

November 4, 2015

The meeting of the Sterling Board of Selectmen was called to order at 6:00 p.m.

Selectmen present-Russell Gray, Lincoln Cooper, and John Firlik.

Staff present-Joyce Gustavson.

Pledge of Allegiance: Everyone stood to recite the Pledge of Allegiance.

Audience of Citizens: None.

Approval of Minutes: J. Firlik made a motion, seconded by L. Cooper to approve the 10/21/2015 regular meeting minutes and Tri-Board meeting minutes as presented. All voted in favor of the motion.

Unfinished Business:

a. Commission Vacancies (Economic Development Commission, Sterling Recreation Authority, & Zoning Board of Appeals): No new information. L. Cooper made a motion, seconded by J. Firlik to table this item to the next meeting. All voted in favor of the motion.

b. Insulation for Sterling Municipal Building, 1183 Plainfield Pike, Oneco, CT: R. Gray reported that J. Gustavson received two (2) emails dated, 11/4/2015; one (1) from Shawn Johnston of Eversource with a list of contractor vendors who could come in and review the Sterling Municipal Building located at 1183 Plainfield Pike, Oneco, CT for energy saving suggestions and the other email from Michael Manzi of Eversource recommending that the Town could have the work done internally, as well as, a list of three (3) local companies who could perform the energy audit. R. Gray stated that the Energy Committee meets 11/12/2015 and this information will be forwarded to the Committee for review (copies on file). L. Cooper made a motion, seconded by J. Firlik to table this item to the next meeting. All voted in favor of the motion.

c. Gibson Park, LLC (f/n Sterling Park Campground): R. Gray reported that earlier today D. Sorrentino, Zoning Enforcement Officer spoke to Kari Olsen, Town attorney and she acknowledged that she is in receipt of D. Sorrentino's emails and attachments and will begin to work on the complaint soon, citing the delay is due to a heavy workload. L. Cooper made a motion, seconded by J. Firlik to table this item to the next meeting. All voted in favor of the motion.

d. RPJ Community Center Repairs: R. Gray reported that the leak at the back entryway to the Robert P. Jordan Community Center located at 50 Main Street, Sterling, CT is a work in progress. The ceiling tiles have been removed and he will continue to monitor where the leak is coming from. L. Cooper made a motion, seconded by J. Firlik to table this item to the next meeting. All voted in favor of the motion.

e. Central File Room: L. Cooper reported that water is permeating through the back wall near the HVAC system. The outside of the system has a rust buildup and the brick wall inside the central file room is coated with lime. To eliminate the problem the roof on top of the HVAC system needs to be removed. L. Cooper made a motion, seconded by J. Firlik to eliminate the roof over the HVAC unit. All voted in favor of the motion.

New Business:

a. Request for Refund of Excess Tax Payments: J. Firlik made a motion, seconded by L. Cooper to approve the request for refund to: 1) Roxanne S. Turenne, PO Box 522, Oneco, CT 06373 for \$61.46. All voted in favor of the motion.

b. Quit Claim Deed from Willis & Betty Maynard to the Town of Sterling – Hell Hollow Road: R. Gray reported that Attorney Stuart R. Norman, Jr. mailed a packet of material to him dated 10/22/2015 regarding the quit claim deed from Willis and Betty Maynard to the Town of Sterling for a small tract or parcel of land for property beginning on the southeasterly side of 85, 91, and 93 Hell Hollow Road, Sterling, CT. J. Firlik made a motion, seconded by L. Cooper to accept the Quit Claim Deed and schedule a Town meeting at a later date. All voted in favor of the motion.

c. Consider and Act on Bid to Replace Damaged Gutters – Town Garage, 215 Main Street, Sterling, CT: R. Gray received one (1) bid to date and is seeking two (2) additional bids to replace damaged gutters at the Town Garage located at 215 Main Street, Sterling, CT. L. Cooper

made a motion, seconded by J. Firlik to table this item until all the bids are received. All voted in favor of the motion.

d. Consider and Act on Application for Driveway Construction Permit for 0 Margart Henry Road – Andrew Tetreault: Andrew Tetreault has submitted an application for a driveway construction permit dated 11/3/2015. J. Firlik made a motion, seconded by L. Cooper to approve the application for a driveway construction permit for property located at 0 Margaret Henry Road. All voted in favor of the motion.

e. To Consider and Adopt Refunding Resolution: Penny Keith, Treasurer submitted a memo dated 11/4/2015 asking to add the “Resolution with respect to the authorizations, issuance and sale of not exceeding \$10,000,000 aggregate principal amount of Town of Sterling general obligation refunding bonds” to the agenda. P. Keith has been working with Mike Botelho, bond counsel to reduce the interest on the school bonds. J. Firlik made a motion, seconded by L. Cooper to adopt the following Resolution with respect to the authorizations, issuance and sale of not exceeding \$10,000,000 aggregate principal amount of Town of Sterling general obligation refunding bonds.

Resolution

WHEREAS, Section 7-370c of the Connecticut General Statutes provides authority for any municipality to issue refunding bonds for the payment, funding or refunding of bonds, notes or other obligations previously issued; and

WHEREAS, Section 7-370c provides that such refunding bonds shall be authorized and issued by resolution of the legislative body of the municipality; and

WHEREAS, the Town of Sterling, Connecticut (the “Town”), desires to refund all or any portion of any one or more series of the Town’s outstanding general obligation bonds (the “Prior Bonds”).

