

**MINUTES OF THE REGULAR MEETING OF THE
CORNWALL BOARD OF SELECTMEN**

Tuesday, May 17, 2022

7:30 p.m. – Via Zoom

PRESENT: First Selectman Gordon Ridgway; Selectman Priscilla Pavel; Selectwoman Janet Carlson; Rocco Botto of Cornwallct.org; two members of the press; seven members of the public.

First Selectman Gordon Ridgway called the meeting to order at 7:32 PM.

MINUTES: Selectman Priscilla Pavel moved to approve the minutes from the May 3, 2022 Regular Meeting of the Board of Selectmen. Selectwoman Janet Carlson seconded, and the motion unanimously passed.

COMMUNICATIONS: Selectwoman Janet Carlson noted that Community Health and Wellness was delighted with the turn-out in Cornwall at the mobile health care van, and expressed thanks to the Board of Selectmen.

ADDITIONS TO THE AGENDA: First Selectman Gordon Ridgway moved to add (1) Railroad Spraying, and (2) Painting Ford Hill Bridge Guiderails. Selectwoman Janet Carlson seconded, and the motion unanimously passed.

TO CONSIDER AND ACT UPON A RESOLUTION ENTITLED: RESOLUTION APPROPRIATING \$6,230,000 FOR THE WASTEWATER MANAGEMENT PROJECT IN WEST CORNWALL VILLAGE AND AUTHORIZING THE ISSUE OF \$6,230,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE: First Selectman Gordon Ridgway introduced the bond resolution. “Resolved: that the resolution entitled Resolution appropriating \$6,230,000 for the Wastewater Management Project in West Cornwall Village and authorizing the issue of \$6,230,000 bonds of the Town to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose is hereby approved and recommended for adoption by the Town.” Selectman Priscilla Pavel moved to waive the reading of the entitled resolution and incorporate its full text into the Minutes of the meeting. Selectwoman Janet Carlson seconded, and the motion unanimously passed. Selectman Priscilla Pavel then moved that the resolution be adopted by the Board of Selectmen. Selectwoman Janet Carlson seconded the motion, and there was some discussion. The motion unanimously passed.

[BOND RESOLUTION]

RESOLUTION APPROPRIATING \$6,230,000 FOR THE WASTEWATER MANAGEMENT PROJECT IN WEST CORNWALL VILLAGE AND AUTHORIZING THE ISSUE OF \$6,230,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$6,230,000 is appropriated for the planning, acquisition and construction of the Wastewater Management Project in West Cornwall Village in the Town of Cornwall, Connecticut (the “Town”), consisting generally of sewer lines, collection and treatment systems in the West Cornwall area, in the vicinity of the

Covered Bridge and the Housatonic River, and including but not limited to headworks, lateral sewer lines, Membrane Bioreactor Technology for cleansing and disinfection, as generally described and approximately in accordance with the report entitled "Engineering Report, West Cornwall Waste Collection and Treatment System, Cornwall, CT December 2019" prepared by WMC Consulting Engineers; and said appropriation may be expended for the installation of the waste collection system, appurtenances, waste processing facilities or techniques, related thereto or necessary or appropriate as determined by the Board of Selectmen to facilitate or enhance the collection, treatment or disposal of sewage waste and the environmental and health benefits thereof, and including, but not limited to, licenses and permits, utility, road, sidewalk and abutting property relocation and repair and for testing, land and easement acquisition, surveying, paving, engineering, administrative, advertising, printing, legal and financing costs related thereto (collectively, the "Project"). Said appropriation shall be inclusive of all state and federal grants-in-aid.

Section 2. The total estimated cost of the Project is \$6,230,000. It is expected that Project costs will be paid from a Community Project Funding grant in the approximate amount of \$3,000,000 from the United States government, and the balance (net of the grants) will be paid from the proposed bond issue. For purposes of this Resolution, the term "bonds" means any form of debt financing authorized herein. The Project is a general benefit to the Town of Cornwall and its general governmental purposes.

