

**MINUTES
REGULAR MEETING
BOARD OF MAYOR AND BURGESSES
JANUARY 7, 2014**

1. Mayor Robert A. Mezzo called the regular meeting to order at **6:30 p.m.** with the following in attendance:

BURGESSES:

T. K. Rossi
M. Bronko
R. Burns
C. Ernsky
L. Jackson

R. Neth
A. Olbrys
P. Scully, Sr.
R. Vitale

PRESS:

L. Marshall

RESIDENTS: Two

DEPARTMENT HEADS:

R. Pugliese, NEDC
R. Butler, Jr., Controller
K. Hanks, Fire Chief

OTHERS:

D. Sheridan, Finance Board
Attorney M. Phelan
E. Carter, Mayoral Aide
P. Porciello, Assistant Controller
R. Thivierge, William Blair
B. Bernabe, Webster Bank
S. Ribeiro, Public Works Department

2. Mayor Mezzo led in the Pledge of Allegiance to the flag.
3. **VOTED:** Unanimously on a motion by Deputy Mayor Rossi and seconded by Burgess Scully that the Board of Mayor and Burgesses approve the minutes of the regular meeting of **December 3, 2013** and the special meeting of **December 18, 2013**. Each member received copies for review.
4. **VOTED:** Unanimously on a motion by Deputy Mayor Rossi and seconded by Burgess Neth that the Board of Mayor and Burgesses approve the monthly reports of **December**. Each member received copies for review.
5. **VOTED:** Unanimously on a motion by Deputy Mayor Rossi and seconded by Burgess Burns to recess to Executive Session at **6:31 p.m.** for discussion on the following: **Real Estate Negotiations** (Downtown Properties) inviting in R. Pugliese, CEO Naugatuck Economic Development Corp.

Mayor Mezzo reconvened the meeting at **7:10 p.m.**

6. There were no motions emanating from Executive Session.
7. **VOTED:** Unanimously on a motion by Deputy Mayor Rossi and seconded by Burgess Burns that the Board of Mayor and Burgesses recess to the **Retirement Board** at **7:10 p.m.**

Mayor Mezzo reconvened the meeting at **7:14 p.m.**

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8. Public Comment – None

9. Burgess Comments – Open Topic

Burgess Olbrys gave his condolences to the Bakstis family. He served with Vice Chairman Joseph Bakstis on the Inland Wetlands Commission. Burgess Olbrys said he was a good friend and mentor and his passing is a great loss to our community.

Burgess Ernsky congratulated Linda Ramos for the great job she did with the ice skating rink. She also acknowledged the excellent turn out for the first Annual Josh Ruccio Alumni Game. Congratulations on a great job!

Burgess Bronko questioned if any town resources are being expended on the ice skating rink.

Deputy Mayor Rossi acknowledged the passing of Joseph Bakstis and Armand Brodeur and said they will be sorely missed. She complimented Linda Ramos and all of the volunteers on the skating rink. The Deputy Mayor sits on the Hillside Governance Council. She said Hillside Intermediate School received a deficiency rating in the past. This year they are the second highest ranked school in the state on the Connecticut Mastery Tests. She congratulated them.

Mayor Mezzo asked everyone to observe a moment of silence on the passing of Inland Wetlands Commissioner Joseph Bakstis and Fire Commissioner Armand Brodeur.

Burgess Burns said he would like to see the basketball hoops back at Salem School.

Burgess Scully agreed with Burgess Burns. He thinks a horse shoe pit would nice there as well.

Burgess Jackson thanked Linda Ramos and all the volunteers for their work on the ice skating rink. She also thanked Jodi Ruccio and the volunteers for a fun night at the Josh Ruccio basketball tournament.

Burgess Vitale commended Linda Ramos, Bob Roland and Jay Kuczenski for working the skating rink event all day. He and his wife walk through the Industrial Park almost every night. His wife, who went to the Industrial Park in a large vehicle, was questioned recently by a police officer driving through the park as to what her purpose was. Burgess Vitale said he was impressed with the Police Department for taking that action. Happy New Year!

