



BOARD OF ALDERMEN
SHELTON, CONNECTICUT
SPECIAL MEETING
THURSDAY, JUNE 29, 2010

Call to Order / Pledge of Allegiance

Aldermanic President John Anglace called the meeting of the Board of Aldermen to order at 7 p.m. All those present rose and pledged allegiance to the flag.

Roll Call

Alderman John F. Anglace, Jr., President – present
Alderman Lynne Farrell - present
Alderman John “Jack” Finn – present
Alderman Stanley Kudej – present
Alderman Noreen McGorty – present
Alderman John P. Papa – absent
Alderman Eric McPherson - present
Alderman Anthony Simonetti - present

Administration:

Corporation Counsel Tom Welch
Administrative Assistant Tom Taylor
Finance Director Louis Marusic

There was a quorum present.

Agenda Items

1. End of Fiscal Year Financial Transactions

Alderman Kudej MOVED to transfer from the following accounts the following amounts:

Transfer from

Account Number	Description	Amount of Transfer
001-0200-411.20-18	Group Insurance	\$16,620
001-3200-712.30-27	Rental/Contract Services	\$40,000
001-3200-712.60-10	Sidewalk Repairs	\$30,000
001-3900-714.50-09	Sanitation/Disposal Fees	\$36,000
001-9900-900.99-00	Contingency	\$45,380
Total Decrease to Expenditures		<u>\$168,000</u>

Transfer to

Account Number	Description	Amount of Transfer
001-0100-411.10-01	Regular Payroll	\$16,620
001-0500-413.10-04	Poll Workers	\$4,650
001-0500-413.30-07	Printing and Advertising	\$10,311
001-3300-712.65-04	Road Maintenance	\$100,000
001-3800-714.80-29	Recycling Collection	\$36,000
001-6100-419.79-18	Citizens Advisory Board	\$419
		<hr/>
Total Decrease to Expenditures		\$168,000

Increase Expenditure Budget	Description	Amount:
001-6100-511.80-50	Police Private Duty	\$133,210
001-6100-951.80-57	LOCIP	\$170,000
Total Expenditure Increases		\$303,210

Increase Revenue Budget	Description	Amount:
001-0000-351.10-00	Police Private Duty	\$133,210
001-0000-331.21-00	LOCIP Proceeds	\$170,000
Total Revenue Increases		\$303,210

SECONDED by Alderman Simonetti.

Mr. Marusic explained, "Road Repair" and "Road Maintenance" are both right. Road Maintenance – this is the description for that account number; it always has been. The Department name is the other name. The suggestion is to change one of them to be consistent in the terminology. When this account number is used, it is always with this terminology. We can change the other terminology to match it.

A voice vote was taken and the MOTION PASSED 7-0.

2. Adoption of Bond Resolution

Alderman Finn MOVED to adopt the following Resolution:

RESOLUTION AUTHORIZING THE ISSUANCE OF
\$2,206,486 BONDS OF THE CITY OF SHELTON FOR
VARIOUS PUBLIC IMPROVEMENTS AND EQUIPMENT

AND PENDING THE ISSUANCE THEREOF THE MAKING
OF TEMPORARY BORROWINGS FOR SUCH PURPOSERESOLVED:

Section 1. To meet the appropriations aggregating \$2,206,486 for various public improvements and equipment enacted at various meetings held by the Board of Aldermen (Schedule A attached), \$2,206,486 bonds of the City of Shelton may be issued, maturing in substantially equal annual installments not later than the fifth year after their date. Said bonds may be issued in one or more series as determined by the Treasurer and the Director of Finance and the amount of bonds of each series to be issued shall be fixed by the Treasurer and the Director of Finance, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the costs of issuance of such bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the City by the facsimile or manual signatures of the Treasurer and the Director of Finance, bear the City seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent, and the paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the approval of the rate or rates of interest, shall be determined by the Treasurer and Director of Finance in accordance with General Statutes of Connecticut, as amended (the "Connecticut General Statutes").

Section 2. Said bonds shall be sold by the Treasurer in a competitive offering or by negotiation, in the Treasurer's discretion. If sold in a competitive offering, the bonds shall be sold upon sealed proposals at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City. A notice of sale or a summary thereof describing the bonds and setting

forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, provisions of the purchase agreement shall be subject to the approval of the Mayor, Treasurer and Director of Finance.

Section 3. The Treasurer and Director of Finance are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the Treasurer and the Director of Finance, have the seal of the City affixed, be certified and payable at a bank or trust company designated by the Treasurer, pursuant to Section 7-373 of the Connecticut General Statutes, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 4. The balance of any unexpended bond proceeds not needed to meet the cost of any improvement or equipment included on Schedule A, may be transferred by the Mayor and Director of Finance, to meet the cost of any other improvement or equipment included on Schedule A.

Section 5. The City hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this Resolution in the maximum amount of and for the improvement or project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the City. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its

reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds.

Section 6. The Mayor, the Treasurer and the Director of Finance, or any two of them, are hereby authorized, on behalf of the City, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

Section 7. This Resolution is adopted pursuant to the provisions of Section 7.16 of the City Charter and is within the limitations set forth therein for the fiscal year ended June 30, 2010.

