

EAST HARTFORD TOWN COUNCIL

TOWN COUNCIL CHAMBERS

AUGUST 16, 2016

PRESENT Chair Richard F. Kehoe, Majority Leader Linda A. Russo, Minority Leader Esther B. Clarke, Councillors Marc I. Weinberg, Ram Aberasturia, Joseph R. Carlson, Patricia Harmon and Michael G. Kurker

ABSENT Vice Chair William P. Horan, Jr.

CALL TO ORDER

Chair Kehoe called the meeting to order at 7:35 p.m. The Chair announced the exit locations in accordance with Connecticut General Statutes §29-381, after which the Council joined him in the pledge of allegiance.

The Chair called for a moment of silence to honor the life of Elaine Carey, a lifelong resident of East Hartford, who served on the Planning and Zoning Commission as well as the Patriotic Commission. She will be missed.

AMENDMENTS TO THE AGENDA

MOTION By Linda Russo
seconded by Ram Aberasturia
to **amend** the agenda as follows:

under New Business, revise "Lamar Advertising: Billboard Relocation" to "Referral to the Ordinance Committee re: Lamar Advertising: Billboard Relocation".
Motion carried 8/0.

OPPORTUNITY FOR RESIDENTS TO ADDRESS THE COUNCIL ON AGENDA ITEMS

Robert Valerio, 552 Goodwin Street, (1) suggested that there should be a warrantee from the contractor who is hired for the road improvement program to fix any problems with cracking of the pavement if they occur prematurely; and (2) is concerned about blight issues along Silver Lane, particularly the old Town and Country Liquors building.

Susan Kniep, 44-46 and 50 Olde Roberts Street, (1) is against the Connecticut City and Town Development Act; and (2) would like a list of the blighted properties along Silver Lane.

Donald Sugalski, 1736 Main Street, inquired on the need for the Council's approval of the Connecticut City and Town Development Act. Mr. Sugalski also stated that he opposes this bond issue.

APPROVAL OF MINUTES

August 2, 2016 Public Hearing/Bond Resolutions

MOTION By Linda Russo
 seconded by Ram Aberasturia
 to **approve** the minutes of the August 2, 2016 Public Hearing.
 Motion carried 7/0. **Abstain**: Kurker

August 2, 2016 Regular Meeting

MOTION By Linda Russo
 seconded by Pat Harmon
 to **approve** the minutes of the August 2, 2016 Regular Meeting.
 Motion carried 7/0. **Abstain**: Kurker

COMMUNICATIONS AND PETITIONS

Billy Casper Golf Course Annual Update

Ryan Phelps, Regional Director of Operations for Billy Casper Golf Course, headed a presentation of the progress the East Hartford Golf Course has made this past year. Also present were Matt Fauerbach, Regional Director of Agronomy and Bill Abbie, Superintendent of the East Hartford Golf Course. There was a general consensus that the physical layout of the Golf Course is much better and that the growth is in line with what was expected.

Tim Bockus, Public Works Director, updated the Council on (1) the installation of the new well which the town will utilize for irrigation purposes instead of using MDC water; and (2) the golf cart paths project which should be completed by November.

NEW BUSINESS

Bond Referenda:

Flood Control System/Road Improvement Program:

MOTION By Linda Russo
 seconded by Esther Clarke
 to **waive** the reading of Sections 2 through 8, exclusive of Section 5.
 Motion carried 8/0.

MOTION By Linda Russo
 seconded by Ram Aberasturia
 to **adopt** the following resolution:

RESOLUTION APPROPRIATING \$15,000,000 FOR THE
PLANNING, DESIGN, CONSTRUCTION AND
RECONSTRUCTION OF TOWN ROADS AND PARKING
LOTS AND FOR FLOOD CONTROL SYSTEM
IMPROVEMENTS AND AUTHORIZING THE ISSUANCE OF
\$15,000,000 BONDS OF THE TOWN TO MEET SAID
APPROPRIATION AND PENDING THE ISSUANCE
THEREOF THE MAKING OF TEMPORARY BORROWINGS
FOR SUCH PURPOSE

Section 1. The Town of East Hartford, Connecticut (the "Town") hereby appropriates (a) \$10,000,000 for the planning, design, construction and reconstruction of Town roads and parking lots, including rebuilding, resurfacing, drainage, conduits, and related subsurface and infrastructure improvements, and (b) \$5,000,000 for flood control system improvements, including, but not limited to, bringing the system into conformity with federally mandated standards imposed on the Town by the U.S. Army Corps of Engineers, inclusive of administrative, legal and financing costs related thereto (the "Projects").