10. Motion by Deputy Mayor Rossi and seconded by Burgess Scully that the Board of Mayor and Burgesses adopt the following resolution regarding an amendment to a lease agreement and directing the issuance of certificates of participation in an amount not to exceed **\$2,500,000** to refund certain outstanding **Wastewater System Certificates of Participation**; as if read:

WHEREAS, the Borough of Naugatuck (the “Borough”) has financed certain wastewater system projects (the “Project”) with a Lease Agreement (the “Lease”) entered into with Naugatuck WSP Statutory Trust, S.T. as Lessor (the “Lessor”); and

WHEREAS, the Lessor has assigned its rights under the Lease to Wells Fargo Bank Minnesota, National Association (the “Certificate Trustee”) which issued its \$3,425,000 Certificates of Participation (Naugatuck Wastewater System Project) Evidencing

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Proportionate Interests in Base Rent to be Paid by the Borough of Naugatuck, Connecticut (the “Prior Certificates”); and

WHEREAS, the Prior Certificates were issued pursuant to a Trust Agreement (the “Trust Agreement”) by and between the Lessor and the Certificate Trustee; and

WHEREAS, additional certificates of participation (the “New Certificates”) may be issued pursuant to the Trust Agreement to refund the Prior Certificates; and

WHEREAS, it has been determined that such refunding may generate savings of the rent paid by the Borough under the Lease.

NOW THEREFORE, BE IT RESOLVED BY, the Board of Mayor and Burgesses of the Borough of Naugatuck as follows:

Section 1. The Mayor and the Treasurer are hereby authorized to enter into an amendment to the Lease (the “Lease Amendment”) in the form as may be approved by

the Mayor and the Treasurer which Lease Amendment may modify the amount, dates, rents, interest rate, form and other details of such Lease, all in accordance with the Charter of the Borough and the Connecticut General Statutes, as amended, or any other provision of law thereto enabling; and the approval of the Board shall be conclusively evidenced by the execution and delivery of the Lease Amendment, provided, however, that the Lease Amendment shall evidence a net present value savings of the rent due under the Lease.

Section 2. The Mayor, the Treasurer and the Controller, and each of them, are hereby authorized to perform all other acts which are necessary or appropriate in connection with the execution and delivery of the Lease Amendment or the issuance and sale of the New Certificates in an amount not to exceed \$2,500,000, including entering into a continuing disclosure agreement pursuant to the Securities and Exchange Commission Rule 15(c)(2)(12) and executing and delivering any acceptance certificates, investment agreements and investment termination agreements, escrow agreements and related documents, provided that the proceeds from the New Certificates are used to refund the Prior Certificates and to pay the costs of issuance of the New Certificates. The Mayor, the Treasurer and the Controller, and each of them, are authorized to bind the Borough pursuant to such representations and covenants as each of them deem necessary or advisable in order to maintain the continued exemption from federal income taxation of the portion of rent designated as and constituting interest due under the Lease, as amended, including covenants to pay rebates of investment earnings to the United States in future years.

Section 3. The Mayor and the Treasurer are hereby authorized to notify the Lessor of its intent to prepay the rent due under the Lease and to provide direction to the Lessor (1) to enter into (i) a supplemental agreement to the Trust Agreement with the

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Certificate Trustee, to issue and secure the New Certificates; (ii) a contract of purchase with an underwriter, to sell the New Certificates, in such amounts, and with such dates, payments, interest rates and other details as the Mayor and the Treasurer may determine; (iii) an assignment of the Lessor’s rights under the Lease to the Certificate Trustee, (iv) an escrow agreement with the Certificate Trustee to defease the Prior Certificates and (v) any other instruments, security agreements, investment agreements, investment termination agreements or other documents advisable or proper for the carrying out of this resolution and (2) to do or cause to be done any and all acts and things necessary, advisable or proper for carrying out this resolution, the terms and obligations of the Lease, as amended, the issuance and sale of the New Certificates and the refunding of the Prior Certificates including but not limited to the purchase of insurance and the provision of other credit enhancement for the New Certificates.

