

REGULAR MEETING – MANSFIELD TOWN COUNCIL
August 22, 2011

Mayor Elizabeth Paterson called the regular meeting of the Mansfield Town Council to order at 7:30 p.m. in the Council Chambers of the Audrey P. Beck Building.

I. ROLL CALL

Present: Keane, Kochenburger, Lindsey (by phone) Moran, Paterson, Paulhus, Ryan, Schaefer, Shapiro

II. APPROVAL OF MINUTES

Mr. Paulhus moved and Mr. Ryan seconded to approve the minutes of the July 25, 2011 Special meeting. Motion passed unanimously. Mr. Paulhus moved and Ms. Keane seconded to approve the minutes of the July 28, 2011 meeting. Ms. Lindsey requested a statement be added to the minutes indicating EDR's commitment to forward a copy of the brochure to Council members. The minutes, as amended, were approved by all. Ms. Moran moved and Mr. Paulhus seconded to approve the minutes of the July 25, 2011 meeting as presented. Motion passed unanimously.

III. OPPORTUNITY FOR PUBLIC TO ADDRESS THE COUNCIL

Hal Abramson, Wormwood Hill Road, presented his objections to the "exploratory" proposal regarding changes to the library and asked the Council to grant the community more time to respond. (Statement attached)

Rita Braswell, former Mansfield Library Director and resident, described the book collection as being the heart of the library and its maintenance one of any Director's most encompassing and challenging jobs. Ms. Braswell expressed concern as to whether it could be accomplished on a part time basis.

Pat Hempel, Holly Drive, has been a longtime library patron and believes the library is the heart of the community. Ms. Hempel has always found the staff to be superb and responsive to the diverse needs of the Town.

Kathryn Kotula, Maple Road, commented that she was present in order to respond to any questions regarding the proposed sale on Maple Road.

Anthony Kotula, Maple Road, asked the Council to approve the sale of .154 Town owned acres as recommended by the Planning and Zoning Commission.

Pat Suprenant, Gurleyville Road, stated that she is troubled by the proposal to combine the Board of Education and the Mansfield Library as they are two separate business entities. Ms. Suprenant requested the Council ask why this is being proposed.

Sharry Goldman, Browns Road, expressed her appreciation for the work of former Mansfield Library Director Rita Braswell. Ms. Goldman asked that all citizens be made to feel free to comment on the issue of possible shared library services.

Bruce Goldman, Browns Road, expressed his concerns regarding the proposed concept of shared library services noting that the idea should have been vetted by the librarians prior to any public presentation. Mr. Goldman requested the names of the two cities identified as having a shared system be made public.

Becky Lehman, Browns Road, stated she is skeptical of the value of merging the public school and town library director positions into one. (Statement attached)

Ann Kouatly, Fern Road, noted that while there are a lot of opportunities for cooperation between the school and town libraries to expect one person to do two jobs is too onerous. Ms. Kouatly, who is a school librarian, invited Council members to her library.

Mike Sikoski, Windham, questioned the Town's denial of the Boy Scout's request to use the transfer station to collect bottles and cans.

IV. REPORT OF TOWN MANAGER

Assistant to the Town Manager Maria Capriola announced that due to the Town Manager's absence there is no report.

V. REPORTS AND COMMENTS OF COUNCIL MEMBERS

Ms. Moran reassured members of the public that the library is an important part of the community which no one wants to harm and that the Council is awaiting facts regarding the pros and cons of any proposed changes. In no situation would the Town give up control of the library.

Mr. Ryan reminded the public that no specific proposals have been identified. When options are presented there will be time to ask questions and receive additional community input.

Mr. Paulhus stated that the Council has given the Town Manager the directive to look for opportunities to regionalize.

VI. OLD BUSINESS

1. Request to Purchase Town-Owned Properties

Mayor Paterson noted a letter from Michael Taylor, the original co-developer of the land in question, in opposition to the sale was received and distributed to members.

