

Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Mary Bylone, First Selectman

Board of Selectman Agenda

Meeting via Zoom

Thursday, October 7, 2021 @ 7 PM

(ALL ITEMS ON THIS AGENDA ARE SUBJECT TO POSSIBLE ACTION)

Please use the link below to join the webinar:

<https://us02web.zoom.us/j/86362241206?pwd=S3ZKU2FPSlhIazcvM3QzSkQyQk4xZz09>

Or Telephone:

US: +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 6833

or +1 253 215 8782 or +1 346 248 7799

Webinar ID: 863 6224 1206

Passcode: 050411

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ADDITIONS OR DELETIONS TO THE AGENDA
4. CITIZEN'S COMMENTS
5. CORRESPONDENCE: ATTACHED
6. CONSENT AGENDA
 - A. Approve Minutes of the September 2 Board of Selectmen Meeting
 - B. Accept Ian Lilly's Resignation from the Planning and Zoning Commission with a term ending in 12/1/2022
 - C. Accept Jason Tinelle's resignation from the Planning and Zoning Commission with a term ending in 12/31/2023
 - D. Accept Lynne Stephenson's resignation from the Parks and Recreation Commission with a term ending in 11/1/2023
 - E. Reappointment of Nola Weston to the Parks and Recreation Commission for a term to end 11/1/2025
 - F. Reappointment of Rosanne Tousignant to the Parks and Recreation Commission for a term to end 11/30/2025
 - G. Reappointment of Carla Rosselli to the Agriculture Commission for a term to end 11/30/2024
 - H. Reappointment of John Malsbenden to the Ethics Commission for a term to end 11/1/2024
 - I. Reappointment of Michelle Kosmo as alternate to Conservation Commission for a term to end 10/1/2024
 - J. Reappointment of Patty Watts as the Agent for the Elderly for a term to end 6/17/2023
 - K. Tax abatements

Selectman@ColchesterCT.gov

860-537-7220

www.ColchesterCT.gov

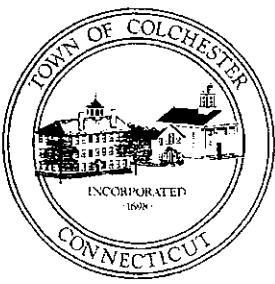
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Mary Bylone

7. INTERVIEW – Stan Soby to Interview for ARPA Ad Hoc Committee for the length of the committee.
8. Maternity Leave Extension for Ruth Reinwald at Senior Center
9. Code Revisions to Chapter 92 - Open Space Preservation Fund
10. Request to Conduct Activity on Town-owned Land
11. CT DECD Brownfield Assessment Grant Resolution
12. Open Space Acquisition Resolution
13. Set Town Meeting and Referendum Date for New Senior Center Building
14. Dissolve the Long-Term Recovery Committee
15. Dissolve the Ad Hoc Committee on Diversity and Inclusion
16. CITIZEN'S COMMENTS
17. FIRST SELECTMAN'S REPORT
18. LIAISON REPORTS
19. ADJOURN

Heide Perham

From: Susan Bear <jsjeam@comcast.net>
Sent: Sunday, September 19, 2021 2:28 PM
To: Heide Perham
Subject: Mask mandate in Colchester

First Selectman and Board of Selectmen,
I am opposed to the mask mandates for the town. Please return to letting individual businesses decide what to do for their business.
Susan Bear



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Mary Bylone, First Selectman

Board of Selectman Agenda

Meeting via Zoom

Thursday, September 2, 2021 @ 7 PM

(ALL ITEMS ON THIS AGENDA ARE SUBJECT TO POSSIBLE ACTION)

Members Present: First Selectman Mary Bylone, Selectmen Rosemary Coyle, Denise Turner, Denise Mizla and Taras Rudko

Also Present: Director of Cragin Memorial Library Kate Byroade, Director of Human Resources Shannon Ramsby

1. CALL TO ORDER: First Selectman Mary Bylone called the meeting to order at 7 p.m.
2. PLEDGE OF ALLEGIANCE
3. ADDITIONS OR DELETIONS TO THE AGENDA: R. Coyle motioned to change agenda item #9 to the professional service agreement with Connecticut Conference of Municipalities, seconded by D. Mizla.
MOTION CARRIED UNANIMOUSLY
4. CITIZEN'S COMMENTS: NONE
5. CORRESPONDENCE: ATTACHED
6. CONSENT AGENDA
 - A. Approve Minutes of the August 19 Board of Selectmen Meeting
 - B. Approve the Minutes of the August 24 Board of Selectmen Special Meeting
 - C. Reappointment of Eleanor Phillips to the TVCCA for a Term to Expire 3/2/2022
 - D. Approve the 2021-2023 grant application for the CT Department of Children and Families Youth Service Bureau Grant program in the amount of \$17,918 (FY21) and Enhancement Grant for \$8,537 (FY21): D. Mizla motioned to approve the Consent Agenda, seconded by D. Turner. MOTION CARRIED UNANIMOUSLY
7. CIPA Filter Policy: R. Coyle motioned to approve the internet safety policy for Cragin Memorial Library, with the correction to the second paragraph under definitions to replace "Internal" with "Internet" seconded by T. Rudko. MOTION CARRIED UNANIMOUSLY
8. Affordable Housing Plan Grant Technical Assistance Program: D. Turner motioned to authorize the First Selectman to sign all necessary documents related to the Notice of Grant Award from the Affordable Housing Plan Grant Technical Assistance Program in the amount of \$15,000, seconded by D. Mizla.
MOTION CARRIED UNANIMOUSLY

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COLCHESTER, CT
2021 SEP -7 AM 9:04
Mary Bylone

9. Professional Service Agreement with Connecticut Conference of Municipalities: D. Mizla motioned to authorize the First Selectman to sign all necessary documents related to the CCM Drug and Alcohol Testing Consortium, seconded by R. Coyle. MOTION CARRIED UNANIMOUSLY
10. CITIZEN'S COMMENTS: NONE
11. FIRST SELECTMAN'S REPORT: The town fared well in the storm, but there was some storm damage that the Public Works crews have been working on and will continue to work on. Debi Circle lost power for a little bit during the height of the storm. Colchester may have gotten about 6 inches of rain. Reminder there are Town Meetings on September 9 at 6:30 p.m. and 7 p.m. The Town Meeting will take place at the WJMS cafeteria, and the referendum and vote will take place at Town Hall. A mask mandate was issued for inside buildings the public has access to. According to Russ Melmed the booster vaccine will likely be available at the end of September.
12. LIAISON REPORTS: R. Coyle: Chatham Health District – R. Melmed recommended that all towns in the CHD issue **indoor** mask mandates. Booster vaccines will likely become available at the end of September. CHD is fully staffed and working on training some of the new staff.
- Senior Center Building Committee Public Information Subcommittee – Working diligently to get information out to the public. The subcommittee has made a list of groups they plan to visit and give presentations to.
- T. Rudko – Planning and Zoning – Was unable to attend, but the meeting discussed the drive through provision in the downtown area. It did not pass.
- D. Mizla – Youth Services Advisory Bureau, did not attend due to miscommunication.
- D. Turner – No Meetings to attend
13. ADJOURN: R. Coyle motioned to adjourn at 7:25, seconded by D. Mizla. MOTION CARRIED UNANIMOUSLY.

