

TOWN OF CROMWELL
TOWN COUNCIL SPECIAL MEETING
ORGANIZATIONAL MEETING
MONDAY, NOVEMBER 13, 2017
6:30 P.M. TOWN HALL ROOM 224/5

RECEIVED FOR FILING
11-9 2017 at 1:01 P.
TOWN CLERK'S OFFICE
CROMWELL, CONN.


TOWN CLERK

AMENDED AGENDA
(Item F. Financial, #4 added)

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF AGENDA

D. ORGANIZATION

1. Appoint a Secretary to the Town Council.
2. Appoint a Deputy Mayor.
3. Set meeting dates and times for Regular Meetings for 2018.

E. APPOINTMENTS

Mayor's appointments of Town Council Members as liaisons to the following Boards and Commissions:

- Board of Education
- Board of Finance
- Committee to Support People
- Conservation Commission
- Cromwell Fire District
- Cromwell Historical Society
- Economic Development Commission
- Senior Services Commission
- Inland Wetlands & Watercourses
- Land Acquisition Committee
- a.
- b.
- c.
- Library Commission
- Planning & Zoning
- Redevelopment Agency
- Water Pollution Control Authority
- Zoning Board of Appeals
- Park & Recreation Commission
- Youth Services Advisory Board

F. FINANCIAL

1. Tax Refunds
2. Discussion and action to amend Tax Abatement for 120 County Line Drive.
3. Discussion and action to approve Police Department applying for and receiving the Expanded DUI Enforcement Grant.
 - a. Approve appropriation of \$23,600 from the Capital Non-Recurring Fund of which 100% will be reimbursed back to the Town.
4. To consider and act upon a proposed amendment to the September 14, 2016 resolution, as amended June 28, 2017, authorizing the issuance of bonds to refund all or a portion of the Town's \$6,680,000 General Obligation Bonds, Issue of 2008 and \$6,730,000 General Obligation Bonds, Issue of 2010.

