

10/29/2007 Special Town Meeting Minutes

MINUTES OF SPECIAL TOWN MEETING OF THE TOWN OF EAST HAMPTON HELD OCTOBER 29, 2007

A special town meeting of the electors and citizens qualified to vote in town meetings of the Town of East Hampton, Connecticut, was held at the East Hampton High School, North Maple Street in East Hampton, Connecticut on the 29th day of October at 7:00 p.m.

Nancy Anton was Moderator of the meeting and Sandra M. Wieleba was the Town Clerk. Also present at the meeting was Jean D'Aquila, Town Attorney, Vincent Susco, Public Utilities Administrator and Jeff Jylkka, Finance Director.

Mr. Phil Wielgosh moved to waive the full reading of the Legal Call of the meeting seconded by Mr. David Simko. Moderator Anton called for a vote on waiving the full reading of the Legal Call. Vote in the affirmative.

The Clerk read an abbreviated portion of the Legal Call for the meeting which was published in the Glastonbury Citizen (Rivereast) on October 19, 2007, and which is recorded in these records immediately preceding these minutes.

Mrs. Turner moved to accept the Legal Call as was printed and distributed to the members in attendance, seconded by Mr. Turner. Moderator Anton called for a vote on accepting the Legal Call which was distributed to the public. Vote in the affirmative.
Item 1.

The appropriation of \$28,490,000 for development and implementation of a municipal water system to serve the central portion of East Hampton, and authorizing the issue of bonds, notes and obligations to finance the portion of the appropriation not defrayed from grants.

Moderator Anton called for discussion of the resolution presented in the Legal Call of the meeting, a copy of which resolution was made available to all those in attendance.

PUBLIC COMMENT

Mr. Phil Wielgosh, 79 North Main Street, asked for the specific parameters of the project and if approved, would the entire town have services in the future? Mr. Susco explained that information concerning the water system was available on the town home page. He explained the parameters of the project and the streets involved and indicated that there were no plans to go forward with additional phases at this time.

Irene Curtis, 13 Wangonk Trail supported this project and pointed out the hard work involved with this project.

Daniel Loos, 61 Wangonk Trail asked for clarification on the cost of the project. Mr. Susco explained that \$1.58 million had already been expended and that the total project could not exceed \$28,490,000.

Linda Dzagan, 28 Middle Haddam Road, asked for clarification as to where the sewer line would run and whether she would be able to tie into it, what the cost would be and whether the waste water treatment plant could handle the scope of the project. Mr. Susco explained that a sewer zone to carry spent backwash water from the water treatment plant would run from Route 151 to Long Hill Road and to the wastewater treatment plant. As to whether property owners would be able to tie into the system would be determined in the future following a survey of the area. He confirmed that the waste water treatment plan was capable of handling 7 towns and suitable for this project.

Dave Simko, 30 Long Hill Road, asked if homeowners would have to pay a frontage fee, if the sewer line would be available on Long Hill Road and could he tie into the water system. Mr. Susco explained that the availability of water would increase the value of the property and that a beneficial assessment would be charged. The costs of the beneficial assessment would be about \$10,235. He indicated that availability of the sewer line on Long Hill Road had yet to be determined.

Linda Dzagan, 28 Middle Haddam Road, asked what the cost of the beneficial assessment would be for add-ons. Mr. Susco explained that the beneficial assessment would be consistent for the entire 20 years or as long as the debt were

in place.

A resident from Mallard Cove asked when the town anticipated the project would be finished. Mr. Susco explained that there were multiple contracts and critical components needed to be put into place. Once the critical components were in place, the pipes would be installed in segments and he hoped to begin the project in 2009. Mr. Susco anticipated that the project could be completed in five years.

Donna Daly, 119 Main Street, stated that the beneficial assessment would be levied after the project was completed.

Mr. Phil Wielgosh, 79 North Main Street, asked where the source of suitable water would come from. Mr. Susco indicated two wells have been developed on property at the end of Oakum Dock Road along the Connecticut River. It is anticipated that 900,000 gallons of water a day can be realized.

Irene Curtis, 13 Wangonk Trail, asked if fire hydrants would be included in the scope of the project and the impact that would have on the homeowner. Mr. Susco confirmed that fire hydrants would be part of the project, but he could not comment on the impact of the hydrants or whether homeowners could realize any savings in their homeowner's insurance because each homeowners' property is underwritten individually. Mr. Susco stated that hydrants would be placed between 500 to 1,000 feet apart and would provide at a minimum 1,000 gallons of water a minute for a two (2) hour period.