Section 4. The Mayor and the Treasurer are hereby authorized to give written notice to the Certificate Trustee of its election to prepay such of the Prior Certificates as the Mayor and the Treasurer shall determine with the proceeds of the New Certificates and to direct the Certificate Trustee to execute such notices, security agreements,

investment agreements, investment termination agreements, papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary, advisable or proper for carrying out this resolution, the terms and obligations of the Trust Agreement, the issuance and sale of the New Certificates and the refunding of the Prior Certificates.

Section 5. The distribution of a Preliminary Offering Circular and an Offering Circular, both solely as to information concerning the Borough, in the form as may be approved by the Mayor and the Treasurer and prepared in connection with the issuance of the New Certificates, is hereby approved.

Section 6. The Mayor, the Treasurer and the Controller be, and each of them hereby is, authorized to execute such other notices, security agreements, investment agreements, investment termination agreements, papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary, advisable or proper for carrying out this resolution, the terms and obligations of the Lease, as amended, the issuance and sale of the New Certificates and the refunding of the Prior Certificates.

ROLL CALL VOTE:

FOR

Mayor Mezzo
T. K. Rossi
M. Bronko
R. Burns
C. Ernsky

L. Jackson
R. Neth
A. Olbrys
P. Scully, Sr.
R. Vitale

OPPOSE

None

ABSTAIN

None

Motion carried 10-0-0

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11. Motion by Deputy Mayor Rossi and seconded by Burgess Scully that the Board of Mayor and Burgesses adopt the following resolution regarding an amendment to a lease agreement and directing the issuance of certificates of participation in an amount not to exceed **\$15,500,000** to refund certain outstanding **Incineration Facilities Certificates of Participation**; as if read:

WHEREAS, the Borough of Naugatuck (the “Borough”) has financed certain incineration facilities projects (the “Project”) with a Lease Agreement (the “Lease”) entered into with Naugatuck IFP Statutory Trust, S.T. as Lessor (the “Lessor”); and

WHEREAS, the Lessor has assigned its rights under the Lease to Wells Fargo Bank Minnesota, National Association (the “Certificate Trustee”) which issued its \$20,860,000 Certificates of Participation (Naugatuck Incineration Facilities Project) Evidencing Proportionate Interests in Base Rent to be Paid by the Borough of Naugatuck, Connecticut Series A (the “Prior Series A Certificates”) and \$4,385,000 Certificates of Participation (Naugatuck Incineration Facilities Project) Evidencing Proportionate Interests in Base Rent to be paid by the Borough of Naugatuck, Connecticut Series B (the “Prior Series B Certificates” and together with the Prior Series A Certificates, the “Prior Certificates”); and

WHEREAS, the Prior Certificates were issued pursuant to a Trust Agreement (the “Trust Agreement”) by and between the Lessor and the Certificate Trustee; and

WHEREAS, additional certificates of participation (the “New Certificates”) may be issued pursuant to the Trust Agreement to refund the Prior Certificates; and

WHEREAS, the Prior Series B Certificates have been paid and are no longer outstanding; and

WHEREAS, it has been determined that a refunding of the Prior Series A Certificates may generate savings of the rent paid by the Borough under the Lease.

NOW THEREFORE, BE IT RESOLVED BY, the Board of Mayor and Burgesses of the Borough of Naugatuck as follows:

Section 1. The Mayor and the Treasurer are hereby authorized to enter into an amendment to the Lease (the “Lease Amendment”) in the form as may be approved by the Mayor and the Treasurer which Lease Amendment may modify the amount, dates, rents, interest rate, form and other details of such Lease, all in accordance with the Charter of the Borough and the Connecticut General Statutes, as amended, or any other provision of law thereto enabling; and the approval of the Board shall be conclusively evidenced by the execution and delivery of the Lease Amendment, provided, however, that the Lease Amendment shall evidence a net present value savings of the rent due under the Lease.