G. ADJOURNMENT

Posted Refund Transaction (s) Condition(s) : Bill Dist/Susp/Bank	Name Address	TOWN OF CROMWELL	Int Date: 10/25/2017	Paid Date	Tax	Int	L/F	Total Adjusted	Overpaid Tax
2016-03-0053941	11 ALCAP RDG STE D CROMWELL CT 06416-1036		53953	7/31/2017	130.20	0.00	0.00	130.20	-78.62
2016-03-0053942	EXECUTIVE 2000 TRANS LLC 11 ALCAP RDG STE D		2010/4T4BF3EK2AR017123 53954	7/31/2017	128.62 208.45	0.00 0.00	0.00 0.00	128.62 208.45	-79.83
2016-03-0053943	CROMWELL CT 06416-1036 EXECUTIVE 2000 TRANS LLC 11 ALCAP RDG STE D		2014/2C7WDGCBG3ER465115 53955	7/31/2017	231.20 341.51	0.00 0.00	0.00 0.00	231.20 341.51	-110.31
2016-03-0053944	CROMWELL CT 06416-1036 EXECUTIVE 2000 TRANS LLC 11 ALCAP RDG STE D		2003/4T1BE32K83U758753 53956	7/31/2017	35.48 106.44	0.00 0.00	0.00 0.00	35.48 106.44	-70.96
2016-03-0053945	CROMWELL CT 06416-1036 EXECUTIVE 2000 TRANS LLC 11 ALCAP RDG STE D		2009/4T1BE46K09U815570 53957	7/31/2017	100.36 188.50	0.00 0.00	0.00 0.00	100.36 188.50	-88.14
2016-03-0053946	CROMWELL CT 06416-1036 EXECUTIVE 2000 TRANS LLC 11 ALCAP RDG STE D		2014/2C7WDGCBG1ER465114 53958	7/31/2017	231.20 341.51	0.00 0.00	0.00 0.00	231.20 341.51	-110.31
2016-03-0053947	CROMWELL CT 06416-1036 EXECUTIVE 2000 TRANS LLC 11 ALCAP RDG STE D		2003/4T1BE30KX3U74176 53959	7/31/2017	35.48 106.44	0.00 0.00	0.00 0.00	35.48 106.44	-70.96
2016-03-0053948	CROMWELL CT 06416-1036 EXECUTIVE 2000 TRANS LLC 11 ALCAP RDG STE D		2003/4T1BE32KX3U655740 53960	7/31/2017	35.48 106.44	0.00 0.00	0.00 0.00	35.48 106.44	-70.96
2016-03-0053949	CROMWELL CT 06416-1036 EXECUTIVE 2000 TRANS LLC 11 ALCAP RDG STE D		2007/2G1WB55KX79397141 53961	7/31/2017	42.70 121.97	0.00 0.00	0.00 0.00	42.70 121.97	-79.27
2016-03-0053950	CROMWELL CT 06416-1036 EXECUTIVE 2000 TRANS LLC 11 ALCAP RDG STE D		2010/4T1BF3EK1AU070180 53962	7/31/2017	116.99 208.45	0.00 0.00	0.00 0.00	116.99 208.45	-91.46
2016-03-0053951	CROMWELL CT 06416-1036 EXECUTIVE 2000 TRANS LLC 11 ALCAP RDG STE D		1997/4T1BG22K2YU153988 53963	7/31/2017	13.65 67.80	0.00 0.00	0.00 0.00	13.65 67.80	-54.15
2016-03-0053952	CROMWELL CT 06416-1036 EXECUTIVE 2000 TRANS LLC 11 ALCAP RDG STE D		2000/4T1BG22K1YU997444 53964	7/31/2017	18.85 79.20	0.00 0.00	0.00 0.00	18.85 79.20	-60.35
2016-03-0053953	CROMWELL CT 06416-1036 EXECUTIVE 2000 TRANS LLC 11 ALCAP RDG STE D		2012/5TDKA3DC2S014446 53965	7/31/2017	243.94 356.08	0.00 0.00	0.00 0.00	243.94 356.08	-112.14
2016-03-0053954	CROMWELL CT 06416-1036 EXECUTIVE 2000 TRANS LLC 11 ALCAP RDG STE D		2014/4T1BF1FK4EU339295 53966	7/31/2017	212.89 316.17	0.00 0.00	0.00 0.00	212.89 316.17	-103.28
2016-03-0053955	CROMWELL CT 06416-1036 EXECUTIVE 2000 TRANS LLC 11 ALCAP RDG STE D		2009/1CNEFK26389R232086 53968	7/31/2017	335.55 427.05	0.00 0.00	0.00 0.00	335.55 427.05	-91.50
2016-03-0053956	CROMWELL CT 06416-1036 EXECUTIVE 2000 TRANS LLC 11 ALCAP RDG STE D		2009/5TDK23C59S288658 53970	7/31/2017	110.88 206.24	0.00 0.00	0.00 0.00	110.88 206.24	-95.36
2016-03-0053957	CROMWELL CT 06416-1036 EXECUTIVE 2000 TRANS LLC 11 ALCAP RDG STE D		2013/1G11D5RR5DF108763 53971	7/31/2017	190.18 294.31	0.00 0.00	0.00 0.00	190.18 294.31	-104.13
2016-03-0053958	CROMWELL CT 06416-1036 EXECUTIVE 2000 TRANS LLC 11 ALCAP RDG STE D		1997/4T1BG22K5VU793936 53972	7/31/2017	13.65 67.80	0.00 0.00	0.00 0.00	13.65 67.80	-54.15
2016-03-0053959	CROMWELL CT 06416-1036 EXECUTIVE 2000 TRANS LLC 11 ALCAP RDG STE D		2011/4T1BF3EK6BU189750 53973	7/31/2017	160.78 232.21	0.00 0.00	0.00 0.00	160.78 232.21	-71.43
2016-03-0053960	CROMWELL CT 06416-1036 EXECUTIVE 2000 TRANS LLC 11 ALCAP RDG STE D		2009/5TDK23C69S284439 53974	7/31/2017	110.88 206.24	0.00 0.00	0.00 0.00	110.88 206.24	-95.36
2016-03-0053961	CROMWELL CT 06416-1036 EXECUTIVE 2000 TRANS LLC 11 ALCAP RDG STE D		2013/1G11D5RR5DF104851 53975	7/31/2017	190.18 294.31	0.00 0.00	0.00 0.00	190.18 294.31	-104.13