Section 2. To meet said appropriation, \$15,000,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the tenth year after their date. Said bonds may be issued in one or more series as determined by the Mayor, the Treasurer and Director of Finance in the amount necessary to meet the Town's share of the cost of the Projects, 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, legal and financing costs of issuing said bonds. The bonds shall be in the denomination of \$1,000 or any whole multiple thereof, be issued fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Mayor and the Treasurer, bear the Town seal or a facsimile thereof, be certified by a bank or trust company which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, Connecticut. 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 interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including approval of the rate or rates of interest, shall be determined by the Mayor, the Treasurer and the Director of Finance in accordance with the General Statutes of Connecticut, Revision of 1958, as amended from time to time (the "Connecticut General Statutes").

Section 3. Said bonds shall be sold by the Mayor, the Treasurer and the Director of Finance in a competitive offering or by negotiation, in their discretion. If sold in a competitive offering, the bonds shall be sold 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, provisions of the purchase agreement shall be approved by the Mayor, the Treasurer and the Director of Finance.

Section 4. The Mayor, the Treasurer and the Director of Finance are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor and the Treasurer, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor, the Treasurer and the Director of Finance, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, Connecticut, and be certified by a bank or trust company designated by the Mayor, the Treasurer and the Director of Finance pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes. 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 Projects. Upon the sale of the 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 5. The balance of any appropriation or the proceeds of any bonds not needed to meet the cost of any Project authorized by this resolution may be transferred with the approval of the Town Council to meet the actual cost of any other Project authorized by this resolution; provided that the aggregate amount of bonds authorized pursuant to such transfer shall not be increased.

Section 6. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this resolution in the maximum amount of the Projects with the proceeds of bonds, notes or other obligations ("Tax Exempt Obligations") authorized to be issued by the Town. The Tax Exempt Obligations 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 Projects, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of the Tax Exempt Obligations.

Section 7. The Mayor, the Treasurer and the Director of Finance 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 Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of certain 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 MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The Mayor, the Treasurer and the Director of Finance are hereby, authorized, on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution. The Mayor, the Treasurer and the Director of Finance are hereby authorized, on behalf of the Town, to apply for and accept any and all Federal and State loans and or grants-in-aid of any Project, to expend said funds in accordance with the terms hereof, and in connection therewith to contract in the name of the Town with engineers, contractors and others.

Motion carried 8/0.

Placement on the Ballot

MOTION By Linda Russo
 seconded by Ram Aberasturia
 to **approve** the following:

RESOLVED: That the resolution entitled "Resolution appropriating \$15,000,000 for the planning, design, construction and reconstruction of town roads and parking lots and for flood control system improvements and authorizing the issuance of \$15,000,000 bonds of the town to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose", adopted by the Town Council on August 16, 2016, be submitted to the Town electors for approval or disapproval at a referendum in conjunction with the general election to be held on Tuesday, November 8, 2016, between the hours of 6:00 a.m. and 8:00 p.m. (E.S.T.), and that the warning of said referendum shall state the questions to be voted upon as follows:

1. "Shall the resolution entitled 'Resolution Appropriating \$15,000,000 For The Planning, Design, Construction and Reconstruction of Town Roads and Parking Lots and for Flood Control System Improvements and Authorizing the Issuance of \$15,000,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose', adopted by the Town Council on August 16, 2016, be approved?"

The ballot label for said question shall read as follows:

"Shall the \$15,000,000 appropriation and bond authorization for the planning, design, construction and reconstruction of town roads and parking lots and for flood control system improvements be approved?"

YES _____

NO _____

The warning shall also state that the full text of the aforesaid resolutions is on file, open to public inspection, in the office of the Town Clerk, that the vote on the aforesaid bond resolutions is taken under the authority of Chapter VI Section 6.9 of the Charter of the Town of East Hartford, and Chapter 152 of the Connecticut General Statutes, as amended, and that absentee ballots will be available in accordance with law in the office of the Town Clerk.

Motion carried 8/0.

Explanatory Text Publication and Payment Thereof for Bond Referenda

MOTION By Linda Russo
 seconded by Ram Aberasturia
 that the Town Clerk prepare for publication the explanatory text regarding
 the bond referenda and that those costs be paid for by the Town Clerk.
 Motion carried 8/0.

Senior Center/Multi-purpose Facility

MOTION By Linda Russo
 seconded by Esther Clarke
 to **waive** the reading of Sections 2 through 7.
 Motion carried 8/0.

