

TOWN OF STONINGTON
SPECIAL TOWN MEETING
September 20, 2016

A Special Town Meeting of the Town of Stonington was called to order at 7:40 p.m. on September 20, 2016 at the Stonington High School auditorium by First Selectman Rob Simmons. Also, in attendance were Selectmen Michael Spellman and Selectwoman Kate Rotella. Approximately 500 people were in attendance. Town Attorney Tom Londregan and Bond Counsel Attorney Joe Selinger were also in attendance.

First Selectman Simmons asked all to stand for the Pledge of Allegiance. First Selectman Simmons then asked for nominations for Moderator. Selectman Michael Spellman nominated Eric Janney, seconded by Selectwoman Kate Rotella. Mr. Janney was unanimously elected Moderator of the meeting. Town Clerk, Cynthia Ladwig served as Clerk.

There being no objection, the Moderator dispensed with the reading of the Call recorded immediately preceding these pages.

The Moderator asked for a motion to move the third item to the first item, the first item to become the second and the second item to become the third. Hearing no objection, the motion was seconded with unanimous voice vote.

The Moderator read the resolution to waive the reading of the first item on the amended Call.

BE IT HEREBY RESOLVED, That the reading of the resolution to be presented to this Special Town Meeting under the first item of the Call be waived, and the full text of the resolution, a copy of which has been made available to all those in attendance at this meeting, be incorporated into the text of this meeting.

Being properly seconded and hearing no objections. Reading of the full text of the resolution was waived. (Full text of the resolution is included at the end of the minutes.)

The Moderator acknowledged First Selectman Simmons to read the first item on the amended Call.

BE IT HEREBY RESOLVED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL MEETING DULY ASSEMBLED:

To consider and vote on a resolution appropriating \$2,216,164 for evaluating, planning, and acquiring land along Route 27 on the Mystic River; clearing, remediation and demolition of structures; and construction of parking, sidewalks and certain other site improvements on said land for creation of a town park and authorizing the issue of up to \$2,216,164 bonds and notes to finance the appropriation.

Being properly seconded, the Moderator asked the Board of Selectmen if they would like to open the discussion with remarks. Speaking on the resolution were First Selectman Simmons, Selectman Spellman and Selectwoman Rotella. The Moderator then opened the floor to discussion. Speaking in favor of the resolution were Mike O'Neill, Stephen Bessette, Stephen White, Beth Sullivan, Nick Kepple, Janis Mink, Judd Rosen and Scott Bates. Also, commenting on the resolution saying they thought it should have been sent to referendum were Tom Fiore and Ashley Gillece. Hearing no further discussion, the Moderator called for a vote on the resolution. The resolution passed overwhelmingly by a show of hands with a yellow card.

At this time, the Moderator took a 5 minute recess to clear the room for those who didn't wish to stay for the next three items on the Call of the meeting.

The Moderator reconvened the meeting and asked for a motion to waive the reading of the second item on the amended Call. The motion was made and seconded. The Moderator read the resolution to waive the reading of the second item. (Full text of the resolution is included at the end of the minutes.)

BE IT HEREBY RESOLVED, That the reading of the resolution to be presented to this Special Town Meeting under the second item of the Call be waived, and the full text of the Resolution, a copy of which has been made available to all those in attendance at this meeting, be incorporated into the text of this meeting.

The Moderator acknowledged First Selectman Simmons to read the second item on the amended Call.

BE IT HEREBY RESOLVED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL MEETING DULY ASSEMBLED:

To consider and vote on a resolution to adopt an Ordinance of the Town of Stonington, Connecticut, providing for Engaging Heaven Ministries Inc. to enjoy tax exempt status as of May 12, 2015 pursuant to Connecticut General Statutes Section 12-81b.

Being properly seconded, the Moderator opened the floor to discussion. Hearing no discussion, the Moderator called for a vote on the resolution. The resolution passed with no opposition.

The Moderator asked for a motion on the third item on the amended Call. Being properly seconded, the Moderator acknowledged First Selectman Simmons to read the resolution.

BE IT HEREBY RESOLVED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL MEETING DULY ASSEMBLED:

To consider and vote on a resolution to approve the Board of Finance's approval of a request to authorize the Town to enter into three promissory notes with Connecticut Light and Power d/b/a Eversource Energy for a term of forty-eight months each to provide LED lighting replacement in the Public Works Building in the amount of \$26,924.62; in the Town Hall Building in the amount of \$18,188.73 and in the Human Services Building in the amount of \$8,950.16.

Being properly seconded, the Moderator opened the floor to discussion. Commenting on the resolution were David Brown, Bill Sternberg and Director of Finance Jim Sullivan. Hearing no further discussion, the Moderator called for a vote on the resolution. The resolution passed with no opposition.

