



Town of Groton, Connecticut

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Meeting Minutes

Town Council

Mayor Harry A. Watson, Councilors Peter J. Bartinik, Jr., Natalie Burfoot Billing, Heather Sherman Bond, Catherine Kolnaski, Frank O'Beirne, Jr., Paulann H. Sheets, Thomas J. Skrmetti, and Elissa T. Wright.

Tuesday, June 28, 2005

7:00 PM

Town Hall Annex - Community Room 1

SPECIAL MEETING

1. CALL TO ORDER

Mayor Watson called the meeting to order at 7:02pm.

Members Present: Mayor Watson, Councilor Bartinik, Jr., Councilor Billing, Councilor Bond, Councilor Kolnaski, Councilor O'Beirne, Jr., Councilor Sheets, Councilor Skrmetti and Councilor Wright

2. ROLL CALL

Also present were Water Pollution Control Authority members William Greenhalgh, Ed Brennan, and Tim Tussing.

Staff present included Town Manager Mark Oefinger, Assistant to the Town Manager Lee Vincent, Director of Public Works Gary Schneider, and Town Clerk Barbara Tarbox.

3. NEW BUSINESS

Town Clerk Tarbox read the Notice of the Public Hearing which appeared in The Day on June 17, 2005.

2005-0197

Public Hearing on Ordinance for Fort Hill Homes Sewer Rehabilitation Project

PUBLIC HEARING ON ORDINANCE APPROPRIATING \$6,381,200 FOR FORT HILL HOMES SEWER REHABILITATION PROJECT AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GROTON:

Section 1. That the sum of SIX MILLION THREE HUNDRED EIGHTY-ONE THOUSAND TWO HUNDRED DOLLARS (\$6,381,200) is appropriated for rehabilitation of the Fort Hill Homes sanitary sewer system. The project shall include installation of approximately 19,700 linear feet of cured-in-place lining of existing 8-inch to 18-inch sewer pipe, cementitious lining of approximately 104 existing concrete manholes, and approximately 19 new concrete manholes; and replacement with new 6-inch PVC pipe and/or installation of cured-in-place lining of approximately 32,400 linear feet of existing 4-inch lateral pipes. The Town Council may reduce or modify the scope of the project and the entire appropriation may be spent on the project as so reduced or modified. The appropriation may be spent for design and construction costs, equipment, materials, easement acquisition, site improvements, engineering fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing.

Section 2. That the Town issue bonds or notes or obligations in an amount not to exceed SIX MILLION THREE HUNDRED EIGHTY-ONE THOUSAND TWO HUNDRED DOLLARS (\$6,381,200) to finance the appropriation for the project. The amount of bonds or notes or obligations authorized to be issued shall be reduced by the amount of grants received by the Town for the project. The bonds or notes or obligations shall be issued pursuant to Section 7-259 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 secured by the irrevocable pledge of the full faith and credit of the Town of Groton. The Town does hereby

covenant and agree with the holders of the bonds or notes or obligations and all notes and interim funding obligations issued in anticipation of the receipt of the proceeds from the sale of such bonds or notes or obligations that in each year while any such bonds or notes or obligations are outstanding, it will levy and collect ad valorem taxes upon all taxable properties within the Town, other than properties within the City of Groton, in an amount sufficient, with such other funds of the Town as shall be available for such purpose, to pay the interest and principal on the bonds or notes or obligations as the same become due and payable.

Section 3. 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. The amount of the notes or obligations outstanding at any time shall not exceed SIX MILLION THREE HUNDRED EIGHTY-ONE THOUSAND TWO HUNDRED DOLLARS (\$6,381,200). The notes or obligations shall be issued pursuant to Section 7-264 and 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 secured by the irrevocable pledge of the full faith and credit of the Town, payable as provided in Section 2. The Town shall comply with the provisions of Sections 7-378a and 7-378b of the General Statutes with respect to any notes that do not mature within the time permitted by said Sections 7-264 or 7-378, and the Town shall comply with the provisions of Section 22a-479(c) with respect to any obligations.

Section 4. That the Town Council shall determine the amount of bonds, notes or obligations authorized by Section 2 to be sold. The Town Manager and the Director of Finance shall determine the amount of any temporary notes or interim funding obligations authorized by Section 3 to be sold. The Town Manager and the Director of Finance of the Town shall sign any bonds or notes or obligations by their manual or facsimile signatures. The law firm of Day, Berry & Howard LLP is designated as bond counsel to approve the legality of the bonds or notes or obligations. The Town Manager and the Director of Finance are authorized to determine the dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes or obligations; to provide for the keeping of a record 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 designate a financial advisor to the Town in connection with the sale of the bonds or notes or obligations; 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.

Section 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 Town Manager and the Director of Finance 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 or 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.

Section 6. That the Town Manager and the Director of Finance are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or 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 or notes or obligations.

Section 7. That the Town Manager, 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. The Town Manager, the Director of Finance and the Water Pollution Control Authority 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.

Section 8. That the Water Pollution Control Authority is authorized to construct the sewer project; to approve design and construction expenditures and any easement acquisition costs incurred for the sewer project; and to contract with engineers, contractors and others on behalf of the Town for said sewer project. All such authority is subject to the provisions of Section 1.

Section 9. That the Town Manager, the Director of Finance, the Water Pollution Control Authority and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes or obligations to finance the aforesaid appropriation.

Section 10. This ordinance shall become effective only if it has been adopted by vote of not less than five (5) members of the Town Council and by the Representative Town Meeting, and only if the appropriation set forth in Section 1 and the issuance of bonds and notes and obligations to finance said appropriation have been approved by the voters at referendum in accordance with Section 8.12 of the Town Charter, and notice of passage has been published in accordance with the provisions of the Town Charter.

Heard at Public Hearing

Mayor Watson declared the Public Hearing open at 7:04pm.

Director of Public Works Gary Schneider described the project and displayed charts explaining the rationale for going forward. He outlined the history of sewers in the Fort Hill Homes area which was initially developed during the 1940's.

A letter from Joel Douglas, 66 Neptune Drive, a member of the Water Pollution Control Authority, was read by Lance Walker, 29 Prospect Street. Mr. Douglas voted against the relining project because he believes that there were questions that the Public Works staff had not answered. He mentioned uncertainty about whether this project would eliminate the need for the Water Pollution Control Facility (WPCF) upgrade. He referred to the Subbase housing sewer system, and a need to study conditions before upgrading the WPCF. He also believes that the owners of the properties should be assessed for the upgrade, and noted that the sewer usage fee would increase for all those connected to the system. He believes that the Town should be sensitive to the issues of cost containment and management.

Mayor Watson asked if there were any further comments, and hearing none, declared the Public Hearing closed at 7:16pm.

4. ADJOURNMENT

Motion to Adjourn was made by Councilor Kolnaski, seconded by Councilor Skrmetti, and so declared by the Mayor at 7:17pm.

Attest:

*Barbara Tarbox, Town Clerk
Clerk of the Council*