

**TOWN OF SOMERS  
BOARD OF SELECTMEN  
SPECIAL MEETING MINUTES  
Thursday, August 29, 2013  
6:00pm  
Selectmen's Conference Room**

**Call to Order** First Selectman Lisa Pellegrini called the meeting to order at 6:00pm.

**Members Present:** First Selectman Lisa Pellegrini, Selectmen Kathy Devlin and Bud Knorr, also in attendance CFO Glen O'Keefe, Fire Chief Gary Schiessl, Deputy Fire Chief Frank Falcone and Fire Officer Dan Madden.

**Pledge of Allegiance:** All members participated in the Pledge of Allegiance.

**Correspondence:**

Mrs. Pellegrini received a letter from the Somers Community Health and Wellness Association stating that the Association will cease operations effective December 31, 2013. They state that the many health and wellness services offered and provided by their organization have become either obsolete or are being provided by other agencies.

Mrs. Pellegrini received an email from Fire Chief Gary requesting to donate 5 older pieces of Hurst equipment. Chief Schiessl stated that their vendor had said the equipment may have a total value of \$1000, but that it would need to be tested and certified at a cost of at least \$250. The Board had a discussion and decided that selling them on eBay "as is" would be a better solution rather than donating the equipment. The money would then go into the General Fund.

**Boards & Commissions:**

Mrs. Pellegrini received a letter from Mr. George Collins resigning from the Civil Preparedness Council.

*Mrs. Devlin made a motion to accept the resignation with thanks and appreciation for fine service, seconded by Mr. Knorr. A unanimous vote followed.*

Mrs. Pellegrini recommended appointing Ms. Karen Hocking to the Civil Preparedness Council as a full member to replace the vacancy of Mr. George Collins, with a term expiring 11/25/13.

*Mr. Knorr made a motion to approve the recommendation to appoint Karen Hocking as a full member of the Civil Preparedness Council, filling a seat vacated by Mr. George Collins with a term expiring on November 25, 2013, seconded by Mrs. Devlin. A unanimous vote followed.*

Mrs. Pellegrini made a recommendation to reappoint Mr. David Palmer to the Fire Commission with a term expiring on 12/22/15.

*Mrs. Devlin made a motion to approve the recommendation to reappoint Mr. David Palmer to the Fire Commission with a term expiring on 12/22/15, seconded by Mr. Knorr. A unanimous vote followed.*

**Selectmen's Update:**

**State Police Budget:** Mrs. Pellegrini updated the Board on a recent increase by the State of CT regarding the State Police Fringe Benefit Rate. The rate has increased by 8% to 80.86% and 2.99% for workers comp effective July 1, 2013. This means an increase of approximately \$60,000.00 to the State Police budget. Mrs. Pellegrini took this information to CCM to try to find out why this increase was done after all Towns had passed their budgets and to gain more

explanation regarding why the increase was made. Senator Cathy Osten responded that it will be addressed by the Public Safety Committee.

**Camp Ayapo Commission:** Mrs. Pellegrini recommended putting together an Ad Hoc Committee made up of 5 members to assist with determining strategic goals and objectives regarding uses for Camp Ayapo. The members would provide advice regarding strategic plans for the property that would maximize the Camp's potential. Mrs. Pellegrini stated there are several groups within the community who are interested in becoming involved with the camp as well as becoming stewards for the property and/or buildings. She asked that the Board think about possible members to appoint to the Ad Hoc Committee and to also think about items the group would be charged with examining. Discussion will resume at the next meeting.

**Ninth District Road Construction Status:** Mrs. Pellegrini updated the Board on the Ninth District Road Construction Project. The utility poles are being installed, and while line work by CL&P, AT&T and Cox Communications may progress the major box culvert work will be delayed until July 2014.

**Somers Prescription Discount Card:** Mrs. Pellegrini was pleased to update the Board of Selectmen on the progress of the Prescription Discount Card program, there are now 116 residents using the Discount card. Savings from the time period of March - July 2013 totals \$11,383.87.

**FEMA Storm Charlotte:** Mrs. Pellegrini received a letter from the State of Connecticut Department of Emergency Management & Homeland Security informing the Town that FEMA has approved funding for Storm Charlotte. The total eligible amount submitted was \$48,025.20. We will receive the maximum 75% reimbursement of \$36,018.90. The Town's remaining share is \$12,006.30.

#### **Staffing:**

**Job Description:** Mrs. Pellegrini presented a new job description to the Board of Selectmen for approval and a recommendation to post the position for a temporary part time Administrative Associate. The position will assist in the First Selectman's Office and the Finance Office and in other departments as needed.

***Mrs. Devlin made a motion to approve both the job description, as well as to post the position immediately, seconded by Mr. Knorr. A unanimous vote followed.***

Mrs. Pellegrini received an email from Todd Rolland, Deputy Director of Public Works recommending the hiring of Mr. John S. Morrison for the position of temporary part time maintainer.

***Mrs. Devlin made a motion to approve the recommendation to hire John S. Morrison for the position of the temporary part time maintainer, seconded by Mr. Knorr. A unanimous vote followed.***

**Prison Work Program:** Mrs. Pellegrini updated the Board on the progress of the work being completed by the inmates in the Prison Work Program. DPW has been working to have inmate work crews available to complete several maintenance improvement projects including the following:

Historical Society Building on Battle Street- Exterior painting, masonry repairs and repointing and general maintenance to the exterior of the building.

Fire Department- Interior painting completed in the fire house.

Police Station- Projects such as interior painting of the offices and the garage bay and installation of a new finger printing station have been completed at the police department.