Irene Curtis mentioned the recent drought and that several individuals had experienced dry wells. Would this system require any water treatment and would they have to give up using their wells. Mr. Susco indicated that if the well was determined to be unsafe, the homeowner would have to abandon their wells and connect to the water system. No water treatment would be necessary. He stated that homeowners would be allowed to use their existing wells to water plants and for outside use only if they chose and that a physical separation of both systems existed.

There were no further questions.

ADJOURNMENT

Motion by Mr. Dave Simko to recess the Special meeting at 7:35 p.m., to the referendum on November 6, 2007 from 6:00 a.m. to 8:00 p.m. seconded by Mrs. Pauline Simko. Motion passed.

Respectfully Submitted

Sandra Wieleba, Town Clerk

REFERENDUM November 6, 2007 Moderator Lynn Karavolis called the adjourned Town Meeting to order at 6:00 a.m. and voting began and continued until 8:00 p.m. Moderator Karavolis called for counting of paper ballots. Moderator Karavolis reported that the question failed. Motion to adjourn by Mrs. Margaret Jacobson and seconded by Mrs. Audrey Heidel. Moderator Karavolis called for vote. Vote in affirmative.

“SHALL THE TOWN OF EAST HAMPTON APPROPRIATE \$28,490,000 FOR DEVELOPMENT AND IMPLEMENTATION OF A MUNICIPAL WATER SYSTEM TO SERVE THE CENTRAL PORTION OF EAST HAMPTON, AND AUTHORIZE THE ISSUE OF BONDS, NOTES AND OTHER OBLIGATIONS TO FINANCE THE PORTION OF THE APPROPRIATION NOT DEFRAID FROM GRANTS?”

Question	YES	NO
Machine Total	1,381	1,913
Absentee Total	71	54
Paper Ballots	6	9
Hand Count	5	21
TOTAL:	1,463	1,997

15 nonresidents voted.
47.2% turnout

Adjourned:

Sandra M. Wieleba, Town Clerk

**TOWN OF EAST HAMPTON
RESOLUTION APPROPRIATING \$28,490,000 FOR DEVELOPMENT AND IMPLEMENTATION OF A MUNICIPAL
WATER SYSTEM TO SERVE THE CENTRAL PORTION OF EAST HAMPTON, AND AUTHORIZING THE ISSUE
OF BONDS, NOTES AND OBLIGATIONS TO FINANCE THE PORTION OF THE APPROPRIATION NOT
DEFRAYED FROM GRANTS**

RESOLVED,

1. That the Town of East Hampton appropriate TWENTY-EIGHT MILLION FOUR HUNDRED NINETY THOUSAND DOLLARS (\$28,490,000) for costs in connection with the development and implementation of a municipal water system to serve the central portion of East Hampton, including the development of a wellfield, a water treatment facility, two water storage tanks and a high service water booster station, the installation of approximately 54,000 linear feet of 8-inch and 12-inch diameter ductile iron water mains, related improvements, facilities and equipment, and any related land, easement, right of way and water development right acquisitions, contemplated to be completed substantially as described in the preliminary plan entitled Town of East Hampton Option 4.2 Modified" prepared by The Maguire Group and dated July 19, 2007; other related work and the financing of the project. The project, in part, is contemplated to comply with the provisions of the existing consent order between the State Commissioner of Public Health and the Town with respect to addressing identified pollution issues in the Central Village area of the Town. The Water and Sewer Authority is authorized to determine the scope and particulars of the project, and to reduce or modify the project; and the entire appropriation may be expended on the project as so reduced or modified. The appropriation may be spent for design, construction, survey, soil boring, appraisal and testing costs, mapping services, groundwater investigation and hydraulic analysis costs, well drilling costs, materials, equipment, furnishings, engineering, architect and other consultant fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing. The Town anticipates receiving various State and Federal grants to defray in part the appropriation for the project.

