TOWN COUNCIL

Town of Trumbull

CONNECTICUT

www.trumbull-ct.gov

TOWN HALL
Trumbull, CT

TELEPHONE
452-5005

AGENDA NO. 645

I CALL TO ORDER
II MOMENT OF SILENCE
III PLEDGE OF ALLEGIANCE
IV ROLL CALL
V APPROVAL OF MINUTES
VI BUSINESS

DATE: September 8, 2009
TIME: 8:00 P.M.
PLACE: Town Hall

NOTICE is hereby given that the Town Council of the Town of Trumbull, Connecticut will hold a special meeting on Tuesday, September 8, 2009 at 8:00 p.m. at the Trumbull Town Hall, for the following purpose:

DISCUSSION ITEM: Trumbull High School Building Committee Update

DISCUSSION ITEM: Jane Ryan School Roof Building Committee Update

1. RESOLUTION TC22-221: To consider and act upon a resolution which would recognize and congratulate Peter G. Horton for his extraordinary dedication to and the many accomplishments of the Trumbull High School Golden Eagle Marching Band during his 20 years as Band Director.

2. RESOLUTION TC22-218: To consider and act upon a resolution which would approve the reappointment by the First Selectman of Brian Vaughn of 64 Surry Lane as a member of the Trumbull Monroe Health District for a term extending to the first Monday in March, 2012. (R&R)

3. RESOLUTION TC22-219: To consider and act upon a resolution which would approve the reappointment by the First Selectman of Geoffrey Gladstein of 60 Frederick Street as a member of the Trumbull Monroe Health District for a term extending to the first Monday in March, 2011. (R&R)

4. RESOLUTION TC22-222: To consider and act upon a resolution appropriating an additional $25,540,000 for the planning, acquisition and construction of sanitary sewers, Phase IV, Part B, Contract IV, and authorizing the issue of an additional $25,540,000 bonds or notes of the Town to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose. (Finance)

5. RESOLUTION TC22-223: To consider and act upon a resolution which would authorize the First Selectman to enter into a two year agreement with IgniteSpirit, LLC to provide Economic Development consulting services. (L&A)

6. RESOLUTION TC22-216: To consider and act upon a resolution which would authorize the Town Attorney to settle a workers compensation claim known as Scott Schovenec v. Town of Trumbull. (L&A)

VII ADJOURNMENT

COPIES OF THE RESOLUTIONS ATTACHED HERETO.

Mark Altieri, Chairman

RESOLUTIONS

1. RESOLUTION TC22-221:

WHEREAS The Trumbull High School Golden Eagle Marching Band, under the directorship of Peter G. Horton, has been known throughout the United States, and the World, as one of the nation's best marching bands;

WHEREAS The Trumbull High School Golden Eagle Marching Band, under the directorship of Peter G. Horton, has appeared in two Inaugural Presidential Parades as State Representatives, 2001 and 2008;

WHEREAS The Trumbull High School Golden Eagle Marching Band, under the directorship of Peter G. Horton, has made numerous, national parade appearances and has performed on national television;

WHEREAS The Trumbull High School Golden Eagle Marching Band, under the directorship of Peter G. Horton, has appeared in Trumbull's Memorial Day Parade annually;

WHEREAS The Trumbull High School Golden Eagle Marching Band, under the directorship of Peter G. Horton, won 1st Place Class V and Connecticut State Champions in the Musical Arts Conference;

WHEREAS The Trumbull High School Golden Eagle Marching Band Winter Guard, under the directorship of Peter G. Horton, has been a World Guard Finalist in the Winter Guard International Competition;

WHEREAS The Trumbull High School Golden Eagle Marching Band Winter Guard, under the directorship of Peter G. Horton, has earned Musical Arts Conference World Class 1st place;

WHEREAS The Trumbull High School Golden Eagle Marching Band Winter Percussion, under the directorship of Peter G. Horton, has been a Scholastic Open Percussion Winter Guard International Finalist;

WHEREAS The Trumbull High School Golden Eagle Marching Band Winter Percussion, under the directorship of Peter G. Horton, won Musical Arts Conference Open Class Winter Percussion Champion;

WHEREAS Trumbull High School Golden Eagle Marching Band, under the directorship of Peter G. Horton, has performed service projects to assist members of the community;

AND WHEREAS The Trumbull High School Golden Eagle Marching Band, under the directorship of Peter G. Horton, has promoted music education as well as a love of music through competition with many of its members continuing their involvement with music into adulthood,

NOW THEREFORE BE IT RESOLVED, That Peter G. Horton, be and the same is hereby recognized and congratulated for his extraordinary dedication and many accomplishments on the 20th Anniversary of his successful leadership and direction.