Town Attorney Dennis O'Brien distributed his opinion as to whether the sale of the land could contain an enforceable restriction prohibiting its inclusion in the overall lot frontage and thereby eliminating further subdivisions of the Kotula land. (Opinion attached) Attorney O'Brien believes a license or lease of the land would better serve the Town.

Members discussed various options including the use of a reverter clause and/or a right of first refusal in the sales contract, the value of the map note denying subdivision opportunities, the effectiveness of a conservation easement, the probable PZC approval if the newly configured land meets all requirements, the effect of the sale on future town-owned open space parcels and the Town's obligations to enforce any contract restrictions in the courts. Members also discussed the comments in Mr. Kotula's recent correspondence in which he indicated he was denied the right to remain in the advisory committee meetings while the proposal was being discussed and that the Conservation Commission did not make him aware that his proposal was being discussed at their meeting.

Ms. Moran moved and Mr. Ryan seconded to authorize the Town Manager to enter into discussions with the current land owners regarding various kinds of leases to permit the long term agricultural use of the property but not to sell the property.

Ms. Moran, Ms. Paterson, Mr. Ryan, Mr. Schaefer and Mr. Shapiro voted in favor of the motion. Ms. Keane, Mr. Kochenburger, Ms. Lindsey, and Mr. Paulhus voted in opposition. The motion passed.

2. Petition Regarding Assisted Living

Mr. Shapiro recused himself from the discussion and voting.

Mr. Ryan moved and Mr. Kochenburger seconded effective August 22, 2011 to issue a statement concerning the selection of a preferred developer for the Independent/Assisted Living project as presented in the packet.

Ms. Keane requested the words "of Mansfield who are able to pay current market rates" be inserted in the second paragraph of the resolution. Accepted by the maker and seconder of the motion, the motion now reads:

The Council appreciates the interest expressed by the signers of the April 15, 2011 petition and acknowledges that many in the community have been waiting for several years for an independent/assisted living facility to be built in Mansfield. Representatives of Masonicare have heard the concerns expressed by Council members and other residents regarding the specifics of this facility, and have indicated a strong interest in offering services that will meet the needs of senior residents of Mansfield who are able to pay current market rates.

Masonicare is an organization that has demonstrated an ongoing commitment to build a facility of this type, and their recent purchase of property on Maple Road serves to further solidify this commitment.

The recent addition of state funds to support the development of additional municipal water sources makes it likely that water will be available to the property on Maple Road in a period of 24-36 months.

The Request for Proposals that developers responded to and the Brecht report assumed that the independent/assisted living project would be a "market rate" facility, and that costs would not be subsidized in any way.

Nothing in the Town's designation of Masonicare as the preferred developer of an independent/assisted living facility in Mansfield prohibits another developer from building an independent/assisted living facility in Town.

The motion was approved by all those voting.

VII. NEW BUSINESS

3. An Ordinance Regarding the Administration of the Town Human Resources Program

Mr. Paulhus moved and Mr. Schaefer seconded, effective August 22, 2011 to schedule a public hearing for 7:30 PM at the Town Council's regular meeting on September 12, 2100, to solicit public comment regarding the proposed Ordinance Regarding the Administration of the Town's Human Resources Program.

Motion passed unanimously.

4. 2011 Recreational Trails Program Grant – Improving Public Access to Recreation and Natural Areas Within and Adjacent to the Mansfield Downtown

Mr. Schaefer moved and Mr. Shapiro seconded effective August 22, 2011, to resolve to seek funds not to exceed \$77,500 from the Connecticut Department of Environmental Protection's Recreational Trails Program to improve Public Accessibility and Awareness of Green Infrastructure within and adjacent to the Mansfield Downtown.

Motion passed unanimously.

5. Capital Improvement Projects – Referendum for Bond Authorization

Mr. Ryan moved and Mr. Shapiro seconded, effective August 22, 2011 to refer to the Planning and Zoning Commission for review and approval, the South Eagleville Walkway project included in the 2011/12 Capital Improvement Plan as outlined.

Motion passed unanimously.