MOTION By Linda Russo
 seconded by Marc Weinberg
 to **adopt** the following resolution:

RESOLUTION APPROPRIATING \$5,000,000 FOR THE
PLANNING, DESIGN, ACQUISITION, CONSTRUCTION AND/OR
RENOVATION OF A SENIOR CENTER/MULTIPURPOSE

FACILITY AND AUTHORIZING THE ISSUANCE OF \$5,000,000
BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND
PENDING THE ISSUANCE THEREOF THE MAKING OF
TEMPORARY BORROWINGS FOR SUCH PURPOSE

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAST HARTFORD:

Section 1. The sum of \$5,000,000 is appropriated by the Town of East Hartford, Connecticut (the "Town") for the planning, design, acquisition, construction and/or renovation of a Senior Center/Multipurpose Facility, and for administrative, legal and financing costs related thereto (the "Project").

Section 2. To meet said appropriation, \$5,000,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the tenth year after their date. Said bonds may be issued in one or more series as determined by the Mayor, the Treasurer and the Director of Finance 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, legal and financing costs of issuing said bonds. The bonds shall be in the denominations of \$1,000, or any whole multiple in excess thereof, be issued fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Mayor and the Treasurer, bear the Town seal or a facsimile thereof, be certified by a bank or trust company which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, Connecticut. 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 interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including approval of the rate or rates of interest, shall be determined by the Mayor, the Treasurer and the Director of Finance in accordance with the General Statutes of Connecticut, Revision of 1958, as amended from time to time (the "Connecticut General Statutes").

Section 3. Said bonds shall be sold by the Mayor, the Treasurer and the Director of Finance in a competitive offering or by negotiation, in their discretion. If sold in a competitive offering, the bonds shall be sold 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, provisions of the purchase agreement shall be approved by the Mayor, the Treasurer and the Director of Finance.

Section 4. The Mayor, the Treasurer and the Director of Finance are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor and the Treasurer, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor, the Treasurer and the Director of Finance, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, Connecticut, and be certified by a bank or trust company designated by the Mayor, the Treasurer and the Director of Finance pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes. 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 the 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 5. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this resolution in the maximum amount of the Project with the proceeds of bonds, notes or other obligations ("Tax Exempt Obligations") authorized to be issued by the Town. The Tax Exempt Obligations 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 Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director

of Finance or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of the Tax Exempt Obligations.

Section 6. The Mayor, the Treasurer and the Director of Finance 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 Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of certain 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 MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 7. The Mayor, the Treasurer and the Director of Finance are hereby authorized, on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution. The Mayor, the Treasurer and the Director of Finance are hereby authorized, on behalf of the Town, to apply for and accept any and all Federal and State loans and or grants-in-aid of any Project, to expend said funds in accordance with the terms hereof, and in connection therewith to contract in the name of the Town with engineers, contractors and others.

Motion carried 8/0.

Placement on the Ballot

MOTION By Linda Russo
seconded by Marc Weinberg
to **approve** the following:

RESOLVED: That the resolution entitled "Resolution Appropriating \$5,000,000 For The Planning, Design, Acquisition, Construction And/Or Renovation Of A Senior Center/Multipurpose Facility And Authorizing The Issuance Of \$5,000,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", adopted by the Town Council on August 16, 2016, be submitted to the Town electors for approval or disapproval at a referendum in conjunction with the general election to be held on Tuesday, November 8, 2016, between the hours of 6:00 a.m. and 8:00 p.m. (E.S.T.), and that the warning of said referendum shall state the questions to be voted upon as follows:

1. "Shall the resolution entitled 'Resolution Appropriating \$5,000,000 For The Planning, Design, Acquisition, Construction And/Or Renovation Of A Senior Center/Multipurpose Facility And Authorizing The Issuance Of \$5,000,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose', adopted by the Town Council on August 16, 2016, be approved?"

The ballot label for said question shall read as follows:

"Shall the \$5,000,000 appropriation and bond authorization for the planning, design, acquisition, construction and/or renovation of a Senior Center/Multipurpose Facility be approved?"

YES _____

NO _____

The warning shall also state that the full text of the aforesaid resolution is on file, open to public inspection, in the office of the Town Clerk, that the vote on the aforesaid bond resolution is taken under the authority of Chapter VI Section 6.9 of the Charter of the Town

of East Hartford, and Chapter 152 of the Connecticut General Statutes, as amended, and that absentee ballots will be available in accordance with law in the office of the Town Clerk.

