

REGULAR MEETING MINUTES
COLUMBIA BOARD OF SELECTMEN
Tuesday, April 17, 2012 - 7 pm

Adella G. Urban Administrative Offices Conference Room
323 Route 87, Columbia, CT 06237

Members Present: First Selectman Carmen Vance. Selectmen Richard Szegda. Selectman Bob Bogue arrived at 7:18 pm, Selectman Rob Hellstrom arrived at 7:23 pm.

Also Present: Town Administrator Jonathan Luiz and others.

CALL TO ORDER: C. Vance called the meeting to order at 7:18 pm.

1. **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was recited.
2. **MINUTES:** 4/3/12 Regular Meeting Minutes: R. Szegda MOVED to approve the minutes of the 4/3/12 Regular BOS meeting. MOTION CARRIED 3:0.
3. **AUDIENCE OF CITIZENS:** None.
4. **OLD BUSINESS**
 - 4.1 **Town Health Insurance:** J. Luiz stated that thanks to the help of Senator Prague and Representative Ackert, he finally received a quote from the State Comptroller's office for FY '12-'13 health insurance costs under the State's Connecticut Partnership Plan. The quote, which includes both the municipal government and board of education, is 17% lower than what the town is currently paying in FY '11-'12. He explained that the quote is only for medical insurance, not dental insurance and that the quote is for health insurance with United Healthcare, not Anthem Blue Cross and Blue Shield. J. Luiz stated that the town's insurance broker is currently working with the State Comptroller's Office to create a detailed comparison between the town's current plan and the Connecticut Partnership Plan. J. Luiz said that the broker is also looking into a dental plan. R. Szegda suggested J. Luiz speak with town employees to get feedback from them regarding the insurance plan. J. Luiz stated that he would do so. Discussion followed.

R. Hellstrom arrived at 7:23 pm.
 - 4.2 **Letter to CT Education Commissioner regarding MBR:** Discussion ensued regarding the MBR. A letter will be sent to the Commissioner of Education requesting information about the criteria the State Board of Education would utilize when evaluating whether or not a municipality has a good cause to receive a waiver of the MBR penalty. Discussion continued. C. Vance and J. Luiz will revise the draft letter.
 - 4.3 **Resolution with respect to the authorization, issuance and sale of not exceeding \$2.0 million Town of Columbia general obligation refunding bonds, authorizing combining into one issue and making determinations with the refunding bonds any other authorized but unissued bonds of the town, authorizing agreements for the investment of refunding escrow and its reinvestment over its term:** C. Vance MOVED to approve the RESOLUTION related to the refinancing of bonds as presented. Discussion followed. MOTION CARRIED 4:0. A copy of the resolution that was presented and adopted is attached to these minutes.

5. NEW BUSINESS

5.1 Lottery to determine the order of boat mooring registrations: The results of the Boat Mooring Lottery is as follows:

1. Ralph Bemis
2. Michael Mohammed
3. John and Marie Sullivan
4. Walt Crosby
5. David and Karen Vanderbilt
6. Mike Leist
7. Kim Benevides
8. C. Matt Sternat
9. Virgil Rodriguez
10. Greg Ulkus
11. Jennifer Bright
12. Charlie and Barbara Wilt

6. COLUMBIA LAKE / DAM / BEACH

6.1 Application for Constructing Structure on or over the Lake by Michael Gnazzo: R. Szegda MOVED to approve the application for constructing structures on or over Columbia Lake as submitted by M. Gnazzo, contingent upon the additional conditions cited by the Lake Management Advisory Committee. MOTION CARRIED 4:0.

7. APPOINTMENTS / RESIGNATIONS

7.1 Appointment of Ann Dunnack (D) to Brand Committee: C. Vance MOVED to appoint A. Dunnack to Brand Committee. MOTION CARRIED 4:0.

7.2 Hire of Mark Coleman and Bob Powell, Sharon Smith and Carmen Vance for Marine Patrol: R. Szegda MOVED to hire the following individuals to the Marine Patrol for the 2012 season: C. Vance, M. Coleman, B. Powell and S. Smith. MOTION CARRIED 4:0.

8. TOWN ADMINISTRATOR REPORT: J. Luiz stated he met with Resident State Trooper Don Aitken last week just to touch base and see how things are going in town. J. Luiz told the BOS that two town mailers were sent out today; the first mailer providing information on the 2012 Transfer Station Permits and the 2012 Beach Passes and the second mailer providing budget information and announcing the Public Hearing on the proposed FY 12-13 budget that is schedule for April 25, 2012. J. Luiz stated that copies of the proposed budget are available on the website, in the Town Clerk's Office, in the Administration Office and at the Library. J. Luiz explained that he is working with the Tax Collector to set up on-line tax payments and that it should be completed in the near future.

9. CORRESPONDENCE

9.1 Email from C. Rivard-Lentz to R. Szegda

10. BUDGET

10.1 Refunds: C. Vance MOVED to approve the following refund:

TO	FROM	AMOUNT
Bruce Brightman	Town of Columbia	\$88.28

MOTION CARRIED 4:0.

10.2 Transfers: C. Vance MOVED to approve following transfer:

AMOUNT	FROM A/C #	TO A/C #
\$240	10-4800-900, Contingency	10-4330-770, Fire Protection, Transportation

MOTION CARRIED 4:0.

R. Szegda MOVED to approve the following transfer:

AMOUNT	FROM A/C #	TO A/C #
\$475	10-4134-710, Public Records, Prof Improvement	10-4134-130, Public Records, Legal Notices

MOTION CARRIED 4:0.

R. Szegda MOVED to approve the following transfer:

AMOUNT	FROM A/C #	TO A/C #
\$10,000	10-4800-900, Contingency	10-4410-515, Public Works, Contracted Services

MOTION CARRIED 4:0.