2. RESOLUTION TC22-218: BE IT RESOLVED, That the reappointment by the First Selectman of Brian Vaughn of 64 Surry Lane as a member of the Trumbull Monroe Health District is hereby approved for a term extending to the first Monday in March, 2009.

3. RESOLUTION TC22-219: BE IT RESOLVED, That the reappointment by the First Selectman of Geoffrey Gladstein of 60 Frederick Street is hereby approved as a member of the Trumbull Monroe Health District for a term extending to the first Monday in March, 2011.

4. RESOLUTION TC22-222:

TOWN OF TRUMBULL, CONNECTICUT

RESOLUTION APPROPRIATING AN ADDITIONAL $25,540,000 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF SANITARY SEWERS, PHASE IV, PART B, CONTRACT IV, AND AUTHORIZING THE ISSUE OF AN ADDITIONAL $25,540,000 BONDS OR NOTES OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

WHEREAS, in connection with the funding for the planning, acquisition, construction and installation of sanitary sewers pursuant to Phase IV, Part B, Contract IV, a Resolution entitled "Resolution Appropriating $850,000 for the Planning, Acquisition and Construction of Sanitary Sewers, Phase IV, Part B, Contract IV, and Authorizing the Issue of $850,000 Bonds or Notes of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings For Such Purpose" was adopted by the Town Council on March 2, 2009 (the "Original Contract IV Resolution"); and

WHEREAS, in connection with the funding for the planning, acquisition, construction and installation of sanitary sewers pursuant to Phase IV, Part B, Contract IV, and in addition to the Original Contract IV Resolution, a Resolution entitled "Resolution Appropriating an Additional $610,000 for the Planning, Acquisition and Construction of Sanitary Sewers, Phase IV, Part B, Contract IV, and Authorizing the Issue of an Additional $610,000 Bonds or Notes of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purposes" was adopted by the Town Council on May 4, 2009 (the "First Amended Contract IV Resolution"), and increased the total amount of the appropriation and bond authorization for the Project (as defined below) to $1,460,000; and

WHEREAS, in addition to the moneys appropriated and bonds authorized in the Original Contract IV Resolution and the First Amended Contract IV Resolution, the Town requires an additional $25,540,000 for the Project, increasing the total amount of the appropriation and bond authorization for the Project to $27,000,000.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Town of Trumbull (the "Town") hereby appropriates the additional sum of $25,540,000 for the planning, acquisition and construction of the installation of sanitary sewers pursuant to Phase IV, Part B, Contract IV, including the North Nichols area of Town, or

so much thereof, or such additional streets within the area as shall be determined by the Water Pollution Control Authority and First Selectman, and as may be accomplished within said appropriation and bond authorization provided herein, and including gravity sewer lines, grinder pumps, force mains, pump stations, manholes, acquisition easements and other interests in property, associated utility, street and drainage improvements, repair and relocation, appurtenances related thereto, licenses and permits, blasting if and as necessary, and for testing, surveying, paving, engineering, administrative, advertising, printing, legal and financing costs (hereinafter the "Project"). Said appropriation shall be inclusive of state and federal grants in aid thereof, and in addition to all prior appropriations for such purpose.

Section 2. To finance such additional appropriation:

(i) the Town may borrow an additional sum not to exceed $25,540,000 or so much thereof as shall be necessary for such purpose, and shall issue bonds for such indebtedness under its corporate name and seal and upon the full faith and credit of the Town, maturing no later than the thirtieth year after their date. Said bonds may be issued in one or more series, as determined by the First Selectman, and the amount of bonds of each series to be issued shall be fixed by the First Selectman in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amount of the state and federal grants-in-aid of the Project, if any, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, 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, advertising, printing, legal and financing costs of issuing the bonds. The bonds shall be general obligations of the Town. The aggregate principal amount of bonds to be issued, the denominations and maturities thereof, 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, Director of Finance and Town Treasurer in accordance with the General Statutes of the State of Connecticut, as amended; or