(a) That the Town issue bonds, notes or obligations in an amount not to exceed TWENTY-EIGHT MILLION FOUR HUNDRED NINETY THOUSAND DOLLARS (\$28,490,000) to finance the appropriation for the project. The amount of bonds, notes or obligations authorized to be issued shall be reduced by the amount of grants received by the Town for the project. The bonds, notes or obligations shall be issued pursuant to Sections 7-369 and 7-234 or Sections 22a-475 to 22a-483 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes or obligations shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

(b) that the Town issue and renew temporary notes or interim funding obligations from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes or obligations for the project or the receipt of grants for the project. The amount of the notes or obligations outstanding at any time shall not exceed TWENTY-EIGHT MILLION FOUR HUNDRED NINETY THOUSAND DOLLARS (\$28,490,000). The notes or obligations shall be issued pursuant to Section 7-378 or Sections 22a-475 to 22a-483 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes or obligations 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, and the Town shall comply with the provisions of Section 22a-479(c) with respect to any interim funding obligations.

(c) 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 or notes or obligations 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 or notes or obligations. 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 or notes or obligations; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes or obligations; 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 or notes; to sell the bonds or notes or obligations at public or private sale; to deliver the bonds or notes or obligations; and to perform all other acts which are necessary or appropriate to issue the bonds or notes or obligations.

(d) 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 obligations 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 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 obligations 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 obligations.

(f) That the Water and Sewer Authority is authorized to approve project expenditures and the acquisition costs of any land, easement, right of way or water development rights in connection with project, and to contract with engineers, contractors and others on behalf of the Town for the project.

(g) That the Water and Sewer Authority is authorized to apply for and accept federal and state grants to help finance the appropriation for the project. Any grant proceeds may be used to pay project costs or principal and interest on bonds, notes or obligations.

(h) That the Town Manager, the Public Utilities Administrator or any other proper officer or official of the Town, on behalf of the Town, is authorized to apply for and accept State grants to finance the project and state loans to finance the project, and to enter into any grant or loan agreement prescribed by the State, and that the Town Council, the Chairman and the Vice-Chairman of the Town Council, the Town Manager, the Finance Director, the Water and Sewer Authority, the Public Utilities Administrator and other proper officers and officials of the Town are authorized to take any other actions necessary to obtain such grants or loans pursuant to Section 22a-479 of the Connecticut General Statutes, Revision of 1958, as amended, or to any other present or future legislation, or to implement such grant or loan agreements.

(i) That the Town Council, the Chairman and the Vice-Chairman of the Town Council, the Town Manager, the Finance Director, the Water and Sewer Authority, Public Utilities Administrator 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 other obligations and obtain grants to finance the aforesaid appropriation.

2. Pursuant to Section 7-7 of the General Statutes of Connecticut, Revision of 1958, as amended, to adjourn said town meeting at its conclusion and to submit the aforesaid resolution to vote upon voting machines on Tuesday, November 6, 2007, between the hours of 6:00 a.m. and 8:00 p.m. in conjunction with the election to be held on that date, in the manner provided by the Town Charter and said General Statutes, including the procedures set out in Section 9-369(b)(2) of said General Statutes.

Electors will vote at their respective polling places, as follows: East Hampton High School, 15 North Maple Street, East Hampton, CT 06424.

Persons qualified to vote in town meetings who are not electors shall vote at: East Hampton High School, 15 North Maple Street, East Hampton, CT 06424.

The aforesaid resolution will be placed on the voting machines or paper ballots under the following heading:

“SHALL THE TOWN OF EAST HAMPTON APPROPRIATE \$28,490,000 FOR DEVELOPMENT AND IMPLEMENTATION OF A MUNICIPAL WATER SYSTEM TO SERVE THE CENTRAL PORTION OF EAST HAMPTON, AND AUTHORIZING THE ISSUE OF BONDS, NOTES AND OBLIGATIONS TO FINANCE THE PORTION OF THE APPROPRIATION NOT DEFRAID FROM GRANTS?”

Voters approving said resolution will vote “Yes” and those opposing the resolution will vote “NO”. Absentee ballots will be available from the Town Clerk’s Office.

Dated at East Hampton, Connecticut, this 25th day of September, 2007.

PER ORDER OF THE EAST HAMPTON TOWN COUNCIL

Alison H. Walck, Council Chairman
Derek M. Johnson, Council Vice Chairman
Robert J. Berlin, Council Member
William G. Devine, Council Member
Kyle R. Dostaler, Council Member
Melissa H. Engel, Council Member
Scott A. Minnick, Council Member
Sandra M. Wieleba, Town Clerk