Heide Perham

From: Matthew Bordeaux
Sent: Monday, September 20, 2021 10:14 AM
To: Heide Perham
Subject: Fw: P&Z Resignation

FYI

From: Ian Lilly <ian_lilly@yahoo.com>
Sent: Tuesday, August 31, 2021 10:05 AM
To: Matthew Bordeaux <planner@colchesterct.gov>; Kamey Cavanaugh <kcavanaugh@colchesterct.gov>
Subject: P&Z Resignation

Good morning Matt and Kaney,

I hope this message finds you well. It is with regret that I submit my resignation to the Planning and Zoning Committee. I have decided to put my house on the market and move to FL. If there is anything you need from me please do not hesitate to ask.

Will I be required to submit a resignation letter with wet signature, or will a signed and scanned doc work?

Thank you for your time.

Sincerely,

Ian Lilly

[Sent from Yahoo Mail on Android](#)

October 1, 2021

To: Joseph Mathieu,

This letter is to inform you that I am resigning as a member of the Planning and Zoning Commission. Due to the increased demand of work for my company, and personal projects I can no longer dedicate the proper amount of time that this position deserves.

It has been a privilege to serve with such a fine group of people. It has also been a great learning experience being a volunteer for the town of Colchester, and I am honored to have been a member of the commission.

If it is helpful to move me to an alternate position until the time that a replacement is found I would be happy to be on call if there is a time I'm needed to complete a quorum.

Respectfully,

Jason Tinelle

October 4, 2021

Mary Bylone, First Selectman
Town of Colchester
Norwich Avenue
Colchester, CT 6415

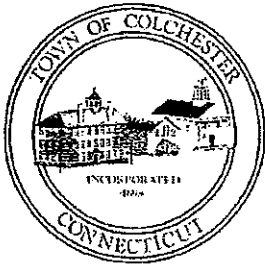
Dear Mary,

Please accept this as my letter of resignation from the Parks & Rec Commission. Due to other commitments on Monday's, I am no longer able to serve on the commission.

Thank you for allowing me to serve over the past years.

Regards,

Lynne Stephenson



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

DATE: 9/18/2021

BOARDS & COMMISSIONS APPLICATION

Name: Stan Soby

Address: 40 Ude Way Colchester, CT. 06415

Home Phone: 860-537-3704 Email soby@sbcglobal.net FAX: _____

Cell Phone: 860-705-2252 Town Residency 43 Years

Party Affiliation: ☐ Democrat ☐ Republican ☒ Unaffiliated (check one)

Commission or Board you are interested in serving on: ARPA Ad Hoc Committee

Educational Background: List name and location of school, # of years attended, Subjects/Major, Did you graduate?

High School: Notre Dame High School, West Haven, CT, graduate

College: University of Connecticut, Storrs, CT, 3yrs

Souther Connnecticut State University, B.S., Special Education

Central Connecticut State University, M.S., Special Education

Trade, Bussiness _____

Or Correspondence _____

School _____

CONTINUED ON REVERSE SIDE

Work Experience: List length of employment, name and address of employer, position & reason for leaving:

State of Connecticut, DCYS, Middletown, Child Care Worker, 3 yrs. Left for teaching position
Connecticut Insdtitute for the Blind/Oak Hill, Hartford, 43 yrs, various positions,
currently Vice President, Public Policy and External Affairs

Are you capable of making the commitment of time necessary to serve on this Board or Commission? Yes.

Why are you interested in serving? I am interested in assisting the Town in ensuring that the funding available for human and social services is distributed as intended and to those most in need.

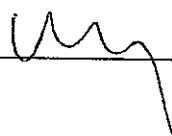
Do you have any experience or familiarity with this area? I have been engaged in advocacy efforts directly on behalf of Oak Hill at the State and Federal levels and also in conjunction with the Connecticut Association of Nonprofits, the American Network of Community Options and Resources (ANCOR) and Easterseals so that the funding that is available is directed to meet the needs the people we serve.

If you are not appointed to this board or commission, would you be interested in other forms of public service?

Which ones? _____

Date: 9/18/2021

Signature: _____

 9/18/2021

ARPA Ad Hoc Committee

| <i>Position</i> | <i>Name</i> | <i>Party</i> | <i>Phone</i> | <i>E-mail</i> | <i>Expiration Date</i> |
|-----------------|------------------|--------------|--------------|--|------------------------|
| First Selectman | Mary Bylone | D | 860-537-7220 | selectman@colchesterct.gov | |
| Chair | Dave Koji | D | 860-639-8280 | davekoji@gmail.com | |
| Member | Jack Faski | U | | jack@skyview-realty.com | |
| Member | Chuck Maynard | U | | chuck.maynard@snet.net | |
| Member | Greg Barden | U | 860-608-6990 | gbarden06415@gmail.com | |
| Member | Marge Mlodzinski | U | 860-603-2047 | msrmlodzinski@gmail.com | |
| Member | VACANT | | | | |
| Member | VACANT | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Ruth Reinwald
422 Church St.
Amston, CT 06231
(203) 376-4287

September 8, 2021

Board of Selectman
Town of Colchester
127 Norwich Ave.
Colchester, CT 06415

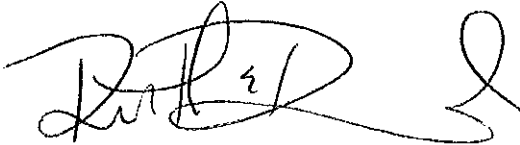
To whom it may concern,

As you may be aware, I am pregnant with my first child and due on December 16, 2021. I plan to work until that date or until it is medically safe to do so.

I am requesting to be placed on an unpaid leave of absence for 8 additional weeks following my 12 weeks of maternity leave. Patty Watts, Director of Senior Services, and I have formulated a plan that will ensure all of my tasks are covered while I am away. During the first four weeks of additional absence I would like to work remotely one day a week and during the last four weeks I will work 2 days a week, both remotely and in person. This will help to cover any administrative duties that I have before I transition back to work full time.

I am requesting this additional time in order to bond with my child and to adjust to motherhood. Thank you for your attention to this matter. I look forward to your reply.

Respectfully,

A handwritten signature in black ink, appearing to read 'Ruth Reinwald', with a stylized flourish at the end.

Ruth Reinwald
Colchester Senior Center, Program Coordinator

leave on a reduced schedule) must present a fitness-for-duty certification from their health care provider to the Human Resources Office prior to their return to employment.

If there are any medical restrictions upon an employee's return to work, the health care provider should state these restrictions in the certificate provided. It is the employee's responsibility to notify the Human Resources Office prior to his/her return to work and make them aware of any restrictions.