The Moderator asked for a motion to waive the reading of the fourth item on the Call. Being properly seconded, the Moderator read the following resolution. (Full text of the resolution is included at the end of the minutes.)

BE IT HEREBY RESOLVED, That the reading of the resolution to be presented to this Special Town Meeting under the fourth item of the Call be waived, and the full text of the Resolution, a copy of which has been made available to all those in attendance at this meeting, be incorporated into the text of this meeting.

The Moderator acknowledged First Selectman Simmons to read the fourth resolution.

BE IT HEREBY RESOLVED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL MEETING DULY ASSEMBLED:

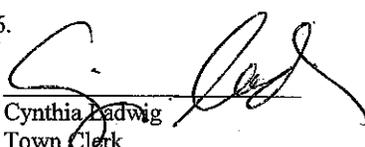
To consider and vote on a resolution to revise and adopt an Ordinance of the Town of Stonington, Connecticut, providing for an increase in the collection fee for DMV reporting from two dollars (\$2.00) to five dollars (\$5.00) for each reported delinquency.

Being properly seconded, the Moderator opened the floor to discussion. Commenting on the resolution were David Brown and Tax Collector Linda Camelio. Hearing no further discussion, the Moderator called for a vote on the resolution. The resolution passed with no opposition.

Since there was no further business on the Call, the Moderator declared the meeting adjourned at 8:30 p.m.

/s/ Cynthia Ladwig
Clerk of the meeting

Received for record this 21st day of September, 2016.


Cynthia Ladwig
Town Clerk

FIRST RESOLUTION

RESOLUTION APPROPRIATING \$2,216,164 FOR EVALUATING, PLANNING, AND ACQUIRING LAND ALONG ROUTE 27 ON THE MYSTIC RIVER; CLEARING, REMEDIATION AND DEMOLITION OF STRUCTURES; AND CONSTRUCTION OF PARKING, SIDEWALKS AND CERTAIN OTHER SITE IMPROVEMENTS ON SAID LAND FOR CREATION OF A TOWN PARK AND AUTHORIZING THE ISSUE OF UP TO \$2,216,164 BONDS AND NOTES TO FINANCE THE APPROPRIATION

RESOLVED,

1. That the Town of Stonington appropriate Two Million Two Hundred Sixteen Thousand One Hundred Sixty-Four Dollars (\$2,216,164) for acquisition of land on Route 27 along the Mystic River for creation of a park that will provide public access to the Mystic River, to the extent of available funds. The project shall consist of evaluating, planning, and acquiring land along Route 27 on the Mystic River; clearing, remediation and demolition of structures on said land; and construction of parking, sidewalks and certain other site improvements for creation of a town park. The appropriation may be spent for design, demolition and construction costs, materials, design/engineering fees, consulting fees, administrative fees, site improvements, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing. The foregoing descriptions and components of the project are not intended as limitations and the project shall include all work, services and materials necessary to complete the project with all changes, overruns and unforeseen conditions that have occurred or may occur during the course of the project. The Town may reduce or modify the scope of the project if funds are insufficient to complete all components of the project, and the entire appropriation may be spent on the project as reduced or modified.

2. That the Town issue bonds or notes or obligations in an amount not to exceed Two Million Two Hundred Sixteen Thousand One Hundred Sixty-Four Dollars (\$2,216,164) to finance the appropriation for the project. The bonds or notes or obligations shall be issued pursuant to Section 7-369 et. seq. of the General Statutes of Connecticut, Revision of 1958, as amended, (the "Connecticut General Statutes") and any other enabling acts and statutes. The bonds or notes or obligations shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

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 or the receipt of Federal or state grants and/or loans for the project. The amount of the notes or obligations outstanding at any time shall not exceed Two Million Two Hundred Sixteen Thousand One Hundred Sixty-Four Dollars (\$2,216,164). The notes or obligations shall be issued and renewed pursuant to Section 7-378 of the Connecticut General Statutes, including, without limitation, Section 7-378(a) and Section 10-287f of the Connecticut General Statutes, and any other enabling acts and statutes. The notes or obligations shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a or Section 10-287f of the Connecticut General Statutes with respect to any notes that or obligations do not

mature within the time permitted by said Section 7-378 including, without limitation, the use of grant proceeds.

4. That the First Selectman, or in the absence of the First Selectman any other Selectman, and any two (2) of the Town Treasurer, Director of Finance and Director of Administrative Services, shall sign any bonds or notes or obligations by their manual or facsimile signatures.

5. The law firm of Tobin, Carberry, O'Malley, Riley & Selinger, P.C. is designated as bond counsel to approve the legality of the bonds or notes or obligations. The First Selectman, or in the absence of the First Selectman any other Selectman, and any two (2) of the Town Treasurer, Director of Finance and Director of Administrative Services, are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes or obligations; whether the bonds, notes or other obligations shall be issued on a taxable or tax-exempt basis; denomination, discount or premium; 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 provide for the keeping of a record of the bonds or notes or obligations; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes or obligations at public or private sale; to determine all other terms, details and particulars relative to the issuance, sale and delivery of the bonds, notes or other obligations; 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.

