



**TOWN OF ROCKY HILL  
MEETING MINUTES/MOTIONS**

**In order to comply with Connecticut General Statutes regarding minutes of meetings, the following will be used to record information during all public meetings that take place. An original must be submitted to the Town Clerk of Rocky Hill within 48 hours of the meeting being adjourned. Motions should be complete, showing the maker and second of the motion as well as how each member voted. Unanimous votes may be listed as unanimous.**

NAME OF PUBLIC BOARD OR COMMISSION                      Town Council

DATE MEETING AGENDA POSTED                              March 10, 2010

LOCATION    Council Chambers – Town Hall

DATE OF MEETING    March 15, 2010

TIME MEETING STARTED                                        7:00 p.m.

PERSON PREPARING MEETING MINUTES                      Jessica M. Dumas

VERBATIM NOTES TAKEN                                         Yes     No

AUDIO, VIDEO OR LIVE TRANSMISSION OF MEETING                       Yes     No

**MEMBERS PRESENT AT MEETING**

- |  |                                     |
|--|-------------------------------------|
| 1.     Anthony P. LaRosa, Mayor            | 2.     Phil Sylvestro, Deputy Mayor |
| 3.     Nadine Bell                         | 4.     Larrye deBear                |
| 5.     Mary Ellen Flynn                    | 6.     Tim Moriarty                 |
| 7.     Barbara Surwilo (entered at 7:04pm) | 8.     Frank Szeps                  |
| 9.     Cathy Vargas                        | 10.                                 |

NUMBER REQUIRED FOR QUORUM   6      QUORUM PRESENT  Yes     No

**TEXT MOTIONS AND RESULTS VOTES**

1st MOTION                       Passed     Failed     Tabled

Deputy Mayor Sylvestro made a motion to move up New Business Item A - Resolution with Respect to the Authorization Issuance and Sale of Not Exceeding \$8.2 Million Town of Rocky Hill General Obligation Refunding Bonds, Authorizing Combining Into One Issue and Making Determinations with the Refunding Bonds any other Authorized but Unissued Bonds of the Town, Authorizing Agreements for the Investment of Refunding Escrow and its Reinvestment

over its Term. The motion was seconded by Councilor Moriarty and adopted unanimously.

2nd MOTION  Passed  Failed  Tabled

Deputy Mayor Sylvestro moved to introduce the following resolution entitled "Resolution with Respect to the Authorization Issuance and Sale of Not Exceeding \$8.2 Million Town of Rocky Hill General Obligation Refunding Bonds, Authorizing Combining Into One Issue and Making Determinations with the Refunding Bonds any other Authorized but Unissued Bonds of the Town, Authorizing Agreements for the Investment of Refunding Escrow and its Reinvestment over its Term. Deputy Mayor also noted in the motion was to waive the reading of the entire resolution. The motion was seconded by Councilor deBear and adopted unanimously.

The Clerk of the Council called for a roll call vote.

Councilor Vargas – Yea

Councilor Bell – Yea

Councilor Szeps – Yea

Councilor deBear – Yea

Councilor Sylvestro – Year

Mayor LaRosa – Yea

Councilor Flynn – Yea

Councilor Moriarty – Yea

Councilor Surwilo – Yea

The motion was adopted unanimously.

A copy of the full resolution is attached to the minutes.

3rd MOTION  Passed  Failed  Tabled

Deputy Mayor Sylvestro made a motion to move up Old Business Item A – Discussion and Possible Action West Street Open Space Petition. The motion was seconded by Councilor Moriarty and adopted unanimously.

4th MOTION  Passed  Failed  Tabled

Councilor Surwilo made a motion to decline to act on the West Street Open Space Petition based on the Town Attorney's legal opinion as presented legally and lawfully of our character and move that we reject the petition as in favor of our Town Attorney. The motion was seconded by Councilor Moriarty and adopted unanimously.

5th MOTION  Passed  Failed  Tabled

Deputy Mayor Sylvestro called for a five minutes recess at 7:55 p.m. The motion was seconded by Councilor Surwilo and adopted unanimously.

6th MOTION  Passed  Failed  Tabled

Deputy Mayor Sylvestro moved to come out of recess at 7:58 p.m. The motion was seconded by Councilor Surwilo and adopted unanimously.

7th MOTION       Passed       Failed       Tabled

Deputy Mayor Sylvestro made a motion to approve the minutes of March 1, 2010. The motion was seconded by Councilor Surwilo and adopted unanimously.

8th MOTION       Passed       Failed       Tabled

Deputy Mayor Sylvestro moved to appoint the following individuals: Wendell Coogan Library; John Bedlack Inland Wetlands (Alternate); Claudia Baio Insurance Committee. The motion was seconded by Councilor Moriarty and adopted unanimously.

9th MOTION       Passed       Failed       Tabled

Deputy Mayor Sylvestro made a motion to approve the Consent Agenda. The motion was seconded by Councilor Bell and adopted unanimously.

A. Working Notes – March 1, 2010

B. Legal Bills

BE IT RESOLVED THAT the Town Council / Finance Committee hereby authorizes the payment of the following legal bills for services rendered.