Sewer Plant-The roof at the sewer plant was replaced. We have been told in the past that inmates were not permitted to work on projects which require ladders, however current work crews do possess the skills and experience for roofing and we were able to take advantage of that.

Kibbe Fuller- The interior of Kibbe Fuller was painted over the last several months; however repairs and touch up painting to the Pavilion at the Park at Battle Street were recently completed.

On the To Do List:

Town Hall meeting rooms and auditorium repainting, as well as some exterior painting to Town Hall and the repainting of offices and bathrooms at the DPW building are some of the future projects to be completed.

#### **Charter Revision Final Report Acceptance:**

Mrs. Pellegrini requested a motion be made to accept the Charter Revision Commission's final report.

*Mrs. Devlin made a motion to accept the Charter Revision Commission's Final Report as submitted on August 5, 2013, noting the original submission by the Charter Revision Commission was modified by the Board of Selectmen at a Special Meeting following a Public Hearing on July 18, 2013 and the suggested Changes were forwarded to the Charter Revision Commission and accepted on August 5, 2013, seconded by Mr. Knorr. A unanimous vote followed.*

Mrs. Pellegrini requested a motion regarding the question(s) on the November 5, 2013 ballot.

*Mrs. Devlin made a motion to place a single question on the November 5, 2013 ballot regarding either the acceptance or rejection in whole, and not in part, the recommendations of the Charter Revision Commission, seconded by Mr. Knorr. A unanimous vote followed.*

**CIP Update:** Mrs. Pellegrini gave an update on the last CIP Committee meeting. The Committee agreed to present the following items for bonding to the Board of Finance:

School & Maint Bldg. Roofs

SES & SHS Fire Alarms

SES Generator

Mountain Road Design Phase

Mountain Road Construction Phase

Somerset Lane Reconstruction

Ambulance

Tanker Truck

Senior Bus

**Adoption of Resolutions Approving Projects and the bonding related there to, and the setting of a Towns meeting date and referendum date for such projects:**

*Mr. Knorr made a motion approving the Resolution authorizing an appropriation of \$2,471,000.00 for school roof, fire alarm and generator improvements at the Somers Elementary School and the Somers High School and the financing of said appropriation by the issuance of general obligation bonds of the town and notes in anticipation of such bonds in an amount not to exceed \$1,053,000.00 and the use of grants and such other sources of funds, and the contents of the entire resolution document, seconded by Mrs. Devlin. A unanimous vote followed.*

*Mr. Knorr made a motion approving the Resolution authorizing an appropriation of \$53,000.00 for the acquisition of a Shuttle Bus for the Somers Senior Center and the financing of said appropriation by the issuance of general obligation bonds of the Town and notes in anticipation of such bonds in an amount not to exceed \$53,000.00, and the contents of the entire resolution document seconded by Mrs. Devlin. A unanimous vote followed.*

*Mr. Knorr made a motion approving the Resolution authorizing an appropriation of \$3,105,000.00 for road improvements to Mountain Road and Somerset Lane and the financing of said appropriation by the issuance of general obligation bonds of the Town and notes in anticipation of such bonds in an amount not to exceed \$2,605,000.00 and the use of grants and such other sources of funds, and the contents of the entire resolution document, seconded by Mrs. Devlin. A unanimous vote followed.*

*Mr. Knorr made a motion approving the Resolution authorizing an appropriation of \$565,000.00 for the acquisition of an ambulance and a tanker truck for the Somers Fire Department and the financing of the said appropriation by the issuance of general obligation bonds of the Town and notes in anticipation of such bonds in an amount not to exceed \$565,000.00, and the contents of the entire resolution document, seconded by Mrs. Devlin. A unanimous vote followed.*

**Memorandum of Agreement and Resolution for the FFY 2012 Homeland Security Grant Program.**

*Mr. Knorr made a motion to approve the Resolution for the FFY 2012 Homeland Security Grant Program and to authorize First Selectman Lisa Pellegrini to sign the memorandum of agreement and all other documents associated with the said grant, seconded by Mrs. Devlin. A unanimous vote followed.*

**Authorization of Scheduled Payments:**

*Mrs. Devlin made a motion to approve the authorization of scheduled payments in the amount of \$368,053.33, seconded by Mr. Knorr. A unanimous vote followed.*

**Transfers and Appropriations:**

**Department: WPCA**

**Transfer To:**

<b><u>General Fund</u></b>	<b><u>100-0000-000-1135-1-01</u></b>	<b><u>\$10,400.00</u></b>
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**Transfer From:**

<b><u>Water Assessment</u></b>	<b><u>227-0000-000-1233-2-00</u></b>	<b><u>\$10,400.00</u></b>
		<b>\$10,400.00</b>

*Mrs. Devlin made a motion to approve the above transfer, seconded by Mr. Knorr. A unanimous vote followed.*

**Transfer To:**

<b><u>General Fund</u></b>	<b><u>100-0000-000-1135-1-02</u></b>	<b><u>\$8,700.00</u></b>
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**Transfer From:**

<b><u>Somersville Assess Account</u></b>	<b><u>227-0000-000-1100-1-00</u></b>	<b><u>\$8,700.00</u></b>
		<b>\$8,700.00</b>

*Mrs. Devlin made a motion to approve the above transfer, seconded by Mr. Knorr. A unanimous vote followed.*

**Adjournment**

*Mr. Knorr made a motion to adjourn the Board of Selectmen meeting at 7:00pm, seconded by Mrs. Pellegrini. The motion passed and the meeting was adjourned.*