TOWN OF CROMWELL

Int Date: 10/25/2017

Date: 10/25/2017

Posted Refund Transaction (s) Condition(s) : Name Bill Dist/Susp/Bank Address	Int Date: 10/25/2017 Prop Loc/Vehicle Info. UniqueID/Reason	Paid Date	Tax	Int	I/F	Total Adjusted	Overpaid Tax
2016-03-0058548 MOSS REGINA B 174 SKYVIEW DR CROMWELL CT 06416-1878	2009/JTKR0104X90C33416 58573 Sec. 12-129 Refund of Excess Payments.	7/11/2017	103.53 155.23	0.00 0.00	0.00 0.00	103.53 155.23	-51.70
2016-03-0058968 NISSAN INFINITI LT 8900 FREEPORT PKWY IRVING TX 75063-2409	2013/JN8AZ1MM7DW312919 58994 Sec. 12-129 Refund of Excess Payments.	7/14/2017	136.29 409.31	0.00 0.00	0.00 0.00	136.29 409.31	-273.02
2016-03-0059086 NOLLMAN BERTHA G #216 52 MISSIONARY RD #216 CROMWELL CT 06416	2009/JHMG88489S054264 59112 Sec. 12-129 Refund of Excess Payments.	9/29/2017	88.70 177.41	0.00 7.98	0.00 0.00	88.70 185.39	-88.71
2016-03-0059471 PANTANO ANTHONY JR 4 SUNSET DR CROMWELL CT 06416-1318	2000/IFTNK21EXYEC45290 59498 Sec. 12-129 Refund of Excess Payments.	7/31/2017	48.79 223.98	0.00 0.00	0.00 0.00	48.79 223.98	-175.19
2016-03-0059955 PIEKUT JERZY 18 SENATOR DR CROMWELL CT 06416-1658	2012/WALWRAF2CA119708 59962 Sec. 12-129 Refund of Excess Payments.	7/10/2017	221.76 608.26	0.00 0.00	0.00 0.00	221.76 608.26	-386.50
2016-03-0061623 SIROIS KEVIN M 17 GEER ST CROMWELL CT 06416-1328	2005/5TBDT44135S489297 61655 Sec. 12-129 Refund of Excess Payments.	7/27/2017	200.15 324.40	0.00 0.00	0.00 0.00	200.15 324.40	-124.25
2016-03-0061624 SIROIS KEVIN M 17 GEER ST CROMWELL CT 06416-1328	2014/5TDYK3DC5ES466286 61656 Sec. 12-129 Refund of Excess Payments.	7/27/2017	420.24 530.01	0.00 0.00	0.00 0.00	420.24 530.01	-109.77
2016-03-0062291 TANGUAY RUSSELL E + TANGUAY MARYANN K 33 COURT ST CROMWELL CT 06416-1642	2007/1JSHR48N37C557888 62326 Sec. 12-129 Refund of Excess Payments.	7/14/2017	155.23 226.20	0.00 0.00	0.00 0.00	155.23 226.20	-70.97
2016-03-0063071 VAULT TRUST 200 RENAISSANCE CENTE DETROIT MI 48275-0001	2014/1C4RJFBT1EC146719 63110 Sec. 12-129 Refund of Excess Payments.	7/21/2017	626.00 88.70	0.00 0.00	0.00 0.00	626.00 88.70	-626.00
2016-03-0063270 VUONG TAI T 30 BERLIN RD APT B CROMWELL CT 06416-1701	2003/5TBBT48173S430638 63309 Sec. 12-129 Refund of Excess Payments.	7/10/2017	256.29 136.22	0.00 0.00	0.00 0.00	256.29 136.22	-167.59
2016-03-0063756 WOODS IAN N 497 MAIN ST CROMWELL CT 06416-2060	2004/1N6BA07BX4N588567 63796 Sec. 12-129 Refund of Excess Payments.	7/31/2017	260.73 158.40	0.00 0.00	0.00 0.00	260.73 158.40	-124.51
2016-03-0063997 ZIOLKOWSKI ANDREW 4 CLUBHOUSE DR CROMWELL CT 06416-2557	2013/JTDKN3DU1D5663305 64037 Sec. 12-129 Refund of Excess Payments.	7/31/2017	328.84 205.54	0.00 0.00	0.00 0.00	328.84 205.54	-170.44
2016-03-0064066 FINANCIAL SER VEH TRUST 5550 BRITTON PKWY HILLIARD OH 43026	2014/WBA5B3C53ED533403 64100 Sec. 12-129 Refund of Excess Payments.	7/24/2017	822.10 12,190.58	0.00 0.00	0.00 0.00	822.10 12,190.58	-616.56
Y			21,379.02	68.09	20.00	21,467.11	-9,188.44
TOTAL							