Motion carried 8/0.

Explanatory Text Publication and Payment Thereof for Bond Referenda

MOTION By Linda Russo
 seconded by Marc Weinberg
 that the Town Clerk prepare for publication the explanatory text regarding
 the bond referenda and that those costs be paid for by the Town Clerk.
 Motion carried 8/0.

Connecticut City and Town Development Act

MOTION By Linda Russo
 seconded by Esther Clarke
 to **adopt** the following resolution:

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EAST HARTFORD, CONNECTICUT ADOPTING THE CONNECTICUT CITY AND TOWN DEVELOPMENT ACT FOR THE PURPOSES OF SILVER LANE AND SOUTH MEADOWS ECONOMIC DEVELOPMENT

WHEREAS, Chapter 114 of the General Statutes of Connecticut, Sections 7-480 to 7-503, inclusive, as amended from time to time (the "Act"), provides that municipalities which have found and determined that conditions substantially as described in Section 7-481 of the Act exist in the municipality, are continuing, and may be ameliorated by the exercise by the municipality of the powers granted under the Act may exercise the powers under the Act; and

WHEREAS, in order to exercise the powers conferred upon municipalities under the Act for a period not in excess of five years, the legislative body of a municipality must determine by resolution that conditions substantially as described in Section 7-481 of the Act exist, such resolution must include certain findings and determinations and standards as required under Section 7-485 of the Act for implementation of the powers granted under the Act, and such resolution be submitted to the electors of the municipality for their approval; and

WHEREAS, any action taken in the exercise of any powers granted under the Act by a municipality may only be taken after approval of such action by the legislative body of such municipality, which approval must be by resolution adopted in accordance with the Act; and

WHEREAS, pursuant to the Act, a municipality shall have the power to issue its notes and bonds for achieving the purposes of the Act, including the making of mortgage loans and loans to sponsors, the acquisition of development property, the establishment of reserves to secure such notes and bonds, interest on such notes and bonds during construction and for one year thereafter, and the payment of expenses incident to or necessary for furtherance of the purposes of the Act; and

WHEREAS, the Town of East Hartford, Connecticut (the "Town") considers any level of unemployment unreasonable and any obsolete residential, industrial, commercial and manufacturing facilities unacceptable, and continually seeks innovative approaches to attracting jobs to the Town, constructing and holding residential, non-residential, industrial, commercial and manufacturing facilities, and eliminating vacant facilities which are a blighting influence; and

WHEREAS, the ordinary operations of private enterprise cannot deal effectively with these problems without the powers provided under the Act, and the exercise of the powers conferred upon the Town by the Act are critical to revitalizing the Town; and

WHEREAS, the members of the Town Council have general knowledge of the conditions within the Town relating to the rate of unemployment, the obsolescence of many of the Town's residential, commercial, industrial and manufacturing facilities and the need for the Town to retain and attract new residential, commercial, industrial and manufacturing facilities; and

WHEREAS, the Town continues local efforts to address the needs of its citizens as stated above by reducing blight, increasing the tax base and creating opportunities for employment; and

WHEREAS, the Town Council is generally aware of the requirements imposed upon municipalities by the Act; and

WHEREAS, it is in the interest of the Town to implement the provisions of the Act as soon as possible in order to take advantage of the provisions of the Act.

NOW, THEREFORE, BE IT HEREBY

RESOLVED: That the Town Council hereby makes the following findings and determinations and the following standards for the implementation of the powers granted under the Act:

(1) it is unreasonable that any number of residents of the Town are subject to hardship in finding employment and adequate, safe and sanitary housing;

(2) any conditions of blight and deterioration that exist in the Town must be addressed;

(3) private enterprise is not meeting such need for housing, employment, and the reduction of blight and deterioration;

(4) the need for employment and adequate, safe and sanitary housing will be lessened and the Town will be revitalized by the exercise of the powers granted under the Act;

(5) adequate provisions shall be made for the payment of the cost of acquisition, construction, operation, maintenance and insurance of all development property;

(6) a feasible method exists and shall be utilized for the relocation into safe and sanitary dwellings of comparable rent of families and individuals displaced as a consequence of the exercise of any power granted under the Act and such families and individuals shall not suffer disproportionate injuries as a result of actions authorized by the Act for the public benefit;

(7) development property shall not be acquired or disposed of without due consideration of the environmental and economic impact of such acquisition or disposition and the adequacy of existing or proposed municipal services; and

(8) the acquisition or disposition of all development property shall advance the public interest, general health, safety and welfare, and development, growth and prosperity of the Town.

