

MINUTES
**BOARD OF SELECTMEN
SPECIAL MEETING
JULY 10, 2012 – 8:00 PM**

The special meeting was called to order by First Selectman George Temple at 8:00 p.m. and the Pledge of Allegiance was recited.

Present: First Selectman George Temple, Selectman Jeffrey Haney and Selectman Dave McKane. Also present: Attorney Joseph Fasi, James Hliva, Finance Director and Joanne Pelton, Administrative Assistant.

First Selectman Temple indicated that the first item on the agenda is to consider, act upon, set a town meeting date, and take all action necessary, including to respond to the Board of Finance's recommendations if any, to authorize the Oxford High School Athletic Complex Project and bond financing as set forth in a resolution entitled: **RESOLUTION WITH RESPECT TO THE \$3.1 MILLION OXFORD HIGH SCHOOL ATHLETIC COMPLEX APPROPRIATION AND BOND AUTHORIZATION.**

MOTION:

First Selectman Temple moved:

NOW THEREFORE, BE IT RESOLVED:

1. That a Town meeting be held on July 17, 2012, to consider and act on the bond resolution authorizing the Project as attached hereto and be noticed with respect to the Project as attached hereto as Attachment A- subject to such changes as determined by the First Selectman.

Attorney Fasi noted that the following clauses are to be incorporated. First Selectman Temple agreed that the following clauses will be made part of the record:

Whereas, the Board of Selectmen received a written request for a \$3.1 million appropriation and bond authorization for the construction of the Oxford High School Athletic Complex (the request, including the appropriation, bond authorization implementation of the Oxford High School Athletic Complex, hereafter the "Project");

Whereas, not more than 30 days after receipt of the written request the Boards of Selectmen and Finance held a joint meeting (the "Joint Meeting") at which the request was reviewed and considered in accordance with Section 6-10(A) of the Town Charter;

Whereas, the Director of Finance has prepared a Fiscal Impact Statement in accordance with section 6-11 of the Town Charter;

Whereas, the Boards of Selectmen and Finance have approved Resolutions to proceed with the Project;

Second by Selectman McKane. Discussion: First Selectman Temple noted that 7/17/12 is the earliest possible date for the Town Meeting, to be held at Oxford High School Auditorium at 7 p.m. He recommended that this proposal go to referendum which will be held 8/16/12 at Quaker Farms School from 6 a.m. to 8 p.m.

Motion to Amend made by First Selectman Temple to include that the Town Meeting will be held at the Oxford High School Auditorium at 7 p.m. Second by Selectman McKane.

Motion passes unanimously.

MOTION:

Selectman Haney moved:

2. That the vote on the bond resolution in item 1 above be removed from the call of such meeting and adjourned to be submitted to electors and citizens qualified to vote in such meeting to a referendum vote at Adjourned Town Meeting to be held on August 16, 2012, (subject to ratification of the town meeting, and not less than 30 days nor more than 40 days after the town meeting date in 1 above between the hours of 6:00 AM. and 8:00 PM), and that the First Selectman is authorized and directed to provide for and cause the call of the meeting and the adjourned vote to be noticed and taken, such notice to be in the form attached hereto with such changes as the First Selectman shall approve. The referendum is to be held at Quaker Farms School.

Second by Selectman Haney. Discussion: First Selectman Temple noted that he has listened to the public who want a referendum and is confident that the proposal will pass at referendum. If the matter reached referendum due to a petition, the date for the referendum would be later than 8/16/12 which is not desired. Motion passes unanimously.

2. Hire Public Works Summer Employee

MOTION:

Selectman Temple moved to hire Brian Spicer, of 13 Sarah Drive, as a Public Works Summer Employee with a start date of Monday, July 19, 2012 at a pay rate of \$10.00 per hour. Second by Selectman Haney. Motion passes unanimously.

3. Hire Attorney Peter Olsen as Land Use Attorney

MOTION:

Selectman Haney moved to hire Attorney Peter Olsen as the Town of Oxford's Land Use Attorney at a pay rate of \$190.00 per hour. Second by Selectman McKane. Discussion: First Selectman Temple noted that the land use departments are busy due to economic development and the affordable housing project. Much of the work can be handled by

the Town Attorney. Attorney Olsen specializes in Land Use matters, has a lot of experience and has been highly recommended. Motion passes unanimously.

Adjournment

MOTION:

Motion to adjourn made by Selectman McKane at 8:17 p.m. Second by Selectman Haney. Motion passes unanimously.