To: Anthony Salvatore, Town Manager
From: Stuart B. Popper Director of Planning and Development
Date: November 8, 2017
Re: Amended Tax Abatement for 120 County Line Drive



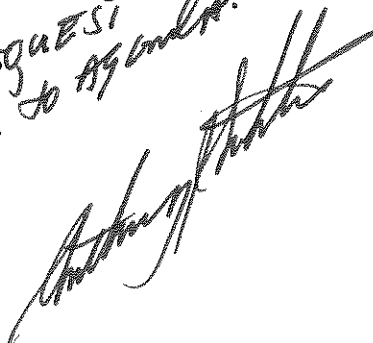
The Town Council at a special meeting held at 7:00 pm on Wednesday October 4, 2017 voted unanimously to grant a seven (7) year, 100% tax abatement on 120 County Line Drive to Arett Sales/Scannell Properties and authorized the Town Manager to sign the agreement.

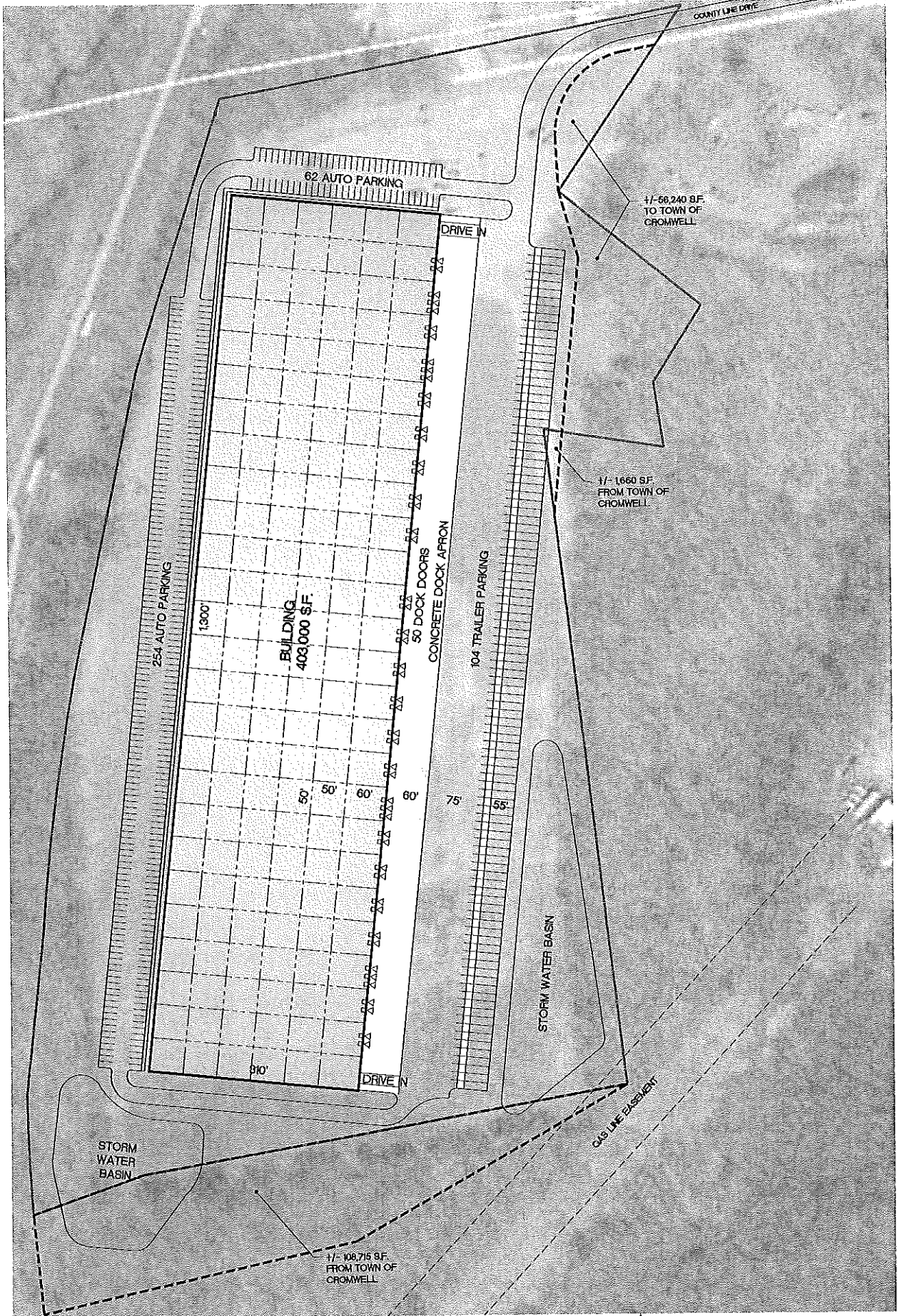
Scannell Properties is requesting to amend the Tax Abatement to remove any reference to Arett Sales. Scannell is now proposing to build a 403,000 square foot warehouse building for a future tenant yet to be determined. Attached is a drawing of the proposed building.