Ms. Keane moved and Mr. Schaefer seconded to approve the following resolution:

RESOLUTION APPROPRIATING \$400,000 FOR COSTS WITH RESPECT TO REDESIGN AND CONSTRUCTION OF A WALKWAY ON SOUTH EAGLEVILLE

ROAD, AND AUTHORIZING THE ISSUE OF BONDS, NOTES AND TEMPORARY NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION.

RESOLVED,

(a) That the Town of Mansfield appropriate FOUR HUNDRED THOUSAND DOLLARS (\$400,000) for costs related to the redesign and construction of a walkway on South Eagleville Road between Sycamore Drive and Maple Road, eliminating the mid-block pedestrian crossing on South Eagleville Road. The appropriation may be spent for design, survey and engineering fees, construction, acquisition, installation, material and equipment costs related to such improvements, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. 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 FOUR HUNDRED THOUSAND DOLLARS (\$400,000) 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 to the extent that such grants are not separately appropriated to pay additional 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. 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 temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes or the receipt of grants for the project. The amount of the notes outstanding at any time shall not exceed FOUR HUNDRED THOUSAND DOLLARS (\$400,000). 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 with respect to any notes that 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 and, if applicable, pursuant to Section 54A (d) of the Internal Revenue Code of 1986, as amended, 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,

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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 and the Treasurer, or any two of them, are authorized to make representations and enter into written agreements for the benefit of holders of the bonds, notes or temporary notes authorized by this resolution 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.

(g) 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 projects and to issue bonds or notes and temporary notes and obtain grants, if available, to finance the aforesaid appropriation.

Motion passed with all present voting in the affirmative.

Ms. Keane moved and Mr. Schaefer seconded to approve the following resolution:

RESOLUTION INCREASING BY \$350,000 THE APPROPRIATION FOR COSTS WITH RESPECT TO DESIGN OF PORTIONS OF THE FOUR CORNERS AREA WATER AND SEWER SYSTEMS, AND AUTHORIZING THE ISSUE OF BONDS, NOTES AND OBLIGATIONS AND TEMPORARY NOTES AND OBLIGATIONS IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION.

RESOLVED,

(a) That the Town of Mansfield increase by THREE HUNDRED FIFTY THOUSAND DOLLARS (\$350,000) the prior appropriation of \$330,000 approved at Special Town Meeting and by Town Council June 28, 2010, for an aggregate appropriation of \$680,000 for costs related to the study, design and permitting of the sewer and water systems for the Four Corners area. The appropriation may be spent for design, survey, engineering and permitting fees, and other consultant fees related to such improvements, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. 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 increase by THREE HUNDRED FIFTY THOUSAND DOLLARS (\$350,000) the bonds, notes or obligations to finance the appropriation for the project. The amount of bonds, notes or obligations 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 7-259, Section 7-234 or Sections 22a-475 to 22a-483 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. Due to the issuance of \$330,000 General Obligation Bonds, Issue of 2011, dated March 22, 2011, the aggregate amount of bonds, notes or obligations remaining authorized but unissued shall be \$350,000.

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(c) That the Town increase by Three hundred fifty THOUSAND DOLLARS (\$350,000) the temporary notes or interim funding obligations to be issued 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. Due to the issuance of \$330,000 General Obligation Bonds, Issue of 2011, dated March 22, 2011, the aggregate amount of notes or interim funding obligations outstanding at any time shall not exceed \$350,000. The notes shall be issued pursuant to Sections 7-264 and 7-378, or Sections 22a-475 to 22a-483 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 and 7-378b of the General Statutes with respect to any temporary notes if the notes do not mature within the time permitted by said Sections 7-264 or 7-378, and the Town shall comply with the provisions of Section 22a-479(c) with respect to any interim funding obligations.

(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 and, if applicable, pursuant to Section 54A (d) of the Internal Revenue Code of 1986, as amended, 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, 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 and the Treasurer, or any two of them, are authorized to make representations and enter into written agreements for the benefit of holders of the bonds, notes or temporary notes authorized by this resolution 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.

