

Town of Mansfield
Special Town Meeting
September 13, 2010
Audrey P. Beck Building

Mayor Elizabeth Paterson called the Special Town Meeting to order at 7:00 p.m. in the Council Chambers of the Audrey P. Beck Building and called for the election of a Moderator.

Ms. Moran moved to nominate Bruce Clouette as Moderator. The nomination was seconded and the motion to approve the nomination passed unanimously.

Without objection a motion to waive the reading of the notice as published and posted was agreed to. Town Clerk Mary Stanton stated that the Town Meeting had been legally noticed and was appointed as the Secretary for the meeting. The Moderator requested a motion establishing Roberts Rules of Order as the governing rules for the meeting. The motion was made, seconded and adopted. Mr. Clouette outlined the rules of debate for the meeting and requested a motion limiting public comments to three minutes per person. The motion was made and seconded. Mr. Freudmann moved to amend the motion limiting debate to five minutes per person. The motion to amend was seconded. On voice votes the motion to amend failed and the motion as originally presented passed.

Mr. Clouette asked for a motion to waive the reading of the resolution to be presented under Item 1 on the Notice. Without objection a motion that the reading of the resolution to be presented to this Special Town Meeting under item 1 of the Notice be waived and that the full text of resolution, as made available to those in attendance at this meeting, be incorporated into the minutes of this meeting was passed unanimously.

A motion was made and seconded to approve the resolution under Item 1 of the Notice. The resolution is as follows:

RESOLUTION APPROPRIATING \$93,000 FOR COSTS WITH RESPECT TO VARIOUS EQUIPMENT ACQUISITIONS AND CAPITAL MAINTENANCE, AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION.

RESOLVED,

(a) That the Town of Mansfield appropriate NINETY-THREE THOUSAND DOLLARS (\$93,000) for costs with respect to various equipment acquisitions and capital maintenance, including the refurbishment and chassis changeover of two Ford F-350 trucks (estimated cost \$30,000), the upgrade of hydraulic rescue equipment (estimated cost \$18,000) and the acquisition of a pickup truck (estimated cost \$45,000). The appropriation may be spent for acquisition and capital maintenance costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project. The Town Manager is authorized to determine the scope and particulars of the project and 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 its bonds or notes in an amount not to exceed NINETY-THREE THOUSAND DOLLARS (\$93,000) to finance the appropriation for the

project. The amount of bonds or notes authorized shall be reduced by the amount of grants received by the Town for the project and applied to pay project costs. 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, as applicable. 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, notes, or obligations for the project and the receipt of project grants. The amount of the notes outstanding at any time shall not exceed NINETY-THREE THOUSAND DOLLARS (\$93,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes or obligations shall be general obligations of the Town 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 with respect to any temporary notes if the notes do not mature within the time permitted by said Section 7-378.

(d) The Town Manager, the Director of Finance and the Treasurer, or any two of them, shall sign any bonds, notes or temporary notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds, notes or temporary notes. The Town Manager, the Director of Finance and the Treasurer, or any two of them, are authorized to determine the amount, date, interest rates, maturities, redemption provisions, form and other details of the bonds, notes or temporary notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds, notes or temporary notes; to provide for the keeping of a record of the bonds, notes or temporary notes; to designate a financial advisor to the Town in connection with the sale of the bonds, notes or temporary notes; to sell the bonds, notes or temporary notes at public or private sale; to deliver 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.

(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 (except to the extent reimbursed from grant moneys) 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, the Director of Finance and the Treasurer, or any two of them, 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, 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.

(f) That the Town Manager, the Director of Finance, the Treasurer and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or temporary notes to finance the project.

Moderator Bruce Clouette asked for discussion on the motion.

Betty Wassmundt, Old Turnpike Road, asked for clarification of the interest rate for bonding and questioned if temporary notes or bonds will be issued.

Town Manager Matt Hart replied that either is appropriate.

Mike Sikoski, Wildwood Road, asked for more detail on the proposed chassis change and pickup truck.

Director of Public Works Lon Hultgren explained that although the original budget identified a small dump truck the current need is for a pickup truck which will be purchased on state contract.

Fire Chief Dave Dagon explained that the proposed chassis change will make both trucks safer and more serviceable.

Nancy Tomastik, Maple Road, urged those present to defeat the motion in these hard economic time.

David Freudmann, Eastwood Road, asked why these items are not part of the operating budget.

