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**BOARD OF SELECTMEN
REGULAR MEETING
November 19, 2014**

Present: Norman M. Needleman, First Selectman
Bruce M. Glowac, Selectman
Stacia R. Libby, Selectman

Norman Needleman called the meeting to order at 8:30 p.m.

Approval of Agenda:

Motion was made by Norman Needleman to approve the Agenda. Bruce Glowac seconded the motion. All in favor.

Approval of Minutes:

Motion was made by Stacia Libby to approve the November 5th Minutes. Bruce Glowac seconded the motion. All in favor.

Informational Items, Communications and Correspondence:

Household Hazardous Waste

November 8th collection had 37 households participate. This was the last collection of the season.

Household Hazardous Waste Totals 2014 Season

The collection for Essex had 267 households participate and 192 Vehicles.

Thank You Letters

A letter was received from the Ivoryton Congregational Church thanking the Town for the quick response and replacement of the sidewalks in front of the church.

A letter was received from David Wohlmuth thanking the Selectmen for the Proclamation and participating in his Eagle Scout ceremony.

Winter is on its Way

There was discussion on the Press Release regarding ways everyone can help in making safe traveling conditions throughout the Town.

Town Hall Custodian Retiring after 23 Years

Mr. Needleman reported on John Schumacher's retirement. John has been an employee with the Town for over 23 Years.

Public Announcements / Comment:

Beavers

There was discussion in regards to the beavers at Viney Brook.

Frank Hall read into the record Public Comments Regarding the Beavers (See attached)
Paul Leach is interesting in learning more about other, more humane, options available in regards to removing beavers.

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Susan Malan placed in the record an email regarding the beavers at Viney Hill Brook Park (See attached).

Several of the audience members would like the Conservation Commission to reconsider the plan to destroy the beavers. John Ackerman stated that he did not believe it was expensive to do a relocation of the beavers. There was discussion that this problem occurs every two years. Members felt the preserve is a great place to walk and families can go see the beavers.

Candace Konrad asked that the Selectmen please be involved and to help stop the trapping.

Mr. Needleman said open trapping season is from December 1 to March 31st and there is no restrictions on trapping, other than it needs to be by a licensed trapper, who must be given written permission by the owner of the property. Outside of the trapping season a permit is required and the standard is: if damage threatens public health and safety (ex. road flooding, well inundation, and septic leach field flooding), causes damage to agricultural crops or livestock or qualifies as severe property damage. Mr. Needleman further stated that it is illegal to relocate beavers.

Susan Malan said this is different situation from the last time beavers were dealt with in Town because the beavers are residing on a nature preserve. Ms. Malan stated it is prohibited by the Conservation Commission to hunt or trap on the nature preserve.

Mr. Glowac thanked everyone for their comments. He reported that Mr. Needleman has communicated with the Conservation Commission and has already recommended that they hold off trapping.

OLD BUSINESS:

Capital Committee

Mr. Bruce Glowac had nothing new to report at this time.

Main Street Investment Fund - Ivoryton Grant

Ms. Libby reported on the Public Hearing of Wednesday November 5th. The main issue concerns reported at the public hearing were the raised cross walks. The plan has been revised and the raised cross walks have been removed. Another suggestion at the public hearing was to make the crosswalks look like piano keys, which has also been incorporated in the new plan and a sidewalk on the side of the road by Summit Street has been added.

Mr. Glowac said the public hearing was beneficial to hear what people had to say and it is great to see the suggestions incorporated into the new plans.

Mr. Needleman said the plans looked great.

Motion was made by Norman Needleman to approve the new Main Street Investment Fund plans that have incorporated the suggestions from the November 5th, 2014 Public Hearing. Bruce Glowac seconded the motion. All in favor.

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NEW BUSINESS:

Capital Plan / Bonding Resolution

A meeting of the Board of Selectmen of the Town of Essex was held in the Auditorium on November 19th 2014 at 8:30 p.m.

There were approximately 75 audience member present.

Norman M. Needleman introduced and read the following resolution:

RESOLVED: That the resolution entitled "RESOLUTION APPROPRIATING \$8,085,000 FOR THE TOWN OF ESSEX 2014 CAPITAL PROGRAM INITIATIVE AND AUTHORIZING THE ISSUE OF UP TO \$8,085,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION (OR SUCH LESSER AMOUNT IF LESS THAN ALL COMPONENTS ARE APPROVED) AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS THEREFOR, AND PROVIDING FOR REFERENDUM VOTE AT ADJOURNED TOWN MEETING," is hereby approved and recommended for adoption by the Town.