Rome McGuigan, P.C.	\$ 18,508.53 (Jan)
Siegel, O'Connor, O'Donnell & Beck, P.C.	\$ 0.00
Heneghan, Kennedy & Allen, P.C.	\$ 0.00
Murtha Cullina LLP	\$ <u>0.00</u>
<b><u>TOTAL</u></b>	<b>\$ 18,508.53</b>

C. Tax Refunds

BE IT RESOLVED THAT a tax refund in the following amount(s) be and is hereby authorized for Alice Peterson, 779 New Britain Avenue:

<u>List Number</u>	<u>Amount</u>
2008-01-0005184	\$ 68.70
2007-01-0105167	87.60
2006-01-0105180	85.20
2005-01-0105174	84.00
2004-01-0105111	77.40
2003-01-0105123	77.40

Total

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\$499.80  
=====

10th MOTION                     Passed     Failed     Tabled

Deputy Mayor Sylvestro made moved to accept the Board of Educations Resolution. The motion was seconded by Councilor Moriarty and adopted unanimously.

RESOLUTION OF THE ROCKY HILL BOARD OF EDUCATION ON LONG RANGE  
PLANS FOR THE PUBLIC SCHOOL SYSTEM  
MARCH 1, 2010

RESOLVED:

The Rocky Hill Board of Education has reviewed several proposals from Friar Associates for the physical improvements and upkeep of the Rocky Hill public schools and, based on a comprehensive review of several alternatives, recommends the following to the Town Manager and the Town Council:

A single comprehensive school construction and renovation plan that addresses the district's facilities needs at both the elementary and secondary levels with the following four components:

1. West Hill Elementary School: *Renovate as New* and addition of necessary classroom space.
2. Moser Elementary School: Construction of new school on existing site and demolition of existing school;
3. Stevens Elementary School: Cease use as a school and turn facility over to Town;
4. Rocky Hill High School: *Renovate as New* and addition of team locker rooms and required classrooms.

The Board further requests that the Town Council schedule a referendum on these proposals prior to June 30, 2010 in order to meet the State deadline of June 30 for filing school reimbursement applications.

The Board welcomes the opportunity to present these proposals to the Town Manager and the Town Council, and stands ready to assist the Town Council in any way on these proposals and on preparing for a referendum.

11th MOTION                     Passed     Failed     Tabled

Deputy Mayor Sylvestro moved to authorize the Town Manager to Sign for the Youth Services Grant. The motion was seconded by Councilor Surwilo and adopted unanimously.

"Non-Discrimination Certification re Youth Services Grant"

BE IT RESOLVED that the policies of the Town of Rocky Hill comply with the non-discrimination agreements and warranties of Connecticut General Statutes 4a-60(a)(1) and 4a-

60a(a)(1), as amended.

BE IT RESOLVED that Barbara R. Gilbert, Town Manager of the Town of Rocky Hill is hereby authorized to sign said Non-Discrimination Certification on behalf of the Town of Rocky Hill.

12th MOTION                     Passed     Failed     Tabled

Deputy Mayor Sylvestro moved to adjourn. The motion was seconded by Councilor Vargas and adopted unanimously.

LINK TO WORKING NOTES (will be attached if available)

ACTION

CORRECTION(S) (will be attached if available)

TIME MEETING ADJOURNED:       8:55 p.m.

TIME DELIVERED TO TOWN CLERK: \_\_\_\_\_.

RESOLUTION WITH RESPECT TO THE AUTHORIZATION,  
ISSUANCE AND SALE OF NOT EXCEEDING \$8.2 MILLION  
TOWN OF ROCKY HILL GENERAL OBLIGATION  
REFUNDING BONDS, AUTHORIZING COMBINING INTO  
ONE ISSUE AND MAKING DETERMINATIONS WITH THE  
REFUNDING BONDS ANY OTHER AUTHORIZED BUT  
UNISSUED BONDS OF THE TOWN, AUTHORIZING  
AGREEMENTS FOR THE INVESTMENT OF REFUNDING  
ESCROW AND ITS REINVESTMENT OVER ITS TERM

Section 1. \$8.2 Million principal amount of refunding bonds of the Town of Rocky Hill, or so much thereof as shall be necessary, are hereby authorized to be issued and the proceeds therefrom appropriated for the purpose of refunding, including advance refunding, all or any portion of the aggregate principal amount of any issue of Town of Rocky Hill (hereinafter, the "Town") General Obligation Bonds now or hereafter outstanding or hereafter authorized, issued and outstanding, (the "Prior Bonds"), including but not limited to outstanding bonds of the Town's 2000 and 2001 issues and for the payment of all fees and expenses incurred in connection therewith, including redemption price, legal, fiscal advisor, underwriting, accounting, escrow verification, investment broker, printing, rating agencies, registrar, transfer and paying and escrow agents, printing, and such other costs and expenses, and those necessary, appropriate or customarily incurred in connection with the refunding of bonds.

