

MINUTES OF SPECIAL TOWN MEETING  
OF THE TOWN OF COLCHESTER  
September 18, 2013

Present: Board of Selectmen- Gregg Schuster, First Selectman, Stan Soby, Rosemary Coyle, James Ford; several members of the Board of Education and Board of Finance, Nancy Bray, Town Clerk, 132 citizens.

Meeting was called to order by Gregg Schuster, First Selectman at 7:02 p.m.

Motion that John Malsbenden be Moderator was made by Mike Caplet, seconded by Dot Mrowka.

Motion to close nominations made by Stan Soby, seconded by Mike Caplet.

Motion that John Malsbenden be Moderator. SO VOTED AND CARRIED.

The Town Clerk was asked to read the warning of the meeting. Mike Caplet presented a motion to waive the reading of the entire text of the resolution as follows: "I make a motion to waive the reading of the Resolutions to be presented at this Special Town Meeting under Item #1 a-g of the notice and that the full text of the resolutions, as made available to those in attendance at this meeting, be recorded with the minutes of this meeting; seconded by Rosemary Coyle. SO VOTED AND CARRIED.

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**Item #1**

The Moderator stated that since the Selectmen of the Town, pursuant to the Town Charter and to Section 7-7 of the General Statutes of Connecticut, Revision of 1958, as amended, had designated Item #1 in the notice of meeting for submission to the voters in the manner provided by said Section, it will be necessary to order a referendum on the resolution and adjourn this meeting after a reasonable discussion.

Stan Soby presented the resolution to be considered under Item #1 of the notice, the full text of which resolution is attached to and made a part of these minutes, which resolution was seconded by Joanne Philips.

The Moderator stated that the meeting was open for discussion of the foregoing resolution.

Discussion: Jim Kelly asked for an explanation from Mr. Schuster on his change of part regarding the building project and why when they charged the building committee with their duties didn't they provide some separate options.

Rosemary Coyle questioned whether or not this was germane to the motion. Moderator Malsbenden allowed the question.

Merja Lehtinen congratulated the Moderator on his ruling which was correct in her opinion.

Gregg Schuster offered his explanation to the meeting stating that cost was a big factor.

Renee Besaw wondered why there is a special referendum being held instead of presenting the question at the November election.

The Moderator explained that building projects have always had their own separate referendum; Stan Soby also offered that there is a time frame involved for the funding.

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COLCHESTER,  
SEP 18 2013  
3:35 PM  
NANCY A. BRAY  
TOWN CLERK

Jeff Koonankeil believes that the people of the town have been misled about what this project is; wishes there were options. He does not know of any other town in CT where there is a combined school and senior center.

Winnie Standish has been serving on the committee for this project (Senior Center) to which one of the charges was to increase the volume of people who attend the senior center. The majority of the committee agreed to combining the school, senior center and community center.

James McNair, III wanted to know what the logistics would be if the referendum was voted down, is there a Plan B?

Gregg Schuster said he has no definitive answer but that the needs still have to be met so the Board of Selectmen would have to discuss the next step.

Eileen Fazekas explained that if this project fails we will have to start at square one. M. Lehtinen asked if there was some compromise that could be met.

Charlene Picard offered the fact that there have been many volunteers working on this project, which the whole town owns; it needs to go to referendum.

Following the close of discussion, upon motion made to move the question by Mary Tomasi and seconded by Stan Soby, the aforesaid resolution was adopted by a majority vote.

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The Moderator declared that the town meeting was adjourned to a referendum vote on Tuesday, October 1, 2013, between the hours of 6:00 a.m. and 8:00 p.m., and that the resolution would be placed upon the ballots under the following headings:

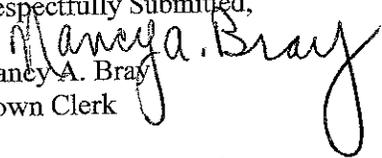
“SHALL THE TOWN OF COLCHESTER APPROPRIATE AND AUTHORIZE THE BOARD OF SELECTMEN TO EXPEND A SUM NOT TO EXCEED \$57,260,000 FOR COSTS RELATED TO THE WILLIAM J. JOHNSTON MIDDLE SCHOOL, COMMUNITY CENTER AND SENIOR CENTER PROJECT AND AUTHORIZE THE ISSUANCE OF BONDS AND NOTES TO FINANCE THE PORTION OF THE APPROPRIATION NOT DEFRAYED FROM GRANTS?”

Voters approving said resolution will vote “Yes” and those opposing said resolution will vote “No”. Electors and persons qualified to vote in town meetings who are not electors will vote at the following polling place: Colchester Town Hall, 127 Norwich Avenue in Colchester, Connecticut. Absentee ballots will be available from the Town Clerk’s office.