Scannell Properties continues to work on the development of the site. The closing for the purchase of the property is scheduled for January 15, 2018. As noted below they are moving forward with the permit process with the permission of the current owner.

- The Planning and Zoning Commission at the September 5, 2017 meeting approved Application #17-32: Request for an Erosion and Sedimentation Control Plan (for the grading of the site) at 120 County Line Drive.
- The Inland Wetlands and Watercourses Agency at the meeting on November 1, 2017 meeting approved with conditions Application #17-11: Request to conduct regulated activities (construction of a storm water management area) within the Upland Review Area at 120 County Line Drive.
- A pre-construction meeting for the grading of the site will be held on Thursday November 9, 2017 at 9:00 am.
- Scannell has submitted Application #17-53: Request for Site Plan Approval to construct a 403,000 square foot warehouse at 120 County Line Drive.
- The Planning and Zoning Commission will accept Application #17-53 at the November 9, 2017 meeting and schedule it to be considered as a business item at the December 5, 2017 meeting.

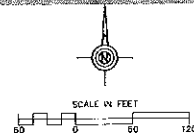
Approved to REQUEST
Mayor Add to agenda.
9/8/17





PROPOSED:
PROJECT SITE
NOVEMBER 7, 2017

WAREHOUSE / OFFICE
CROMWELL, CT





CROMWELL POLICE DEPARTMENT

Denise Lamontagne
Chief of Police

To: Anthony J. Salvatore
Town Manager

From: Chief Denise Lamontagne *DL*

Subject: DUI Law Enforcement Grant

Date: November 8, 2017

I am requesting that you add the above grant to your Town Council Agenda, November 13, 2017, for permission to apply for and receive the above Expanded DUI Law Enforcement Grant.

Sergeant Bengtson has prepared the grant application (copy attached) of which includes two (2) checkpoints and thirty five (35) roving patrols.

Based on the figures that I have received, I am requesting an appropriation of \$23,600 from Capital Non-Recurring of which 100% will be reimbursed back to the Town.

Upon approval by the Town Council for the above, I will be making a request to the Board of Finance at their November 16, 2017 meeting for their approval of funding.

Attachment

cc: Captain Kevin VanderSloot
Marianne Sylvester, Finance Director

PROJECT TITLE	APPLICANT
FY 2018 Comprehensive DUI Enforcement Program for Municipal Police Department	Cromwell Police Department
	PAGE 1 OF 3

STATEMENT OF THE PROBLEM AND BACKGROUND INFORMATION

Alcohol-impaired driving fatalities in Connecticut averaged 105 per year for the 2005-2014 ten year period. The year 2011 had the lowest reported total (94) and the year 2013 had the highest reported total (126). Alcohol-impaired driving fatalities for the latest available three years are: **2012 - 100, 2013 - 126, 2014 - 97.** Alcohol-impaired driving fatalities for the 2004-2013 ten year period averaged 38% of total fatalities for the period.

"Under the Influence" crashes for the latest available three years are: **2012 - 2225, 2013 - 2257, 2014 - 2199.** "Under the Influence" injuries for the latest available three years are: **2012 - 1067, 2013 - 1022, 2014 - 1041.**

69% of fatally injured drinking drivers (BAC ≥ 0.01) occurred in crashes between the hours of 8 PM and 6 AM.

The number of statewide DUI arrests for the latest available three years are:
FY 2013/2014 - 10,308, FY 2014/2015 - 10,438, FY 2015/2016 - 10,265.

NOTE: For DUI Patrol activities, the number of enforcement officers allowed per vehicle at any one time is one per vehicle, however, core enforcement hours may be split by more than one officer. All officers who will be assigned to DUI activities have to be updated in the most current version of Standardized Field Sobriety Testing (SFST).

NOTE: The operation of this Traffic Enforcement Program shall be above and beyond the normal/special patrol activities scheduled during the program parameters.

