



**TOWN OF BETHEL
SPECIAL TOWN MEETING
MONDAY, NOVEMBER 29, 2010
BETHEL HIGH SCHOOL AUDITORIUM
WHITTLESEY DRIVE
7:30 P.M.**

Present: Town Counsel, Martin J. Lawlor, Jr., First Selectman, Matthew S. Knickerbocker, Selectman, Richard C. Straiton, Selectman, Paul R. Szatkowski, Comptroller, Robert Kozlowski, and Town Clerk, Lisa Bergh

Call to Order: First Selectman, Matthew S. Knickerbocker called the Special Town Meeting to order at 7:35 P.M.

Town Clerk, Lisa Bergh reads the call (See attached).

Wendy Smith made a motion to nominate Sharon Straiton as Moderator, Motion seconded by Jon Menti.
Motion made by Wendy Smith to close nominations, seconded by Bob Legnard. Vote was taken to close nominations and appoint Sharon Straiton as moderator. Motion unanimously approved.

Alice Hutchinson made a motion to accept the call, which was seconded by Bob Legnard. Vote, all in favor, motion unanimously approved.

Town Counsel, Martin J. Lawlor, Jr. reads Resolution#1. (See attached).

Motion to approve the resolution as read made by Barry Domber, motion seconded by Wendy Smith.

Discussion on Resolution #1:

Billy Michael- With some debt scheduled to come off, the tax payers should be getting a break, not adding to our existing debt. Mr. Michael recommends funding the road paving with taxes obtained from the motor vehicle tax collected. He reminded all that Federal and State Governments are in a fiscal crisis. He is not in support of this resolution.

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TOWN OF BETHEL
TOWN CLERK

Bill Hillman- Speaks in favor of this bond issue. He has spent over \$800.00 in car repairs as a result of the poor road conditions. He is in favor of short-term bonding with extremely low interest rates. Approve this so that paving can start right away when the asphalt plants open.

Katherine Nielson- Is in favor of this resolution. Highland Avenue has not been paved in 20 years. The road has been patched too often and not fixed appropriately. She requests a list of roads scheduled to be paved with the approval of the \$2 million.

J. Philip Gallagher- Speaking on behalf of the Board of Finance. Mr. Gallagher reported in detail the appropriations to the road repair account for the last 5 years. He explained that the Board of Finance took their time and investigated the best possible route to take and agreed on the allocation of \$2 million dollars.

Alice Hutchinson- Speaks in favor of the call and wants this to go to a referendum. She feels it was a missed opportunity to go for the \$8.5 million dollar plan and take advantage of the extremely low interest rates.

John O'Neill- Speaks in favor of this plan feels that previous years Board of Finance appropriations obviously didn't work as reflected in the condition of the roads.

Bill Kingston- explained that the \$2 million approval by the Board of Finance slows nothing down.

Winifred Brickmeyer- Would have liked to see the \$8.5 million dollar plan approved, but understands the reason behind the \$2 million dollar approval.

Eileen Goodrich- Damage to her car is considerable living on Aunt Patty's Lane West. Speaks in support of the motion.

Link Hurgin- Is 100% in support of this plan. Mr. Hurgin asked questions of the Comptroller in regards to the financing. He feels we are taking a gamble in the hopes that the project will continue after the expenditure of the \$2 million. He feels it is a shame that we are not taking advantage of the extremely low interest rates.

Bob Legnard- Is in favor of the \$8.5 million, and at this time in favor of the \$2 million. He wants to remind everyone that the remaining \$6 million will need to be obtained to finish the project.

Mr. Legnard wanted to make a motion to adjourn the meeting to a machine vote when the Town Attorney reminded the audience that a second resolution needed to be read and voted on.

Town Counsel Martin Lawlor reads Resolution #2 (See attached).

Barry Domber made a motion to approve the date of the Referendum as December 7, 2010 between the hours of 6 AM and 8 PM.

Motion was seconded by Link Hurgin. Vote, motion passes.

Bob Legnard made a motion to adjourn the Special Town Meeting to a machine vote on December 7, 2010. Motion was seconded by Link Hurgin. Vote taken, motion passes.