NOW THEREFORE, BE IT RESOLVED,

(1) That the Town issue its general obligation bonds in the aggregate principal amount of up to \$10,000,000 (the “Bonds”) to refund certain of the Prior Bonds and to finance such additional amounts as are needed to pay all fees, costs, expenses and redemption premium, if any, in connection with the refunding of the Prior Bonds and the authorization, issuance and sale of the Bonds, including, but not limited to, legal, advisory, printing and administrative expenses, underwriter’s discount, and expenses in connection with credit enhancement, if necessary, and the proceeds of the Bonds be appropriated for the foregoing purposes; provided, however, that the refunding of the Prior Bonds provides a net debt service savings to the Town and that the amount of the Bonds issued does not exceed the amount needed to refund the Prior Bonds and to pay the costs authorized herein.

(2) That the First Selectman, or a majority of the Board of Selectmen, and the Treasurer (the “Officials”) are hereby authorized to determine the date, rates of interest, principal payment amounts, maturities, dates of principal and interest payments, the form of such Bonds, the provisions for protecting and enforcing the rights and remedies of the holders of such Bonds and such other terms, conditions and particular matters regarding the Bonds and the issuance and securing thereof, all in accordance with the Connecticut General Statutes and the Charter of the Town, and to take such actions and execute such documents including, but not limited to, a contract of purchase, to provide all supporting documentation as may be necessary or desirable to accomplish such purposes and to comply with the requirements of the Internal Revenue Code of 1986, as amended, U.S. Securities and Exchange Commission Rule 15c2-12, and any other applicable provision of law thereto enabling. The Bonds authorized hereby shall be general obligations of the Town secured by the full faith and credit of the Town.

(3) That the Bonds shall be signed by the Officials either by their genuine signatures or by facsimiles of such signatures printed on the Bonds and that the law firm of Updike, Kelly & Spellacy, P.C., Hartford, Connecticut, is designated as bond counsel to render an opinion approving the legality of the issuance of the Bonds.

(4) That the Officials are hereby authorized to designate a bank or trust company to be the certifying bank, registrar, escrow agent, transfer agent and paying agent for such Bonds; to provide for the keeping of a record of the Bonds; to designate a financial advisor to the Town in

connection with the sale of the Bonds; and to designate an underwriter in connection with any negotiated sale and purchase of the Bonds.

(5) That the Officials are authorized to sell the Bonds at a public or negotiated sale; to deliver the Bonds and to perform all other acts which are necessary or appropriate to issue the Bonds; to make representations and covenants on behalf of the Town for the benefit of the holders of the Bonds to provide secondary market disclosure information in accordance with U.S. Securities and Exchange Commission Rule 15c2-12, as it may be amended from time to time, including, but not limited to, executing and delivering a continuing disclosure agreement; their respective approvals to be conclusively evidenced by their signature on any such agreements relating thereto.

(6) That the Officials are authorized to refund the Prior Bonds from the proceeds of the Bonds and other moneys as they may determine to make available for this purpose, and to defease the Prior Bonds by executing and delivering an escrow agreement in such form and upon such terms as they shall approve, such approval to be conclusively evidenced by their execution thereof.

(7) That the Officials are hereby authorized on behalf of the Town to make such representations and covenants for the benefit of the holders of the Bonds which are necessary or appropriate to ensure the exemption of interest on the Bonds from taxation under the Internal Revenue Code of 1986, as amended, including, but not limited to, covenants to pay rebates of investment earnings to the United States in future years; their respective approvals to be conclusively evidenced by their signature on any such agreements relating thereto.

(8) That the Officials be authorized to designate other officials or employees of the Town to take such actions and execute such documents, as are determined to be necessary or advisable and in the best interests of the Town in order to refund the Prior Bonds and to issue, sell and deliver the Bonds, and that the execution and delivery of such documents shall be conclusive evidence of such determination.

All voted in favor of the motion.

Any Other Business: 1) R. Gray submitted a letter dated 11/2/2015 from Dr. Valerie A. Beauchene, ThD, Pastor of The Upper Room/Tabernacles of Grace Chapel regarding the cost for heating, possibility of mold issues resulting from the broken pipe in early February, and partial insulation and repairs for the facility they rent from the Town located at 50 Main Street, Sterling, CT (copy on file). R. Gray reported that ServPro located in Bozrah, CT fixed the ceiling and installed insulation behind the walls completing the water damage restoration. J. Firlik made a motion, seconded by L. Cooper to have the Building Official inspect the building to determine if hazardous conditions are present, warranting The Upper Room/Tabernacles of Grace Chapel to vacate the premises for their own safety. All voted in favor of the motion. 2) J. Gustavson stated that next Wednesday, 11/11/2015 is Veteran's Day and the Selectmen will not have a meeting. 3) Discussion was held regarding the upcoming audit. J. Firlik made a motion, seconded by L. Cooper authorizing P. Keith, Treasurer to request assistance in balancing the books with the school. All voted in favor of the motion. 4) R. Gray would like to replace three (3) of the heavy particle board folding tables with three (3) heavy duty plastic folding tables and allow the Sterling Family Day Committee to use and sell them after the Family Day Flea Market on Saturday, 11/7/2015. J. Firlik made a motion, seconded by L. Cooper to authorize R. Gray to purchase three (3) heavy duty plastic tables, at a cost of \$125 - \$150 per table and at the conclusion of the Family Day Flea Market on Saturday, 11/7/2015 to sell the tables All voted in favor of the motion.

Adjournment: L. Cooper made a motion, seconded by J. Firlik, to adjourn 6:50 p.m. All voted in favor of the motion.

Attest: _____
Joyce A. Gustavson, Recording Secretary