Respectfully Submitted,

Kim LaFleur-Recording

*Minutes are not official until accepted at a subsequent meeting.*

## TOWN OF SOMERS

### BOARD OF SELECTMEN

#### **RESOLUTION AUTHORIZING AN APPROPRIATION OF \$2,471,000 FOR SCHOOL ROOF, FIRE ALARM AND GENERATOR IMPROVEMENTS AT THE SOMERS ELEMENTARY SCHOOL AND THE SOMERS HIGH SCHOOL AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$1,053,000 AND THE USE OF GRANTS AND SUCH OTHER SOURCES OF FUNDS**

*RESOLVED*, that the Board of Selectmen (the "Board") of the Town of Somers (the "Town") hereby adopts, and recommends to the Board of Finance and to the electors and citizens eligible to vote at town meetings of the Town, the following:

(1) That the Town appropriate the sum of \$2,471,000 for costs related to school improvements, including, without limitation, the costs of (i) the replacement, repair and renovation of roofs at the Somers Elementary School, the Somers High School and certain school maintenance buildings, (ii) the replacement, repair and upgrade of fire alarm systems at the Somers Elementary School and the Somers High School, including the replacement of main fire alarm panels and related components, (iii) the replacement and installation of a power generator at the Somers Elementary School, (iv) the preparation and printing of bid documents, cost estimate reports and studies, informational materials and other preliminary materials, studies and reports, (v) design, construction, materials, engineering, architectural, legal, administration, temporary and permanent financing, costs of issuance, printing, capitalized interest and any other costs and expenses related thereto, all of the above with such changes as the Board may approve (the "Project"). The Board is authorized to determine the scope and particulars of the Project. The Board may reduce or modify the scope of the Project if funds are insufficient to complete all components of the Project, and the entire appropriation authorized hereby may be spent on the Project as so reduced or modified.

(2) That to finance said appropriation for the Project, the Town issue bonds or notes in an amount not to exceed \$1,053,000 and use grants from the State of Connecticut and such other sources of funds available therefor. The bonds or notes shall be issued pursuant to Chapter 109 of the Connecticut General Statutes, Revision of 1958, as amended (the "Connecticut General Statutes"), including, without limitation, Section 7-369 of the Connecticut General Statutes, and any other enabling acts.

(3) That the Town issue and renew notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the Project or the receipt of grants for the Project. The amount of the notes outstanding at any time shall not exceed \$1,053,000. The notes shall be issued pursuant to Section 7-378 of the Connecticut General Statutes. The Town shall comply with the provisions of Section 7-378a of the Connecticut General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(4) That the First Selectman, or a majority of the Board, and the Treasurer (the "Officials") be authorized to issue and sell bonds and notes secured by the full faith and credit of the Town in an amount not to exceed \$1,053,000, pursuant to the Connecticut General Statutes, or any other applicable provision of law thereto enabling, to finance the appropriation for such project having been made by this resolution; that the Officials be authorized to sign any bonds or notes by their manual or facsimile signatures; and that the Officials be authorized to determine the amounts, rates of interest, dates, maturities, dates of principal and interest payments on such bonds or notes, the form of such notes and bonds, the provisions for protecting and enforcing the rights and remedies of the holders of such bonds or notes and all other terms, conditions and particular matters regarding the issuance and securing of such bonds or notes and to execute, sell and deliver the same, and provide all supporting documentation as may be necessary or desirable to accomplish such purposes and to comply with the requirements of the Internal Revenue Code of 1986, as amended, Securities and Exchange Commission Rule 15c2-12, and in accordance with the provisions of the Connecticut General Statutes and any other applicable provision of law thereto enabling.

(5) That the Officials are hereby authorized to designate a bank or trust company to be the certifying bank, registrar, transfer agent and paying agent for such 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; that the law firm of Updike, Kelly & Spellacy, P.C., Hartford, Connecticut, is designated as the attorneys at law to render an opinion approving the legality of such issue or issues.

(6) That the Officials are authorized 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, including, but not limited to, entering into a continuing disclosure agreement pursuant to Security and Exchange Commission Rule 15(c)(2)(12). If the bonds or notes authorized by this resolution are issued on a tax-exempt basis, the Officials are authorized 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, including covenants to pay rebates of investment earnings to the United States in future years.

(7) That the Town hereby declares its official intent under Federal Income Tax Regulations 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 Officials 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.

(8) That the First Selectman is hereby authorized, on behalf of the Town, to execute any contracts with engineers, contractors, architects and other persons for the Project, to apply for and accept state grants to finance the appropriations for the Project, and to execute and file any application or enter into any grant agreement or other obligations prescribed by the State of Connecticut.

(9) That the Officials and other proper officers of the Town are authorized to take all other actions which are necessary or desirable to complete the Project consistent with the foregoing and to issue bonds or notes to finance the aforesaid appropriation.

(10) That this resolution shall become effective after approval at referendum vote.

*FURTHER RESOLVED*, that, should the Board of Finance approve the foregoing resolution for the appropriation of funds for the Project and the issuance of bonds or notes to finance such appropriation as recommended above, the Board hereby calls a Special Meeting of the Town to be held on Thursday, October 24, 2013, at the Town Hall Auditorium, 600 Main Street, Somers, Connecticut at 6:30 p.m., and submits said proposed Project to the electors and citizens eligible to vote at town meetings of the Town, at said town meeting, the notice of such meeting to be published as required by the Town Charter and the Connecticut General Statutes.