RESOLVED: That anything contained in this Resolution to the contrary notwithstanding, it is the intention of this Town Council that by adopting this Resolution it is conferring upon the Town, subject to approval of a majority of the persons voting on this Resolution at the next regular municipal election, all of the authorities, powers, rights and obligations conferred upon municipalities under the provisions of the Act, and that upon approval of this Resolution by a majority of persons voting on this Resolution as aforesaid, the Town will have sufficiently complied with the Act so as to be able to exercise all of the powers conferred upon municipalities under the Act in accordance with said Act.

RESOLVED: That the Town Council hereby adopts this Resolution and the Act subject to the following conditions: (1) that the powers of such Act shall be restricted to the sections of Town defined generally as (A) the Silver Lane Corridor – bounded on the east by Forbes Street, on the north by Interstate 84, on the south by a line drawn parallel to Silver Lane from the southerly extension of any parcel with access to Silver Lane and to the west by Mercer Avenue and the high occupancy vehicle exit from Interstate 84 to Silver Lane, provided that the Corridor shall include those portions of the property known as Rentschler Field which are not utilized by United Technologies Corporation or its divisions, subsidiaries or affiliated entities for industrial, manufacturing, engineering, office or other associated or accessory uses, and (B) the South Meadows – bounded by Interstate 84 to the north, Route 2 to the east, the Hockanum River to the south and the Connecticut River to the west ; and (2) any tax abatement or incentive on a parcel within such sections of the Town granted pursuant to the Act shall result in the Town receiving, in any year that such abatement or incentive is applied, at least the value of the taxes assessed on such property during the tax year immediately preceding the first year of applicability of such abatement or incentive.

RESOLVED: That the Mayor, the Town Clerk and the Registrars of Voters are hereby authorized to take any and all steps necessary to place this Resolution on the ballot at the next regular municipal election held subsequent to the adoption of this Resolution in accordance with the provisions of the Act and Section 9-369 of the General Statutes of Connecticut, Revision of 1958, as amended, including but not limited to warning electors, preparing ballots labels, holding the referendum and canvassing the vote on this Resolution.

RESOLVED: That the effective date of this Resolution shall be the date of its approval by a majority of persons voting on this Resolution at the next regular municipal election held subsequent to the adoption of this Resolution by this Town Council, and this Resolution shall be effective for a period of five years from such effective date. If less than a majority of those voting in such municipal election vote to approve this Resolution, it shall become null and void.

Motion carried 8/0.

Placement on the Ballot

MOTION By Linda Russo
 seconded by Ram Aberasturia
 to **approve** the following:

RESOLVED: That the resolution entitled “Resolution Of The Town Council Of The Town Of East Hartford, Connecticut Adopting The Connecticut City And Town Development Act For The Purposes Of Silver Lane And South Meadows Economic Development”, adopted by the Town Council on August 16, 2016, be submitted to the Town electors for approval or disapproval at a referendum in conjunction with the general election to be held on Tuesday, November 8, 2016, between the hours of 6:00 a.m. and 8:00 p.m. (E.S.T.), and that the warning of said referendum shall state the questions to be voted upon as follows:

1. “Shall the resolution entitled ‘Resolution Of The Town Council Of The Town Of East Hartford, Connecticut Adopting The Connecticut City And Town Development Act For The Purposes Of Silver Lane And South Meadows Economic Development’, adopted by the Town Council on August 16, 2016, be approved?”

The ballot label for said question shall read as follows:

“Shall the resolution of the Town Council adopting the Connecticut City and Town Development Act for the purposes of Silver Lane and South Meadows economic development be approved?”

YES _____

NO _____

The warning shall also state that the full text of the aforesaid resolution is on file, open to public inspection, in the office of the Town Clerk, that the vote on the aforesaid resolution is taken under the authority of Chapter VI Section 6.9 of the Charter of the Town of East Hartford, and Chapter 152 of the Connecticut General Statutes, as amended, and that absentee ballots will be available in accordance with law in the office of the Town Clerk.

Motion carried 8/0.

Explanatory Text Publication and Payment Thereof for Bond Referenda

MOTION By Linda Russo
 seconded by Ram Aberasturia
 that the Town Clerk prepare for publication the explanatory text regarding
 the bond referenda and that those costs be paid for by the Town Clerk.
 Motion carried 8/0.