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Section 2. The Mayor, the Treasurer and the Controller, and each of them, are hereby authorized to perform all other acts which are necessary or appropriate in connection with the execution and delivery of the Lease Amendment or the issuance and sale of the New Certificates in an amount not to exceed \$15,500,000, which may be issued in one or more series, including entering into a continuing disclosure agreement pursuant to the Securities and Exchange Commission Rule 15(c)(2)(12) and executing and delivering any acceptance certificates, investment agreements and investment termination agreements, escrow agreements and related documents, provided that the proceeds from the New Certificates are used to refund the Prior Series A Certificates and to pay the costs of issuance of the New Certificates. The Mayor, the Treasurer and the Controller, and each of them, are authorized to bind the Borough pursuant to such representations and covenants as each of them deem necessary or advisable in order to maintain the continued exemption from federal income taxation of the portion of rent designated as and constituting interest due under the Lease, as amended, including covenants to pay rebates of investment earnings to the United States in future years. Should any of the New Certificates be issued as a taxable series, the issuance of such series is deemed to be in the public interest.

Section 3. The Mayor and the Treasurer are hereby authorized to notify the Lessor of its intent to prepay the rent due under the Lease and to provide direction to the Lessor (1) to enter into (i) a supplemental agreement (or agreements) to the Trust Agreement with the Certificate Trustee, to issue and secure the New Certificates; (ii) a contract of purchase with an underwriter, to sell the New Certificates, in such amounts, and with such dates, payments, interest rates and other details as the Mayor and the Treasurer may determine; (iii) an assignment of the Lessor's rights under the Lease to the Certificate Trustee, (iv) an escrow agreement with the Certificate Trustee to defease the Prior Series A Certificates and (v) any other instruments, security agreements, investment agreements, investment termination agreements or other documents advisable or proper for the carrying out of this resolution and (2) to do or cause to be done any and all acts and things necessary, advisable or proper for carrying out this resolution, the terms and obligations of the Lease, as amended, the issuance and sale of the New Certificates and the refunding of the Prior Series A Certificates including but not limited to the purchase of insurance and the provision of other credit enhancement for the New Certificates.

Section 4. The Mayor and the Treasurer are hereby authorized to give written notice to the Certificate Trustee of its election to prepay such of the Prior Series A Certificates as the Mayor and the Treasurer shall determine with the proceeds of the New Certificates and to direct the Certificate Trustee to execute such notices, security agreements, investment agreements, investment termination agreements, papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary, advisable or proper for carrying out this resolution, the terms and obligations of the Trust Agreement, the issuance and sale of the New Certificates and the refunding of the Prior Series A Certificates.

Section 5. The distribution of a Preliminary Offering Circular and an Offering Circular, both solely as to information concerning the Borough, in the form as may be approved by the Mayor and the Treasurer and prepared in connection with the issuance of the New Certificates, is hereby approved.

Section 6. The Mayor, the Treasurer and the Controller be, and each of them hereby is, authorized to execute such other notices, security agreements, investment agreements, investment termination agreements, papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary, advisable or proper for carrying out this resolution, the terms and obligations of the Lease, as amended, the issuance and sale of the New Certificates and the refunding of the Prior Series A Certificates.

ROLL CALL VOTE:

FOR

Mayor Mezzo
T. K. Rossi
M. Bronko
R. Burns
C. Ernsky

L. Jackson
R. Neth
A. Olbrys
P. Scully, Sr.
R. Vitale

OPPOSE

None

ABSTAIN

None

Motion carried 10-0-0

12. Mayor Mezzo appointed **Matthew F. Brunyansky** (D), 71 Alma Street, Naugatuck, CT 06770 as a regular member of the **Fire Commission**, filling the unexpired term of Armand Brodeur, term to expire May 1, 2015.

13. **VOTED:** Unanimously on a motion by Deputy Mayor Rossi and seconded by Burgess Scully that the Board of Mayor and Burgesses approve the appointment of **Raymond Savoy** (R), 1081 New Haven Road 2A, Naugatuck, CT 06770 as a regular member of the **Golf Course Commission**, filling the expired term of Eric Czerwiowski, term to expire June 1, 2016.