OBJECTIVES

To reduce the number of crashes, injuries and fatalities from impaired driving through increased high-visibility DUI enforcement activities. Communicate with the public, through media venues, the increased levels of DUI enforcement activities so drivers will realize the risks and consequences of operating a vehicle while under the influence and therefore deter that behavior.

ACTIVITIES AND PROCEDURES

This program is being offered on an expanded year-round basis and is in line with the goals and objectives as highlighted in the Connecticut Highway Safety Plan for FY 2018. Funding will be used to address various circumstances in which increased drinking and driving within the municipality is anticipated to take place. In the course of discussions with police agencies, it is evident that the incidence of impaired driving increases at certain times of the year in addition to holiday periods; for example, shoreline communities which have an increase in population during the summer months. Events such as summer festivals, country fairs, music concerts, sporting events, etc, all represent potential for a higher incidence of impaired driving.

Enforcement techniques employed should include extra DUI patrol activities, and may include DUI sobriety checkpoints. A checkpoint is defined as, an operation not to exceed eight officers, including a supervisor, conducted at a fixed location, which lasts no more than eight hours where operators are stopped and interviewed to determine if the operator is impaired. Roaming or saturation patrols will not be conducted or reported as checkpoints.

PROJECT TITLE	APPLICANT
FY 2018 Comprehensive DUI Enforcement Program for Municipal Police Department	Cromwell Police Department
	PAGE 2 OF 3

STATEMENT OF THE PROBLEM AND BACKGROUND INFORMATION (CONTINUED):

(INSERT LOCAL DUI CRASH AND CITATION STATISTICS AND LOCAL PROBLEM ID HERE)
 DATA MUST INCLUDE ALCOHOL-RELATED FATAL AND INJURY CRASH DATA, DUI ARREST DATA,
 TIME OF DAY AND DAY OF THE WEEK AND LOCATIONS WHERE THE PROBLEM EXISTS.

**** NOTE - A MINIMUM OF THREE YEARS OF LOCAL ALCOHOL RELATED
 IMPAIRED DRIVING CRASH DATA IS REQUIRED TO SUBSTANTIATE THE
 LOCAL PROBLEM I.D.****

The Cromwell Police Department is geographically located in the center of the State of Connecticut and has two major interstate highways (Interstate 91 and Route 9) passing through it, in addition to four secondary state routes (Rte. 99, Rte. 3, Rte. 372, and Rte. 524). Not including the interstate highways, the Cromwell Police Department is responsible for patrolling 52.44 miles of local roadways.

The Cromwell Police Department is focused on prevention and enforcement of motor vehicle violations, specifically DUI. The prevention is initiated through the School Resource Officer at the High School and Middle School level through the use of the DARE Program. Further, the Cromwell Police has late evening patrols operating between 1800 and 0300 hrs. They are assigned as a supplement to the patrol division, and when available, are directly assigned to traffic enforcement.

The Cromwell Police Department participates in the Department of Transportation and Connecticut Chiefs of Police public service announcements pertaining to the "Don't Drink and Drive" campaigns. During the 2017 Christmas Holiday, the Cromwell Police Department will participate in a Connecticut Chiefs of Police public service announcement pertaining to public education of not drinking and driving. The local newspapers are issued notices each time an organized DUI checkpoint is operated.

A review of statistical data maintained by the Cromwell Police Department has disclosed that between January 1, 2014 and December 31, 2016, there have been 119 arrests for DUI. 69.74% took place between 2000 and 0400 hours and 63.87% occurred between Thursday evening and Sunday morning. In addition, 57.12% (68 DUI's) were made during the DUI grant's enforcement parameter times of 1700 hours to 0400 hours during the days of Thursday, Friday, and Saturday. During this same date range (2014-2016), there have been 1,097 motor vehicle accidents (MVA's) in the Town of Cromwell. Of the MVA's reported, 38 involved DUI operators, which represents 3.46% of the reported accidents. There were 14 injuries as a result of these 38 MVA's involving an operator charged with DUI, and no fatalities.