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Motion to adjourn town meeting made by Dot Mrowka, seconded by Stan Soby at 7:25 p.m.

Respectfully Submitted,

  
Nancy A. Bray  
Town Clerk

**Attachment: Bond Resolution**

RESOLUTION APPROPRIATING \$57,260,000 FOR COSTS RELATED TO THE WILLIAM J. JOHNSTON MIDDLE SCHOOL, COMMUNITY CENTER AND SENIOR CENTER PROJECT AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

(a) That the Town of Colchester appropriate FIFTY-SEVEN MILLION TWO HUNDRED SIXTY THOUSAND DOLLARS (\$57,260,000) for costs related to the William J. Johnston Middle School, Community Center and Senior Center Project at the site of the existing William J. Johnston Middle School at 360 Norwich Avenue, including renovations and additions to the middle school and relocation of the Senior Center, the Youth Center, Social Services facilities, and Parks and Recreation facilities, substantially as shown on the plans titled "Conceptual Study for the WJJ Middle School, Community Center and Senior Center" prepared by Tecton Architects, Inc. dated 8/9/12, revised to 6/26/13, and substantially as described in the detailed estimate prepared by Tecton Architects, Inc. dated 4/3/13, as modified 6/19/13. The building committee established for the project shall be authorized to determine the scope and particulars of the project and to reduce or modify the scope of the project, and the entire appropriation may be expended on the project as so modified or reduced. The appropriation may be spent for design and construction costs, testing and permitting costs, relocation costs, demolition and installation costs, equipment, furnishings and fixtures, materials, land and easement acquisition, site improvements, utilities, engineering fees, management costs and fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing.

(b) That the Town issue its bonds or notes, in an amount not to exceed FIFTY-SEVEN MILLION TWO HUNDRED SIXTY THOUSAND DOLLARS (\$57,260,000) 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. The bonds or notes shall be issued pursuant to Sections 10-289 and 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be secured by the irrevocable pledge of the full faith and credit of the Town of Colchester. The bonds or notes may be issued in one or more series, and any series may be sold as a single issue or consolidated with any other bonds or notes of the Town. The Treasurer shall keep a record of the bonds or notes. The Selectmen, or a majority of them, and the Treasurer of the Town shall sign the bonds or notes by their manual or facsimile signatures. The bonds or notes shall bear the seal of the Town or a facsimile of the seal. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The Selectmen, or a majority of them, and the Treasurer are authorized to determine the amount, date, interest rates, maturities, form and other details of the bonds or notes; to designate a bank or trust company to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

(c) That the Town issue and renew its temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed FIFTY-SEVEN MILLION TWO HUNDRED SIXTY THOUSAND DOLLARS (\$57,260,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended, and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes if the notes do not mature within the time permitted by said Section 7-378. The Selectmen, or a majority of them, and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, form, and other details of the notes; to sell the notes at public or private sale; to

execute and deliver the notes; and to perform all other acts which are necessary or appropriate to issue the notes.

(d) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.103-18 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 Selectmen, or a majority of them, and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(e) That the Selectmen, or a majority of them, and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

(f) That the First Selectman is authorized to execute all contracts and change orders with respect to the project. Any building committee as may be established from time-to-time for the project is authorized to act as a school building committee for the project, and to exercise such powers and duties consistent with its charge as are necessary or appropriate to complete the project. Committee members shall not receive any compensation for their services. Necessary expenses of the committee shall be included in the cost of the project. The records of the committee shall be filed with the Town Clerk and open to public inspection during normal business hours. Upon completion of the project, the committee shall make a complete report and accounting to the Selectmen and the Town.

(g) That the Board of Education, the Superintendent of Schools or the Superintendent's designee, the Chairman of any building committee as may be established from time-to-time for the project, and other proper officers and officials of the Board of Education are authorized to apply for and accept state grants for the project, to file applications with the State Department of Education, to execute grant agreements for the project, and to file such documents as may be required by the State Department of Education to obtain grants for the costs of financing the project.

(h) That the Board of Selectmen, the First Selectman, the Treasurer, any building committee as may be established from time-to-time for the project, and other proper officers of the Town are authorized to apply for and accept state grants and other grants for the project, to execute grant agreements for the project, and to file such documents as may be required to obtain grants for the costs of the project.

(i) That the Board of Selectmen, the Treasurer, the Board of Education, any building committee as may be established from time-to-time for the project 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 obtain grants to finance the aforesaid appropriation.