Respectfully submitted, subject to approval

Marni Soss

Marni Soss, Clerk

12 JUL 17 PM 12:03
TOWN OF JAND, CT
Margaret A. Clark
TOWN CLERK

RESOLUTION WITH RESPECT
TO THE \$3.1 MILLION OXFORD
HIGH SCHOOL ATHLETIC
COMPLEX APPROPRIATION
AND BOND AUTHORIZATION

Whereas, the Board of Selectmen received a written request for a \$3.1 million appropriation and bond authorization for the construction of Oxford High School Athletic Complex (the request, including the appropriation, bond authorization implementation of the Oxford High School Athletic Complex Improvements, hereafter the "Project");

Whereas not more than 30 days after receipt of the written request the Boards of Selectmen and Finance held a joint meeting (the "Joint Meeting") at which the request was reviewed and considered in accordance with Section 6-10(A) of the Town Charter;

Whereas the Director of Finance has prepared a Fiscal Impact Statement in accordance with section 6-11 of the Town Charter;

Whereas the Board of Selectmen has recommended the Project, approved a bond resolution therefore, and forwarded their recommendation to the Board of Finance for action;

Whereas this Resolution is before the Board of Finance for consideration and action within thirty days of receipt of the Board of Selectmen recommendation;

NOW THEREFORE, BE IT RESOLVED:

1. The Board of Finance approves the Project.
2. The Board of Finance approves the Fiscal Impact Statement attached hereto as Exhibit A, which includes estimates for: 1) the total amount to be borrowed or bonded, 2) the interest rate for the bonds based upon average prevailing interest rates for municipal bonds, 3) the term of the bonds, 4) the anticipated date of issuance, 5) the annual tax burden, represented in mills, based upon the current grand list of the town, and 6) a calculation indicating that the amount of bonds to be issued is less than ten percent of the current tax levy, and a certificate from the tax collector as to the current tax levy and the assessor as to the taxable grand list.
3. The Board of Finance finds that the appropriation is within every applicable statutory limit and the Town has sufficient ability, current and future, to pay for such expenditure and continue to meet its operating expenses and all outstanding borrowings authorizations.

4. The Board of Finance has previously appropriated funds to pay expenses that may be incurred prior to approval of the Town Meeting and in the event of its disapproval.
5. The Board of Finance approves the bond resolution, attached as Exhibit B, with such changes as the First Selectman shall determine, to authorize and implement the Project and its financing, and recommends its approval by the Town.
6. That a the Board of Selectmen be provided written notification to the Board of Selectmen within 48 hours of this resolution by the Board of Finance
7. That a copy of this resolution, including Exhibits, be filed with the Town Clerk.

**TOWN OF OXFORD
BOARD OF FINANCE
FISCAL IMPACT STATEMENT
OXFORD HIGH SCHOOL ATHLETIC COMPLEX
July 9, 2012**

Project: Planning, acquisition and construction of the Oxford High school Athletic Complex

- | | | |
|----------|--|---------------------|
| 1 | Total Amount to be borrowed or bonded (net of anticipated state grants) maximum amount. | \$ 3,100,000 |
| 2 | Estimated interest rate for such notes or bonds, based on the prevailing interest rate for municipal bonds or notes | 2.0% to 2.50% |
| 3 | Proposed term of bonds or notes | Maximum of 20 years |
| 4 | Anticipated date on which the bonds or notes are expected to be issued (Notes through July 2013) | July 30, 2014 |
| 5 | The following information has been provided by the Tax Collector and the Tax Assessor | |
| | Tax Assessor Grand List | \$ 1,402,964,034 |
| | Tax Collector Current Tax Levy | \$ 32,570,506 |
| | Tax Collector Current Mill Rate | 24.1 |
| 6 | Estimated annual tax burden represented in mills, based upon the current Grand List of the Town based on a 2.50% interest | 0.1657 |
| 7 | The proposed bond issuance does not exceed 10% of the current tax levy calculated as follows | |
| | Current Tax Levy | \$ 32,570,506 |
| | 10% of Current Tax Levy | \$ 3,257,051 |
| 8 | The proposed bond issuance and appropriation will not cause the statutory restrictions imposed by the State of Connecticut for debt limitations to be exceeded. In addition, based on current and projected expense and revenue needs of the Town, the Town has the sufficient ability, current and future to pay for the proposed bond issuance and appropriation and continue to meet its operating expenses and all outstanding borrowing authorizations. | |

This fiscal impact statement is based in part on information provided by the Town's financial advisor. The dates and amounts listed above are estimates or approximations. Interest rates are subject to change. The timing of a bond or note sale can be subject to many factors.