Enacted by the Board of Aldermen: _____

Approved by the Mayor: _____ Date _____

Attest:

City Clerk

	<u>Project</u>	<u>Date Appropriation made by BOA</u>	<u>Amount of Appropriation</u>	<u>Remaining 2% Balance</u> \$2,206,551
1.	Purchase of SCAG Lawn Mower	7/9/09	\$5,165	2,201,386
2.	Purchase of Replacement Motors for 3 trucks for Highways & Bridges	7/9/09	16,582	2,184,804
3.	Purchase of Supply Truck for Parks & Recreation	7/9/09	25,987	2,158,817
4.	Long Hill School All Purpose Field	7/28/09	301,100	1,857,717
5.	Shelton Riverwalk Phase 2	8/13/09	40,962	1,816,755

6.	Purchase and Installation of New Air Compressor for Station 5 (White Hills)	8/13/09	51,359	1,765,396
7.	Crack Sealing of City Street	9/10/09	100,000	1,665,396
8.	Purchase of 4 new fully-equipped patrol cars for Police Dept.	10/8/09	151,400	1,513,996
9.	Purchase of 4-wheel drive pickup truck for Highways & Bridges	11/12/09	100,000	1,413,996
10.	Purchase of two Ford Escape Hybrid vehicles	12/10/09	60,614	1,353,382
11.	Elementary Schools' Boiler Replacement	1/14/10	2,195	1,351,187
12.	Replacement parts for Cooling Tower at Community Center	1/14/10	10,149	1,341,038
13.	Purchase of Command Type vehicle for Fire Dept.	2/11/10	50,000	1,291,038
14.	Long Hill School All Purpose field (Increase of Funds)	2/11/10	38,500	1,252,538
15.	Downtown Redevelopment Phase III	2/11/10	400,000	852,538
		Date		
	<u>Project</u>	<u>Appropriation made by BOA</u>	<u>Amount of Appropriation</u>	<u>Remaining 2% Balance</u>
16.	Corridor & stairwell doors at Shelton High School	2/11/10	\$296,500	\$556,038
17.	Purchase of two Ford Ranger Pickup Trucks for Park & Rec. Dept.	3/1/10	21,016	535,022
18.	Police Communication Equipment	4/8/10	38,152	496,870
19.	Fire Dept. Communications Upgrades	4/8/10	53,000	443,870
20.	Recreation Equipment for Parks & Recreation Dept.	4/8/10	15,000	428,870
21.	Huntington Street Sidewalk Project	5/13/10	21,492	407,378
22.	Long Hill School All Purpose Field Improvements	5/13/10	35,000	372,378
23.	EPA Brownfields Grant for the Cel-lastik (93	6/10/10	40,000	332,378

East Canal St.)

24.	VCOG (EPA) Brownfields Grant Axton Cross(113 East Canal St.)	6/10/10	40,000	292,378
25.	Fire Dept. protective gear purchase	6/10/10	172,313	120,065
26.	Purchase of vehicles & equipment for Public Works Dept.	6/10/10	<u>120,000</u>	<u>65</u>
TOTAL:			<u>\$2,206,486</u>	<u>\$65</u>

SECONDED by Alderman Simonetti.

Alderman Finn expressed his belief that Item #13 should be omitted from the appropriation – the vehicle was never purchased.

Mr. Marusic explained that if it is the desire of the committee to spend that money on a capital project for another vehicle, if you deduct Item #13, you wouldn't be able to spend the \$50,000 on another vehicle. It can be approved the way it is and come back with another resolution to change the description of the item. You are entitled by City Charter to have this funding. It doesn't hurt to have the funding in place in case another pressing need arises.

Corporation Counsel Welch explained, the bonding attorney in his resolution specifically identifies that issue, saying that any unexpended bond proceeds may be transferred by the Mayor and Mr. Marusic to meet the cost of any other improvement or equipment. You are issuing bonds; you're not purchasing.

Alderman Anglace stated, if we leave it in we can still buy the Fire Chief the vehicle that he needs. We have to have the money available to us. If we take it out we lose the ability to bond.

Alderman Finn asked, the Board of Fire Commissioners can come back to the Board of Aldermen and the Finance Committee to request another command vehicle, and the \$50,000 is already set aside?

Alderman Anglace stated, we are saying that we as a committee, as the Board of Aldermen, can spend that \$50,000 whichever way we please. What they should do, if they haven't purchased it, go right back through the same channels they started with in the beginning. Go to the Mayor, talk to him, resolve this thing. If there's \$50,000 available, they can buy the vehicle.

Alderman McGorty stated, the Fire Marshal's vehicles are in need of repair – maybe it could still be used for the Fire Department but for the Fire Marshal's Office – that's where it came from.

Corporation Counsel Welch stated, just to clarify, the EPA Brownfields Grant for the Cel-Lastik 93 East Canal – that’s what you passed at your June meeting for the grant. That check has not been sent yet either; that grant has not been signed yet. It will probably be signed some time in August, at which time you’ll pay the \$40,000.

Alderman Anglace stated, I’m not sure this \$50,000 hasn’t been spent on something else. We should check into that. It might not have gone to the Fire Chief, it may have gone for some other purpose – check it out. We are approving the full dollar amount that is available to us under bonding.

A voice vote was taken and the MOTION PASSED 7-0.

ADJOURNMENT

Alderman Simonetti MOVED to adjourn; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 7-0.

The meeting adjourned at approximately 7:18 p.m.

Respectfully submitted,

Patricia M. Bruder, Clerk
Board of Aldermen

Date Submitted: _____

DATE APPROVED: _____ BY: _____

Mark A. Lauretti
Mayor, City of Shelton