*FURTHER RESOLVED*, that the Board hereby authorizes the preparation and printing of explanatory text in accordance with Section 9-369b of the Connecticut General Statutes for the question to be voted upon approved hereby. Subject to the approval of the Town Attorney, the Board further authorizes the preparation and printing of materials concerning the question to be voted upon approved hereby in addition to the explanatory text in accordance with Section 9-369b of the Connecticut General Statutes.

*FURTHER RESOLVED*, that the Board, pursuant to Section 7-7 of the Connecticut General Statutes, as amended, and the Town Charter, hereby removes the aforesaid resolution on the call of the Special Town Meeting for submission to the voters for vote by voting machine to be held on Tuesday, November 5, 2013, between the hours of 6:00 a.m. and 8:00 p.m., for yes or no vote, at the designated voting locations, in the manner provided by the Town Charter and the Connecticut General Statutes, Revision of 1958, as amended, and that the Town Clerk is directed to post and publish notice of such referendum in accordance with the provisions of the Town Charter and the Connecticut General Statutes, which notice shall state the question to be voted on as follows:

“Shall the resolution entitled, ‘RESOLUTION AUTHORIZING AN APPROPRIATION OF \$2,471,000 FOR SCHOOL ROOF, FIRE ALARM AND GENERATOR IMPROVEMENTS AT THE SOMERS ELEMENTARY SCHOOL AND THE SOMERS HIGH SCHOOL AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$1,053,000 AND THE USE OF GRANTS AND SUCH OTHER SOURCES OF FUNDS’, be approved?

Yes \_\_\_\_\_ No \_\_\_\_\_”



The ballot label for said question shall read as follows:

“Shall the Town of Somers appropriate \$2,471,000 for school roof, fire alarm and generator improvements, of which the Town will finance \$1,053,000 of said appropriation through the issuance of general obligation bonds and notes with the balance of the appropriation financed by State grants or other sources of funds?  
Yes \_\_\_\_\_ No \_\_\_\_\_”

The moderator of such Special Town Meeting shall adjourn such meeting after reasonable discussion of such resolution and conclusion of other business as may properly come before the Special Town Meeting and order such vote by voting machine in accordance with this resolution, the Town Charter and Section 7-7 of the Connecticut Statutes.

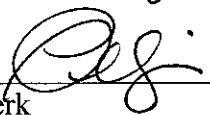
Upon Motion duly made and seconded, the foregoing Resolution was adopted by the following roll call vote:

In Favor:

Opposed:

I, Lisa Pellegrini, duly appointed and qualified Clerk of the Board of Selectmen of the Town of Somers, hereby certify that the foregoing is a true copy of the Resolution adopted at the meeting of the Board of Selectmen held on August 29, 2013 at 6:00 p.m. authorizing an appropriation of \$2,471,000 for the costs of roof replacement at the Somers Elementary School, the Somers High School and certain school maintenance buildings, fire alarm system improvements at the Somers Elementary School and the Somers High School, and the replacement and installation of a generator at the Somers Elementary School and to finance such appropriation authorizing the issuance of bonds or notes in an aggregate principal amount not to exceed \$1,053,000 and the use of grants and such other sources of funds; that said Board consists of three members; a quorum consists of two members; 3 members were present at said meeting; a roll call vote was taken and 3 members voted in favor of said Resolution, 0 members voted against the adoption of said Resolution, and 0 members abstained from voting on said Resolution; the entire meeting exclusive of executive sessions was open to the public and no one was excluded from the portion of the meeting pertaining to the consideration and adoption of said Resolution.

Dated at Somers, Connecticut, this 29 day of August, 2013.

  
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Clerk  
Board of Selectmen  
Somers, Connecticut

## TOWN OF SOMERS

### BOARD OF SELECTMEN

#### **RESOLUTION AUTHORIZING AN APPROPRIATION OF \$53,000 FOR THE ACQUISITION OF A SHUTTLE BUS FOR THE SOMERS SENIOR CENTER AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$53,000**

*RESOLVED*, that the Board of Selectmen (the "Board") of the Town of Somers (the "Town") hereby adopts, and recommends to the Board of Finance and to the electors and citizens eligible to vote at town meetings of the Town, the following:

(1) That the Town appropriate the sum of \$53,000 for costs related to the acquisition of a new shuttle bus with a rear lift for the Somers Senior Center, including, without limitation, the costs of administration, legal, temporary and permanent financing, costs of issuance, printing, capitalized interest and any other costs and expenses related thereto, all of the above with such changes as the Board may approve (the "Project"). The Board is authorized to determine the scope and particulars of the Project. The Board may reduce or modify the scope of the Project if funds are insufficient to complete all components of the Project, and the entire appropriation authorized hereby may be spent on the Project as so reduced or modified.

(2) That to finance said appropriation for the Project, the Town issue bonds or notes in an amount not to exceed \$53,000 (or so much thereof as may be necessary after deducting grants or other sources of funds received by the Town for said project). The bonds or notes shall be issued pursuant to Chapter 109 of the Connecticut General Statutes, Revision of 1958, as amended (the "Connecticut General Statutes"), including, without limitation, Section 7-369 of the Connecticut General Statutes, and any other enabling acts.