14. **VOTED:** Unanimously on a motion by Deputy Mayor Rossi and seconded by Burgess Burns that the Board of Mayor and Burgesses approve the appointment of **Mark J. Bakstis** (D), 10 Pinewood Crossing, Naugatuck, CT 06770 as a regular member of the **Inland Wetlands Commission**, filling the unexpired term of Joseph Bakstis, term to expire January 1, 2015.

Mayor Mezzo swore in Mark Bakstis as a commissioner on the Inland Wetlands Commission.

15. **VOTED:** Unanimously on a motion by Deputy Mayor Rossi and seconded by Burgess Scully that the Board of Mayor and Burgesses approve the reappointment of **Katherine Carten**, 23 Coventry Lane, Naugatuck, CT 06770 as a member of the **Saunders Trust Advisory Committee**, term to expire January 1, 2015.

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16. **VOTED:** Unanimously on a motion by Deputy Mayor Rossi and seconded by Burgess Scully that the Board of Mayor and Burgesses approve the reappointment of **Loraine Shea**, 88 Rockwell Avenue, Naugatuck, CT 06770 as a member of the **Saunders Trust Advisory Committee**, term to expire January 1, 2015.
17. Mayoral Aide Edward Carter gave the board an update on the **Small Cities Housing Rehab Projects**. The last time the borough did this project was in 1992. Naugatuck received a grant for \$400,000 for the 2013 program. There are currently 42 properties on the list. Each applicant must meet specific income guidelines. A family of four must have a total household income of \$64,000 and the mortgage and taxes must be current. Some projects are small but other projects are larger and the equity in the home may not be there. These projects increase the value of the homes which benefits the community as well.
18. **VOTED:** Unanimously on a motion by Deputy Mayor Rossi and seconded by Burgess Neth that the Board of Mayor and Burgesses authorize Mayor Mezzo to enter into a memorandum of agreement by and between the **Naugatuck Valley Health District (NVHD)** and **Borough of Naugatuck Housing Rehabilitation Program – HUD/DECD Small Cities Project** as recommended by Mayoral Aide Edward Carter.
19. **VOTED:** Unanimously on a motion by Deputy Mayor Rossi and seconded by Burgess Jackson that the Board of Mayor and Burgesses approve the bid and authorize Mayor Mezzo to execute all contracts and related documents for the **“Fireworks Display”** to Pyrotecnico, 533 North Street, Jaffrey, NH 03452 in the amount of **\$13,500.00** as recommended by Public Works Director James Stewart.
20. **VOTED:** Unanimously on a motion by Deputy Mayor Rossi and seconded by Burgess Scully that the Board of Mayor and Burgesses accept the proposal from **St. Mary’s Occupational Health** for **Fire Department Medical Exams** as recommended by Fire Chief Kenneth Hanks.
21. **VOTED:** Unanimously on a motion by Deputy Mayor Rossi and seconded by Burgess Burns that the Board of Mayor and Burgesses abate the taxes on all real property at Parcel #0194702 owned by **Giuliana Potenziani, 16 Shadduck Road, Naugatuck, CT 06770** pursuant to Connecticut General Statutes Section 21-80(e)(4) as recommended by Tax Collector James Goggin.
22. **VOTED:** Unanimously on a motion by Deputy Mayor Rossi and seconded by Burgess Scully that the Board of Mayor and Burgesses authorize Controller Robert W. Butler, Jr. to refund the following tax refunds approved by Tax Collector James Goggin; as if read:

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Ally Bank **\$59.72**
PO Box 9001951
Louisville, Kentucky 40290-1951
2011-01-24840 c/c 1744 Sold 08/12

Capatina, Petre or Eleonora **\$34.50**
192 Spring Street
Naugatuck, CT 06770
2012-01-3605 c/c 1877 MV Sold

Fleming, Kayla **\$28.28**
321 North Hoadley Street
Naugatuck, CT 06770
2012-01-8151 Overpaid MV

