

SPECIAL MEETING – MANSFIELD TOWN COUNCIL
August 30, 2016

Mayor Paul Shapiro called the special meeting of the Mansfield Town Council to order at 7:00 p.m. in the Council Chamber of the Audrey P. Beck Building.

I. ROLL CALL

Present: Keane, Kochenburger (by phone), Marcellino, Moran, Raymond, Ryan, Sargent, Shaiken, Shapiro

II. PUBLIC COMMENT

David Freudmann, Eastwood Road, spoke in opposition not of the project but of the funding mechanism. Mr. Freudmann requested the Council consider issuing a supplementary tax bill instead of bonding.

III. NEW BUSINESS

1. To consider an appropriation and borrowing authorization for renovations and repairs to the Mansfield Middle School gymnasium and related locker rooms and bathrooms, to set a referendum on such appropriation and borrowing authorization if approved, and to take actions related thereto.

Town Manager Matt Hart noted that the renovations and repairs to the Mansfield Middle School were discussed during the budget season and were included in the Capital Improvement Program approved at Town Meeting.

Ms. Raymond stated, for the record, that she voted in opposition to the FY 2016/17 budget.

Director of Finance Cherie Trahan, Facilities Director Allen Corson, Superintendent Kelly Lyman and members of the Mansfield Board of Education were on hand to address any questions.

Mayor Shapiro announced that all motions would be read in their entirety and that all votes on the resolutions would be by roll call.

A) Item One

Mr. Ryan moved and Mr. Shaiken seconded, effective August 30, 2016 to refer to the Planning and Zoning Commission for review and approval, the Mansfield Middle School Gymnasium project included in the 2016/17 Capital Improvement Plan as outlined above.

The motion passed with Keane, Kochenburger, Marcellino, Moran, Ryan, Sargent, Shaiken, and Shapiro voting in favor of the motion and Raymond voting against the motion.

B) Item Two

Ms. Moran moved and Mr. Ryan seconded to approve the following resolution:
RESOLUTION APPROPRIATING \$873,000 FOR COSTS WITH RESPECT TO THE MANSFIELD MIDDLE SCHOOL GYMNASIUM AND RELATED FACILITIES RENOVATIONS PROJECT, AND AUTHORIZING THE ISSUE

OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE
APPROPRIATION
RESOLVED,

(a) That the Town of Mansfield appropriate EIGHT HUNDRED SEVENTY-THREE THOUSAND DOLLARS (\$873,000) for costs related to renovations and repairs to the Mansfield Middle School gymnasium and related locker rooms and bathrooms, contemplated to include, but not limited to, replacement of the large and small gymnasium floor, the large dividing door, the bleachers, all exterior gymnasium doors and the score boards, renovations and potential consolidation of the locker rooms, renovations of bathrooms, installation of air conditioning, an on-demand domestic hot water system and a new sound system, relocation of electrical panels, and reconfiguration of the gymnasium equipment storage area. The appropriation may be spent for design, construction, acquisition and installation costs, equipment, materials, consultants' fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project and its financing. The Mansfield Board of Education, or such committee to which it delegates such authority, is authorized to determine the scope and particulars of the project and to reduce or modify the project, and the entire appropriation may be spent on the project as so reduced or modified.

(b) That the Town issue its bonds, notes or obligations, in an amount not to exceed EIGHT HUNDRED SEVENTY-THREE THOUSAND DOLLARS (\$873,000) 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, notes or obligations 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, notes or obligations 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. The amount of the temporary notes outstanding at any time shall not exceed EIGHT HUNDRED SEVENTY-THREE THOUSAND DOLLARS (\$873,000). The temporary shall be issued pursuant to Sections 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The temporary notes 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 if the temporary 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 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 or notes and temporary notes to finance the aforesaid appropriation.

Mayor Shapiro offered a technical amendment to subsection (c) of the resolution adding the word "notes" to the third sentence following the word "temporary". The amendment was seconded by Mr. Ryan. The motion to amend passed with Keane, Kochenburger, Marcellino, Moran, Ryan, Sargent, Shaiken, and Shapiro voting in favor of the amendment and Raymond voting against the amendment. The sentence now reads, "The temporary notes shall be issued pursuant to Sections 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended."

The resolution, as amended, passed with Keane, Kochenburger, Marcellino, Moran, Ryan, Shaiken, and Shapiro voting in favor of the resolution and with Raymond and Sargent voting against the resolution.

C) Item Three

Mr. Shaiken moved and Ms. Moran seconded to approve the following resolution:

RESOLUTION ESTABLISHING A REFERENDUM FOR THE MANSFIELD MIDDLE SCHOOL GYMNASIUM AND RELATED FACILITIES RENOVATIONS PROJECT, AND AUTHORIZING THE ISSUE OF BONDS AND 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 #2 of this meeting, appropriating \$873,000 for costs with respect to the Mansfield Middle School Gymnasium and Related Facilities Renovations Project, and authorizing the issue of bonds, notes and temporary notes to finance the appropriation, shall be submitted to the voters at referendum to be held on Tuesday, November 8, 2016 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 \$873,000 FOR THE MANSFIELD MIDDLE SCHOOL GYMNASIUM AND RELATED FACILITIES RENOVATIONS PROJECT, OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION?"

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

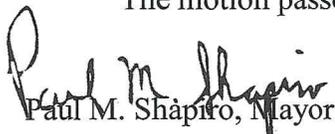
(c) That the Town Clerk shall publish notice of such referendum vote as part of the notice of the election to be held on November 8, 2016. Absentee ballots will be available from the Town Clerk's office.

(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 neutral explanatory materials regarding the resolution, such text and neutral 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 resolution passed with Kochenburger, Marcellino, Moran, Ryan, Shaiken, and Shapiro voting in favor of the resolution and with Keane, Raymond and Sargent voting against the resolution.

IV. ADJOURNMENT

Mr. Shaiken moved and Mr. Ryan seconded to adjourn the meeting at 7:52 p.m. The motion passed unanimously.


Paul M. Shapiro, Mayor


Mary Stanton, Town Clerk

August 30, 2016