(3) That the Town issue and renew notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the Project or the receipt of grants for the Project. The amount of the notes outstanding at any time shall not exceed \$53,000. The notes shall be issued pursuant to Section 7-378 of the Connecticut General Statutes. The Town shall comply with the provisions of Section 7-378a of the Connecticut General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(4) That the First Selectman, or a majority of the Board, and the Treasurer (the "Officials") be authorized to issue and sell bonds and notes secured by the full faith and credit of the Town in an amount not to exceed \$53,000, pursuant to the Connecticut General Statutes, or any other applicable provision of law thereto enabling, to finance the appropriation for such project having been made by this resolution; that the Officials be authorized to sign any bonds or notes by their manual or facsimile signatures; and that the Officials be authorized to determine the amounts, rates of interest, dates, maturities, dates of principal and interest payments on such bonds or notes, the form of such notes and bonds, the provisions for protecting and enforcing the rights

and remedies of the holders of such bonds or notes and all other terms, conditions and particular matters regarding the issuance and securing of such bonds or notes and to execute, sell and deliver the same, and provide all supporting documentation as may be necessary or desirable to accomplish such purposes and to comply with the requirements of the Internal Revenue Code of 1986, as amended, Securities and Exchange Commission Rule 15c2-12, and in accordance with the provisions of the Connecticut General Statutes and any other applicable provision of law thereto enabling.

(5) That the Officials are hereby authorized to designate a bank or trust company to be the certifying bank, registrar, transfer agent and paying agent for such 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; that the law firm of Updike, Kelly & Spellacy, P.C., Hartford, Connecticut, is designated as the attorneys at law to render an opinion approving the legality of such issue or issues.

(6) That the Officials are authorized 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, including, but not limited to, entering into a continuing disclosure agreement pursuant to Security and Exchange Commission Rule 15(c)(2)(12). If the bonds or notes authorized by this resolution are issued on a tax-exempt basis, the Officials are authorized 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, including covenants to pay rebates of investment earnings to the United States in future years.

(7) That the Town hereby declares its official intent under Federal Income Tax Regulations 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 Officials 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.

(8) That the First Selectman is hereby authorized, on behalf of the Town, to execute any contracts with engineers, contractors, architects and other persons for the Project, to apply for and accept state grants to finance the appropriations for the Project, and to execute and file any application or enter into any grant agreement or other obligations prescribed by the State of Connecticut.

(9) That the Officials and other proper officers of the Town are authorized to take all other actions which are necessary or desirable to complete the Project consistent with the foregoing and to issue bonds or notes to finance the aforesaid appropriation.

(10) That this resolution shall become effective after approval at referendum vote.

*FURTHER RESOLVED*, that, should the Board of Finance approve the foregoing resolution for the appropriation of funds for the Project and the issuance of bonds or notes to finance such appropriation as recommended above, the Board hereby calls a Special Meeting of the Town to be held on Thursday, October 24, 2013, at the Town Hall Auditorium, 600 Main Street, Somers, Connecticut at 6:30 p.m., and submits said proposed Project to the electors and citizens eligible to vote at town meetings of the Town, at said town meeting, the notice of such meeting to be published as required by the Town Charter and the Connecticut General Statutes.

*FURTHER RESOLVED*, that the Board hereby authorizes the preparation and printing of explanatory text in accordance with Section 9-369b of the Connecticut General Statutes for the question to be voted upon approved hereby. Subject to the approval of the Town Attorney, the Board further authorizes the preparation and printing of materials concerning the question to be voted upon approved hereby in addition to the explanatory text in accordance with Section 9-369b of the Connecticut General Statutes.

*FURTHER RESOLVED*, that the Board, pursuant to Section 7-7 of the Connecticut General Statutes, as amended, and the Town Charter, hereby removes the aforesaid resolution on the call of the Special Town Meeting for submission to the voters for vote by voting machine to be held on Tuesday, November 5, 2013, between the hours of 6:00 a.m. and 8:00 p.m., for yes or no vote, at the designated voting locations, in the manner provided by the Town Charter and the Connecticut General Statutes, Revision of 1958, as amended, and that the Town Clerk is directed to post and publish notice of such referendum in accordance with the provisions of the Town Charter and the Connecticut General Statutes, which notice shall state the question to be voted on as follows:

“Shall the resolution entitled, ‘RESOLUTION AUTHORIZING AN APPROPRIATION OF \$53,000 FOR THE ACQUISITION OF A SHUTTLE BUS FOR THE SOMERS SENIOR CENTER AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$53,000’, be approved?

Yes \_\_\_\_\_ No \_\_\_\_\_”

The ballot label for said question shall read as follows:

“Shall the Town of Somers appropriate \$53,000 for the acquisition of a shuttle bus for the Somers Senior Center and authorize the issuance of general obligation bonds and notes in the same amount to finance said appropriation? Yes \_\_\_\_\_ No \_\_\_\_\_”

The moderator of such Special Town Meeting shall adjourn such meeting after reasonable discussion of such resolution and conclusion of other business as may properly come before the Special Town Meeting and order such vote by voting machine in accordance with this resolution, the Town Charter and Section 7-7 of the Connecticut Statutes.

Upon Motion duly made and seconded, the foregoing Resolution was adopted by the following roll call vote:

In Favor:

Opposed:

I, LISA PELLEGRINI, duly appointed and qualified Clerk of the Board of Selectmen of the Town of Somers, hereby certify that the foregoing is a true copy of the Resolution adopted at the meeting of the Board of Selectmen held on August 29, 2013 at 6:00 p.m. authorizing an appropriation of \$53,000 for the acquisition of a new shuttle bus for the Somers Senior Center and to finance such appropriation authorizing the issuance of bonds or notes in an aggregate principal amount not to exceed \$53,000 and the use of grants and such other sources of funds; that said Board consists of three members; a quorum consists of two members; 3 members were present at said meeting; a roll call vote was taken and 3 members voted in favor of said Resolution, 0 members voted against the adoption of said Resolution, and 0 members abstained from voting on said Resolution; the entire meeting exclusive of executive sessions was open to the public and no one was excluded from the portion of the meeting pertaining to the consideration and adoption of said Resolution.

