

**MINUTES
BOARD OF MAYOR AND BURGESSES
SPECIAL MEETING
March 17, 2009**

1. Mayor Michael Bronko called the special meeting to order at **6:04 p.m.** with the following in attendance:

BURGESSES:

T. K. Rossi	P. Scully
R. Burns	A. Campbell
M. V. Fragoso	R. Woodfield
D. Hoff	R. Neth

RESIDENTS: none

PRESS: none

H. Kogut, absent

DEPARTMENT HEADS:

J. Deschesnes, Human Resource Director
W. McAllister, Controller

OTHERS:

N. Grello, Attorney

2. Mayor led in the Pledge of Allegiance to the Flag
3. **VOTED:** Unanimously on motion by Deputy Mayor Rossi and seconded by Burgess Scully to recess to Executive Session at **6:04p.m.** for discussion on Collective Bargaining inviting in Human Resource Director Jeannette Deschesnes and Attorney Nicholas Grello.

Mayor Bronko will reconvene the meeting at **6:37p.m.**

4. The following motion emanated form Executive Session.
- VOTED:** Unanimously on motion by Deputy Mayor Rossi and seconded by Burgess Neth that the Board of Mayor and Burgesses approve the Memorandum of Agreement between the Borough of Naugatuck and AFSCME, Council 15 AFL-CIO, Local 1126.
5. **VOTED:** Unanimously on motion by Deputy Mayor Rossi and seconded by Burgess Neth that the Board of Mayor and Burgesses adopt the following resolution:

**BOROUGH OF NAUGATUCK
BOARD OF MAYOR AND BURGESSES RESOLUTION
AUTHORIZING A LEASE PURCHASE AGREEMENT
FOR THE PURCHASE AND INSTALLATION OF A
SHINGLE ROOF AND ATTIC VENTILATION SYSTEM
FOR HOP BROOK SCHOOL**

WHEREAS, the Board of Mayor and Burgesses of the Borough of Naugatuck (the "Board") has determined that a true and very real need exists for the Purchase and Installation of a Shingle Roof and Attic Ventilation System (the "Equipment") for use within the Borough of Naugatuck; and

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WHEREAS, the Borough of Naugatuck (the “Lessee”), has or will take the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the acquisition of the Equipment; and

WHEREAS, the Board proposes to finance the acquisition of the Equipment with a lease which shall be subject to annual appropriations (the “Lease”); and

WHEREAS, the Borough has received proposals from two companies (the “Underwriter”) to underwrite the Lease; and

WHEREAS, all Lease payments which may be due by the Lessee pursuant to the Lease for fiscal year ending June 30, 2009, if any, are within an available, unexhausted and unencumbered appropriation.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND BURGESSSES OF THE BOROUGH OF NAUGATUCK AS FOLLOWS:

Section 1. Provided that the appropriation for the Equipment is approved by the Board of Mayor and Burgesses sitting jointly, the Mayor of the Lessee is authorized to execute and deliver the Lease with the Underwriter which offers the proposal which is in the best interests of the Borough, in the sole discretion of the Mayor, and to execute and deliver any acceptance certificates, schedules of payments, escrow agreements and related documents in connection with the leasing of the Equipment as may be approved by the Mayor, such approvals to be conclusively evidenced by the execution and delivery of such agreements, certificates and documents provided however that the collective lease payments for the Borough of Naugatuck shall not exceed **\$673,774** for the 2008-2009 fiscal year.

Section 2. The Mayor and the Controller of Lessee be, and each of them hereby is, authorized and directed to execute and deliver such other papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and the terms and obligations of the Lease in connection with the purchase and lease of the Equipment.

Section 3. It is hereby recommended to the Board of Finance that it appropriate **\$535,281.00** for the purchase and installation of the Equipment to be financed with the Lease.

Section 4. The Lessee hereby designates the lease as a “qualified tax-exempt obligation” within the meaning of Section 265(b)(3) of the Internal Revenue Code.