Motion was made by Stacia Libby to waive the reading of the entitled resolution and that its full text be incorporated into the minutes of the meeting. Bruce Glowac seconded the motion. All in favor.

Motion was made by Stacia Libby that the resolution be adopted and note that the resolution sets the Town meeting date for December 3rd at 7 PM, and adjourns the vote on the resolution to December 15th, from 6 AM to 8 PM. Bruce Glowac seconded the motion. All in favor.

Norman Needleman thereupon declared the motion carried and the resolution adopted. The resolution is attached hereto.

Mr. Glowac felt the public's questions were good questions and felt there was no opposition to any of the questions. Mr. Needleman felt the public hearing meeting went well and that everyone did a terrific job, the Committee, CME, and the Public with their questions.

2015 Corrected Holiday Schedule

Motion was made by Stacia Libby to approve the Corrected 2015 Town of Essex Holiday Schedule. Bruce Glowac seconded the motion, it was unanimously approved. Motion carried.

Appointments and Resignations Board and Commissions

Norman Needleman, the First Selectman re-appointed Claire Matthews as a regular member to the Connecticut River Gateway Commission.

Norman Needleman, the First Selectman re-appointed David Sousa to the Agricultural Council Committee.

Board and Commission Vacancies

Conservation Commission. 3 year term

1 Regular

2 Alternate

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Economic Development Commission – 2 year term
1 Regular

Harbor Management Commission – 3 year term
1 Alternate

Inland Wetlands Commission – 3 year term
1 Planning Representative Regular Member

Park and Recreation Commission – 3 year term
1 Alternate

Zoning Commission – 3 year term
1 Alternate

River Council of Government – 2 year term
1 Regular

Gateway Commission – 2 year term
1 Alternate

Central Regional Tourism District Rep – 1 year term

RFP for School Roof Design and Engineering Costs Request

There was discussion on funding that is needed for the preparation of the design services for the Town Hall Roof and the Elementary School Roof. The projected cost breakdown for design services for the two roofs is as follows:

Town Hall

Predesign	\$ 2,500
Schematic Design	2,500
Construction Documents	<u>10,000</u>
Total Design Services	\$ 15,000 – includes mechanical engineering

Elementary School

Predesign	\$ 10,000
Schematic Design	10,000
Construction Documents	<u>45,000</u>
Total Design Services	\$ 65,000 – includes mechanical engineering

Total Design Costs **\$ 80,000**

Motion was made by Bruce Glowac to approve and recommend to the Board of Finance an appropriation from the unassigned fund balance of an amount not to exceed \$80,000 for the preparation of predesign, schematic design and construction documents for the Town Hall roof and the Essex Elementary School roof. The Town of Essex, CT., (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to the date of passage of the

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Resolution, and thereafter, in the maximum amount and for the capital project defined above with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Treasurer or its designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend the resolution. Stacia Libby seconded the motion. All in favor.

Resolution – 2015 STEAP Grant Application

Motion was made by Bruce Glowac to approve the Small Town Economic Assistance Program Grant Application Signatory Authorizing Resolution (see attached). Stacia Libby seconded the motion and it was unanimously approved. Motion carried.

Harbor View

Residents of Harbor View signed a petition regarding the street name of Harbor View South, Harbor View East, Harbor View North, and Harbor View West. It appears that "Dr" extension has been added to the street names. The petition is requesting that the Board of Selectmen take action to clarify and confirm that the official name and mailing addresses of the above streets are as named on the originally filed subdivision plan and to remove the "Dr". Mr. Needleman stated that he would meet with the Assessor to determine the necessary steps to correct the street names.

Motion was made by Norman Needleman to clarify the names to read Harbor View, Harbor View South, Harbor View East, Harbor View North, Harbor View West. Bruce Glowac seconded the motion, it was unanimously approved. Motion carried.

Traffic Authority

Motion was made by Stacia Libby to enter Traffic Authority. Bruce Glowac seconded the motion, it was unanimously approved. Motion carried.

Handicap Parking Space Request

There was a request that a handicap sign be placed along Pratt Street. There was discussion on what the regulations and the distance that would be required on either side of a handicap parking space. The parking space request is on a road and would need to be a parallel parking space. After lengthy discussion, the Selectmen decided not to put up a sign at this time.