The primary locations for offender detection are the Rte. 372 corridor that runs east and west through town, as well as Rte. 3 and Rte. 99, which intersect with Rte. 372 and run north and south. All three routes pass through commercial venues and residential neighborhoods. 38.66% of the offenders were located on Rte. 372, 20.17% on Rte. 3, 15.97% on Rte. 99, and 15.13% on municipal roads. The Cromwell Police Department uses this statistical data in reporting motor vehicle accidents, fatalities, and injuries as a means of gauging our success in combating the DUI offender. This will continue to be our method of gauging our enforcement effort. It is the intent of the Cromwell Police Department to continue the use of saturation patrols, DUI checkpoints, continued education

PROJECT TITLE	APPLICANT
FY 2018 Comprehensive DUI Enforcement Program for Municipal Police Department	Cromwell Police Department
	PAGE 3 OF 3

STATEMENT OF THE PROBLEM AND BACKGROUND INFORMATION (CONTINUED):

(INSERT LOCAL DUI CRASH AND CITATION STATISTICS AND LOCAL PROBLEM ID HERE)
DATA MUST INCLUDE ALCOHOL-RELATED FATAL AND INJURY CRASH DATA, DUI ARREST DATA,
TIME OF DAY AND DAY OF THE WEEK AND LOCATIONS WHERE THE PROBLEM EXISTS.

Alcohol Crashes		
2014	2015	2016
5	17	16
Alcohol Fatalities		
2014	2015	2016
0	0	0
Alcohol Injuries		
2014	2015	2016
2	7	5
DUI Arrests		
2014	2015	2016
37	43	39

Crash data can be obtained from the Connecticut Crash Data Repository at:
<http://www.ctcrash.uconn.edu/>

If State Police investigated roadways run through your town, please contact Connecticut Crash Data Repository staff for your crash statistics.

Problem Identification:

List locations with the highest problems:

Berlin Road and West Street (Route 372)
Shunpike Road (Route 3)
Main Street (Route 99)
Coles Road
Evergreen Road

List day(s) of the week where data shows increased DUI:

Sunday

List time(s) of the day where data shows increased DUI:

Between 1700 and 2200 hours

You must provide grant point of contact information for this grant
(This would be the person who is the day-to-day point of contact)

Name of Contact: Ryan Bengtson
Contact Title: Sergeant
Work Phone: 860-635-2256 ext. 19
Cell Phone: _____ **For HSO Use Only**
FAX No. 860-635-8248
Email Address: sgt.bengtson@cromwellpd.com

PROJECT TITLE	APPLICANT
FY 2018 Comprehensive DUI Enforcement Program for Municipal Police Department	Cromwell Police Department

BUDGET SUMMARY

Federal Share	100.00%
State/Local Share	0.00%

BUDGET SUMMARY SUBMITTAL

COST CATEGORY	AMOUNT	SOURCE OF FUNDS	
PERSONNEL SERVICES	\$23,600.00	FEDERAL FUNDS (100%)	\$23,600.00
CONTRACTUAL SERVICES	XXXXXXXXXX	NON-FEDERAL FUNDS (0%)	\$0.00
OPERATING COSTS	XXXXXXXXXX	TOTAL FUNDS (100%)	\$23,600.00
EQUIPMENT	XXXXXXXXXX		
INDIRECT COSTS	XXXXXXXXXX		
TOTAL BUDGETED	\$23,600.00		

BUDGET SUMMARY APPROVAL (HSO USE ONLY)

COST CATEGORY	AMOUNT	SOURCE OF FUNDS	
PERSONNEL SERVICES		FEDERAL FUNDS (100%)	
CONTRACTUAL SERVICES	XXXXXXXXXX	NON-FEDERAL FUNDS (0%)	
OPERATING COSTS	XXXXXXXXXX	TOTAL FUNDS (100%)	
EQUIPMENT	XXXXXXXXXX		
INDIRECT COSTS	XXXXXXXXXX		
TOTAL BUDGETED			

RESOLUTION OF TOWN COUNCIL

RESOLVED, that the Town Council of the Town of Cromwell hereby adopts the resolution presented to this meeting amending the resolution adopted by the Town Council at meeting held September 14, 2016, as previously amended June 28, 2017, authorizing the issuance of bonds to refund all or a portion of the Town's \$6,680,000 General Obligation Bonds, Issue of 2008 and \$6,730,000 General Obligation Bonds, Issue of 2010, to increase the refunding bond authorization therein to \$9,000,000. A copy of the full text of the resolution shall be inserted in or attached to the minutes of this meeting and made a part thereof.