(g) 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 projects and to issue bonds or notes and temporary notes and obtain grants, if available, to finance the aforesaid appropriation.

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Motion passed with all present voting in the affirmative.

Ms. Keane moved and Mr. Paulhus seconded to approve the following resolutions:

RESOLUTION ESTABLISHING A REFERENDUM FOR REDESIGN AND CONSTRUCTION OF A WALKWAY ON SOUTH EAGLEVILLE ROAD, AND AUTHORIZING THE ISSUE OF BONDS, NOTES AND TEMPORARY NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION.

RESOLVED,

(a) That pursuant to Sections 406 and 407 of the Town Charter the resolution adopted by the Council under Item 5 of this meeting, appropriating \$400,000 for redesign and construction of a walkway on South Eagleville Road, and authorizing the issue of bonds and notes and temporary notes to finance the appropriation, shall be submitted to the voters at referendum to be held on Tuesday, November 8, 2011 in conjunction with the election to be held on that date, in the manner provided by said Charter and the Connecticut General Statutes, Revision of 1958, as amended, including the procedures set out in Section 9-369d(b)(2) of said Statutes, and in accordance with "Ordinance Regarding the Right of Voters Who Are Not Electors to Vote at Referenda Held in Conjunction with an Election", adopted by the Mansfield Town Council on August 25, 1997.

(b) That the aforesaid resolution shall be placed upon the paper ballots or voting machines under the following heading:

"SHALL THE TOWN OF MANSFIELD APPROPRIATE \$400,000 FOR REDESIGN AND CONSTRUCTION OF A WALKWAY ON SOUTH EAGLEVILLE ROAD, AND AUTHORIZE THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO DEFRAID SAID APPROPRIATION?"

Voters approving the resolution will vote "Yes" and those opposing said resolution shall vote "No".

(c) That the Town Clerk shall publish notice of such referendum vote as part of the notice of the election to be held on November 8, 2011. Absentee ballots will be available from the Town Clerk's office.

(d) That, in their discretion, the Town Clerk is authorized to prepare a concise explanatory text regarding the resolution and the Town Manager is authorized to prepare additional explanatory materials regarding the resolution, such text and explanatory material to be subject to the approval of the Town Attorney and to be prepared and distributed in accordance with Section 9-369b of the General Statutes of Connecticut, Revision of 1958, as amended.

RESOLUTION ESTABLISHING A REFERENDUM FOR THE DESIGN OF PORTIONS OF THE FOUR CORNERS AREA WATER AND SEWER SYSTEMS, AND AUTHORIZING THE ISSUE OF BONDS, NOTES AND OBLIGATIONS AND TEMPORARY NOTES AND OBLIGATIONS IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION.

RESOLVED,

(a) That pursuant to Sections 406 and 407 of the Town Charter the resolution adopted by the Council under Item 5 of this meeting, appropriating an additional \$350,000 for the study, design and permitting of the sewer and water systems for the Four Corners area, and authorizing the issue of bonds and notes and temporary notes to finance the appropriation, shall be submitted to the voters at referendum to be held on Tuesday, November 8, 2011 in conjunction with the election to be held on that date, in the manner provided by said Charter and the Connecticut General Statutes, Revision of 1958, as amended, including the procedures set out in Section 9-369d(b)(2) of said Statutes, and in accordance with "Ordinance Regarding the Right of Voters Who Are Not Electors to Vote at Referenda Held in Conjunction with an Election", adopted by the Mansfield Town Council on August 25, 1997.

(b) That the aforesaid resolution shall be placed upon the paper ballots or voting machines under the following heading:

"SHALL THE TOWN OF MANSFIELD INCREASE BY \$350,000 THE APPROPRIATION FOR THE DESIGN OF PORTIONS OF THE FOUR CORNERS AREA WATER AND SEWER SYSTEMS, AND AUTHORIZE THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO DEFRAY SAID APPROPRIATION?"