Motion was made by Stacia Libby to exit Traffic Authority. Bruce Glowac seconded the motion, it was unanimously approved. Motion carried.

Public Comment: None

SELECTMEN GENERAL DISCUSSION:

Motion was made by Norman Needleman to adjourn the meeting at 9:52 p.m. Bruce Glowac seconded the motion, it was unanimously approved. Motion carried.

Respectfully submitted,
Maria P. Lucarelli

Tonight, we wish to offer public comment on the Conservation Commission's decision at the 11/6/14 meeting to entrap and kill a family of beavers at the Viney Hill Brook Park. We want the Board of Selectmen to stop this inhumane approach. Why the urgency? Trapping season is legal from December 1 to March 31. The next Commission Meeting is on December 4, after the start of the trapping season.

The mission statement of the Conservation Commission states its purpose of protecting native plants and wildlife. We are asking the town to examine other alternatives similar to those adopted by other towns that have allowed beavers and people to coexist.

The Beaver fact sheet published by the Department of Energy and Environmental Protection states that the benefits of beaver ponds and their associated wetlands provide habitat for a wide variety of animals. Beaver ponds filter and trap sediments and excess nutrients, save as water storage and recharge areas, and provide opportunities for wildlife observation and waterfowl habitat.

While conflicts occur between humans and beavers there are several ways other than killing them to mitigate the problems. In a review of the Conservation Commission minutes from September 2013 to September 2014, there was no mention of beaver problems. The most recent mention was in October 2014, when it was mentioned that the beavers damaged some trees. Over the past year, there has been no discussion of exploring alternative ways of addressing the beaver problem other than trapping and killing them.

Unfortunately, the Commission used the killing solution a few years ago. History is repeating itself with another beaver family taking residence in the nature preserve. The Commission needs to explore alternative methods of controlling the beaver population similar to other communities. Beavers are a native species and deserve the same protection as any other animal living in the Park. An alternative approach should afford our children the opportunity to learn about our native species, eco-diversity and importance of true conservaton.

Maria Lucarelli

From: Susan Malan
Sent: Thursday, November 20, 2014 12:01 PM
To: Maria Lucarelli
Subject: FW: Your beaver email - could you please forward to me.

Here you go...

From: Susan Malan [mailto:susanamalan@gmail.com]
Sent: Saturday, November 15, 2014 2:34 PM
To: 'kay tucker'; Jeffrey Lovelace; Rich Helmecki; Pam Bernardini
Cc: 'Norm Needleman'; 'slibby@essexct.gov'; 'BruceGlowac@aol.com'
Subject: Viney Hill Brook Park

Dear Conservation Commission,

As a former member of the commission I have tried to stay informed about your ongoing work and in as much just read the minutes from the November 6th meeting http://www.essexct.gov/sites/essexct/files/minutes/minutes-file/november_6_2014_minutes.pdf; I find it disturbing that after several years, the commission seems again to be choosing an inappropriate measure in dealing with the beavers. Viney Hill Brook Park was purchased by the Town as a nature preserve, and all that inhabits the preserve should be just that – preserved. There is ample research and many appropriate alternatives to killing. Beavers are indigenous to Connecticut and deserve the same protection any other animal living at Viney Hill Brook Park is afforded.

Further, your potential actions are in direct conflict with the rules and regulations you publish --from the Conservation Commission brochure about Viney Hill Brook Park:

Please observe and follow the posted guidelines.

PASSIVE RECREATION

*The passive recreation area of the park, managed by the Essex Conservation Commission, is open to the public for walking and hiking. **It is not a playground, hunting area, bike path or campground.** The area is a place where people can enjoy native plants and animals without altering or...*

From the State of Connecticut Department of Energy and Environmental Protection:
<http://www.ct.gov/deep/cwp/view.asp?a=2723&q=325970>

Benefits

Beaver ponds and their associated wetlands provide habitat for a wide variety of animals, such as insects, spiders, frogs, salamanders, turtles, fish, ducks, rails, bitterns, flycatchers, owls, mink and otters. Dead standing trees killed by flooding provide preferred nesting habitat for colonies of great blue herons and cavity-nesting birds, such as the wood duck and hooded merganser. Beaver ponds also filter and trap sediments and excess nutrients, serve as water storage and recharge areas, and provide opportunities for canoeing, fishing, wildlife observation and waterfowl hunting.