Redevelopment of Silver Lane Corridor

MOTION By Linda Russo
 seconded by Pat Harmon
 to **waive** the reading of Sections 2 through 7.
 Motion carried 8/0.

MOTION By Linda Russo
 seconded by Ram Aberasturia
 to **adopt** the following resolution:

RESOLUTION APPROPRIATING \$3,000,000 FOR LAND ACQUISITION
AND INFRASTRUCTURE IMPROVEMENTS FOR REDEVELOPMENT OF
THE SILVER LANE CORRIDOR AND AUTHORIZING THE ISSUANCE OF
\$3,000,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION
AND PENDING THE ISSUANCE THEREOF THE MAKING OF
TEMPORARY BORROWINGS FOR SUCH PURPOSE

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAST HARTFORD:

Section 1. The sum of \$3,000,000 is appropriated by the Town of East Hartford, Connecticut (the "Town"), subject to Town Council approval for such appropriations, for land acquisition and infrastructure improvements for redevelopment of the Silver Lane Corridor, bounded on the east by Forbes Street, on the north by Interstate 84, on the south by a line drawn parallel to Silver Lane from the southerly extension of any parcel with access to Silver Lane and to the west by Mercer Avenue and the high occupancy vehicle exit from Interstate 84 to Silver Lane, provided that such corridor shall not include the property known as Rentschler Field, including, but not limited to, environmental testing and remediation, acquisition, demolition and improvement of land and existing buildings for resale to developers or retained for open space, and installation of roads, sidewalks, sewers, drainage, lighting, landscaping, and other public improvements, and for administrative, legal and financing costs related thereto (the "Project").

Section 2. To meet said appropriation, \$3,000,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the tenth year after their date. Said bonds may be issued in one or more series as determined by the Mayor, the Treasurer and the Director of Finance 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, legal and financing costs of issuing said bonds. The bonds shall be in the denominations of \$1,000, or any whole multiple in excess thereof, be issued fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Mayor and the Treasurer, bear the Town seal or a facsimile thereof, be certified by a bank or trust company which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, Connecticut. 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 interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including approval of the rate or rates of interest, shall be determined by the Mayor, the Treasurer and the Director of Finance in accordance with the General Statutes of Connecticut, Revision of 1958, as amended from time to time (the "Connecticut General Statutes").

Section 3. Said bonds shall be sold by the Mayor, the Treasurer and the Director of Finance in a competitive offering or by negotiation, in their discretion. If sold in a competitive offering, the bonds shall be sold 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, provisions of the purchase agreement shall be approved by the Mayor, the Treasurer and the Director of Finance.

Section 4. The Mayor, the Treasurer and the Director of Finance are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor and the Treasurer, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor, the Treasurer and the Director of Finance, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, Connecticut, and be certified by a bank or trust company designated by the Mayor, the Treasurer and the Director of Finance pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes. 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 the 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 5. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this resolution in the maximum amount of the Project with the proceeds of bonds, notes or other obligations ("Tax Exempt Obligations") authorized to be issued by the Town. The Tax Exempt Obligations 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 Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of the Tax Exempt Obligations.

Section 6. The Mayor, the Treasurer and the Director of Finance 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 Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of certain 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 MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 7. The Mayor, the Treasurer and the Director of Finance are hereby authorized, on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution. The Mayor, the Treasurer and the Director of Finance are hereby authorized, on behalf of the Town, to apply for and accept any and all Federal and State loans and or grants-in-aid of any Project, to expend said funds in accordance with the terms hereof, and in connection therewith to contract in the name of the Town with engineers, contractors and others.

Motion carried 8/0.

Placement on the Ballot

MOTION By Linda Russo
 seconded by Ram Aberasturia
 to **approve** the following:

RESOLVED: That the resolution entitled "Resolution Appropriating \$3,000,000 For Land Acquisition And Infrastructure Improvements For Redevelopment Of The Silver Lane Corridor And Authorizing The Issuance Of \$3,000,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", adopted by the Town Council on August 16, 2016, be submitted to the Town electors for approval or disapproval at a referendum in conjunction with the general election to be held on Tuesday, November 8, 2016, between the hours of 6:00 a.m. and 8:00 p.m. (E.S.T.), and that the warning of said referendum shall state the question to be voted upon as follows:

1. "Shall the resolution entitled 'Resolution Appropriating \$3,000,000 For Land Acquisition And Infrastructure Improvements For Redevelopment Of The Silver Lane Corridor And Authorizing The Issuance Of \$3,000,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose', adopted by the Town Council on August 16, 2016, be approved?"