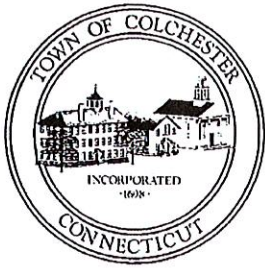
Employees will not be eligible to return to work after a medical leave without being medically cleared to do so. In addition, the Town reserves the right to have its own health care provider and/or the Human Resources Office contact the employee's health care provider for purposes of clarification of the employee's fitness to return to work certification. Under no circumstances will an employee's direct supervisor make contact with the employee's health care provider for purposes of determining fitness for duty (or any other medical certification issue pertaining to FMLA).

Leave of Absence Without Pay

Leaves of absence for reasons not covered elsewhere in this handbook may be granted at the sole discretion of the Board of Selectman based on an employee's individual circumstances and the business needs of the Town. Leaves of absence are considered voluntary time off without pay. Since the purpose of an unpaid leave of absence is to enable an employee to maintain his/her ability to continue employment with the Town, such an employee may not work elsewhere while on such leave unless previously approved by the Board of Selectmen or unless otherwise required by applicable law.

A request for an unpaid leave of absence must be submitted in writing sixty (60) days in advance (unless it is an emergency) to the Board of Selectmen stating the purpose and expected duration. The Board of Selectmen will review each such request on a case-by-case basis to determine whether to approve the request, and if approved, to determine the duration of leave time that can be provided. Absent extraordinary circumstances, the maximum duration of leave that may be approved is a total of six (6) months. The Town can further require, at its discretion, medical certification for any leave requested for medical reasons.

Because a leave of absence is unpaid, employees must use all of their accrued personal and vacation time (and sick time if the reason for the leave makes this benefit applicable) before any unpaid leave can begin. Personal and vacation time (and sick time, if applicable) so used will be counted as part of the total leave time allotted. The employee will not accrue vacation time and will not receive holiday pay during their leave of absence. Leave time will not count toward seniority during a leave of absence. During a personal unpaid leave of absence, medical insurance and retirement contribution will not be made by the Town to the eligible employee's



Town of Colchester, Connecticut

95 Norwich Avenue, Colchester, Connecticut 06415

Patricia A. Watts, Director of Senior Services/Municipal Agent

MEMORANDUM

To: Board of Selectmen

From: Patricia A. Watts, Director of Senior Services

Date: 9/30/2021

Re: Maternity Leave for Ruth Reinwald, Program Coordinator

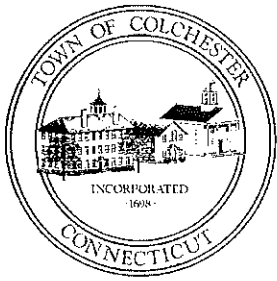
Dear Board of Selectmen,

Tonight you will be reviewing a request from Ruth Reinwald, Program Coordinator in the Senior Services Department regarding her upcoming maternity leave. I feel it would be important for you to know that Ruth and I worked collaboratively to develop this plan, carefully balancing both Ruth and her child's needs and those of the department. I am in full support of the plan which we developed, which utilizes thorough pre-planning and program development prior to her leave, the talents of key trained volunteers to complete some of the Program Coordinator's administrative duties, as well as myself offering program coverage in her absence. This plan includes a phased approach for Ruth to work both remotely and onsite on a part-time basis during the months which would extend beyond a typical FMLA-covered leave.

I endorse this plan and it is my recommendation that you would support and approve Ruth's request.

Respectfully Submitted,

Patricia A. Watts



Town of Colchester, Connecticut

95 Norwich Avenue, Colchester, Connecticut 06415

Patricia A. Watts, Director of Senior Services/Municipal Agent

MEMORANDUM

To: Board of Selectmen

From: Patricia A. Watts, Director of Senior Services

Date: 10/5/2021

Re: Maternity Leave for Ruth Reinwald, Program Coordinator
Additional Information

Dear Board of Selectmen,

I would like to provide some additional information which may be pertinent to your decision regarding Ruth's requested extension to her maternity leave.

Provision for Extension of Leave in Employee Handbook

On page 37 of the Town of Colchester Employee Handbook & Personnel Policies, the second paragraph reads, *"A request for an unpaid leave of absence must be submitted in writing sixty days in advance to the Board of Selectmen stating the purpose and expected duration. The Board of Selectmen will review each such request on a case-by-case basis to determine whether to approve the request, and if approved, to determine the duration of leave time that can be provided. Absent extraordinary circumstances, the maximum duration of leave that may be approved is a total of six months"*

This language speaks to review of each case based upon its own merits, and thus eliminates any precedent for the request of Town employees in the future.

Cost to the Town

Page 37-38 continued *"...During a personal unpaid leave of absence, medical insurance and retirement contribution will not be made by the Town to the eligible employee's account. Employees may continue participation in the Town's medical and dental plans by reimbursing the full premium cost to the Town by monthly payments in advance."*

Ruth is aware of this and it is her intention to join her husband's insurance plan for the duration of her leave and afterward, both for herself and her child. In addition to the savings from medical insurance and other benefits, Ruth has minimal accrued time available for sick/vacation/personal time. Once this is exhausted, Ruth's leave will be unpaid, thus saving the cost of her hourly wages. Again, this will represent a net savings for the Town during her absence. Ruth's maternity leave will not cost the Town additional financial resources.

Advanced Preparation

I would like the Board to understand in greater detail the lengths to which we have gone in order to set the department up for success, and more specifically what Ruth has been doing in preparation for her leave. By the time Ruth's leave commences, she will have the following items completed:

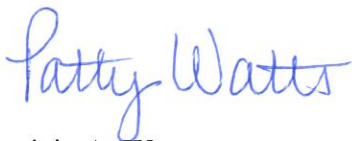
- Newsletters will be printed for December; and at the final edit stage for the months of January, February, March and April.
- Ruth has booked entertainment for the duration of her leave, in advance.
- Classes have been scheduled with volunteer coverage whenever possible. Whenever applicable, Ruth has hired instructors to cover select programs, with class fees being covered by attendees (i.e. at no additional cost to the Town)
- Ruth is training two volunteers to perform some of her clerical duties including but not limited to: inputting statistics into *My Senior Center* for data tracking, making and sending monthly birthday cards, creating tickets, posters, and attendance sheets for classes.

Toll on Department Staff

You may have concerns about the burden on other departmental staff for coverage of a full-time staff vacancy. Ruth and I have worked together to develop a plan which allows for a fair portion of her typical work load to be completed either in advance, or by leveraging the talents and skills of key volunteers to complete many of Ruth's clerical duties and program coverage, where applicable. The remaining responsibilities will be absorbed by me—set up/break down of programs, leading programs as needed, communicating with class leaders/instructors, final edits of the newsletter, keeping up with calls/emails. During the 4th and 5th month of her leave, if approved, Ruth will also be working on a part-time basis, as she transitions back to full-time.