Beaver/Human Conflicts

Beaver/human conflicts have been increasing in recent years due to human encroachment on wildlife habitat and a growing and expanding beaver population. Because beavers have the ability to build dams to impound water, they can dramatically alter the environment in which they live. The problems beavers can cause fall into two main categories, tree cutting and flooding. In some cases, beaver activity can threaten property, agricultural crops or public health and safety. Beaver dams also may negatively affect other natural resources. For example, dams can serve as barriers to migrating fish and cause inundation and siltation of rare plant and animal habitats.

There are also instances when landowners are unwilling to tolerate any beaver activity on or near their property. Unfortunately, there are no known repellents that are effective against beavers and harassment generally does not cause beavers to abandon a site. In rare instances, such as when a young beaver has not established a territory, continual removal of dam material may persuade it to abandon the site (see **Breaching of Dams**).

In an effort to assist landowners with beaver conflicts, following are descriptions of a number of options that may help alleviate problems caused by beavers.

Tolerance: In many instances, people experience relatively insignificant beaver damage, such as the cutting of trees around a pond or lake or the flooding of an existing wetland area. The beavers are simply doing what is natural and tolerating that activity is part of coexisting with wildlife. The changes that occur when beavers flood an existing wetland, dam a stream or flood standing trees may be aesthetically unpleasant to landowners. However, people should realize that wetlands are dynamic systems that change over time. **The Wildlife Division encourages landowners to develop a tolerance and appreciation of beavers and the benefits they provide for wildlife and humans alike.**

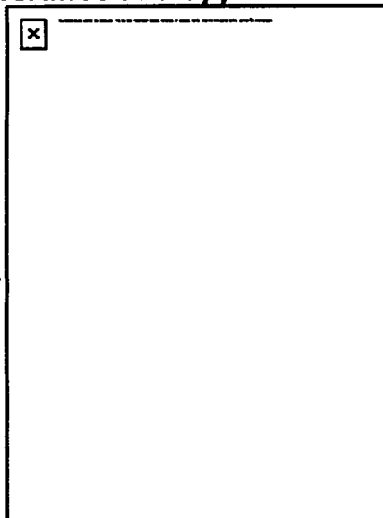
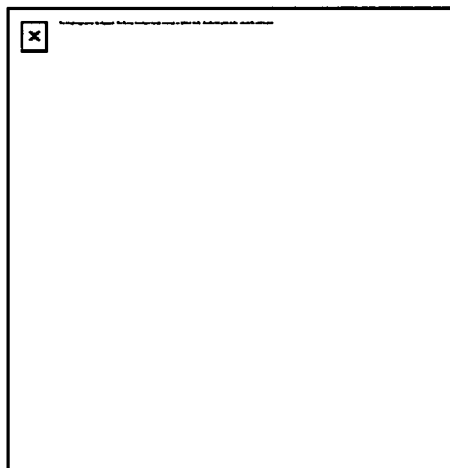
Protecting Trees and Shrubs: The most effective way to protect trees and shrubs from being cut by beavers is to place heavy-gauge fencing with a mesh opening of no more than 2-inch x 4-inch around the base of the plant, six inches away from the trunk and extending to a height of four feet. (Chicken wire will not deter the powerful chewing of beavers.)

Exclusion Fencing at Culverts*: In many cases, beavers cause flooding of roads and adjacent land when they directly plug a culvert. In some cases, this can be prevented by staking a strong woven wire fence, 10 to 15 feet in front of the culvert, which physically prevents the beavers from accessing and plugging the culvert. Ideally, the beavers build a new dam against the fence and the culvert remains open and continues draining water that spills over and through the fence and beaver dam. Factors such as water depth, topography and wetland substrate need to be assessed before placing a fence in front of a culvert.

Water Level Control Devices*: In certain situations a water level control device (WLCD) may be effective in reducing flooding to a tolerable level for landowners while maintaining suitable beaver habitat. "Water level control device" is a term used for any device placed through a beaver dam to drain water from the flowage. Plastic perforated pipes, wooden boxes with mesh bottoms, perforated aluminum culverts and culverts made from layers of mesh are all types of WLCDs.