The ballot label for said question shall read as follows:

"Shall the \$3,000,000 appropriation and bond authorization for land acquisition and infrastructure improvements for redevelopment of the Silver Lane Corridor be approved?"

YES _____

NO _____

The warning shall also state that the full text of the aforesaid resolution is on file, open to public inspection, in the office of the Town Clerk, that the vote on the aforesaid bond resolution is taken under the authority of Chapter VI Section 6.9 of the Charter of the Town of East Hartford, and Chapter 152 of the Connecticut General Statutes, as amended, and that absentee ballots will be available in accordance with law in the office of the Town Clerk.

Motion carried 8/0.

Explanatory Text Publication and Payment Thereof for Bond Referenda

MOTION By Linda Russo
seconded by Ram Aberasturia
that the Town Clerk prepare for publication the explanatory text regarding the bond referenda and that those costs be paid for by the Town Clerk.
Motion carried 8/0.

Approval of Sale of Individual Tax Liens

MOTION By Joseph Carlson
seconded by Ram Aberasturia
to **approve** the sale of tax liens as listed on the report attached to a memorandum dated August 5, 2016 from Finance Director Michael Walsh to Mayor Marcia Leclerc which lists and enumerates 16 properties,

along with the amount of the tax lien for each property and the high bid for each property, resulting from the request for proposal relevant to the tax lien sale and to **award** the high bid for the 16 properties which collectively totals \$354,118.41 as follows:

- ❖ Empire VIII CT Portfolio, LLC – 14 bids totaling \$325,164.00; and
- ❖ Benchmark Municipal Tax Services LTD– 1 bid totaling \$16,827.51; and
- ❖ Fig Investments – 1 bid totaling \$12,126.90

Motion carried 8/0.

Refunding Bond Resolution

MOTION By Joseph Carlson
seconded by Esther Clarke
to **waive** the reading of Sections 1 and 2 of the resolution for the authorization, issuance and sale of not exceeding \$8,000,000 town of East Hartford general obligation refunding bonds.
Motion carried 8/0.

MOTION By Joseph Carlson
seconded by Ram Aberasturia
to **adopt** the following resolution:

RESOLUTION WITH RESPECT TO THE AUTHORIZATION, ISSUANCE AND SALE OF NOT EXCEEDING \$8,000,000 TOWN OF EAST HARTFORD GENERAL OBLIGATION REFUNDING BONDS

RESOLVED:

Section 1. Not exceeding \$8,000,000 General Obligation Refunding Bonds (the "Refunding Bonds") of the Town of East Hartford, Connecticut (the "Town") may be issued in one or more series and in such principal amounts as the Mayor, Town Treasurer and the Director of Finance shall determine to be in the best interests of the Town for the purpose of achieving net present value savings and/or to moderate debt service payments. The Refunding Bonds are hereby authorized to refund all or any portion of any one or more series of the Town's outstanding General Obligation Bonds (the "Refunded Bonds"). The Refunding Bonds shall be issued and sold either in a negotiated underwriting or a competitive offering, and at such time or times as the Mayor, the Town Treasurer and the Director of Finance shall determine to be most opportune for the Town. Each series of Refunding Bonds shall mature in such amounts and on such date or dates as shall be determined by the Mayor, the Town Treasurer and the Director of Finance provided that no Refunding Bonds shall mature later than the final maturity date of the last maturity of any Refunded Bonds being refunded by such series. The Refunding Bonds shall bear interest payable at such rate or rates as shall be determined by the Mayor, the Town Treasurer and the Director of Finance. The Refunding Bonds shall be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Mayor, the Town Treasurer and the Director of Finance, bear the Town seal or a facsimile thereof, and be approved as to their legality by Robinson & Cole LLP, Bond Counsel. The Refunding Bonds shall be general obligations of the Town and each of the Refunding 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 denominations, form, details, and other particulars thereof, including the terms of any rights of redemption and redemption prices, the designation of the certifying, paying, registrar and transfer agent, shall be subject to the approval of the Mayor, the Town Treasurer and the Director of Finance. The net proceeds of the sale of the Refunding Bonds, after payment of underwriter's discount and other costs of issuance, shall be deposited in an irrevocable escrow account in an amount sufficient to pay the principal of, interest and redemption premium, if any, due on the Refunded Bonds to maturity or earlier redemption pursuant to the plan of refunding. The Mayor, the Town Treasurer and the Director of Finance, are authorized to appoint an escrow agent and other professionals and to execute and deliver any and all escrow, investment and related

agreements necessary to provide for such payments on the Refunded Bonds and to provide for the transactions contemplated hereby. The Mayor, the Town Treasurer and the Director of Finance, are authorized to prepare and distribute preliminary and final Official Statements of the Town of East Hartford for use in connection with the offering and sale of the Refunding Bonds, and they are hereby authorized to execute and deliver on behalf of the Town a Bond Purchase Agreement, a Continuing Disclosure Agreement, a Tax Regulatory Agreement and such other documents necessary or desirable for the issuance of the Refunding Bonds and the payment of Refunded Bonds.