Toni Moran, Mansfield City Road, stated the chassis change over will be like getting two trucks for the price of one and that it is not unusual to issue bonds for equipment.

Steve Lofman, Davis Road, speaking for himself, stated that he has been a member of the fire department for over 20 years and believes the chassis changeover will allow the Town to get good use from both vehicles.

William Jordan, South Eagleville Road, also speaking for himself, has been a member of the fire department for many years and stated that the chassis changeover will benefit the citizens by providing additional serviceable safety equipment.

Betty Wassmundt, Old Turnpike Road, spoke in opposition to the motion stating that although she is in favor of safety she objects to the Town operating on a credit card.

Ida Millman, Glen Ridge, commented that government budgets can not be compared to private budgets and feels that these purchases are an appropriate and necessary expense.

David Freudmann, Eastwood Road, views borrowing for these items as indication of a lack of discipline within the Town.

Betsy Paterson, Independence Drive, commented that major purchases have historically been included in the Capital Budget.

Mike Sikoski moved to reduce the amount of the bonding authorization to \$87,000 since the pickup truck has been substituted for the more expensive dump truck. The amendment was seconded by David Freudmann and discussed.

William Ryan, Beech Mountain Road, cautioned those present that a reduction could kill the project if a sufficient amount of money is not bonded.

Betty Wassmundt, Old Turnpike Road, fears that if the amount is not modified the remaining money will be spent.

Nancy Tomastik, offered an additional amendment to reduce the bonding authorization to \$83,000. Accepted as a friendly amendment by the makers of the amendment to the original motion, the amendment failed in a voice vote.

Mr. Sikoski requested a show of hands. The motion to amend failed with 12 in favor and 36 opposed.

A motion to call the question was made, seconded and passed by more than two thirds of those present.

The resolution as originally offered passed in a voice vote.

Mr. Clouette asked for a motion to waive the reading of the resolution to be presented under Item 2 on the Notice. Without objection a motion that the reading of the resolution to be presented to this Special Town Meeting under item 2 of the Notice be waived and that the full text of resolution, as made available to those in attendance at this meeting, be incorporated into the minutes of this meeting was passed.

Ms. Moran moved to approve the resolution under Item 2 of the Notice. The resolution is as follows:

RESOLUTION APPROPRIATING \$40,000 FOR COSTS WITH RESPECT TO VARIOUS TOWN FACILITIES IMPROVEMENTS, AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION.

RESOLVED,

(a) That the Town of Mansfield appropriate FORTY THOUSAND DOLLARS (\$40,000) for costs with respect to various town facilities improvements, including acquisition and installation of ventilation units for the locker room at the Community Center (estimated cost \$20,000), and town park improvements including playground equipment, picnic areas, ball fields, trails and facility improvements as to be determined by the Town Manager (estimated cost \$20,000). The appropriation may be spent for design, construction and acquisition costs, materials, equipment, engineering and other consultant fees, legal fees, net temporary interest and other financing costs, and other expenses related to the project. The Town Manager is authorized to determine the scope and particulars of the project and 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 its bonds or notes in an amount not to exceed FORTY THOUSAND DOLLARS (\$40,000) to finance the appropriation for the project. The amount of bonds or notes authorized shall be reduced by the amount of grants received by the Town for the project and applied to pay project costs. 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, as applicable. 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, notes, or obligations for the project and the receipt of project grants. The amount of the notes outstanding at any time shall not exceed FORTY THOUSAND DOLLARS (\$40,000).

The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes or obligations shall be general obligations of the Town 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 with respect to any temporary notes if the notes do not mature within the time permitted by said Section 7-378.

(d) The Town Manager, the Director of Finance and the Treasurer, or any two of them, shall sign any bonds, notes or temporary notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds, notes or temporary notes. The Town Manager, the Director of Finance and the Treasurer, or any two of them, are authorized to determine the amount, date, interest rates, maturities, redemption provisions, form and other details of the bonds, notes or temporary notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds, notes or temporary notes to provide for the keeping of a record of the bonds, notes or temporary notes; to designate a financial advisor to the Town in connection with the sale of the bonds, notes or temporary notes; to sell the bonds, notes or temporary notes at public or private sale; to deliver 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.

(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 (except to the extent reimbursed from grant moneys) 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, the Director of Finance and the Treasurer, or any two of them, 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, 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.

(f) That the Town Manager, the Director of Finance, the Treasurer and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or temporary notes to finance the project.