Section 5. The Lessee reasonable expects to incur expenditures (the “Expenditures”) in connection with the capital project for which a general functional description is provided above. The Lessee reasonably expects to reimburse itself for the cost of such Expenditures with the proceeds of the obligation described above. The maximum principal amount of such obligation is not expected to exceed **\$535,281.00**. This declaration of official intent is a declaration of official intent made pursuant to Treasury Regulation Section 1.1501

ROLL CALL VOTE:

FOR:

Mayor M. Bronko M. Fragoso
T. K. Rossi D. Hoff
R. Burns R. Neth
A. Campbell P. Scully
R. Woodfield

OPPOSED:

None

ABSTAIN:

None

Motion carried 9-0-0

6. **VOTED:** Unanimously on motion by Deputy Mayor Rossi and seconded by Burgess Neth that the Board of Mayor and Burgesses adopt the following resolution:

**BOROUGH OF NAUGATUCK
BOARD OF MAYOR AND BURGESSES RESOLUTION
AUTHORIZING A LEASE PURCHASE AGREEMENT
FOR THE PURCHASE OF TWO GARBAGE TRUCK BODIES**

WHEREAS, the Board of Mayor and Burgesses of the Borough of Naugatuck (the “Board”) has determined that a true and very real need exists for the Purchase of 2 Garbage Truck Bodies (the “Equipment”) for use within the Borough of Naugatuck; and

WHEREAS, the Borough of Naugatuck (the “Lessee”), has or will take the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the acquisition of the Equipment; and

WHEREAS, the Board proposes to finance the acquisition of the Equipment with a lease which shall be subject to annual appropriations (the “Lease”); and

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WHEREAS, the Borough has received proposals from two companies (the “Underwriter”) to underwrite the Lease; and

WHEREAS, all Lease payments which may be due by the Lessee pursuant to the Lease for fiscal year ending June 30, 2009, if any, are within an available, unexhausted and unencumbered appropriation.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND BURGESSES OF THE BOROUGH OF NAUGATUCK AS FOLLOWS:

Section 1. Provided that the appropriation for the Equipment is approved by the Board of Mayor and Burgesses sitting jointly, the Mayor of the Lessee is authorized to execute and deliver the Lease with the Underwriter which offers the proposal which is in the best interests of the Borough, in the sole discretion of the Mayor, and to execute and deliver any acceptance certificates, schedules of payments, escrow agreements and related documents in connection with the leasing of the Equipment as may be approved by the Mayor, such approvals to be conclusively evidenced by the execution and delivery of such agreements, certificates and documents provided however that the collective lease payments for the Borough of Naugatuck shall not exceed **\$673,774** for the 2008-2009 fiscal year.

Section 2. The Mayor and the Controller of Lessee be, and each of them hereby is, authorized and directed to execute and deliver such other papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and the terms and obligations of the Lease in connection with the purchase and lease of the Equipment.

Section 3. It is hereby recommended to the Board of Finance that it appropriate **\$183,119.00** for the purchase of the Equipment to be financed with the Lease.

Section 4. The Lessee hereby designates the lease as a “qualified tax-exempt obligation” within the meaning of Section 265(b)(3) of the Internal Revenue Code.

Section 5. The Lessee reasonable expects to incur expenditures (the “Expenditures”) in connection with the capital project for which a general functional description is provided above. The Lessee reasonably expects to reimburse itself for the cost of such Expenditures with the proceeds of the

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obligation described above. The maximum principal amount of such obligation is not expected to exceed **\$183,119.00**. This declaration of official intent is a declaration of official intent made pursuant to Treasury Regulation Section 1.1501

ROLL CALL VOTE:

FOR:

Hartford/59032.16/CFIELD/355494v1
Mayor M. Bronko
T. K. Rossi
R. Burns
A. Campbell
R. Woodfield

M. Fragoso
D. Hoff
R. Neth
P. Scully

OPPOSED:

None

ABSTAIN:

None

Motion carried 9-0-0

7. **VOTED:** Unanimously on motion by Deputy Mayor Rossi and seconded by Burgess Scully to adjourn the meeting at **7:00 p.m.**

A tape recording of this meeting is available in the office of the Borough Clerk for further review.

Attest:

Judith E. Crosswait
Borough Clerk

cc: Mayor/Burgesses/Controller/Administrative Assistant/Signpost/File

as031709