Voters approving the resolution will vote "Yes" and those opposing said resolution shall vote "No".

(c) That the Town Clerk shall publish notice of such referendum vote as part of the notice of the election to be held on November 8, 2011. Absentee ballots will be available from the Town Clerk's office.

(d) That, in their discretion, the Town Clerk is authorized to prepare a concise explanatory text regarding the resolution and the Town Manager is authorized to prepare additional explanatory materials regarding the resolution, such text and explanatory material to be subject to the approval of the Town Attorney and to be prepared and distributed in accordance with Section 9-369b of the General Statutes of Connecticut, Revision of 1958, as amended.

The resolutions passed with all present voting in the affirmative.

6. Capital Improvement Projects – Town Meeting for Bond Authorization

Ms. Keane moved and Mr. Paulhus seconded to approve the following resolution:
RESOLUTION APPROPRIATING \$210,000 FOR COSTS WITH RESPECT TO ACQUISITION OF AN AMBULANCE, AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION.

RESOLVED,

(a) That the Town of Mansfield appropriate TWO HUNDRED TEN THOUSAND DOLLARS (\$210,000) for costs with respect to the acquisition of an ambulance to replace Ambulance 607. The appropriation may be spent for acquisition costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Town Manager is authorized to determine the scope and

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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 TWO HUNDRED TEN THOUSAND DOLLARS (\$210,000) 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 TWO HUNDRED TEN THOUSAND DOLLARS (\$210,000). 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 and the Treasurer, or any two of them, are authorized to make representations and enter into written agreements for the benefit of holders of the bonds, notes or temporary notes authorized by this resolution 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.

(g) 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 resolution passed with all those present voting in the affirmative.

Ms. Keane moved and Mr. Paulhus seconded to approve the following resolution:

RESOLUTION APPROPRIATING \$150,000 FOR COSTS WITH RESPECT TO ACQUISITION OF A FRONT-LINE DUMP/PLOW TRUCK, 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 FIFTY THOUSAND DOLLARS (\$150,000) for costs with respect to the acquisition of a front-line dump/plow truck. The appropriation may be spent for acquisition costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. 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 FIFTY THOUSAND DOLLARS (\$150,000) 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 FIFTY THOUSAND DOLLARS (\$150,000). 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 and the Treasurer, or any two of them, are authorized to make representations and enter into written agreements for the benefit of holders of the bonds, notes or temporary notes authorized by this resolution 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.

(g) 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 resolution passed with all those present voting in the affirmative.

Ms. Keane moved and Mr. Ryan seconded to approve the following resolution:

RESOLUTION APPROPRIATING \$45,000 FOR COSTS WITH RESPECT TO ACQUISITION OF A SMALL DUMP TRUCK AND SANDERS, 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-FIVE THOUSAND DOLLARS (\$45,000) for costs with respect to the acquisition of a small dump truck and sanders. The appropriation may be spent for acquisition costs, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. 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-FIVE THOUSAND DOLLARS (\$45,000) 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.

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(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-FIVE THOUSAND DOLLARS (\$45,000). 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 and the Treasurer, or any two of them, are authorized to make representations and enter into written agreements for the benefit of holders of the bonds, notes or temporary notes authorized by this resolution 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.

(g) 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 resolution passed with all those present voting in the affirmative.

Ms. Keane moved and Mr. Paulhus seconded to approve the following resolutions:

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RESOLUTION CALLING TOWN MEETING FOR COSTS WITH RESPECT TO ACQUISITION OF AN AMBULANCE, AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION.

RESOLVED, That pursuant to Sections 406 and 407 of the Town Charter, the resolution adopted by the Council under Item 6 of this meeting, appropriating \$210,000 for costs with respect to the acquisition of an ambulance and authorizing the issue of bonds and notes and temporary notes to finance the appropriation, shall be submitted to a Special Town Meeting to be held Monday, September 26, 2011, which Town Meeting the Town Council hereby authorizes the Mayor to call.