As many of you know, prior to hiring Ruth, our department had a very difficult time hiring and retaining a qualified and capable Program Coordinator. The time spent posting, screening, hiring and training two Program Coordinator's, only to ultimately terminate them both; with yet another walking off the job in an angry outburst was time consuming and stressful. The reality of all of that chaos was that I was fulfilling the duties of the role of Program Coordinator for the better part of two years, at a high personal toll. The prospect of providing coverage for a Ruth's extended leave, to retain an exceptional, highly skilled and well-regarded staff member is far less daunting. If working harder for five months enables me to retain Ruth as a valuable member of our staff, it is well worth it to me. I am in support of the extension of leave, as requested by Ruth Reinwald. I welcome any questions you may have for further clarification on the impact on the Department of Senior Services.

Respectfully Submitted,



Patricia A. Watts

**TOWN OF COLCHESTER
PLANNING AND ZONING DEPARTMENT**

TO: Board of Selectmen

FROM: Matthew Bordeaux, Planning Director *MBB*
Jay Gigliotti, Wetlands Agent *JG*

DATE: September 29, 2021

RE: Proposed Amendment of Code of Ordinances Chapter 92 Open Space
Preservation Fund

Introduction

In an effort to enhance the Town's open space preservation goals, the Board of Selectmen have been asked to support an amendment of Chapter 92 of the Town of Colchester Code of Ordinances that would expand the use of open space funds to include contributions to qualified preservation entities' pursuit of preservation projects. The resultant project, be it acquisition of land in fee or under an easement, would not be Town-owned, but rather the responsibility of another preservation entity. The proposed amendment would allow the Town to consider requests for financial assistance for the acquisition of land in fee, an easement, or for any of the numerous ancillary 'soft' costs associated with preservation projects. Soft costs typically associated with land acquisition include appraisals, assessments, title work and attorney fees...etc.

As there are many preservation entities representing specialized interests, such as agriculture, watershed management and natural resource protection, or passive recreation, there may be opportunities for the Town to see open space and agricultural land preservation goals achieved by entities with the resources more appropriately suited to manage the project in the long run.

Proposed Amendment of Chapter 92

Chapter 92 of the Code provides for the use of open space funds collected in-lieu of the open space requirement of proposed subdivision plans and an annual budget allocation of \$5,000. The fund has recently been leveraged as a required local match when the Town has applied for acquisition grants. Chapter 92 also outlines the various considerations and procedures required to decide how the funds may be used. Ultimately, the decision to use Town funds is made by the Board of Selectmen or by Town Meeting.

The proposed amendments to Chapter 92 will not change how the funds are collected or how the community makes a decision to use them. What is proposed will allow the community to consider the contribution of the funds toward a project that is principally owned or operated by an entity other than the town.

The proposed Code revisions were explored by staff, referred to Town Legal Counsel and have been supported by the Open Space Committee, Conservation Commission, Agricultural Commission and Colchester Land Trust. The neighboring Town of Lebanon has successfully implemented a similar program.

Attached is the suggested revisions to the Chapter 92 of Colchester Code prepared by the Town's Attorney. Revisions of the Code are subject to a Special Town Meeting.

Suggested Motion:

Move to schedule a Special Town Meeting for revisions to Chapter 92 of the Colchester Code of Ordinances, as prepared by Shipman & Goodwin dated 5/24/21, revised by Planning Director 9/29/21, to provide for increased flexibility of the use of the Open Space Preservation Fund for open space purposes.

MRB/JG

R:\Miscellaneous\Agricultural Easements\Chapter 92 Proposal.docx

Attach.

Chapter 92

OPEN SPACE PRESERVATION FUND

§ 92-1. Purpose.

Pursuant to the provisions of Connecticut General Statutes § 7-148(c)(2)(K), the Town of Colchester (the Town) does hereby create a special fund, which fund shall be known as the "Open Space Preservation Fund" (the fund), and which fund shall not lapse at the end of the municipal fiscal year. The fund's purposes shall be ~~the preservation of open space;~~

A. The preservation of open space by the Town or the acquisition by the Town of land or interests in land for open space ~~or for recreational or agricultural purposes (the "open space purposes")~~; purposes (the Town acquisitions), and

B. For contributions (the Town contributions) to a governmental body or a charitable corporation or trust whose purposes include open space purposes (a preservation entity), which Town contributions shall be for such preservation entity's pre-acquisition costs, such as appraisals and other due diligence, closing costs, and/or for a portion of the acquisition costs of land or interests in land for open space purposes.

The term "open space purposes" as used in this chapter shall mean the preservation of land for open space, recreational or agricultural purposes.

§ 92-2. Sources of funding, investments, and limitation on fund use.

A. In addition to such sums as may be appropriated by the Town annually for deposit into the fund, the Town is authorized to and may deposit into the fund all monies received by it, from whatever source, as monetary gifts, grants or loans for open space purposes.

B. Fees to the Town collected in lieu of any requirement to provide open space; pursuant to Connecticut General Statutes §§ 8-25 and 8-25b, and as authorized by the Zoning and Planning Commission; pursuant to the Town's Subdivision Regulations, (the 8-25b fees) shall be deposited into the fund.

C. The fund shall be in the custody of the Town Treasurer or other officer in charge of funds of the Town, and all or any part of the monies in the fund may, from time to time, be invested in any securities in which public funds may be lawfully invested. All income derived from such investments shall be placed into the fund and become a part thereof. The monies so invested shall at all times be subject to withdrawal from such investments for use as; hereinafter set forth.

D. No sums contained in the fund, including interest and dividends earned upon said sums, shall be transferred to any other account within the Town budget. No expenditures shall be made from the fund except in accordance with the provisions of this chapter.

E. The continuation of the fund shall be perpetual, notwithstanding that from time to time the fund may be unfunded.

F. No Town contribution shall be made to a preservation entity, other than a governmental body, until such preservation entity provides to the Board of Selectmen all necessary and/or requested documents such as, but not limited to, certification that such preservation entity has among its purposes open space purposes set forth in § 92-1 above, is a tax-exempt charitable organization as described in Internal Revenue Code Section 501(c)(3) and has taken all requisite actions to approve the acquisition of the subject land or interest in subject land for open space purposes.

§ 92-3. Expenditures from the fund.

Expenditures shall be made from the fund only in accordance with the following procedures and requirements:

A. ~~Expenditures~~ With regard to Town acquisitions, expenditures from the fund shall be made exclusively for acquisition costs; ~~(including but not limited to appraisal pre-acquisition costs, such as appraisals and other due diligence, and closing costs;)~~ of real property or of easements, interests or other rights ~~therein~~ in real property, the use of which shall be limited to open space purposes;

B. With regard to Town contributions, expenditures from the fund shall be made exclusively to preservation entities for the costs set forth in § 92-1.B above;

C. The 8-25b fees shall be used solely for the purposes set forth in § 92-1.A above;

D. Expenditures from the fund shall only be made for acquisitions that have been approved in accordance with the procedures set forth in § 92-4 below; and

~~E.~~ All expenditures from the fund shall conform to the Town's general procedures with regard to the expenditure of municipal funds.