The motion was seconded and discussed.

Toni Moran, Mansfield City Road, stated that discussion on these improvements began in the budgetary process and were supported by the Town Council.

Mike Sikoski, Wildwood Road, stated that \$20,000 is too small of an amount to bond.

Toni Moran, Mansfield City Road, replied that all projects under \$10,000 were put in the operating budget but that the Council decided that projects over that amount would best be bonded.

David Freudmann, Eastwood Road, expressed concern with the growth of the Capital Improvement Budget.

Martin Summer, Warrentville Road, stated a town meeting was held on the budget at which the budget was approved and residents should be insulted by this action.

Mike Sikoski, Wildwood Road, commented that most of those present are staff members.

Hearing no further discussion the Moderator called for a vote on the resolution. The motion to approve the resolution passed.

Mr. Clouette asked for a motion to waive the reading of the resolution to be presented under Item 3 on the Notice. Without objection a motion that the reading of the resolution to be presented to this Special Town Meeting under item 3 of the Notice be waived and that the full text of resolution, as made available to those in attendance at this meeting, be incorporated into the minutes of this meeting was passed.

Brian Anderson moved to approve the resolution under Item 3 of the Notice. The resolution is as follows:

RESOLUTION APPROPRIATING \$130,000 FOR COSTS WITH RESPECT TO VARIOUS TRANSPORTATION FACILITIES IMPROVEMENTS, AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION.

RESOLVED,

(a) That the Town of Mansfield appropriate ONE HUNDRED THIRY THOUSAND DOLLARS (\$130,000) for costs with respect to various transportation facilities improvements, including road drainage capital maintenance (estimated cost \$50,000), large bridges capital maintenance (estimated cost \$20,000), and transportation and walkway improvements such as bus stops, walkways and bikeways (estimated cost \$60,000), all as to be determined by the Town Manager. The appropriation may be spent for design, construction, acquisition and capital maintenance costs, materials, equipment, engineering and other consultant fees, legal fees, net temporary interest and other financing costs, and other expenses related to the project. The Town Manager is authorized to determine the scope and particulars of the project and 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 its bonds or notes in an amount not to exceed ONE HUNDRED THIRY THOUSAND DOLLARS (\$130,000) to finance the appropriation for the project. The amount of bonds or notes authorized shall be reduced by the amount of grants received by the Town for the project and applied to pay project costs. 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, as applicable. 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, notes, or obligations for the project and the receipt of project grants. The amount of the notes outstanding at any time shall not exceed ONE HUNDRED THIRY THOUSAND DOLLARS (\$130,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes or obligations shall be general obligations of the Town 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 with respect to any temporary notes if the notes do not mature within the time permitted by said Section 7-378.

(d) The Town Manager, the Director of Finance and the Treasurer, or any two of them, shall sign any bonds, notes or temporary notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds, notes or temporary notes. The Town Manager, the Director of Finance and the Treasurer, or any two of them, are authorized to determine the amount, date, interest rates, maturities, redemption provisions, form and other details of the bonds, notes or temporary notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds, notes or temporary notes to provide for the keeping of a record of the bonds, notes or temporary notes; to designate a financial advisor to the Town in connection with the sale of the bonds, notes or temporary notes; to sell the bonds, notes or temporary notes at public or private sale; to deliver 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.

(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 (except to the extent reimbursed from grant moneys) 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, the Director of Finance and the Treasurer, or any two of them, 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, 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.

(f) That the Town Manager, the Director of Finance, the Treasurer and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or temporary notes to finance the project.

The motion was seconded and discussed.

Brian Anderson, Ridge Road, commented that as a new member of the community he has been impressed with the governance of the Town and feels that these improvements are needed and will increase the property values.

David Freudmann, Eastwood Road, questioned whether maintenance of a bridge should be an operating expense.

Director of Public Works Lon Hultgren replied that large bridge maintenance projects have always been capital projects.

Roger Roberge, Woodland Road, asked how much funding the Town has received for the bridges.

Director of Public Works Lon Hultgren replied that we receive 80% funding for major bridge projects like Laurel Lane but none for maintenance.

William Jordan, South Eagleville Road, commented that Town does a wonderful job maintaining its roads and bridges.

Hearing no additional discussion the Moderator called for a vote.
The motion to approve the resolution passed.

A motion to adjourn the Town Meeting was made, seconded and passed at 7:45 p.m.

Mary Stanton, Mansfield Town Clerk