Johnson, Tonette **\$209.64**
1311 Rubber Avenue
Naugatuck, CT 06770
2012-01-11703 c/c 1889 Sold prior to 12GL

Levesque, Deanna **\$425.60**
300 Schraffts Drive B112
Waterbury, CT 06705-3293
2012-01-13561 c/c 1951 Waterbury Resident 12GL

Mannweiler, Mary Elizabeth **\$21.08**
435 Hillside Avenue
Naugatuck, CT 06770
2012-01-14651 c/c 1838 Correct 09/13

Mete, Morris **\$73.27**
134 Express Drive
Southington, CT 06489-5103
2007-03-46602 c/c 1717 Acreage included in other account

Mikaitis, Dawn DMD LLC **\$18.44**
207 Meadow Street
Naugatuck, CT 06770
2012-04-30556 Overpaid PP

Nissan Infiniti LT **\$388.35**
P.O. Box 650214
Dallas, TX 75265-9523

Noss, Terrance or Brenda **\$6.92**
52 Irving Street
Naugatuck, CT 06770
2012-01-17215 c/c 1536 Plate Return 08/13

Polonis, Victoria **\$4.03**
12 Beacon Manor Road
Naugatuck, CT 06770
2012-01-18920 c/c 1369 Plate Receipt 08/13

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Preta, Jose **\$115.90**
986 New Haven Road
Naugatuck, CT 06770
2011-01-19242 c/c 1882 gifted 04/12

Sajjad, Zain **\$58.69**
438 May Street
Naugatuck, CT 06770
2012-01-20903 c/c 1290 PL receipt 01/13

Shippey, Courtland **\$50.36**
68-1 Round Tree Drive
Naugatuck, CT 06770
2012-01-21998 Overpaid MV

Skurate, John or Rosanna **\$14.34**
598 Andrew Mountain Road
Naugatuck, CT 06770
2012-01-22330 c/c 1513 Sold 08/13

United Avionics INC. **\$2,570.40**
38 Great Hill Road
Naugatuck, CT 06770
2012-04-30901 c/c 1828 Amended Exemption

Vaccaro, Frederick M. **\$1,238.68**
39 Misty Wood Lane
Naugatuck, CT 06770
2010-01-25163 c/c 1884 Waterbury Resident 10GL
2011-01-24707 c/c 1886 Waterbury Resident
2012-01-24466 c/c 1887 Waterbury Resident

Yenkelun, Joanne **\$391.03**
1300 Hamilton Avenue
Waterbury, CT 06706
2009-01-26518 c/c 1890 Waterbury Resident
2009-01-26519 c/c 1891 Waterbury Resident
2010-01-26598 c/c 1892 Waterbury Resident
2010-01-26599 c/c 1893 Waterbury Resident
2011-01-26157 c/c 1895 Waterbury Resident
2011-01-26156 c/c 1894 Waterbury Resident

Yukhno, Alexander **\$35.84**
1081 New Haven Road 10H
Naugatuck, CT 06770
2012-01-26017 Board of Assessment Appeals

23. Public Comment – None

24. Burgess Comments/Sub-Committee Reports

Deputy Mayor Rossi said the IT Committee is working on finalizing a presentation to the board in January or February.

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Mayor Mezzo said the IT Committee is working in conjunction with the Board of Education on an Information Technology Ordinance which will form an IT Commission that will govern policy for our information technology needs moving forward. The commission will be comprised of public and private sector individuals with technology knowledge. Valley Council of Governments has accepted the borough's offer to merge with Central Valley COG combining seventeen towns along the Route 8 corridor.

Burgess Bronko thanked high school Principal Jan Saam for giving the board the opportunity to tour the high school. He feels the renovations are coming along beautifully and below budget. Good job to Burgess Neth and his committee.

25. **VOTED:** Unanimously on a motion by Deputy Mayor Rossi and seconded by Burgess Scully to adjourn the meeting at **7:59 p.m.**

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

Attest:

Nancy K. DiMeo
Borough Clerk

cc: R. Butler/File