Meeting adjourned at 8:25 PM

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lisa Bergh". The signature is written in a cursive, flowing style.

Lisa Bergh, CCTC
Bethel Town Clerk

**WARNING
NOTICE OF SPECIAL TOWN MEETING
OF THE TOWN OF BETHEL, CONNECTICUT**



The Legal Voters of the Town of Bethel, Connecticut, and those persons entitled to vote therein, are notified to assemble at a Special Town Meeting to be held in the Bethel High School Auditorium, 300 Whittlesey Drive, Bethel, Connecticut 06801 on Monday, November 29, 2010 at 7:30 p.m. for the following purpose, to wit:

1. To consider and take action upon a resolution as recommended by the Board of Selectmen and approved by the Board of Finance, authorizing an appropriation not to exceed Two Million (\$2,000,000.00) Dollars for the Road Renewal Plan Project ("The Project") and further authorizing the issuance of bonds by the Town in an amount not to exceed the amount so specified; and further authorizing temporary bond anticipation notes pending the issuance thereof to finance the appropriation of said sum for the costs of "The Project."
2. To set the date and hours of the referendum for a machine vote on "The Project" pursuant to §C6-8 of the Town of Bethel Charter.
3. To do any and all things which may be legally necessary or appropriate in order to accomplish the above named purposes.

Dated at Bethel, Connecticut, this 16th day of November, 2010.

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TOWN OF BETHEL
TOWN CLERK

BOARD OF SELECTMEN

Matthew S. Knickerbocker, First Selectman
Richard C. Straiton, Selectman
Paul R. Szatkowski, Selectman

Motions For
Special Town Meeting
Of The Town Of Bethel, Connecticut

Bethel High School
300 Whittlesey Drive
Auditorium
Monday, November 29, 2010
At 7:30 PM

1. Shall the Town of Bethel as recommended by the Board of Selectmen and approved by the Board of Finance, appropriate a sum not to exceed Two Million (\$2,000,000.00) Dollars for the repair and construction of public roads under the "Road Renewal Plan Project", hereinafter referred to as "The Project" including any and all architectural, engineering, construction and financing costs, and any other costs related thereto, and to finance said appropriation as follows:

A.) To borrow a sum not to exceed the sum so specified for The Project and issue bonds and/or notes, hereinafter referred to as "bonds" under its corporate name and seal, which bonds shall be general obligations of the Town of Bethel hereinafter referred to a the "Town", issued upon the full faith and credit of the Town, for the purpose of financing the appropriation of said sum for the cost of The Project, including any and all architectural, engineering, construction and financing costs, and other costs related thereto.

B.) The First Selectman, Town Treasurer and the Comptroller are hereby appointed a committee with full power and authority to cause said bonds to be sold, issued and delivered; to determine their form, including provision for redemption prior to maturity; to determine the aggregate principal amount thereof within the amount hereby authorized and the denominations and maturities thereof; to fix the time of issue of each series thereof and the rate or rates of interest thereon as herein provided; to designate the bank or trust company to certify the issuance thereof and to act as transfer agent, paying agent and as registrar for the bonds, and to designate bond counsel. The committee shall have all appropriate powers under the Connecticut General Statutes including Chapter 748 (Registered Public Organizations Act) and Chapter 109 (Municipal Bond Issues) to issue the bonds and, further, shall have full power and authority to do all that is required under the Internal Revenue Code of 1986 (the "Code") as amended and other applicable laws of the United States, including the execution of certifications and agreements on behalf of the Town with respect to compliance with the Code to provide for issuance of the bonds in tax exempt form and to meet all requirements which are or may become necessary in and subsequent to the issuance and delivery

of the bonds to ensure that the interest on the bonds be and remain exempt from Federal income taxes, including, without limitation, to covenant and agree to restriction on investment yield, rebate of arbitrage earnings, expenditure of proceeds within required time limitations and the filing of information reports as and when required.