(ii) temporary notes of the Town may be issued pursuant to Section 7-264 or 7-264a of the General Statutes of Connecticut, as amended. The amount of such notes to be issued, if any, shall be determined by the First Selectman, and the First Selectman, Director of Finance and Treasurer are hereby authorized to determine the date, maturity, interest rate, form and other details and particulars of such notes, and to sell, execute and deliver the same. Said notes shall be secured by the full faith and credit of the Town and may be further secured in any other manner set forth in Sections 7-264 or 7-264a, aforesaid, as determined by the Town Council; or

(iii) any combination of bonds or temporary notes may be issued, provided that the total, aggregate principal amount thereof outstanding at any time shall not exceed $25,540,000.

Section 3. The First Selectman, Director of Finance and the Town Treasurer shall have all appropriate powers under the Connecticut General Statutes, to issue, sell and deliver the bonds and, further, shall have full power and authority to do all that is required under the Internal

Revenue Code of 1986, as amended, and other applicable laws and regulations of the United States, to provide for issuance of the bonds in tax exempt form and to meet all requirements which are or may become necessary in and subsequent to the issuance and delivery of the bonds in order that the interest on the bonds be and remain exempt from Federal income taxes, including, without limitation, to covenant and agree to restriction on investment yield of bond proceeds, rebate of arbitrage earnings, and expenditure of proceeds within required time limitations.

Section 4. Said bonds shall be sold by the First Selectman, Director of Finance and Town Treasurer in a competitive offering or by negotiation, in their discretion. If sold in a competitive offering, the bonds shall be sold upon sealed proposals, or by auction, at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. If the bonds are sold by negotiation, the First Selectman, Director of Finance and the Town Treasurer are hereby authorized to negotiate the terms of, and to execute, any such bond purchase agreement or purchase agreements, all of which are necessary, appropriate or desirable in connection with the sale of the bonds.

Section 5. In connection with the issuance of any bonds or notes authorized herein, the Town may exercise any power delegated to municipalities pursuant to Section 7-370b, including the authority to enter into agreements to manage interest rate risk. The First Selectman, Director of Finance and the Town Treasurer, on behalf of the Town, shall execute and deliver such reimbursement agreements, line of credit agreement, credit facilities, remarketing, standby marketing agreements, standby bond purchase agreements, and any other commercially necessary or appropriate agreements which are necessary, appropriate or desirable in connection with or incidental to the sale and issuance of bonds, and if the First Selectman, Director of Finance and the Town Treasurer determines that it is necessary, appropriate, or desirable, that the Town's obligations under such agreements shall be secured by the Town's full faith and credit.

Section 6. The First Selectman, Director of Finance and the Town 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 facsimile or manual signatures of the First Selectman, Director of Finance and the Town Treasurer, bear the Town seal or a facsimile thereof, be certified by and payable at a bank or trust company designated by the First Selectman, and be certified by a bank or trust company designated by the First Selectman pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. Notes 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. 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. The First Selectman, Director of Finance and the Town Treasurer are also authorized to issue notes in anticipation of the receipt of grants, if applicable and in their discretion, and they shall determine the terms and conditions of such issuance as set forth in this section.

Section 7. The Director of Finance is authorized to account for the Project on an enterprise fund basis, and to apply earnings, if available, to pay interest and project expense. 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 temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 8. 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 eighteen 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 Director of Finance or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration for purposes of complying with the Regulations.

Section 9. The First Selectman, Director of Finance and Town 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 the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB 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 10. The First Selectman, Director of Finance and the Town Treasurer are hereby authorized to apply for and accept any available State or Federal grant in aid of the financing of the Project, and to take all action necessary or proper in connection therewith.

Section 11. The First Selectman, Director of Finance and the Town Treasurer are hereby authorized to take all action necessary and proper for the sale, issuance and delivery of the bonds and notes in accordance with the provisions of the Connecticut General Statutes and the laws of the United States.

5. RESOLUTION TC22-223: BE IT RESOLVED that the First Selectman is hereby authorized to enter into a two year agreement with IgniteSpirit, LLC to provide Economic Development consulting services.

6. RESOLUTION TC22-216: BE IT RESOLVED, That the Town Attorney is hereby authorized to settle a workers compensation claim known as Scott Schovenec v. Town of Trumbull.