§ 92-4. Process for approval of Town acquisitions and Town contributions for open space purposes.

A. The Conservation Commission is hereby designated to act on behalf of the Town for the purpose of reviewing and recommending to the Board of Selectmen Town acquisitions and Town contributions for open space purposes. Any person, including other agencies and departments of the Town, may propose possible Town acquisitions or Town contributions to the Conservation Commission for review. The Conservation Commission shall request input on possible Town acquisitions or Town contributions from other agencies and departments of the Town (such as the Parks and Recreation Department and the Zoning and Planning Commission), as appropriate in each circumstance.

B. The Conservation Commission shall recommend to the Board of Selectmen ~~the a Town acquisition of any parcel or interest therein to be used for open space purposes~~ or Town contribution ("proposed Town acquisition" or Town contribution"). The recommendation shall

describe the proposed use and include a comprehensive statement of the Conservation Commission's evaluation of the proposed Town acquisition or Town contribution.

C. If the Board of Selectmen approves a proposed Town acquisition or Town contribution, it shall forward the Conservation Commission's recommendation for the proposed Town acquisition or Town contribution to the Zoning and Planning Commission for a report pursuant to Connecticut General Statutes § 8-24, and to the Board of Finance.

D. Following action by the Board of Finance and the issuance of the Zoning and Planning Commission's report, pursuant to Connecticut General Statutes § 8-24, final action on the proposed Town acquisition or Town contribution shall be taken by the Board of Selectmen or, if required by Town Charter, by the Town Meeting.

§ 92-5. Required contract between Town and preservation entity.

Prior to the receipt of funding pursuant to a Town contribution approved in accordance with § 92-4 above, a preservation entity shall enter into a contract with the Town, which contract shall provide, among other things, that the document to be recorded on the Colchester land records (e.g., deed, easement) that creates the conditions and restrictions relating to open space purposes that shall burden the subject property (the conditions/restrictions) shall provide that:

A. The conditions/restrictions shall be perpetual.

B. Such preservation entity shall comply with or enforce, as applicable, the conditions/restrictions.

C. The Town shall have the right, from time to time, to inspect the subject property for compliance with the conditions/restrictions.

D. In the event such preservation entity fails to comply with or enforce, as applicable, the conditions/restrictions, the Town shall have the right, but not the obligation, to comply with or enforce, as applicable, the conditions/restrictions. In the event the Town so complies with or enforces, as applicable, the conditions/restrictions, such preservation entity shall promptly upon its receipt of written notice from the Town, reimburse the Town for the Town's costs therefor.

E. For purposes of such contract and such document for the land records, references to such preservation entity shall include its successors and assigns.

Document comparison by Workshare 9 on Monday, May 24, 2021 5:04:02 PM

| Input: | |
|---------------|---|
| Document 1 ID | interwovenSite://sgdms.shipman.com/SG/9861255/3 |
| Description | #9861255v3<SG> - Colchester Open Space Fund Ordinance Revisions |
| Document 2 ID | interwovenSite://sgdms.shipman.com/SG/9861255/4 |
| Description | #9861255v4<SG> - Colchester Open Space Fund Ordinance Revisions |
| Rendering set | Standard |

| Legend: | |
|---------------------------|--|
| <u>Insertion</u> | |
| Deletion | |
| Moved from | |
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| Format change | |
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| Moved cell | |
| Split/Merged cell | |
| Padding cell | |

| Statistics: | |
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| | Count |
| Insertions | 46 |
| Deletions | 16 |
| Moved from | 0 |
| Moved to | 0 |
| Style change | 0 |
| Format changed | 0 |
| Total changes | 62 |

**TOWN OF COLCHESTER
PLANNING AND ZONING DEPARTMENT**

TO: Board of Selectmen

FROM: Matthew R. Bordeaux, Planning Director *MRB*

DATE: September 27, 2021

RE: Niantic Bay Group, LLC – 347 Cabin Road
Request to Conduct Activity on Town-owned Land

Niantic Bay Group, LLC is proposing a residential subdivision of 347 Cabin Road (see plan attached). The proposed subdivision application, or resubdivision to be specific, has been reviewed by Town staff and a wetlands permit was issued by the Conservation Commission on September 8, 2021. A public hearing is scheduled on October 6th with the Planning and Zoning Commission to consider the resubdivision application. As a part of the proposed project, Mr. John Doran, Project Manager, is requesting permission from the Board of Selectmen to conduct activity on Town-owned land to install a sanitary sewer pipe to serve the neighborhood (see the letter from John Doran dated September 22, 2021, attached). You may recall a similar request to conduct activity on Town-owned open space necessary to construct a detention basin. The previous request was approved by the Board of Selectmen at their regular meeting on August 5th.

The proposed resubdivision project is Phase II of a previously approved subdivision referred to as “Jordan Alley”. The original approval included the dedication of approximately 15 acres of open space to satisfy the requirements of the Subdivision Regulations for both Phase I and II of the project. The proposal will extend the sanitary sewer service from an existing line located in the open space down Jordan Alley to the six (6) proposed single-family houses as highlighted on the plan attached.

Construction of the sanitary sewer pipe will require temporary and short-term disturbance of Town-owned land until the site is stabilized. The pipe will be installed under the brook using a technique called “directional drilling”. A drill mechanism can be navigated remotely to minimize soil disturbance typically associated with trench excavation. All disturbed areas will be restored with an appropriate grass seed mix. Maintenance of the sanitary sewer line will be the responsibility of an homeowners’ association.

Draft Motion:

The Board of Selectman authorize Niantic Bay Group, LLC to conduct activity approved by the Planning and Zoning Commission on plans titled “Lot-5 Jordan Alley, 347 Cabin Road, Colchester, CT, prepared for John Doran, June 10, 2021, revised August 31, 2021”, with the conditions that any and all contractors be appropriately insured and include the Town of Colchester as additionally insured and that any and all bonding for the work be posted in accordance with standards outlined in the Colchester Subdivision Regulations and by State Statute.

MRB

R:\Boards and Commissions\PZC\Applications\Jordan Ally Re-Subdivision\BOS Request\Memo to BOS#2.docx

Attach

Niantic Bay Group LLC



ALL YOU NEED IN THE PLACE YOU CALL HOME

1967 N Rose Hue Path
Hernando, Florida 34442
www.nianticbaygroup.com

John Doran - Project Manager
cell: 860-941-0588
fax: 941-870-7861
john@nianticbaygroup.com

September 22, 2021

Selectwoman Mary Bylone
Town of Colchester
127 Norwich Ave
Colchester, Connecticut 06415



Re: 347 Cabin Road Sewer Installation Approval

Dear Selectwoman Bylone:

We have an application before the Planning & Zoning board for a re-subdivision of property we own at 347 Cabin Road with the potential for action at the P&Z October 6th meeting. In July the Board of Selectman approved the work required to install a detention basin in the open space that was part of the two-phase original subdivision. Through a series of discussions with staff, it was determined we would need to connect to the municipal sewer to obtain the necessary zoning approval for the re-subdivision. We have received approvals from Public Works for the sewer connection, from the Conservation Commission for the detention basin and crossing wetlands for the sewer connection and from the Open Space Commission for the same.