A WLCD minimizes the sound and motion of running water. Ideally, beavers can continue their activities but should not be able to plug the device. Therefore, water can still pass through the device, resulting in a lower water level. The proper installation and maintenance of WLCDs are critical to their success. It is important that entrances to the lodge remain under water and a minimum water depth be maintained to provide sufficient habitat for the beavers if the wetland freezes during winter. Also, landowners must still be willing to tolerate some flooding, especially during storm events.

Combination Exclusion Fencing and Beaver Pipes



Control devices are not useful in all situations. Topography, depth of the water behind the dam, number of potential dam sites and watershed size must be considered when determining the applicability of WLCDs. Their use may address a site specific problem, however, the overall beaver population is not reduced. In certain situations WLCDs can be used in conjunction with fencing to exclude beavers from a culvert and also regulate the water level.

Breaching of Dams*: Beaver dams may be breached when water needs to be drained from a site prior to dam removal, before WLCDs or exclusion fencing are installed or to temporarily relieve flooding that cannot be tolerated. If breaching is done as an interim measure to relieve flooding until the beavers are harvested during the trapping season, it will need to be done on a regular basis because the beavers will rebuild the dam each night. The breaching of dams should only be undertaken when a more effective solution is not currently possible, as there can be negative environmental consequences, including the alteration of wildlife habitat, downstream siltation and erosion. Breaching should be done with extreme caution due to the possibility of downstream flooding and damage.

***The installation of any water level control device at a culvert or modification of a beaver dam in any way, including breaching or removal, are considered regulated wetland activities and must be approved by the local inland wetlands commission. All installations require regular maintenance.**

Trapping: In situations when the presence of beavers cannot be tolerated or the landowner wishes to control the number of beavers on his property, trapping during the regulated winter trapping season is the most effective solution (consult the current Connecticut Hunting and Trapping Guide for trapping season information). Licensed trappers will often voluntarily assist landowners by harvesting beaver during the trapping season.

The results of the trapping season are monitored by a mandatory pelt-tagging program. The season dates are established to harvest beavers at a time of the year when the fur is of greatest value, thus managing the population as a renewable natural resource. Special authorizations to trap beaver outside of the regulated season may be issued by the DEP Wildlife Division when beaver activity threatens public health and safety or causes damage to agricultural crops.

Population Management

Removing nuisance beavers by live-trapping is not considered a viable option for alleviating beaver problems in Connecticut. This costly technique only serves to move a problem from one site to another. In addition, there are few unoccupied areas where beavers can be moved and not cause another problem. Relocated animals seldom stay in the area where they are released. Most importantly, moving beavers does not reduce the overall beaver population and, thus, does not reduce the number of complaints and damage.

While exclusion fencing and WLCDs may remedy site-specific beaver problems, these techniques will not curb beaver population growth. In Connecticut, there is little natural predation or disease to control beaver populations. Bobcat, coyote, otter and mink may prey on beaver kits and, occasionally on adults, but natural predation does little to reduce the overall population of beavers. Some beavers are hit by vehicles or die due to natural accidents, injuries or disease, but none of these sources of mortality are significant. Historically, the Eastern timber wolf was considered a major predator of beavers. However, wolves were extirpated shortly after the arrival of the colonists and are not likely to return to the highly-developed eastern landscape. Today, humans remain the primary predator of beavers and, thus, the main factor controlling their population growth. The annual removal of beavers during the regulated trapping season is the best long-term solution to maintaining a balance between beaver populations, suitable beaver habitat throughout the state and human land uses.

The DEP Wildlife Division provides technical assistance to individuals experiencing problems associated with beaver activity. The options available will depend on the time of the year and the nature and severity of the problem. For more information, contact the Wildlife Division's Beaver Management Program at

(860) 424-3011 (860) 424-3011 (860) 424-3011 (860) 424-3011.

I urge you to rethink your plans and use a better measure to work and live with the beavers of Viney Hill Brook Park.

Respectfully,

Susan Malan
34 Grove Street
Essex, CT

From: Maria Lucarelli
Sent: Thursday, November 20, 2014 11:57 AM
To: Susan Malan
Subject: Your beaver email - could you please forward to me.

Thanks.