Dated at Somers, Connecticut, this 29 day of August, 2013.



Clerk  
Board of Selectmen  
Somers, Connecticut

## TOWN OF SOMERS

### BOARD OF SELECTMEN

#### **RESOLUTION AUTHORIZING AN APPROPRIATION OF \$3,105,000 FOR ROAD IMPROVEMENTS TO MOUNTAIN ROAD AND SOMERSET LANE AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$2,605,000 AND THE USE OF GRANTS AND SUCH OTHER SOURCES OF FUNDS**

*RESOLVED*, that the Board of Selectmen (the "Board") of the Town of Somers (the "Town") hereby adopts, and recommends to the Board of Finance and to the electors and citizens eligible to vote at town meetings of the Town, the following:

(1) That the Town appropriate the sum of \$3,105,000 for costs related to road improvements to Mountain Road, including enlargement of culverts, and to Somerset Lane in the Town, including, without limitation, the costs of pavement resurfacing, sealing, overlay, drainage improvements, repair, reconstruction, design, construction, equipment, materials, site improvements, engineering, architectural, legal, administration, temporary and permanent financing, costs of issuance, printing, capitalized interest and any other costs and expenses related thereto, all of the above with such changes as the Board may approve (the "Project"). The Board is authorized to determine the scope and particulars of the Project. The Board may reduce or modify the scope of the Project if funds are insufficient to complete all components of the Project, and the entire appropriation authorized hereby may be spent on the Project as so reduced or modified.

(2) That to finance said appropriation for the Project, the Town issue bonds or notes in an amount not to exceed \$2,605,000 and use grants from the State of Connecticut and such other sources of funds available therefor. The bonds or notes shall be issued pursuant to Chapter 109 of the Connecticut General Statutes, Revision of 1958, as amended (the "Connecticut General Statutes"), including, without limitation, Section 7-369 of the Connecticut General Statutes, and any other enabling acts.

(3) That the Town issue and renew notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the Project or the receipt of grants for the Project. The amount of the notes outstanding at any time shall not exceed \$2,605,000. The notes shall be issued pursuant to Section 7-378 of the Connecticut General Statutes. The Town shall comply with the provisions of Section 7-378a of the Connecticut General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(4) That the First Selectman, or a majority of the Board, and the Treasurer (the "Officials") be authorized to issue and sell bonds and notes secured by the full faith and credit of the Town in an amount not to exceed \$2,605,000, pursuant to the Connecticut General Statutes, or any other applicable provision of law thereto enabling, to finance the appropriation for such

project having been made by this resolution; that the Officials be authorized to sign any bonds or notes by their manual or facsimile signatures; and that the Officials be authorized to determine the amounts, rates of interest, dates, maturities, dates of principal and interest payments on such bonds or notes, the form of such notes and bonds, the provisions for protecting and enforcing the rights and remedies of the holders of such bonds or notes and all other terms, conditions and particular matters regarding the issuance and securing of such bonds or notes and to execute, sell and deliver the same, and provide all supporting documentation as may be necessary or desirable to accomplish such purposes and to comply with the requirements of the Internal Revenue Code of 1986, as amended, Securities and Exchange Commission Rule 15c2-12, and in accordance with the provisions of the Connecticut General Statutes and any other applicable provision of law thereto enabling.

(5) That the Officials are hereby authorized to designate a bank or trust company to be the certifying bank, registrar, transfer agent and paying agent for such 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; that the law firm of Updike, Kelly & Spellacy, P.C., Hartford, Connecticut, is designated as the attorneys at law to render an opinion approving the legality of such issue or issues.

(6) That the Officials are authorized 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, including, but not limited to, entering into a continuing disclosure agreement pursuant to Security and Exchange Commission Rule 15(c)(2)(12). If the bonds or notes authorized by this resolution are issued on a tax-exempt basis, the Officials are authorized 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, including covenants to pay rebates of investment earnings to the United States in future years.

(7) That the Town hereby declares its official intent under Federal Income Tax Regulations 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 Officials 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.

(8) That the First Selectman is hereby authorized, on behalf of the Town, to execute any contracts with engineers, contractors, architects and other persons for the Project, to apply for and accept state grants to finance the appropriations for the Project, and to execute and file any application or enter into any grant agreement or other obligations prescribed by the State of Connecticut.



(9) That the Officials and other proper officers of the Town are authorized to take all other actions which are necessary or desirable to complete the Project consistent with the foregoing and to issue bonds or notes to finance the aforesaid appropriation.

(10) That this resolution shall become effective after approval at referendum vote.

*FURTHER RESOLVED*, that, should the Board of Finance approve the foregoing resolution for the appropriation of funds for the Project and the issuance of bonds or notes to finance such appropriation as recommended above, the Board hereby calls a Special Meeting of the Town to be held on Thursday, October 24, 2013, at the Town Hall Auditorium, 600 Main Street, Somers, Connecticut at 6:30 p.m., and submits said proposed Project to the electors and citizens eligible to vote at town meetings of the Town, at said town meeting, the notice of such meeting to be published as required by the Town Charter and the Connecticut General Statutes.

*FURTHER RESOLVED*, that the Board hereby authorizes the preparation and printing of explanatory text in accordance with Section 9-369b of the Connecticut General Statutes for the question to be voted upon approved hereby. Subject to the approval of the Town Attorney, the Board further authorizes the preparation and printing of materials concerning the question to be voted upon approved hereby in addition to the explanatory text in accordance with Section 9-369b of the Connecticut General Statutes.