Section 2. This resolution shall be effective until July 31, 2017.

On call of the vote, motion carried 8/0.

Cooperative Agreement: State of Connecticut and East Hartford Fire Department

MOTION By Ram Aberasturia
 seconded by Marc Weinberg
 to **authorize** the town to enter into a cooperative agreement with the State of Connecticut which permits the town to have and use two LifePak cardiac monitors purchased by the State of Connecticut for Pratt and Whitney Stadium; such agreement – attached to a memorandum dated August 3, 2016 from John Oates, Fire Chief to Marcia Leclerc, Mayor – expires August 1, 2026.
 Motion carried 8/0.

Referral to Ordinance Committee: Lamar Advertising Billboard Relocation

MOTION By Ram Aberasturia
 seconded by Esther Clarke
 to **refer** to the Ordinance Committee the issue of billboard relocation for Lamar Advertising.
 Motion carried 8/0.

Recommendation from Fees Committee:

East Hartford Community Television

MOTION By Marc Weinberg
 seconded by Ram Aberasturia
 to **approve** the lease renewal and lease fee for “East Hartford Community Television” for three rooms at Town Hall as described and attached to a memo from Paul O’Sullivan, Grants Manager, to Marcia Leclerc, Mayor, dated June 30, 2016, the term of such lease to begin July 1, 2016 and expire June 30, 2021. A copy of a current insurance policy to be submitted to the Town at the signing of such lease.
 Motion carried 8/0.

Town Clerk’s Office –Maps

MOTION By Marc Weinberg
 seconded by Linda Russo

to **approve** a \$1 fee charge for tri-fold town maps sold to the public through the Town Clerk's office.
Motion carried 8/0.

Secret Stash Beer Bash

MOTION

By Marc Weinberg
seconded by Ram Aberasturia
to **approve** the outdoor amusement permit application entitled
“Secret Stash Beer Bash” submitted by Rebecca Johansen,
Advancement Assistant for Goodwin College Foundation to conduct
a Beer Festival with food trucks, live music and DJ to benefit
scholarships for its students, on Saturday, August 27, 2016 from
4PM to 8PM on the Goodwin College Green at One Riverside
Drive, subject to compliance with adopted codes and regulations of
the State of Connecticut, the Town of East Hartford, and any other
stipulations required by the Town of East Hartford or its agencies;
and to **waive** the associated permit fee under the provisions of
Town Ordinance §5-6(a) as this is a fundraiser to benefit scholarships
for students.

Motion carried 8/0.

OPPORTUNITY FOR COUNCILLORS TO DIRECT QUESTIONS TO THE ADMINISTRATION

None

COUNCIL ACTION ON EXECUTIVE SESSION MATTERS

M. Cruickshank Co. v Town of East Hartford - Tax Appeal

MOTION

By Linda Russo
seconded by Ram Aberasturia
to **accept** Corporation Counsel's recommendation to settle the pending real property tax appeal known as M. Cruickshank Co., LLC v Town of East Hartford, Docket No HHB-CV-15-6030606S, involving 1284-1288 Main Street, from the fair market value of \$694,233 to the fair market value of \$575,000, which shall generate a reduction of \$3,827.48 in property taxes, commencing the Grand List Year of 2014 and a reduction of \$6,303.92 in property taxes commencing the Grand List Year of 2015.
Motion carried 8/0.

OPPORTUNITY FOR RESIDENTS TO SPEAK

Rafael Zeligzon, 430 Burnside Avenue, addressed the Council on the convenience store located at 442 Burnside Avenue.

ADJOURNMENT

MOTION By Esther Clarke
 seconded by Linda Russo
 to **adjourn** (10:15 p.m.).
 Motion carried 8/0.

The Chair announced that the next meeting of the Town Council would be September 6th.

Attest _____
 Angela M. Attenello
 TOWN COUNCIL CLERK