

AUGUST 18, 2004 SPECIAL MEETING

The Wethersfield Town Council held a special meeting on August 18, 2004 at 6:00 p.m. in the Council Chambers of the Town Hall.

Present: Councilors Adil, Cascio, Czernicki, Fortunato, Hemmann (6:15 p.m.), Montinieri, Deputy Mayor Karangekis and Chairperson Morin.

Also present: Bonnie Therrien, Town Manager, and Dolores G. Sassano, Town Clerk.

Absent: Councilor Forrest.

Chairperson Morin said that the special meeting agenda includes discussion of the referendum questions for November concerning the Town Hall & Library renovations and roads and sidewalks.

All stood for the pledge of allegiance to the flag which was led by Councilor Cascio.

COUNCIL ACTION

Town Manager Bonnie Therrien explained that the Council needs to introduce the appropriation documents from the Town's Bond Counsel and vote on the motion. The Council also needs to vote on a public hearing date and refer the project to the Planning and Zoning Commission for an 8-24 referral. The Town Manager said that the \$5,200,000 for the Town Hall/Library renovations is for the complete construction costs, bonding costs, and any inflationary costs.

Councilor Montinieri asked why the sentence in section (b) stating "The amount of bonds or notes authorized to be issued shall be reduced by the amount of grants received by the Town for the project." needs to be a part of the ordinance. She said that this is the sentence that caused the problem with the Summer referendum. Town Manager Bonnie Therrien said that this provision is still in the Charter until the proposed Charter revisions (which include changes made by the Bond Counsel to eliminate this section) are voted on in November.

Councilor Czernicki asked the Town Manager if the Town is still bound by this sentence in the Ordinance. Town Manager Bonnie Therrien said that she would need to ask Bond Counsel this question. Councilor Czernicki asked if the Ordinance could be revised to include wording regarding the alteration of this sentence should the Charter revisions pass. Town Manager Bonnie Therrien said that the Council can try this. Councilor Czernicki stated that she is happy to see that the committees have done such a fine job of tuning the initial resolution to the point where the issues at the Town Hall and Library building can be adequately and thoroughly addressed.

Councilor Montinieri stated that she was at the Silas Deane Highway Committee meeting the previous evening and that one of their top objectives is to address the Town Hall/Library building.

Councilor Adil commented that the EDIC has moved this issue as a priority as well.

Councilor Fortunato, as liaison to the Library Board, said that this appropriation will help to meet the needs and requirements of the Library since its usage has increased substantially. She said that the Town Hall building sets the stage for the community. She said that this appropriation will do a thorough job on the project.

Councilor Cascio recommended to the Town Manager that the Council and Manager come together with a summary outlining what, exactly, is being done in the Town Hall/Library building. He said that to alleviate confusion, there should be a more detailed description of the work to be done.

Chairperson Morin said that he discussed with the Town Manager that it will be of the utmost importance to provide schematics to the residents of Town in order to explain the scope of the project.

Councilor Fortunato moved **"TO INTRODUCE THE FOLLOWING:**

THE ORDINANCE APPROPRIATING \$5,200,000 FOR PHASE II OF TOWN HALL AND LIBRARY RENOVATIONS AND AUTHORIZING THE ISSUE OF \$5,200,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION

BE IT ORDAINED,

- a. That the Town of Wethersfield appropriate **FIVE MILLION TWO HUNDRED THOUSAND DOLLARS (\$5,200,000)** for design and construction of various renovations and improvements to Town Hall and the Library. The project will include replacement of the roof on Town Hall, the Town Hall lobby and the Library; improvements to the heating and cooling systems in Town Hall and the Library; hazardous material abatement in the first and second floor of Town Hall, the Town Hall stair towers and the main and mezzanine floors of the Library; replacement of flooring in the first and second floors and the stair towers in Town Hall and in the Town Council chambers; reconstruction of the podium in the Town Council chambers; replacement of lighting in the first and second floor corridors of Town Hall; replacement of ceiling tiles on the first and second floors, corridors and stair towers in Town Hall; accessibility improvements to the Town Clerk's vault; installation of water filtration systems at all drinking fountains in the first and second floors of Town Hall and the main and mezzanine floors of the Library; replacement of windows in Town Hall, the Town Hall lobby and the Library; installation of fire sprinkler system on the lobby ground, main and second floors of Town Hall and on the ground, main and mezzanine floors of the Library where needed; construction of new telephone and data equipment rooms and data administration offices on the ground floors of Town Hall and the Library; improvements to the telecommunications and computer systems in Town Hall and the Library; replacement of plumbing fixtures in the main and mezzanine level bathrooms in the Library; installation of self check out system and security system in the Library; replacement of existing stairway from the main floor to the mezzanine floor in the Library; installation of new fixtures and furnishings on the main and mezzanine floors in the Library; improvements to existing masonry on the exterior of Town Hall and the Library; and various site improvements including relocation of signage and installation of exterior lighting and landscaping. The appropriation may be spent for design and construction costs, equipment, furnishings, materials, site improvements, architects' fees, engineering fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project. The Town Council is authorized to determine the scope and particulars of the project. The Town Council 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. That the Town issue bonds or notes, in an amount not to exceed **FIVE MILLION TWO HUNDRED THOUSAND DOLLARS (\$5,200,000)** to finance the appropriation for the project. The amount of bonds or notes authorized to be issued shall be reduced by the amount of grants received by the Town for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.
- c. That the Town issue and renew its temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed **FIVE MILLION TWO HUNDRED THOUSAND DOLLARS (\$5,200,000)**. The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes if the notes do not mature within the time permitted by said Section 7-378.
- d. The Town Manager and the Treasurer of the Town shall sign the bonds or notes by their manual or facsimile signatures. The law firm of Day, Berry & Howard LLP is designated as bond counsel to approve the legality of the bonds or notes. The Town Manager and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the

bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

- e. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 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 above for the project. The Town Manager and the Treasurer are authorized 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 this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.**
- f. That the Town Manager and the Treasurer are authorized 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.**
- g. That the Town Manager, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes to finance the aforesaid appropriation.**
- h. That this ordinance shall become effective after publication and approval by the electors at referendum as provided in the Town Charter.**

", seconded by Councilor Cascio.

Councilor Czernicki moved **"TO AMEND THE MOTION TO PROVIDE THAT IF THE PROPOSED CHARTER REVISIONS PASS AT THE REFERENDUM OF NOVEMBER 2, 2004, THE SENTENCE 'THE AMOUNT OF BONDS OR NOTES AUTHORIZED TO BE ISSUED SHALL BE REDUCED BY THE AMOUNT OF GRANTS RECEIVED BY THE TOWN FOR THE PROJECT' BE SUPERCEDED BY THE ADOPTION OF THE NEW CHARTER"**, seconded by Councilor Cascio. The following roll-call vote was taken:

Councilor Adil	AYE	Councilor Cascio	AYE
Councilor Czernicki	AYE	Councilor Fortunato	AYE
Deputy Mayor Karangekis	AYE	Councilor Montinieri	AYE
Chairperson Morin	AYE		

The motion to amend passed 7-0-0.

The following roll-call vote on the original motion as amended was taken:

Councilor Adil	AYE	Councilor Cascio	AYE
Councilor Czernicki	AYE	Councilor Fortunato	AYE
Deputy Mayor Karangekis	AYE	Councilor Montinieri	AYE
Chairperson Morin	AYE		

The motion passed 7-0-0.

Councilor Adil moved **"TO INTRODUCE THE FOLLOWING:**

ORDINANCE APPROPRIATING \$2,730,000 FOR ROAD AND SIDEWALK IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$2,730,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION

BE IT ORDAINED,

- a. That the Town of Wethersfield appropriate **TWO MILLION SEVEN HUNDRED THIRTY THOUSAND DOLLARS (\$2,730,000)** for design and construction of improvements to various Town roads and sidewalks. The project will include milling and repaving of roads and replacement of catch basin tops and curbing where necessary on such Town roads as shall be determined by the Town Manager upon the recommendation of the Director of Public Works/Town Engineer; and installation of concrete sidewalks where needed on the west side of Mapleside Drive from Wells Road to Dale Road, the east side parking lot of Emerson Williams School, the west side of Willow Street, and both sides of Two Rod Highway from Old Reservoir Road to Highland Street. 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. The Town Council is authorized to determine the scope and particulars of the project. The Town Council 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. That the Town issue bonds or notes, in an amount not to exceed **TWO MILLION SEVEN HUNDRED THIRTY THOUSAND DOLLARS (\$2,730,000)** to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.
- c. That the Town issue and renew its temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed **TWO MILLION SEVEN HUNDRED THIRTY THOUSAND DOLLARS (\$2,730,000)**. The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes if the notes do not mature within the time permitted by said Section 7-378.
- d. The Town Manager and the Treasurer of the Town shall sign the bonds or notes by their manual or facsimile signatures. The law firm of Day, Berry & Howard LLP is designated as bond counsel to approve the legality of the bonds or notes. The Town Manager and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.
- e. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 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 above for the project. The Town Manager and the Treasurer are authorized 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 this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.
- f. That the Town Manager and the Treasurer are authorized 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.
- g. That the Town Manager, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes to finance the aforesaid appropriation.
- h. That this ordinance shall become effective after publication and approval by the electors at referendum as

provided in the Town Charter.