*FURTHER RESOLVED*, that the Board, pursuant to Section 7-7 of the Connecticut General Statutes, as amended, and the Town Charter, hereby removes the aforesaid resolution on the call of the Special Town Meeting for submission to the voters for vote by voting machine to be held on Tuesday, November 5, 2013, between the hours of 6:00 a.m. and 8:00 p.m., for yes or no vote, at the designated voting locations, in the manner provided by the Town Charter and the Connecticut General Statutes, Revision of 1958, as amended, and that the Town Clerk is directed to post and publish notice of such referendum in accordance with the provisions of the Town Charter and the Connecticut General Statutes, which notice shall state the question to be voted on as follows:

“Shall the resolution entitled, ‘RESOLUTION AUTHORIZING AN APPROPRIATION OF \$3,105,000 FOR ROAD IMPROVEMENTS TO MOUNTAIN ROAD AND SOMERSET LANE AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$2,605,000 AND THE USE OF GRANTS AND SUCH OTHER SOURCES OF FUNDS’, be approved?  
Yes \_\_\_\_\_ No \_\_\_\_\_”

The ballot label for said question shall read as follows:

“Shall the Town of Somers appropriate \$3,105,000 for road improvements to Mountain Road and Somerset Lane, of which the Town will finance \$2,605,000 of said appropriation through the issuance of general obligation bonds and notes with

the balance of the appropriation financed by State grants or other sources of funds?  
Yes \_\_\_\_\_ No \_\_\_\_\_”

The moderator of such Special Town Meeting shall adjourn such meeting after reasonable discussion of such resolution and conclusion of other business as may properly come before the Special Town Meeting and order such vote by voting machine in accordance with this resolution, the Town Charter and Section 7-7 of the Connecticut Statutes.

Upon Motion duly made and seconded, the foregoing Resolution was adopted by the following roll call vote:

In Favor:

Opposed:

I, LISA PELLEGRINI, duly appointed and qualified Clerk of the Board of Selectmen of the Town of Somers, hereby certify that the foregoing is a true copy of the Resolution adopted at the meeting of the Board of Selectmen held on August 29, 2013 at 6:00 p.m. authorizing an appropriation of \$3,105,000 for costs related to road improvements to Mountain Road and Somerset Lane, and to finance such appropriation authorizing the issuance of bonds or notes in an aggregate principal amount not to exceed \$2,605,000 and the use of grants and such other sources of funds; that said Board consists of three members; a quorum consists of two members; 3 members were present at said meeting; a roll call vote was taken and 3 members voted in favor of said Resolution, 0 members voted against the adoption of said Resolution, and 0 members abstained from voting on said Resolution; the entire meeting exclusive of executive sessions was open to the public and no one was excluded from the portion of the meeting pertaining to the consideration and adoption of said Resolution.

Dated at Somers, Connecticut, this 29 day of August, 2013.

  
Clerk

Board of Selectmen  
Somers, Connecticut

## TOWN OF SOMERS

### BOARD OF SELECTMEN

#### **RESOLUTION AUTHORIZING AN APPROPRIATION OF \$565,000 FOR THE ACQUISITION OF AN AMBULANCE AND A TANKER TRUCK FOR THE SOMERS FIRE DEPARTMENT AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$565,000**

*RESOLVED*, that the Board of Selectmen (the "Board") of the Town of Somers (the "Town") hereby adopts, and recommends to the Board of Finance and to the electors and citizens eligible to vote at town meetings of the Town, the following:

(1) That the Town appropriate the sum of \$565,000 for costs related to the acquisition of an ambulance having a motorized power stretcher and a 3000 gallon stainless steel tanker truck for the Somers Fire Department, including, without limitation, the costs of administration, legal, temporary and permanent financing, costs of issuance, printing, capitalized interest and any other costs and expenses related thereto, all of the above with such changes as the Board may approve (the "Project"). The Board is authorized to determine the scope and particulars of the Project. The Board may reduce or modify the scope of the Project if funds are insufficient to complete all components of the Project, and the entire appropriation authorized hereby may be spent on the Project as so reduced or modified.

(2) That to finance said appropriation for the Project, the Town issue bonds or notes in an amount not to exceed \$565,000 (or so much thereof as may be necessary after deducting grants or other sources of funds received by the Town for said project). The bonds or notes shall be issued pursuant to Chapter 109 of the Connecticut General Statutes, Revision of 1958, as amended (the "Connecticut General Statutes"), including, without limitation, Section 7-369 of the Connecticut General Statutes, and any other enabling acts.

(3) That the Town issue and renew notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the Project or the receipt of grants for the Project. The amount of the notes outstanding at any time shall not exceed \$565,000. The notes shall be issued pursuant to Section 7-378 of the Connecticut General Statutes. The Town shall comply with the provisions of Section 7-378a of the Connecticut General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(4) That the First Selectman, or a majority of the Board, and the Treasurer (the "Officials") be authorized to issue and sell bonds and notes secured by the full faith and credit of the Town in an amount not to exceed \$565,000, pursuant to the Connecticut General Statutes, or any other applicable provision of law thereto enabling, to finance the appropriation for such project having been made by this resolution; that the Officials be authorized to sign any bonds or notes by their manual or facsimile signatures; and that the Officials be authorized to determine the amounts, rates of interest, dates, maturities, dates of principal and interest payments on such bonds

or notes, the form of such notes and bonds, the provisions for protecting and enforcing the rights and remedies of the holders of such bonds or notes and all other terms, conditions and particular matters regarding the issuance and securing of such bonds or notes and to execute, sell and deliver the same, and provide all supporting documentation as may be necessary or desirable to accomplish such purposes and to comply with the requirements of the Internal Revenue Code of 1986, as amended, Securities and Exchange Commission Rule 15c2-12, and in accordance with the provisions of the Connecticut General Statutes and any other applicable provision of law thereto enabling.

