

Town of East Hampton, CT

20 East High Street, East Hampton, CT 06424

05/23/2011 Special Town Meeting Minutes

SPECIAL TOWN MEETING May 23, 2011

The Special Town Meeting of the electors and citizens qualified to vote in Town Meetings of the Town of East Hampton was held on Monday, May 23, 2011 at the East Hampton High School on 15 North Maple Street, East Hampton, CT.

Present from the Town were Jeffrey Jylkka, Finance Director and Keith Hayden, Director of Public Works. Republican Registrar of Voters Alannah Coshow and Republican Deputy Registrar of Voters Margaret Jacobson, Democratic Deputy Registrar of Voters Debra Markham and Democratic Assistant Registrar of Voters Donna Long were also present.

Moderator Robert McKinney opened the meeting at 7:00 p.m. Moderator McKinney directed Town Clerk, Sandra Wieleba, to read the Legal Call. Motion made by Mrs. Barbara Moore and seconded by Mr. George Pfaffenbach to accept the Legal Call. Motion passed.

Moderator McKinney pointed out that the text in Item #2 (a) in the fourth and fifth sentence made reference to the "30' long corrugated metal 9" x 12" pipe arches" and should read "30' long corrugated metal 9' x 12' *pipe arches*".

Item. #1. To take action pursuant to Section 7 – 7 of the Connecticut General Statutes to set the time and date for a referendum by "YES" or "NO" vote on voting machines for the approval or disapproval of the Annual Budget for fiscal year 2011-2012 as recommended by the Town Council.

Moderator McKinney requested resolution #1 be presented:

Ms. Melissa Engel presented "RESOLVED that this Town Meeting sets the date of Tuesday, May 31, 2011 from 6:00 a.m. to 8:00 p.m. for a referendum by "YES" or "NO" vote on voting machines for approval or disapproval of the annual budget for fiscal year 2011-2012 as recommended by the Town Council", seconded by Ms. Patience Anderson.

Moderator McKinney called for a vote on resolution #1 as there was no further discussion or questions. Vote declared in affirmative.

Moderator McKinney requested resolution #2 be presented, the full text of the resolution follows the minutes.

Ms. Melissa Engel presented the following resolution "RESOLVED that this Town Meeting consider and act upon a resolution to appropriate \$400,000 for the 2011 Pine Brook Culvert Replacement Project, and authorizing the issue of bonds and notes in the same amount to finance the appropriation", seconded by Mr. Ted Hintz, Jr.

Item. #2. To consider and act upon a resolution,

Moderator McKinney asked for any discussion and comments from the audience with regard to item #2.

Ms. Melissa Engel confirmed that the entire project would be paid for by the State of Connecticut due to the nature of the project.

There were no public comments or questions. Moderator McKinney called for a voice vote. All 28 residents in attendance voted in favor of this resolution.

Motion by Mr. Matthew Walton to adjourn the Special Town Meeting and to recess the budget meeting at 7:10 p.m., to the referendum on May 31, 2011 from 6:00 a.m. to 8:00 p.m. seconded by Mr. Ted Hintz, Jr. Motion passed.

Sandra M. Wieleba
Town Clerk

REFERENDUM May 31, 2011 Moderator Robert McKinney called the adjourned Town Meeting to order at 6:00 a.m. and voting began and continued until 8:00 p.m. Moderator McKinney called for counting of machine votes. Moderator McKinney reported that the budget PASSED. Motion to adjourn by Mr. Peter Brown and seconded by Mr. Kevin Reich. Moderator McKinney called for vote. Vote in affirmative. Meeting adjourned at 8:04 p.m.

An Optical scanner machine was used and absentee ballot were received and counted with none being rejected as follows:

SHALL THE ANNUAL BUDGET FOR THE FISCAL YEAR 2011-2012 AS RECOMMENDED BY THE TOWN COUNCIL BE APPROVED?

<u>Yes</u>		<u>NO</u>	
Total	1,129		788

Total # of voter who voted: 1,917 or 23.3% of the total number of voters in East Hampton

Adjourned: Sandra M. Wieleba, Town Clerk

TOWN OF EAST HAMPTON RESOLUTION APPROPRIATING \$400,000 FOR THE 2011 PINE BROOK CULVERT REPLACEMENT PROJECT, AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION

RESOLVED,

1. That the Town of East Hampton appropriate FOUR HUNDRED THOUSAND DOLLARS (\$400,000) for costs in connection with replacement of the culvert carrying Pine Brook under Pine Brook Road, which suffered structural damage as a result of flooding on March 7, 2011, and in connection with the financing of the project. The project is contemplated to include the installation of twin approximately 30' long corrugated metal 9" x 12" pipe arches, sized to pass the 100 year flow and raising the roadway elevation above the 100 year flood elevation to eliminate the roadway flooding. The Town Manager and the Public Works Director shall determine the scope and particulars of the project and may 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, construction, materials, equipment, engineering and other consultant fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or it's financing. The Town anticipates receiving grants to defray all or a portion of the project appropriation.

2. That the Town issue bonds or notes in an amount not to exceed FOUR HUNDRED THOUSAND DOLLARS (\$400,000) to finance the appropriation for the project. The amount of bonds or notes authorized to be issued shall be reduced by the amount of grants received by the Town for the project and applied to pay costs funded from the appropriation. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

3. That the Town issue and renew 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 or the receipt of grants for the project. The amount of the temporary notes outstanding at any time shall not exceed FOUR HUNDRED THOUSAND DOLLARS (\$400,000). The temporary notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The temporary notes shall be general obligations of the Town 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 with respect to any notes that do not mature within the time permitted by said Section 7-378.

4. That the Chairman or the Vice-Chairman of the Town Council and the Town Manager or the Finance Director of the Town shall sign any bonds, notes or temporary notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds, notes or temporary notes. The Chairman or the Vice-Chairman of the Town Council and the Town Manager or the Finance Director are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds, notes or temporary notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds, notes or temporary notes; to provide for the keeping of a record of the bonds or notes or obligations; to designate a financial advisor to the Town in connection with the sale of the bonds, notes or temporary notes; to sell the bonds, notes or temporary notes at public or private sale; to deliver the bonds, notes or temporary notes; and to perform all other acts which are necessary or appropriate to issue the bonds, notes or temporary notes.

5. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (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 Chairman or the Vice-Chairman of the Town Council and the Town Manager or the Finance Director are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds, notes or temporary notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

6. That the Chairman or the Vice-Chairman of the Town Council and the Town Manager or the Finance Director are authorized to make representations and enter into written agreements for the benefit of holders of the bonds, notes or temporary 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, notes or temporary notes.

7. That the Town Council, the Chairman and the Vice-Chairman of the Town Council, the Town Manager, the Public Works Director, the Finance Director, 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, notes or temporary notes and obtain grants to finance the aforesaid appropriation.