Statutory Debt Limit

Computation of Statutory Debt Limit

As of June 30, 2012 (Pro Forma)

Total Fiscal Year 2011 tax collections (including interest and lien fees)	\$ 30,942,369
State Reimbursement for Revenue Loss on:	
Local Property tax relief for elderly	36,825
Base for Establishing Debt Limit	<u>\$ 30,979,194</u>

Debt Limit

	General Purpose	School	Sewer	Urban Renewal	Unfunded Pension Obligation	Total Debt
(2.25 times base)	\$ 69,703,187					
(4.50 times base)		\$ 139,406,373				
(3.75 times base)			\$ 116,171,978			
(3.25 times base)				\$ 100,682,381		
(3.00 times base)					\$ 92,937,582	
(7.00 times base) (1)						\$ 216,854,358

Indebtedness (Including the Notes)

Bonds Payable	\$ 3,027,500	\$ 23,492,500	\$ -	\$ -	\$ -	\$ 26,520,000
The Notes (This Issue)	1,026,000	2,938,000	-	-	-	3,964,000
Authorized but Unissued Debt	242,000	9,192	-	-	-	251,192
Total Indebtedness	<u>4,295,500</u>	<u>26,439,692</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>30,735,192</u>
Grants/Assessments Receivable (2)	-	(1,962,763)	-	-	-	(1,962,763)
Total Net Indebtedness	<u>4,295,500</u>	<u>24,476,929</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>28,772,429</u>
Excess of Limit Over Outstanding and Authorized Debt	<u>\$65,407,687</u>	<u>\$114,929,444</u>	<u>\$116,171,978</u>	<u>\$100,682,381</u>	<u>\$92,937,582</u>	<u>\$188,081,929</u>

RESOLUTION APPROPRIATING \$3,100,000 FOR THE
OXFORD HIGH SCHOOL ATHLETIC COMPLEX AND
AUTHORIZING THE ISSUE OF \$3,100,000 BONDS OF THE
TOWN TO MEET SAID APPROPRIATION AND PENDING
THE ISSUANCE THEREOF THE MAKING OF TEMPORARY
BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$3,100,000 is appropriated for the planning, acquisition and construction of the Oxford High School Athletic Complex to be located at the high school on Farms Road (the "Project") and including the construction of a new artificial turf athletic field and synthetic running track, lighting, bleachers, rest rooms, concession/service area, storage, fencing, associated infrastructure improvements, appurtenances and improvements related thereto, or so much thereof or such additional improvements as may be accomplished within the appropriation, and for legal fees, administrative, printing, and financing costs related thereto (the "Project").

Section 2. The total estimated cost of the Project is \$3,100,000. No portion of the Project is expected to be paid from sources other than from the proceeds of bonds authorized herein.

Section 3. To meet said appropriation \$3,100,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series as shall be determined by the First Selectman and the Treasurer (hereafter the "Town Officials"), and the amount of bonds of each series to be issued shall be fixed by the Town Officials, 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, printing and legal costs of issuing the bonds. Capital Project Revenues, including bid premiums and income derived from the investment of proceeds from bonds issued pursuant to this resolution (and net investment income derived from the investment of note proceeds) are authorized to be credited by the Director of Finance to the Project account and expended to pay Project expenses customary paid there from, provided that the appropriation and bond authorization shall be reduced by the amount of capital project revenues so credited. Earnings from the investment of note proceeds shall first be applied to pay note interest expense. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the Town and such combined issue shall be in the denomination per aggregate maturity 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 Officials, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Town Officials, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Town Officials, and be approved as to their legality by Joseph Fasi LLC, Bond Counsel, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Town Officials. 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 irrevocably pledged to the payment of the principal thereof and the interest thereon and shall be paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds to be issued, 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 Town Officials, in accordance with the General Statutes of the State of Connecticut, as amended. 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 moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the Board of Selectmen. In order to meet the capital cash flow expenditure needs of the Town, the Town Officials are authorized to allocate and reallocate expenditures incurred for the Project to any bonds or notes of the Town outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes herein authorized.

Section 4. Said bonds shall be sold by the Town Officials, in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals, auction or similar process 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, the provisions of the purchase agreement shall be subject to approval of the Board of Selectmen. With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Town Officials are authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund any purpose for which bonds of the Town are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount so applied.

Section 5. The Town Officials 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 Town Officials, have the seal of the Town affixed, be payable at a bank or trust company designated by the Town Officials, be approved as to their legality by Joseph Fasi LLC, Bond Counsel, of Hartford, and be certified by a bank or trust company designated by the Town Officials, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They 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 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 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 notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. 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 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 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 authorized designee is authorized to pay Project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 7. The Town Officials, 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 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 8. It is hereby found and determined that it is in public interest to issue all, or a portion of, the Bonds, Notes or other obligations of the Town as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation. The Town Officials are hereby authorized to issue and utilize without further approval any financing alternative available to municipal governments pursuant to law including but not limited to any "tax credit bonds" or "Build America Bonds" including Direct Payment and Tax Credit versions.