Maria Lucarelli
Assistant to the Board of Selectmen
Town of Essex
29 West Avenue
Essex, CT 06426
(860) 767-4340 x 112
(860) 767-8509 fax

RESOLUTION APPROPRIATING \$8,085,000 FOR THE TOWN OF ESSEX 2014 CAPITAL PROGRAM INITIATIVE AND AUTHORIZING THE ISSUE OF UP TO \$8,085,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION (OR SUCH LESSER AMOUNT IF LESS THAN ALL COMPONENTS ARE APPROVED) AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS THEREFOR, AND PROVIDING FOR REFERENDUM VOTE AT ADJOURNED TOWN MEETING

Section 1. The sum of \$8,085,000 is appropriated for the Town of Essex 2014 Capital Program Initiative as follows:

Bridge Replacement and Repair

\$ 2,100,000	Walnut Street Bridge
\$ 450,000	Ivory Bridge
\$ <u>295,000</u>	Contingency and Debt Admin.
\$ 2,845,000	Total

Essex Elementary School

\$1,400,000	Roof
\$ 600,000	Air Quality
\$ 225,000	Paving
\$ 185,000	Media Center
\$ 110,000	Fuel Conversion
\$ <u>295,000</u>	Contingency and Debt Admin.
\$ 2,815,000	Total

Town Hall

\$ 200,000	Roof
\$ 115,000	Window Replacement
\$ 30,000	Fire Suppression
\$ 500,000	Land Use Office
\$ 200,000	Air Quality
\$ 120,000	Toilet Room
\$ <u>135,000</u>	Contingency and Debt Admin.
\$ 1,300,000	

Public Works

\$ 109,000	Town Garage Roof
\$ 97,000	Heating System
\$ 264,000	2 Bay Garage/Covered area
\$ <u>55,000</u>	Contingency and Debt Admin.
\$ 525,000	

Fire Vehicle \$ 600,000

hereafter the "Project", and as used herein Project includes each of the five individual components set forth above. The Project shall include all expenses necessary and appropriate to accomplish the Project including planning, acquisition and construction, remediation, demolition expenses, repair or reconstruction, appurtenances or utility, road, sidewalk and abutting property repair, horizontal and vertical realignment, drainage installation, reclamation, paving, curbing, milling, capping, utility relocation, warranties, engineering or other design or implementation professionals, consultants, appraisers, equipment, legal, advertising, printing, financing and administration costs, or so much thereof as may be accomplished within said appropriation, or such additional improvements as may be accomplished within said appropriation. The Board of Selectmen may prioritize projects and allocate resources within each project line item as necessary to accomplish as many projects as possible. Said appropriation shall include grant funding, and, unless otherwise determined by the Selectmen, all prior appropriations for the Project.

Section 2. To meet said appropriation \$8,085,000 bonds of the Town or so much thereof as may be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date, or such later date as may be allowed by law. Said bonds may be issued in one or more series as determined by the First Selectman and the Town Treasurer, (the "Town Officials") and the amount of bonds of each series to be issued shall be fixed by the Town Officials. Said bonds shall be issued in the amount necessary to meet the Town's share of the cost of the Project, determined after considering the estimated amount of the State and Federal grants-in-aid thereof, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. Capital project revenues, including bid premiums and investment income derived from investment of bond proceeds (and net investment income derived from note proceeds) are authorized to be credited by the Director of Finance to the project account and expended to pay project expenses customarily paid there from, provided that such expenditure shall be applied against the appropriation and bond authorization which shall be reduced by the amount of capital project revenues so applied and credited. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the Town and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the First Selectman and the Town Treasurer, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the First Selectman, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the First Selectman, and be approved as to their legality by Joseph Fasi LLC, Bond Counsel, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Town Officials. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon and shall be paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds to be issued, the annual installments of principal,

redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the Town Officials in accordance with the General Statutes of the State of Connecticut, as amended. In connection with the issuance of any bonds or notes authorized herein, the Town may exercise any power delegated to municipalities pursuant to Section 7-370b, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the Board of Selectmen. In order to meet the capital cash flow expenditure needs of the Town, the First Selectman is authorized to allocate and reallocate expenditures incurred for the Project to any bonds or notes of the Town outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes and Project herein authorized.

Section 3. Said bonds shall be sold by the Town Officials in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals, auction, or other competitive process at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, the provisions of the purchase agreement shall be subject to approval of the Board of Selectmen. With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the First Selectman is authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund any purpose for which bonds of the Town are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount so applied.