If the zoning commission approves our application on October 6th, the remaining approval necessary is the Board of Selectman's approval for us to install the force main sewer through open space. There were two options for installation. 1. Excavate through the Cabin Brook for installation. 2. The second option and direction we propose is installation using horizontal boring to install a primary and secondary pipe under the brook 54"+- deep which requires no disturbance of the brook or the wetlands surrounding the area. This proposal has been approved by staff and all the commissions.

The original approval for the project was in two phases; phase one was completed by the previous owner and it included open space for both phases that was granted to the Town of



www.hfotusa.org



BBB Rating: A+
as of 5/20/2016
Click for Review

Colchester as part of phase one. The approval of phase one specifically states there is no additional open space required for phase two.

The open space dedicated for phase two includes a detention basin that was part of original overall plan and potential for connection to the sanitary sewer through the open space that was dedicated to the town.

Because the open space is now owned by the town, we are requesting Board of Selectman approval for the sewer connection through the town open space.

Thank you

John Doran

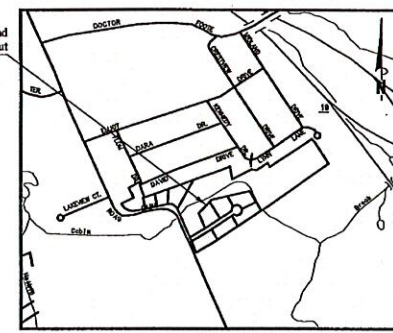
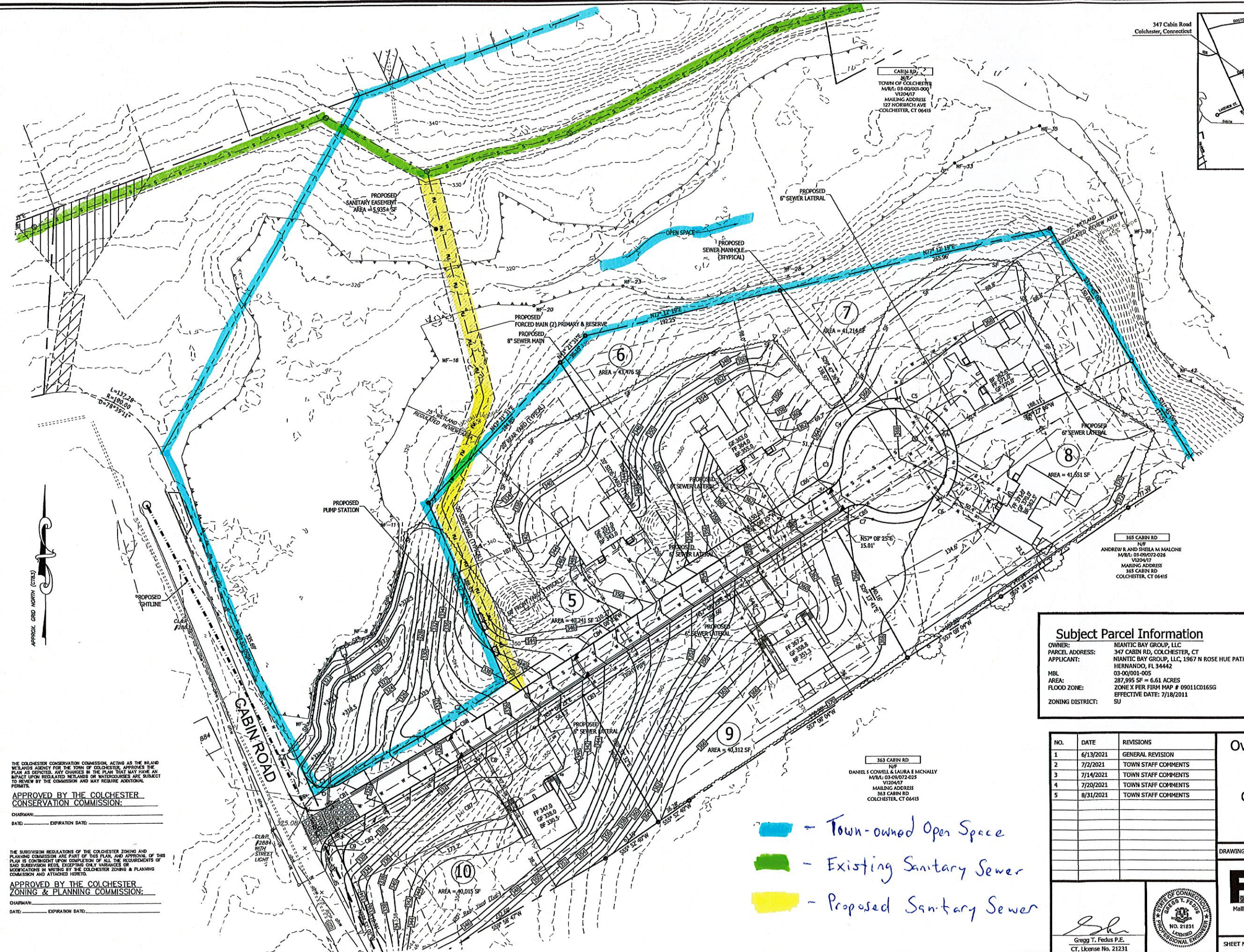
Nanticoke Bay Group, LLC



www.hfotusa.org



BBB Rating: A+
as of 5/20/2016
Click for Review



Location Map

Scale: 1"=1000'

| Legend | |
|---------------------|-----------------------------|
| EXISTING | |
| SYMBOL | DESCRIPTION |
| [Square] | MONUMENT |
| [Circle with cross] | EX. IP / REBAR |
| [Circle] | DRILL HOLE |
| [Circle with dot] | UTILITY POLE W/ LIGHT |
| [Line] | STONEWALL |
| [Line] | FENCE LINE |
| [Line] | WATER VALVE |
| [Line] | OVERHEAD WIRES |
| [Line] | PROPERTY LINE |
| [Line] | ADJACENT PROPERTY LINE |
| [Line] | INDEX CONTOUR |
| [Line] | CONTOUR |
| [Line] | WETLANDS BOUNDARY/FLAG |
| [Line] | MEAN LOW WATER LINE |
| [Line] | MEAN HIGH WATER LINE |
| [Line] | HIGH TIDE LINE |
| [Line] | COASTAL JURISDICTIONAL LINE |
| [Line] | ZONE LINE |
| [Line] | EASEMENT LINE |
| [Line] | BUILDING SETBACK LINE |
| [Line] | EXISTING WATER LINE |
| [Line] | EXISTING SEWER LINE |
| [Line] | NOW OR FORMERLY CATCH BASIN |
| [Line] | TYPICAL |
| [Line] | SPOT ELEVATION |
| [Line] | DRILL HOLE |
| [Line] | POINT OF BEGINNING |
| [Line] | TEST PIT |
| [Line] | PERCOLATION TEST |
| [Line] | UTILITY POLE |
| [Line] | DRAINAGE MANHOLE |
| [Line] | SEWER MANHOLE |
| [Line] | HYDRANT |
| [Line] | WATER SHUTOFF |
| PROPOSED | |
| SYMBOL | DESCRIPTION |
| [Line] | IRON PIN TO BE SET |
| [Line] | SILT FENCE |
| [Line] | WATER SERVICE |
| [Line] | SANITARY SERVICE |
| [Line] | SPOT ELEVATION |
| [Line] | INVERT |
| [Line] | GALLON |
| [Line] | SCHEDULE |
| [Line] | HAY BALE BARRIER |
| [Line] | WATER SHUTOFF |
| [Line] | IRON PIN TO BE SET |
| [Line] | MONUMENT TO BE SET |

