

**Litchfield Board of Finance  
Special Meeting  
May 9, 2012**

A special meeting of the Board of Finance of the Town of Litchfield was held in the LIS Auditorium on May 9, 2012 at 6:46 o'clock PM.

Members present and absent at commencement were as follows:

**PRESENT**

Chairman David Geiger  
Ed Gadomski  
Mitchell Fishman  
Ed Weik  
Anne Dranginis (Alt.)

**ABSENT**

David W. Wilson  
David Pettinicchi (Alt.)  
Brenda Barnes

Chairman Geiger appointed Anne Dranginis to full voting status until Brenda Barnes arrived five minutes after the meeting start.

Those joining after the commencement were as follows: Brenda Barnes

Chairman Geiger introduced and read the following resolution:

RESOLVED: That the resolution entitled 'RESOLUTION APPROPRIATING \$5,100,000 FOR THE TOWN OF LITCHFIELD 2012-2013 CAPITAL IMPROVEMENT PROGRAM, INCLUDING SCHOOL, FIRE VEHICLES, PUBLIC WORKS, AND RECREATION IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$5,100,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE,' is hereby approved and recommended for adoption by the Town.

**Motion:** Ed Weik moved that said resolution be adopted as introduced and the motion was seconded by Ed Gadomski.

In response to questions, David T. Wilson, Treasurer for the Town of Litchfield, explained this FY is different from those in the past where the bonding resolution was done at the town meeting in July. Section 2 of the Resolution spells out the intent: "LOCIP and other grant funds received and expended on the above purposes shall be included in and applied against this appropriation and bond authorization. It is expected that Grant funding will be received in the amount of \$3,216,431 and bonds of the Town will finance \$1,883,569."

Mr. Wilson said the bonds determined by the First Selectman and Treasurer must meet the Town's share of the cost for the project. Mr. Fisher said the Town does not move on a project until they receive a commitment from the State when working with grants. Mr. Wilson added that in some cases the Town would first put up the necessary dollars, expecting to receive the grant funding for

the project and that this is a discretionary action between the First Selectman and Treasurer. This way, the bond purchasers would know the total cost involved.

Mr. Wilson noted that the town meeting would follow this Special Meeting of the Board of Finance.

Upon roll call vote the Ayes and Nays were as follows:

Ayes

David Geiger

Ed Gadomski

Mitchell Fishman

Ed Weik

Brenda Barnes

Anne Dranginis (Alt.)

Nays

Chairman Geiger thereupon declared the motion carried and the resolution adopted.

There being no further business to conduct, a motion to adjourn was made by Anne Dranginis, seconded by Mitchell Fishman and unanimously adopted, and the meeting adjourned at 7:04pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jo Ann Jaacks". The signature is fluid and cursive, with a large initial "J" and "A".

Jo Ann Jaacks

Recording Secretary, Board of Finance

RESOLUTION APPROPRIATING \$5,100,000 FOR THE TOWN  
OF LITCHFIELD 2012-2013 CAPITAL IMPROVEMENT  
PROGRAM, INCLUDING SCHOOL, FIRE VEHICLES,  
PUBLIC WORKS, AND RECREATION IMPROVEMENTS  
AND AUTHORIZING THE ISSUE OF \$5,100,000 BONDS OF  
THE TOWN TO MEET SAID APPROPRIATION AND  
PENDING THE ISSUANCE THEREOF THE MAKING OF  
TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$5,100,000 is appropriated for the planning, acquisition and construction of the Town of Litchfield Capital Improvement Program 2012-2013, consisting of:

Public Works Department:

Bridge Program	\$ 2,779,599
Vehicle & Equipment Replacement	\$ 266,430
Road Program	\$ 285,418
Major Road Projects	\$ 386,893
Public Utilities	\$ 170,500

Board of Education:

Center School Flooring	\$ 40,000
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Board of Fire Commissioners & EMS:

Litchfield Replace Engine 4	\$ 250,000
Bantam Ambulance Replacement	\$ 85,000
Bantam Roof Repair	\$ 135,000
Fire Apparatus Replacement	\$ 575,000

Parks and Recreation:

Engineering Plans – Community Field	\$ 15,000
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Sandy Beach Commission – Contingent on Morris Commitment:

New Bathroom Facilities	\$ 42,000
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Debt Administration:

\$ 69,160

**Total** **\$ 5,100,000**

and for architects, engineers and consultants, easements and other land acquisition as required, curbing, site work, utilities, appurtenances, equipment and services related thereto, or so much thereof as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs, said appropriation to be in addition to all prior appropriations for said purpose. The First Selectman shall determine from time to time the specific item or improvement to be completed, based upon the priority and needs then existing. The First Selectman and Treasurer are authorized to transfer amounts among purposes based upon priority and funding availability. It is hereby found, determined and recited that the foregoing projects

were approved to be undertaken in conjunction with the town for the 2012-2013 town budget adopted by the taxpayers at the Annual Budget Meeting, and the funds therefore are expected and planned to be encumbered and expended, and the projects completed by the 2012-2013 fiscal year end.

Section 2. LOCIP and other grant funds received and expended on the above purposes shall be included in and applied against this appropriation and bond authorization. It is expected that Grant funding will be received in the amount of \$3,216,431 and bonds of the Town will finance \$1,883,569.

Section 3. To meet said appropriation \$5,100,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series as determined by the First Selectman and Treasurer, and the amount of bonds of each series to be issued shall be fixed by the First Selectman and Treasurer, in the amount necessary to meet the Town's share of the cost of the project, 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 administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the Town and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the First Selectman and Treasurer bear, the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the First Selectman and Treasurer, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the First Selectman and Treasurer, and be approved as to their legality by Bond Counsel. They shall bear such rate or rates of interest as shall be determined by the First Selectman and Treasurer. The bonds shall be general obligations of the Town 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 Town are pledged to the payment of the principal thereof and the interest thereon. The aggregate principal amount of the bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the First Selectman and Treasurer, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 4. Said bonds shall be sold by the First Selectman and Treasurer in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals, auction, or similar competitive process at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. 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, the provisions of the purchase

agreement shall be subject to approval of the Board of Selectmen.

Section 5. The First Selectman and Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be executed in the name and on behalf of the Town by the manual or facsimile signatures of the First Selectman and Treasurer, bear the Town seal or a facsimile thereof, be payable at a bank or trust company designated by the First Selectman and Treasurer, be approved as to their legality by Bond Counsel, and be certified by a bank or trust company designated by the First Selectman and Treasurer, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the 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 Town 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 Town 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 6. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town (the "Issuer") 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 after the date of passage of this resolution in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. 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 Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Finance Director or her designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 7. The First Selectman and Treasurer are hereby authorized, on behalf of the Town, 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 Exchange 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 8. It is hereby found and determined that it is in public interest to issue all, or a portion of, the Bonds, Notes or other obligations of the Town as qualified private activity

bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation. The First Selectman and the Treasurer are hereby authorized to issue and utilize without further approval any financing alternative available to municipal governments pursuant to law including but not limited to any "tax credit bonds" or "Build America Bonds" including Direct Payment and Tax Credit versions.