6. 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 monies) 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 First Selectman, or in the absence of the First Selectman any other Selectman, and any two (2) of the Town Treasurer, Director of Finance and Director of Administrative Services, 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.

7. That the First Selectman, or in the absence of the First Selectman any other Selectman, and any two (2) of the Town Treasurer, Director of Finance and Director of Administrative Services, 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.

8. That the First Selectman or Director of Finance, or other town officials on behalf of the Town, is authorized to apply for and accept any available federal or state grants-in-aid and/or loans to defray the appropriation for the project and finance the project, and to enter into any grant agreement prescribed by the United States or state. The Board of Selectmen, First Selectmen, and Director of Finance are authorized to take any other actions necessary to obtain such grants or implement such grant agreements.

9. That the First Selectman, any other Selectman, the Town Treasurer, Director of Finance and Director of Administrative Services 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, notes or other obligations to finance the aforesaid appropriation.

SECOND RESOLUTION

AN ORDINANCE OF THE TOWN OF STONINGTON, CONNECTICUT, PROVIDING FOR ENGAGING HEAVEN MINISTRIES INC. TO RECEIVE TAX EXEMPT STATUS AS OF THE DATE OF PURCHASE OF REAL ESTATE.

WHEREAS, the Town of Stonington recognizes the inherent good and benefits that non-profit organizations provide to the surrounding community and the citizens of the Town; and

WHEREAS, the Town of Stonington recognizes the wealth of assistances that non-profit organizations provide to the citizens of the Town; and

WHEREAS, the Town of Stonington desires to allow Engaging Heaven Ministries Inc. to enjoy tax exempt status as of May 12, 2015, the date that said organization acquired real property within the Town; and

WHEREAS, Connecticut General Statutes 12-81b provides that the Town may pass an ordinance to accomplish this goal;

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL TOWN MEETING DULY ASSEMBLED THAT:

Section 1. Tax Exempt Status As Of The Date Of Acquisition.

The property tax exemption authorized by subsection (15) of §12-81 of the Connecticut General Statutes, shall be effective as to Engaging Heaven Ministries Inc. as of the date of acquisition of the property, being May 12, 2015, for property acquired at 82 Elm Ridge Road, Pawcatuck, Connecticut.

Section 2. Severability.

If any provision of this ordinance or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of any other part of this ordinance which can be given effect without the invalid provisions or applications; and to this end, the provisions of this ordinance and the various applications thereof are declared to be severable.

Section 3. Conflict With Existing Ordinances.

That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

This Ordinance shall become effective following approval of Town Meeting and fifteen (15) days after publication in a newspaper having a substantial circulation within the Town of Stonington.

Adopted:

Effective:

AN ORDINANCE OF THE TOWN OF STONINGTON, CONNECTICUT PROVIDING FOR THE COLLECTION OF A FEE FOR DMV REPORTING.

WHEREAS, The Town of Stonington is required pursuant to Connecticut General Statute Section 14-33(a) to notify the Commissioner of Motor Vehicles if a taxpayer is delinquent in the payment of a property tax or installment thereof on any motor vehicle;

WHEREAS, Pursuant to Connecticut General Statute Section 7-148(c) and Connecticut General Statute Section 12-166, the Town is empowered to not only collect taxes but to regulate the mode and assessment of the collection of taxes including, interest, penalties, fees and charges; and

WHEREAS, The Town of Stonington expends considerable time and expense in complying with the statutes listed above.

NOW THEREFORE, BE IT ORDAINED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN A LAWFUL SPECIAL TOWN MEETING DULY ASSEMBLED THAT THE FOLLOWING ORDINANCE BE ESTABLISHED BY THE TOWN OF STONINGTON:

Section I.

1. Title: An ordinance providing for collection of a fee for DMV reporting.
2. Each taxpayer who has been delinquent in the payment of any property tax or installment thereof on a motor vehicle and whose delinquency was reported to the Commissioner of Motor Vehicles pursuant to Connecticut General Statute Section 14-33, in addition to the delinquent taxes and all interest thereon, shall pay to the tax collector a fee of five dollars (\$5.00) for each such reported delinquency.

Section II. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section III. If any provision of this ordinance or the application thereof to any person or circumstances is held to be invalid, such invalidity shall not affect other provisions or applications of any other part of this ordinance that can be given affect without the invalid provisions or applications; and to this end, the provisions of this ordinance and the various applications thereof are declared to be severable.

Section IV. This ordinance shall become effective following approval by Town Meeting and fifteen (15) days after publication in a newspaper having a substantial circulation within the Town of Stonington.