Subject Parcel Information

OWNER: NIANTIC BAY GROUP, LLC
 PARCEL ADDRESS: 347 CABIN RD, COLCHESTER, CT
 APPLICANT: NIANTIC BAY GROUP, LLC, 1967 N ROSE HUE PATH
 HERNANDO, FL 34442
 MBL: 03-00/001-005
 AREA: 287,995 SF = 6.61 ACRES
 FLOOD ZONE: ZONE X PER FIRM MAP # 09011C0165G
 EFFECTIVE DATE: 7/18/2011
 ZONING DISTRICT: SU

| NO. | DATE | REVISIONS |
|-----|-----------|---------------------|
| 1 | 6/13/2021 | GENERAL REVISION |
| 2 | 7/2/2021 | TOWN STAFF COMMENTS |
| 3 | 7/14/2021 | TOWN STAFF COMMENTS |
| 4 | 7/20/2021 | TOWN STAFF COMMENTS |
| 5 | 8/31/2021 | TOWN STAFF COMMENTS |

Overall Sewer Tie-In Plan
 of
 Lot-5 Jordan Lane
 347 Cabin Road
 Colchester, Connecticut
 Prepared For:
 JOHN DORAN
 June 10, 2021

DRAWING SCALE: 1"=40'

FEDUS ENGINEERING, LLC
 CIVIL ENGINEERS
 Mailing Address: 70 Essex Street Mystic, Connecticut 06355
 Office: (860) 536-7390 Fax: (860) 536-1644

SHEET NO. 13 OF 19 JOB NO. 21-001005 DRAWN BY: DC

THE COLCHESTER CONSERVATION COMMISSION, ACTING AS THE INLAND WETLANDS AGENCY FOR THE TOWN OF COLCHESTER, APPROVES THE PLAN AS SHOWN. ANY CHANGES IN THE PLAN THAT MAY HAVE AN IMPACT UPON REGULATED WETLANDS OR WATERCOURSES ARE SUBJECT TO REVIEW BY THE COMMISSION AND MAY REQUIRE ADDITIONAL PERMITS.

APPROVED BY THE COLCHESTER CONSERVATION COMMISSION:

CHAIRMAN: _____

DATE: _____ EXPIRATION DATE: _____

THE SUBDIVISION REGULATIONS OF THE COLCHESTER ZONING AND PLANNING COMMISSION ARE PART OF THIS PLAN. APPROVAL OF THIS PLAN IS CONTINGENT UPON COMPLETION OF ALL THE REQUIREMENTS OF SAID SUBDIVISION REGS. EXCEPTING ONLY VARIANCES OR MODIFICATIONS IN WRITING BY THE COLCHESTER ZONING & PLANNING COMMISSION AND ATTACHED HERETO.

APPROVED BY THE COLCHESTER ZONING & PLANNING COMMISSION:

CHAIRMAN: _____

DATE: _____ EXPIRATION DATE: _____

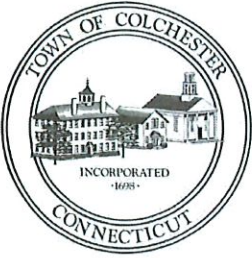
Town-owned Open Space

Existing Sanitary Sewer

Proposed Sanitary Sewer

Gregg T. Fedus P.E.
 CT License No. 21231





Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Website: www.colchesterct.gov

September 28, 2021

To: Colchester Board of Selectmen

From: Jay Gigliotti, Wetlands Enforcement Officer *JG*

RE: Brownfield Assessment Program Grant

In June 2021, The Town of Colchester was awarded a grant from the CT Department of Economic & Community Development in the amount of \$27,500. The grant funds shall be utilized to perform an Environmental Site Assessment Phase I & II at property located on Comstock Bridge Road.

The property consists of 3.9 acres located on the banks of the Salmon River, having over 1,500' of frontage along the river. The property was previously utilized by a mill that produced cardboard based products and later fishing line and trim cord for tennis racquets. Building remnants presently exist on the property.

The property owners have indicated a desire to ensure the property is free of contaminants and is preserved in an undeveloped state. To that end, the owners have committed to transferring the property to a land preservation entity such as the Town, State, non-profit...etc. Prior to acceptance of the property, any organization needs to ensure the property is free of environmental liabilities.

The grant was submitted by the Town on behalf of the property owners in order to work towards the preservation of a parcel with environmental and historical significance. No monetary commitments are required by the Town, only project administration.

The awarded grant requires a resolution by the Town's Board of Selectmen in order to execute documents associated with the grant.

Recommended Motion:

The Colchester Board of Selectmen motions to adopt a resolution allowing the First Selectman to execute all required documents associated with the CT Department of Economic & Community Development Brownfield Assessment Grant for property on Comstock Bridge Road, known as Assessor's Map 4W-15 Lot 024-000.

Attachments:

-Property Map

Town of Colchester, CT



Legend

- Address Labels
- Street Labels
- Parcels
- Town Border



Location



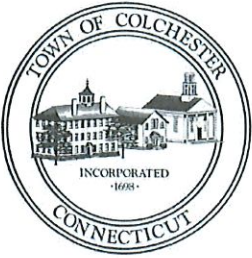
Notes

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



1: 3,296





Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Website: www.colchesterct.gov

September 28, 2021

To: Colchester Board of Selectmen

From: Jay Gigliotti, Wetlands Enforcement Officer

RE: Middletown Road Open Space Acquisition

In July 2020, the Town of Colchester submitted a grant application to the CT DEEP Open Space Land Acquisition Program, seeking funds to acquire vacant land on Middletown Road for open space purchases. In February of 2021, the Town was notified the grant application had been awarded.

The contracted purchase price is \$210,000 with the property being appraised at \$221,000. Funds awarded from the grant totaled \$63,000, a matching amount of \$60,000 has been committed from the Town's Open Space Preservation Fund and an additional appropriation of \$87,000 was authorized by the Board of Finance on 3/17/21.

Since then, the Planning & Zoning Department has been working to complete the requirements of the grant program; including completing an A2 Survey of the property and completion of title documents.