Section 4. The Town Officials are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Town Officials, have the seal of the Town affixed, be payable at a bank or trust company designated by the First Selectman, be approved as to their legality by Joseph Fasi LLC, Bond Counsel, of Hartford, and be certified by a bank or trust company designated by the First Selectman pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon and shall be paid from property taxation to the extent not paid from other funds available for the payment thereof. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this ordinance in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or her designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 6. The First Selectman or his designate is hereby authorized to exercise all powers conferred by section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

Section 7. It is hereby found and determined that the issue of all, or a portion of, the Bonds authorized to be issued herein as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation, is in the public interest.

Section 8. This resolution shall not take effect unless and until approved at referendum by adjourned town meeting to be held on December 15, 2014. Pursuant to the provisions of Section 7-7 of the Connecticut General Statutes, as amended, a Special Town Meeting to consider and act upon this resolution (the "Resolution") shall be called and held on December 3, 2014, at 7:00 PM, at the Town Hall Auditorium, or such other date, place or time the First Selectman shall determine if a change is required, and the vote on such resolution as set forth herein shall be removed from the call of such meeting and adjourned to be submitted to electors and citizens qualified to vote in such meeting to a referendum vote **between the hours of 6:00 A.M. and 8:00 P.M.** The questions to be voted on shall be as follows:

Shall the \$2,845,000 appropriation and general obligation bond issuance authorization for the replacement of Walnut and Ivory Street bridges pursuant to the resolution adopted by the Boards of Selectmen and Finance, be approved? YES/NO

Shall the \$2,815,000 appropriation and general obligation bond issuance authorization for improvements to Essex Elementary School pursuant to the resolution adopted by the Boards of Selectmen and Finance, be approved? YES/NO

Shall the \$1,300,000 appropriation and general obligation bond issuance authorization for improvements to Town Hall pursuant to the resolution adopted by the Boards of Selectmen and Finance, be approved? YES/NO

Shall the \$525,000 appropriation and general obligation bond issuance authorization for improvements to the Town Garage pursuant to the resolution adopted by the Boards of Selectmen and Finance, be approved? YES/NO

Shall the \$600,000 appropriation and general obligation bond issuance authorization for the purchase of a fire fighting vehicle pursuant to the resolution adopted by the Boards of Selectmen and Finance, be approved? YES/NO

The approval of one or more questions shall constitute the approval of the project set forth in the approved question and this resolution, and approval of the appropriation and bond resolution in the amount of the sum of the appropriations and bond issuance authorizations of the voter approved questions. The contingency and debt administration line item for any project approved at referendum, upon a finding by the Selectmen that such amount is not required for such project, may be allocated to any other project approved at the referendum.

Section 9. The Town Clerk is hereby authorized and upon direction of the Selectmen shall prepare pursuant to section 9-369b of the Connecticut General Statutes to explanatory or other text for the foregoing questions.



Selectmen's Office

www.essexct.gov

Norman M. Needleman, First Selectman

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Board of Selectmen:

Stacia R. Libby

Bruce M. Glowac

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29 West Avenue

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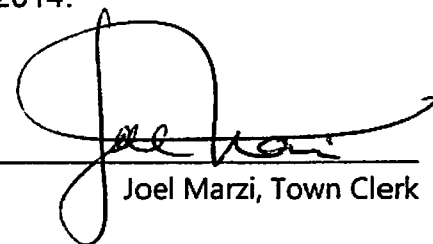
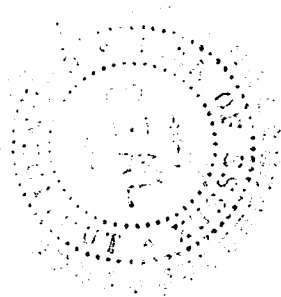
Fax: 860-767-8509

Signatory Authorizing Resolution

I, Joel Marzi, duly qualified and Town Clerk of the Town of Essex, a municipality organized under the laws of the State of Connecticut, do hereby certify that the following is a full and true copy of a resolution adopted at a regular meeting of the Board of Selectmen of the Town of Essex, duly held on the 19th of November, 2014, and is on file and of record, and that said resolution has not been altered, amended or revoked and is in full force and effect.

Resolved that Norman M. Needleman, First Selectman is empowered to execute and deliver in the name and on behalf of this municipality the Small Town Economic Assistance Program Grant Application.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the Town of Essex this 20th day of November, A.D. 2014.



Joel Marzi, Town Clerk