RESOLUTION CALLING TOWN MEETING WITH RESPECT TO COSTS FOR ACQUISITION OF A FRONT-LINE DUMP/PLOW TRUCK, AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION.

RESOLVED, That pursuant to Sections 406 and 407 of the Town Charter, the resolution adopted by the Council under Item 6 of this meeting, appropriating \$150,000 for costs with respect to acquisition of a dump truck and authorizing the issue of bonds and notes and temporary notes to finance the appropriation, shall be submitted to a Special Town Meeting to be held Monday, September 26, 2011, which Town Meeting the Town Council hereby authorizes the Mayor to call.

RESOLUTION CALLING TOWN MEETING WITH RESPECT TO COSTS FOR ACQUISITION OF A SMALL DUMP TRUCK AND SANDERS, AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION.

RESOLVED, That pursuant to Sections 406 and 407 of the Town Charter, the resolution adopted by the Council under Item 6 of this meeting, appropriating \$45,000 for costs with respect to acquisition of a small dump truck and authorizing the issue of bonds and notes and temporary notes to finance the appropriation, shall be submitted to a Special Town Meeting to be held Monday, September 26, 2011, which Town Meeting the Town Council hereby authorizes the Mayor to call.

The resolutions passed with all those present voting in the affirmative.

The Town Meeting will be advertised in the library, on the website and in town hall.

7. DOT Construction Agreements – Storrs Road and Dog Lane Improvement Projects

Mr. Paulhus moved and Mr. Shapiro seconded to approve the following resolution:

RESOLVED, that Matthew W. Hart, is hereby authorized to sign the agreement entitled: "Agreement between the State of Connecticut and the Town of Mansfield for the Construction, Inspection, and Maintenance of Storrs Road Improvements utilizing Federal Funds under the High Priority Projects Program and the Enhancement Component of the Surface Transportation Program".

Motion passed with all in favor except Ms. Keane who voted no.

Mr. Shapiro moved and Mr. Paulhus seconded to approve the following resolution:

RESOLVED, that Matthew W. Hart, Town Manager, be and hereby authorized to sign the agreement entitled: "Agreement between the State of Connecticut and the Town of Mansfield for the Construction, Inspection, and Maintenance of Dog Lane Utilizing Federal Funds under the Surface Transportation Program".

Motion passed with all in favor except Ms. Keane who voted no.

VIII. DEPARTMENTAL AND COMMITTEE REPORTS

No comments

IX. REPORTS OF COUNCIL COMMITTEES

The Council agreed to refer the questions raised by Mr. Kotula's letter concerning his reported exclusion from advisory committee meetings to the Committee on Committees. Mr. Shapiro, Chair of the Committee on Committees, agreed the Committee would look into the raised concerns.

X. PETITIONS, REQUEST AND COMMUNICATIONS

8. H. Abramson re: Understanding a public library's role (Chronicle 8/10/11)
9. B. Goldman re: Shared Library Services
- 10.A. Kouatly re: Shared Library Services
- 11.R. Sallee re: Thank you
- 12.Friends of the Mansfield Library, August 2, 2011 Minutes
- 13.M. Hart Letter to A. Smith re: Bottle Redemption and the Boy Scouts
- 14.M. Hart re: Appointments to Mansfield Conservation Commission
- 15.L. Hultgren re: Replacement of Stone Mill Road Bridge
- 16.Job Fair: Storrs Center Downtown Project
- 17.Legal Notices: Receipt of certification of party-endorsed candidates for municipal offices including notice of "underendorsement" for some offices
- 18.CIRMA re: Town of Mansfield and BOE receive Members' Equity Distribution check from CIRMA
- 19.Connecticut Water Company re: 2010 Water Quality Report
- 20.Council on Environmental Quality re: Public Forum
- 21.GFOA re: Certificate of Achievement for Excellence in Financial Reporting
- 22.Nagasaki Peace Declaration

XI. FUTURE AGENDAS

XII. ADJOURNMENT

Motion passed unanimously.

Elizabeth Paterson, Mayor

Mary Stanton, Town Clerk

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