(5) That the Officials are hereby authorized to designate a bank or trust company to be the certifying bank, registrar, transfer agent and paying agent for such 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; that the law firm of Updike, Kelly & Spellacy, P.C., Hartford, Connecticut, is designated as the attorneys at law to render an opinion approving the legality of such issue or issues.

(6) That the Officials are authorized 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, including, but not limited to, entering into a continuing disclosure agreement pursuant to Security and Exchange Commission Rule 15(c)(2)(12). If the bonds or notes authorized by this resolution are issued on a tax-exempt basis, the Officials are authorized 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, including covenants to pay rebates of investment earnings to the United States in future years.

(7) That the Town hereby declares its official intent under Federal Income Tax Regulations 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 Officials 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.

(8) That the First Selectman is hereby authorized, on behalf of the Town, to execute any contracts with engineers, contractors, architects and other persons for the Project, to apply for and accept state grants to finance the appropriations for the Project, and to execute and file any application or enter into any grant agreement or other obligations prescribed by the State of Connecticut.

(9) That the Officials and other proper officers of the Town are authorized to take all other actions which are necessary or desirable to complete the Project consistent with the foregoing and to issue bonds or notes to finance the aforesaid appropriation.

(10) That this resolution shall become effective after approval at referendum vote.

*FURTHER RESOLVED*, that, should the Board of Finance approve the foregoing resolution for the appropriation of funds for the Project and the issuance of bonds or notes to finance such appropriation as recommended above, the Board hereby calls a Special Meeting of the Town to be held on Thursday, October 24, 2013, at the Town Hall Auditorium, 600 Main Street, Somers, Connecticut at 6:30 p.m., and submits said proposed Project to the electors and citizens eligible to vote at town meetings of the Town, at said town meeting, the notice of such meeting to be published as required by the Town Charter and the Connecticut General Statutes.

*FURTHER RESOLVED*, that the Board hereby authorizes the preparation and printing of explanatory text in accordance with Section 9-369b of the Connecticut General Statutes for the question to be voted upon approved hereby. Subject to the approval of the Town Attorney, the Board further authorizes the preparation and printing of materials concerning the question to be voted upon approved hereby in addition to the explanatory text in accordance with Section 9-369b of the Connecticut General Statutes.

*FURTHER RESOLVED*, that the Board, pursuant to Section 7-7 of the Connecticut General Statutes, as amended, and the Town Charter, hereby removes the aforesaid resolution on the call of the Special Town Meeting for submission to the voters for vote by voting machine to be held on Tuesday, November 5, 2013, between the hours of 6:00 a.m. and 8:00 p.m., for yes or no vote, at the designated voting locations, in the manner provided by the Town Charter and the Connecticut General Statutes, Revision of 1958, as amended, and that the Town Clerk is directed to post and publish notice of such referendum in accordance with the provisions of the Town Charter and the Connecticut General Statutes, which notice shall state the question to be voted on as follows:

“Shall the resolution entitled, ‘RESOLUTION AUTHORIZING AN APPROPRIATION OF \$565,000 FOR THE ACQUISITION OF AN AMBULANCE AND A TANKER TRUCK FOR THE SOMERS FIRE DEPARTMENT AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$565,000’, be approved?  
Yes \_\_\_\_\_ No \_\_\_\_\_”

The ballot label for said question shall read as follows:

“Shall the Town of Somers appropriate \$565,000 for the acquisition of an ambulance and a tanker truck for the Somers Fire Department and authorize the issuance of general obligation bonds and notes in the same amount to finance said appropriation? Yes \_\_\_\_\_ No \_\_\_\_\_”

The moderator of such Special Town Meeting shall adjourn such meeting after reasonable discussion of such resolution and conclusion of other business as may properly come before the

Special Town Meeting and order such vote by voting machine in accordance with this resolution, the Town Charter and Section 7-7 of the Connecticut Statutes.


Upon Motion duly made and seconded, the foregoing Resolution was adopted by the following roll call vote:

In Favor:

Opposed:

I, LISA PELLEGRINI, duly appointed and qualified Clerk of the Board of Selectmen of the Town of Somers, hereby certify that the foregoing is a true copy of the Resolution adopted at the meeting of the Board of Selectmen held on August 29, 2013 at 6:00 p.m. authorizing an appropriation of \$565,000 for the acquisition of an ambulance and a tanker truck for the Somers Fire Department and to finance such appropriation authorizing the issuance of bonds or notes in an aggregate principal amount not to exceed \$565,000 and the use of grants and such other sources of funds; that said Board consists of three members; a quorum consists of two members; 3 members were present at said meeting; a roll call vote was taken and 3 members voted in favor of said Resolution, 0 members voted against the adoption of said Resolution, and 0 members abstained from voting on said Resolution; the entire meeting exclusive of executive sessions was open to the public and no one was excluded from the portion of the meeting pertaining to the consideration and adoption of said Resolution.

Dated at Somers, Connecticut, this 29 day of August, 2013.

  
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Clerk  
Board of Selectmen  
Somers, Connecticut