Section 2. The bonds shall be in the denomination 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 Town Manager and Director of Finance (the "Town Officials"). They shall bear such rate or rates of interest or sold at such price or prices, including discount or premium with respect to par, as shall be determined by the Town Officials pursuant to Section 7-370 of the General Statutes. The bonds and notes shall be general obligations of the Town, and each bond and note shall recite that every requirement of law relating to its issue has been duly complied with, that it is within every debt and other limit prescribed by law, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon, and will be paid from property taxation to the extent not paid from other sources. The aggregate principal amount of refunding bonds to be issued, the particular issue or portion thereof they shall refund, the annual installments of principal, redemption provisions, if any, the date, time and manner of issue and sale, interest rate on the bonds, designation of registration transfer and paying agent, financial advisor, underwriter, verification agent or other service providers to facilitate the issuance of the bonds and the transactions herein authorized, and other terms, details and particulars of such bonds, and their issuance and the use and investment of proceeds, including issuance premium, if any, shall be determined by the Town Officials in accordance with the General Statutes of the State of Connecticut, as amended, including but not limited to 7-370 et. seq. The refunding bonds authorized herein may be issued in one or more series, at one or more times and from time to time, provided that, the aggregate principal amount of all such refunding bonds issued shall not exceed \$8.2 Million.

Section 3. The Town Officials are hereby authorized on behalf of the Town of Rocky Hill to enter into bond purchase contracts for the sale of the bonds, insurance or other credit enhancement contracts, escrow agreements, investment contracts to invest the proceeds of the bonds pending their use for the purposes of the issue, including purchasing open market treasury securities, State and Local Government Series, or any investment permitted by law, to enter into interest rate swap agreements or other agreements and determinations authorized by Section 7-370b and 7-370c, and to execute and deliver such other contracts or certificates necessary or appropriate to consummate the issuance of bonds and transactions herein contemplated, to contract with agents to act on behalf of the Town with respect to any of the foregoing and to apply the proceeds of such bonds for the purposes herein authorized. In connection with agreements to invest the proceeds of the bonds, the Town Officials are specifically authorized to enter into contracts to provide for the investment or reinvestment of amounts held in an advance refunding escrow, including but not limited to agreements to deliver, provide, or receive securities to fund the refunding escrow, or to otherwise facilitate refunding purposes, to purchase securities during the term of the escrow from proceeds derived from maturing escrow securities, including agreements committing to purchase or allow for the purchase of such securities over the term of the escrow, in exchange for payment, and which agreements may be described or are commonly known as escrow float contracts, escrow reinvestment agreements or generally, guaranteed investment contracts. Such agreements and any contract agreement authorized hereunder, may include agreements with and instructions to an escrow agent, or consist of agreements with multiple parties to accomplish its objectives, provisions for delivery and payment of securities or exchanges of cash flow, provisions identifying the type of securities to be delivered, the date, principal amount, maturity date and maturity amount of delivered securities, the timing and amount of exchanged cash flows, if any, default provisions, the preconditions to entering into such agreements, including opinions of counsel, including reasoned opinions addressing the effect of bankruptcy, insolvency, appointment of a conservator or other similar proceedings with respect to any party to such contract, including, but not limited to a party agreeing to provide such securities to the escrow in exchange for payment therefore, or any party to an interest rate swap agreement. The agreements contemplated by this section may consist of more than one agreement entered into with more than one party. Any portion of the payment derived from such contracts may be deposited to the refunding escrow or expended to reduce, directly or indirectly, the amount of bonds required to be issued to refund the Town's Prior Bonds.

Section 4. The Town Officials are hereby authorized, on behalf of the Town of Rocky Hill, 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.

Section 5. The Town Officials are authorized to combine with the issue of refunding bonds herein authorized, bonds for any other purpose which the Town has authorized but, as of the issue date of the applicable series of refunding bonds, are unissued, including any bonds authorized subsequent to the date of adoption of this resolution. Solely in connection with such

combined issue, the Town Officials in addition to the authority conferred upon them by any bond resolution authorizing the issue of the bonds to be combined into one issue with the refunding bonds, are hereby delegated the authority to enter into contracts of purchase for such bonds and to determine their interest rate, and to exercise with respect to such combined issue of bonds the authority herein conferred.

Section 6. The Town Officials are hereby authorized on behalf of the Town to enter into contracts and to execute and deliver certificates necessary, appropriate or advisable in their determination to consummate the issuance of the bonds and the transactions authorized herein.

Section 7. This Resolution shall remain in full force and effect until repealed by the Town Council.

Section 8. It is hereby found and determined that the issue of all, or a portion of, the Bonds, Notes or other obligations of the Town authorized to be issued herein as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation, is in the public interest. The Town Officials are hereby authorized to issue and utilize without further approval any financing alternative available to municipal governments pursuant to HRI, "Making Supplemental Appropriations for Job Preservation and Creation, Infrastructure Investment, Energy Efficiency and Science, Assistance to the Unemployed, and State and Local Fiscal Stabilization, for the Fiscal Year Ending September 30, 2009, and for other purposes" (the "American Recovery and Reinvestment Act of 2009"), including but not limited to any "tax credit bond," or "Build America Bonds" including Direct Payment and Tax Credit Versions.