10.3 FY 12-13 Budget: The BOS reviewed the proposed FY 12-13 budget. C. Vance asked, from a taxpayer's perspective how much of the increase is due to revaluations and how much is due to increased services in town. J. Luiz stated that amount of total dollars that the town will bring in from current property tax payments this year will be the same next year. J. Luiz said that there would have been a zero percent increase in the FY '12-'13 Mill Rate if a mill would be worth the same in FY '12-'13 as it is in FY '11-'12. R. Szegda pointed out that while the total amount of current property tax dollars collected by the town will be the same next fiscal year, individual taxpayers will pay more or less in current property taxes depending on how their individual property revaluations turned out. J. Luiz explained that the FY '12-'13 budget materials contained in the BOS packet serve as a FY '11-'12 third quarter review of the town's finances. He said that the third quarter review projects an under spending of the operating budgets and a surplus in revenue collection. The BOs then spoke about town attorney expenses. J. Luiz explained that the Town Attorney will keep the cost of the current Kasica vs. Columbia appeal at \$20,000 with the understanding that the BOS consider additional payments for that case at the end of the '11-'12 Fiscal Year provided that the BOS is satisfied with the Town Attorney's work on the case. Discussion followed. R. Szegda asked J. Luiz to provide the BOS with an analysis of the town's legal expenses at the close of the fiscal year. R. Szegda wants J. Luiz to comment on actual expenses incurred with Halloran and Sage versus the expenses the town would have incurred with other firms that made proposals to the town.

11. APPROVE PAYMENT OF BILLS: R. Szegda MOVED to approve the payment of regular bills in the amount of \$32,069.29. MOTION CARRIED 4:0.

12. BOARD MEMBER COMMENTS: None.

13. EXECUTIVE SESSION (continued)

13.1 Real estate pursuant to CT State Statutes Section 1-200(6)(D); Pending Litigation pursuant to CT State Statutes Section 1-200(6)(B); Personnel pursuant to CT State Statues Section 1-200(6)(A); C. Vance MOVED to enter into Executive Session at 8:05 pm. with J. Luiz present to discuss pending litigation and personnel. MOTION CARRIED 4:0. Executive Session ended at 8:21pm.

14. ADJOURNMENT: C. Vance MOVED to adjourn at 8:22 pm. and the MOTION CARRIED UNANIMOUSLY. The next meeting is scheduled for Tuesday, May 1, 2012 at 7:00 pm.

Respectfully Submitted by Kimberly A. Bona

RESOLUTION WITH RESPECT TO THE AUTHORIZATION,
ISSUANCE AND SALE OF NOT EXCEEDING \$2.0 MILLION
TOWN OF COLUMBIA GENERAL OBLIGATION
REFUNDING BONDS, AUTHORIZING COMBINING INTO
ONE ISSUE AND MAKING DETERMINATIONS WITH THE
REFUNDING BONDS ANY OTHER AUTHORIZED BUT
UNISSUED BONDS OF THE TOWN, AUTHORIZING
AGREEMENTS FOR THE INVESTMENT OF REFUNDING
ESCROW AND ITS REINVESTMENT OVER ITS TERM

Section 1. \$2.0 Million principal amount of refunding bonds of the Town, or so much thereof as shall be necessary, are hereby authorized to be issued and the proceeds therefrom appropriated for the purpose of refunding, including advance refunding, all or any portion of the aggregate principal amount of any issue of Town of Columbia (hereinafter, the "Town") General Obligation Bonds now or hereafter outstanding or hereafter authorized, issued and outstanding, (the "Prior Bonds"), including but not limited to outstanding bonds of the Town's 2001 issue and for the payment of all fees and expenses incurred in connection therewith, including redemption price, legal, fiscal advisor, underwriting, accounting, escrow verification, investment broker, printing, rating agencies, registrar, transfer and paying and escrow agents, printing, and such other costs and expenses, and those necessary, appropriate or customarily incurred in connection with the refunding of bonds.

Section 2. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the First Selectman and Finance Director and Treasurer (the "Town Officials"). They shall bear such rate or rates of interest or sold at such price or prices, including discount or premium with respect to par, as shall be determined by the Town Officials pursuant to Section 7-370 of the General Statutes. The bonds and notes shall be general obligations of the Town, and each bond and note shall recite that every requirement of law relating to its issue has been duly complied with, that it is within every debt and other limit prescribed by law, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon, and will be paid from property taxation to the extent not paid from other sources. The aggregate principal amount of refunding bonds to be issued, the particular issue or portion thereof they shall refund, the annual installments of principal, redemption provisions, if any, the date, time and manner of issue and sale, interest rate on the bonds, designation of registration transfer and paying agent, financial advisor, underwriter, verification agent or other service providers to facilitate the issuance of the bonds and the transactions herein authorized, and other terms, details and particulars of such bonds, and their issuance and the use and investment of proceeds, including issuance premium, if any, shall be determined by the Town Officials in accordance with the General Statutes of the State of Connecticut, as amended, including but not limited to 7-370 et. seq. The refunding bonds authorized herein may be issued in one or more series, at one or more times and from time to time, provided that, the aggregate principal amount of all such refunding bonds issued shall not exceed \$2.0 Million.

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

Section 4. The Town Officials are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution.

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

resolution authorizing the issue of the bonds to be combined into one issue with the refunding bonds, are hereby delegated the authority to enter into contracts of purchase for such bonds and to determine their interest rate, and to exercise with respect to such combined issue of bonds the authority herein conferred.

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

Section 7. This Resolution shall remain in full force and effect until repealed by the Board of Selectmen.