C.) The bonds may be designated "Public Improvement or Road Bonds of the Town of Bethel", series of the year of their issuance and may be issued in one or more series, or may be consolidated as part of the same issue with other Bonds of the Town; maturing in annual installments of principal that the committee deems advisable with the first installment to mature not later than two years from the date of issue and the last installment to mature not later than as may be provided by statute. The bonds may be sold at not less than par and accrued interest at public sale upon invitation for bids to the responsible bidder submitting the bid resulting in the lowest net interest cost to the Town, provided that nothing herein shall prevent the Town from rejecting all bids submitted in response to any one invitation for bids and the right to so reject all bids is hereby reserved, and further provided, that the committee may sell the bonds, or notes, on a negotiated basis, as provided by statute. Interest on the bonds shall be payable semi-annually or annually. The bonds shall be signed on behalf of the Town by at least a majority of the Board of Selectmen and the Town Treasurer, and shall bear the seal of the Town. The signing, sealing and certification of said bonds may be by facsimile as provided by statute. The Town Treasurer shall maintain a record of bonds issued pursuant to this resolution and of the face amount thereof outstanding from time to time, and shall certify to the destruction of said bonds, or notes after they have been paid and canceled, and such certification shall be kept on file with the Town Clerk.

D.) The said committee is further authorized to make temporary borrowing as permitted by the General Statutes and to issue a temporary note or notes of the Town in anticipation of the receipt of proceeds from the sale of the bonds to be issued pursuant to this resolution. Such notes shall be issued and renewed at such times and with such maturities, requirements and limitations as provided by statute. Notes evidencing such borrowing shall be signed by the First Selectman and Town Treasurer and have the seal of the Town affixed, which signing and sealing may be by facsimile as provided by statute, be certified by and payable at a bank or trust company incorporated under the laws of this or any other state, or of the United States, be approved as to their legality by bond counsel, and may be consolidated with the issuance of other Town notes. Said committee shall determine the date, maturity, interest rates, form and manner of sale, including negotiated sale, and other details of said notes consistent with the provisions of this resolution and the General Statutes and shall have all powers and authority as set forth above in connection with the issuance of the bonds and especially with respect to compliance with the requirements of the code in order to obtain and maintain in tax exempt form.

E.) Upon the sale and issuance of the bonds authorized by this resolution, the proceeds thereof, including any premium received upon the sale thereof, accrued interest received at delivery and interest earned on the temporary investment of such proceeds shall be applied

forthwith to the payment of the principal and interest of all notes issued in anticipation thereof or shall be deposited in trust for such purposes with a bank or trust company, or shall be applied or rebated as may be required under the provisions of law. The remainder of the proceeds, if any, after the payment of said notes and of the expense of issuing said notes and bonds shall be applied to further finance the appropriation made by the appropriation resolution enacted concurrently herewith.

F.) In each fiscal year in which the principal or any installment of interest shall fall due upon any of the bonds or notes herein authorized there shall be included in the appropriation for such fiscal year a sum equivalent to the amount of such principal and interest so falling due, and to the extent that provision is not made for the payment thereof from other revenues, the amount thereof shall be included in the taxes assessed upon the Grand List for such fiscal year and shall not be subject to any limitation of taxes that may be imposed by any other Town ordinance or resolution.

G.) Pursuant to regulation of the Internal Revenue Service the Town hereby expresses its official intent to reimburse expenditures paid from the General Fund for the aforesaid project with the proceeds of the bonds or notes to be issued under the provisions of the Resolution. The allocation of such reimbursement bond proceeds to an expenditure shall occur not later than one year after the later of a) the date on which the expenditure is paid, or b) the date on which the project is placed in service, or for extended periods and in such manner as may be permitted by amendments to the regulations. The Comptroller is authorized to pay project expenses in accordance herewith pending the issuance of the reimbursement bonds or notes.

H.) The First Selectman (or other proper authority of the Town) is hereby authorized to apply for and accept any available state or federal grant in aid for the financing of The Project and to take all action necessary and proper in connection therewith.

I.) The amount of final issuance of the bonds shall be reduced by the amount of funds that may be received from any direct state or federal grant in aid, if any.

J.) The bond committee is hereby authorized to take all action necessary and proper for the sale, issuance and delivery of the bonds and notes in accordance with the provisions of the Connecticut General Statutes and the laws of the United States.

- 2.** Shall the referendum for the Road Renewal Plan Project be conducted on December 7, 2010 between the hours of 6:00 AM and 8:00 PM.