", seconded by Deputy Mayor Karangekis.

Town Manager Bonnie Therrien said that the Bond Counsel has asked if the bond authorization costs and inflation are included in the \$2,730,000. She said that they are not and that the amounts will be reduced by approximately \$190,000 or the amount for appropriation can be increased by this amount to cover the costs.

Councilor Adil moved **"TO AMEND THE ORDINANCE TO ADD \$190,000 TO THE APPROPRIATION FOR A TOTAL APPROPRIATION OF \$2,920,000 FOR ROAD AND SIDEWALK IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$2,920,000 OF BONDS AND NOTES TO FINANCE THE APPROPRIATION"**, seconded by Councilor Fortunato. The following roll-call vote on the amendment was taken:

Councilor Adil	AYE	Councilor Cascio	AYE
Councilor Czernicki	AYE	Councilor Fortunato	AYE
Deputy Mayor Karangekis	AYE	Councilor Montinieri	AYE
Chairperson Morin	AYE		

The motion to amend passed 7-0-0.

Councilor Cascio asked the Town Manager if she has had the chance to look into the sidewalk ordinance stating that residents with sidewalks in front of their home incur 50% of the expense of the costs of the sidewalks. Town Manager Bonnie Therrien said that the Council can decide to include this in the explanatory text of the ordinance. Councilor Cascio said that he would like to adhere to the 50% resident/Town expense sharing.

Councilor Fortunato said that she agrees with Councilor Cascio, but feels that the Town is already covered since there is a Sidewalk Ordinance in effect.

Councilor Adil referred to the sidewalks on Nott Street and said that the sidewalks are a safety issue and he is concerned that if the Town starts to bill back for the sidewalks, there may be opposition to them. Councilor Cascio clarified that the sidewalks on Nott Street were put in by the State and not the Town.

Councilor Montinieri asked if the appropriation amount would be reduced by 50% should the residents be required to pay 50% of the sidewalk costs. Town Manager Bonnie Therrien said that the Town would front the entire amount and get the 50% back from the residents to pay down the debt. She said that this would be stated in the explanatory text.

Chairperson Morin said that this project is necessary as there have been many complaints received about the condition of the roads in Town.

Councilor Fortunato asked that the explanatory text could differentiate between the dollar amount to go toward roads and the amount to go toward sidewalks, since the bulk of the funding is for roads.

The following roll-call vote was taken:

Councilor Adil	AYE	Councilor Cascio	AYE
Councilor Czernicki	AYE	Councilor Fortunato	AYE
Deputy Mayor Karangekis	AYE	Councilor Montinieri	AYE
Chairperson Morin	AYE		

The original motion as amended passed 7-0-0.

Councilor Czernicki moved **"TO HOLD A PUBLIC HEARING ON MONDAY, AUGUST 30, 2004 AT 6:00 P.M. IN THE COUNCIL CHAMBERS OF THE TOWN HALL ON THE ORDINANCE APPROPRIATING \$5,200,000 FOR PHASE II OF TOWN HALL AND LIBRARY RENOVATIONS AND AUTHORIZING THE ISSUE OF \$5,200,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION; AND ON THE ORDINANCE APPROPRIATING \$2,920,000 FOR ROAD AND SIDEWALK IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$2,920,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION"**, seconded by Councilor Fortunato.

The following roll-call vote was taken:

Councilor Adil	AYE	Councilor Cascio	AYE
Councilor Czernicki	AYE	Councilor Fortunato	AYE
Deputy Mayor Karangekis	AYE	Councilor Montinieri	AYE
Chairperson Morin	AYE		

The motion passed 7-0-0.

Councilor Adil moved **"TO REFER THE ORDINANCE APPROPRIATING \$5,200,000 FOR PHASE II OF TOWN HALL AND LIBRARY RENOVATIONS AND AUTHORIZING THE ISSUE OF \$5,200,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION; AND THE ORDINANCE APPROPRIATING \$2,920,000 FOR ROAD AND SIDEWALK IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$2,920,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION TO THE PLANNING AND ZONING COMMISSION FOR AN 8-24 REFERRAL"**, seconded by Councilor Cascio.

The following roll-call vote was taken:

Councilor Adil	AYE	Councilor Cascio	AYE
Councilor Czernicki	AYE	Councilor Fortunato	AYE
Deputy Mayor Karangekis	AYE	Councilor Montinieri	AYE
Chairperson Morin	AYE		

The motion passed 7-0-0.

ADJOURNMENT

At 6:30 p.m., Councilor Czernicki moved **"TO ADJOURN THE MEETING"** seconded by Councilor Cascio. All Councilors present, including the Chairperson voted AYE. The motion passed 7-0-0.

Dolores G. Sassano
Town Clerk

Approved by vote of Council 9/7/04