnie Ryan, clerk

Attest: _____
Cheryl A. Grist, Town Clerk

Attachment: Bond Resolution