In accordance with Town Charter Section C-1107a, the Board of Selectmen can authorize real estate transfers without the need for a Town Meeting provided the real estate is not purchased or valued in an amount equal to or in excess of 2% of the Board of Selectmen's Budget.

A resolution is required allowing the First Selectman to execute the required closing documents. Upon adoption of the resolution the Town shall work to close as soon as possible.

Recommended Motion:

The Colchester Board of Selectmen motions to adopt a resolution allowing the First Selectman to execute all required documents associated with the purchase of property on Middletown Road, known as Assessor's Map 4W-09 Lot 013-000.

Attachments:

-Property Map

Sablitz Property
Assessor's Map 4W-09 Lot 013-000
65 Acres Middletown Road (Route 16)



Mapping Prepared
by the Town of Colchester
Planning and Zoning
Department

Colchester 2010 CT DEEP
Open Space Lands & Watershed
Grant Application

Scale:
1 inch = 350 feet



Senior Center

| Action | Possible Dates- 2021 | Notes |
|--|---|--|
| Board of Finance recommendation | October 6, 2021 | <i>Must occur prior to Special Town Meeting, and should occur prior to calling of referendum.</i> |
| Planning and Zoning Commission Conn. Gen. Stat. § 8-24 approval | Approved by P&Z April 12, 2021 | |
| Board of Selectmen recommendation, dates of Town Meeting and referendum. | October 7, 2021 | <i>AT THIS TIME, ELECTION LAW ADVOCACY LIMITATIONS BECOME EFFECTIVE.</i> |
| Notice of Town Meeting and Referendum published and posted | 30 clear days prior to date of referendum. If publish notice on 10/16/2021 (and post on 10/15/2021), then may hold referendum anytime on or after 11/16/2021 | <i>Unless referendum held in conjunction with an election, publication must occur 30 clear days prior to date of referendum.</i> |
| Special Town Meeting | Any time between 7 to 14 days prior to referendum | <i>Referendum held no longer than 14 days nor less than 7 days after the Town Meeting is held</i> |
| Referendum | November 16, 2021 | |

RESOLUTION OF THE BOARD OF FINANCE

RESOLVED, That the Board of Finance recommends that the Town of Colchester appropriate \$9,500,000 for costs related to the Senior Center Building Project, including the design and construction of a new Senior Center on Lebanon Avenue between Louis Lane and Mill Street, substantially as described in the Conceptual Design prepared by Silver Petrucelli Architects and presented January 21, 2021. The appropriation may be spent for design and construction costs, testing and permitting costs, equipment, furnishings and fixtures, materials, land and easement acquisition, site improvements, utilities, engineering fees, project management costs and fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing.

RESOLUTION OF BOARD OF SELECTMEN

Item

RESOLVED, That the Board of Selectmen recommends that the Town of Colchester appropriate \$9,500,000 for costs related to the Senior Center Building Project, including the design and construction of a new Senior Center on Lebanon Avenue between Louis Lane and Mill Street, substantially as described in the Conceptual Design prepared by Silver Petrucelli Architects and presented January 21, 2021. The building committee established for the project shall be authorized to determine the scope and particulars of the project and to reduce or modify the project, and the entire appropriation may be expended on the project as so modified or reduced. The appropriation may be spent for design and construction costs, testing and permitting costs, equipment, furnishings and fixtures, materials, land and easement acquisition, site improvements, utilities, engineering fees, project management costs and fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing.

FURTHER RESOLVED, That such recommendation be presented to a Special Town Meeting to be held at the William J. Johnston Middle School Cafeteria, 360 Norwich Avenue in the Town of Colchester, Connecticut, on November 4, 2021, at 6:30 p.m., and acted upon at referendum to be held on Tuesday, November 16, 2021 between the hours of 6:00 a.m. and 8:00 p.m.

FURTHER RESOLVED, That the aforesaid resolution shall be placed upon the paper ballots or voting machines under the following heading:

"SHALL THE TOWN OF COLCHESTER APPROPRIATE AND AUTHORIZE THE BOARD OF SELECTMEN TO EXPEND A SUM NOT TO EXCEED \$9,500,000 FOR COSTS RELATED TO THE DESIGN AND CONSTRUCTION OF A NEW SENIOR CENTER AND AUTHORIZE THE ISSUANCE OF BONDS AND NOTES TO FINANCE THE PORTION OF THE APPROPRIATION NOT DEFRAIDED FROM GRANTS?"

Voters approving said resolution will vote "Yes" and those opposing said resolution shall vote "No". Electors and persons qualified to vote in town meetings who are not electors will vote at the following polling place: Colchester Town Hall, 127 Norwich Avenue in Colchester. Absentee ballots will be available from the Town Clerk's office.

RESOLUTION APPROPRIATING \$9,500,000 FOR THE SENIOR CENTER PROJECT, AND
AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE
APPROPRIATION

RESOLVED,

(a) That the Town of Colchester appropriate NINE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$9,500,000) for costs related to the Senior Center Building Project, including the design and construction of a new Senior Center on Lebanon Avenue between Louis Lane and Mill Street, substantially as described in the Conceptual Design prepared by Silver Petrucelli Architects and presented January 21, 2021. The building committee established for the project shall be authorized to determine the scope and particulars of the project and to reduce or modify the project, and the entire appropriation may be expended on the project as so modified or reduced. The appropriation may be spent for design and construction costs, testing and permitting costs, equipment, furnishings and fixtures, materials, land and easement acquisition, site improvements, utilities, engineering fees, project management costs and fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing.

(b) That the Town issue bonds or notes in an amount not to exceed NINE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$9,500,000) to finance the appropriation for the project. The amount of bonds or notes authorized to be issued shall be reduced by the amount of grants received by the Town for the project. The bonds or notes shall be issued pursuant to Sections 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The bonds or notes may be issued in one or more series, and any series may be sold as a single issue or consolidated with any other bonds or notes of the Town. The Treasurer shall keep a record of the bonds or notes. The Selectmen, or a majority of them, and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The bonds or notes shall bear the seal of the Town or a facsimile seal. The law firm of Pullman & Comley, LLC is designated as bond counsel to approve the legality of the bonds or notes. The Selectmen, or a majority of them, and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

(c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project or the receipt of grants for the project. The amount of the notes outstanding at any time shall not exceed NINE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$9,500,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes 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 and 7-378b of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378. The Selectmen, or a majority of them, and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, form and other details of the notes; to sell the notes at public or private sale; to execute and deliver the notes; and to perform all other acts which are necessary or appropriate to issue the notes.

(d) 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 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 project. The Selectmen, or a majority of them, and the Treasurer 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 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.

(e) That the Selectmen, or a majority of them, and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes 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.

(f) That the First Selectman is authorized to execute all contracts and change orders with respect to the project

(g) That the First Selectman, on behalf of the Town, is authorized to apply for and accept federal, state, and any other grants to finance the project and to enter into any grant agreement for the project, and to file such documents as may be required to obtain grants for the cost of the project.

(h) That the Board of Selectmen, the First Selectman, the Treasurer, 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.