Attachment to Town Council minutes:

1. Refunding Bond Resolution Amendment

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF CROMWELL**

AMENDING THE SEPTEMBER 14, 2016 RESOLUTION, AS AMENDED JUNE 28, 2017, AUTHORIZING THE ISSUANCE OF REFUNDING BONDS FOR PAYMENT OF THE OUTSTANDING PRINCIPAL OF AND INTEREST AND ANY CALL PREMIUM ON THE TOWN OF CROMWELL'S \$6,680,000 GENERAL OBLIGATION BONDS, ISSUE OF 2008 AND \$6,730,000 GENERAL OBLIGATION BONDS, ISSUE OF 2010, AND COSTS RELATED THERETO

(November 13, 2017)

WHEREAS, at meeting held September 14, 2016, the Town Council adopted a resolution authorizing the issuance of bonds to refund all or a portion of the Town's \$6,680,000 General Obligation Bonds, Issue of 2008 and \$6,730,000 General Obligation Bonds, Issue of 2010, which resolution was amended on June 28, 2017; and

WHEREAS, the Town has been advised that the dollar amount of said refunding bond authorization should be increased in order to effectuate such refunding;

NOW, THEREFORE, RESOLVED, that the resolution by the Town Council adopted at meeting held September 14, 2016, entitled "Resolution Of The Town Council Of The Town Of Cromwell Authorizing The Issuance Of Refunding Bonds For Payment Of The Outstanding Principal Of And Interest And Any Call Premium On The Town Of Cromwell's \$6,680,000 General Obligation Bonds, Issue Of 2008 And \$6,730,000 General Obligation Bonds, Issue Of 2010, And Costs Related Thereto," as amended by the Town Council on June 28, 2017, is hereby further amended to increase the refunding bond authorization therein to \$9,000,000, and restated to read in its entirety as follows:

"RESOLVED,

"(a) That the Town of Cromwell issue its refunding bonds, in an amount not to exceed NINE MILLION DOLLARS (\$9,000,000), the proceeds of which are hereby appropriated: (1) to the payment in whole or in part, as to be determined by the Town Manager and the Director of Finance/Treasurer of the Town, of the outstanding principal of and interest and any call premium on the Town's \$ 6,680,000 General Obligation Bonds, Issue of 2008 (consisting at original issue of \$5,766,000 General Purpose Bonds and \$914,000 School Bonds) and \$6,730,000 General Obligation Bonds, Issue of 2010 (consisting at original issue of \$3,046,000 General Purpose Bonds and \$3,684,000 School Bonds), including the payment of interest accrued on said bonds to the date of payment, and (2) to pay costs of issuance of the refunding bonds authorized hereby, including legal fees, consultants' fees, trustee or escrow agent fees, underwriters' fees, bond insurance premiums, net interest and other financing costs and other costs related to the payment of the outstanding bonds described above. Such payment of the bonds to be refunded pursuant to this resolution may be accomplished, without limitation, through the funding of one or more escrows, and the application of the balance held in such escrows, together with the investment earnings thereon. The refunding bonds shall be issued pursuant to Section 7-370c of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts.

The bonds shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

“(b) That the Town Manager and the Director of Finance/Treasurer of the Town shall sign the bonds by their manual or facsimile signatures. The Town Manager and the Director of Finance/Treasurer of the Town are authorized to determine the bonds to be redeemed and the amount, date, interest rates, maturities, redemption provisions, form and other details of the refunding bonds; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds and escrow agent with respect to any refunding escrow or escrows to be funded with proceeds of the bonds; to designate a law firm as bond counsel to approve the legality of the bonds; to provide for the keeping of a record of the bonds; to sell the bonds at public or private sale; to deliver the bonds; and to perform all other acts which are necessary or appropriate to issue the bonds.

“(c) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that costs of the refunding may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) 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 refunding. The Town Manager and the Director of Finance/Treasurer of the Town 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 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.

“(d) That the Town Manager and the Director of Finance/Treasurer of the Town are authorized to make representations and enter into written agreements for the benefit of holders of the bonds 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.

“(e) That the Town Manager, the Finance Director/Treasurer, and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to enable the Town to effectuate the refunding of all or a portion of the Town’s outstanding \$6,680,000 General Obligation Bonds, Issue of 2008 and \$6,730,000 General Obligation Bonds, Issue of 2010, and to issue refunding bonds authorized hereby for such purposes, including, but not limited to, the entrance into agreements on behalf of the Town with holders of the bonds to be refunded, underwriters, trustees, escrow agents, bond insurers and others to facilitate the issuance of the refunding bonds, any escrow of the proceeds thereof and investment earnings thereon, and the payment of the outstanding bonds in whole or in part.”