Section 3. To meet said appropriation:

(i) bonds of the Town may be issued, maturing not later than the thirtieth year after their date, or the fortieth year in accordance with law, including but not limited to Section 7-380c of the General Statutes of Connecticut, as amended (the "Statutes"). Said bonds may be issued in one or more series as shall be determined by the Town Officials, and the amount of bonds of each series to be issued shall be fixed by the First Selectman and the Treasurer (the "Town Officials"), 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. 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 Town Officials, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Town Officials, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Town Officials, and be approved as to their legality by Pullman & Comley, LLC, bond counsel. Such bonds 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, and that the full faith and credit of the Town are pledged to the payment of the principal

thereof and the interest thereon. The aggregate principal amount of the bonds, 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 requirements of the Statutes. 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 of the Statutes, 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 Town Officials are 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; or

(ii) temporary notes of the Town may be issued pursuant to Sections 7-264 or 7-264a of the Statutes. The amount of such notes to be issued, if any, shall be determined by the Town Officials and they are hereby authorized to determine the date, maturity, interest rate, form and other details and particulars of such notes, and to sell, execute and deliver the same. Said notes shall be secured by the full faith and credit of the Town and may be further secured in any other manner set forth in Sections 7-264 or 7-264a, aforesaid, as determined by the Board of Selectmen; or

(iii) State or federal loans as set forth in Sections 7 and 8 hereof; or

(iv) any combination of bonds or temporary notes or State and federal loans may be issued, provided that the total, aggregate principal amount thereof outstanding at any time shall not exceed \$6,230,000.

Section 4. The issue of the bonds aforesaid and of all other bonds or notes of the Town heretofore authorized but not yet issued, as of the effective date of this Resolution, would not cause the indebtedness of the Town to exceed any debt limit calculated in accordance with law. The principal and interest on the proposed issue are to be paid from property taxation to the extent not paid from other funds available for the payment thereof and the full faith and credit of the Town are pledged to such payment.

Section 5. 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, or at auction, at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town, or comparable method, and 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 sold on a negotiated basis, the Town Officials are hereby authorized to enter into any agreements required to effectuate such negotiated sale. With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Town Officials are 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 6. The Town Officials are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the manual or facsimile signatures of the Town Officials, have the seal of the Town or a facsimile thereof affixed, be payable at a bank or trust company designated by the Town Officials, be certified by a bank or trust company designated by the Town Officials pursuant to Section 7-373 of the Statutes, and be approved as to their legality by Pullman & Comley, LLC, bond counsel. They shall be issued with maturity dates which comply with the provisions of 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, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. 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 temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 7. The First Selectman is authorized in the name and on behalf of the Town to apply for and accept any and all federal and State loans and/or grants-in-aid of the Project and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith to contract in the name of the Town with engineers, contractors and others. To meet any portion of the costs of the Project determined by the State of Connecticut Department of Environmental Protection to be eligible for funding under Section 22a-475 et seq. of the Statutes, as the same may be amended from time to time (the "Clean Water Fund Program"), the Town may issue interim funding obligations in anticipation of project loan obligations and project loan obligations in such denominations as the Town Officials shall determine. The Town Officials are hereby authorized to determine the amount, date, maturity, interest rate, form and other details and particulars of such interim funding obligations and project loan obligations, subject to the provisions of the Clean Water Fund Program, and to execute and deliver the same. Said obligations 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 obligation is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The First Selectman is hereby authorized to execute and deliver to the State in the name of and on behalf of the Town Project Loan and Project Grant Agreements under the Clean Water Fund Program.

Section 8. To meet any portion of the costs of the Project determined by the United States of America, including acting through the Rural Utility Service of the United States Department of Agriculture (the "USDA") or other federal program or

agency, to be eligible for loan and/or grant monies, the Town may issue promissory notes, bonds or other obligations made payable to the United States of America in such denominations as the First Selectman shall determine unless otherwise required by the USDA. The Town Officials are hereby authorized to determine the amount, date, maturity, interest rate, form and other details and particulars of such obligations, subject to provisions of the USDA, and to execute and deliver the same. Such obligations shall be general obligations of the Town and each such obligation shall recite that every requirement of law relating to its issue has been duly complied with, that such obligation is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon.

Section 9. 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 Resolution 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 Treasurer, or designee, is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 10. The Town Officials are hereby authorized to exercise all powers conferred by Section 3-20e of the 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 Resolution.

Section 11. It is hereby found and determined that the issue of all, or a portion of, the bonds, notes or other obligations of the Town 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. The Town Officials are hereby authorized to issue and utilize without further approval any financing alternative available to municipal governments pursuant to federal law, including tax credit bonds or any other tax advantaged bonds.

TO CONSIDER AND ACT UPON A RESOLUTION ENTITLED: RESOLUTION OF BOARD OF SELECTMEN PROVIDING FOR SPECIAL TOWN MEETING AND REFERENDUM VOTE AT ADJOURNED TOWN MEETING AND AUTHORIZING EXPLANATORY TEXT: First selectman Gordon Ridgway introduced the resolution. "Resolved: That the resolution entitled: Resolution of Board of Selectmen Providing for Special Town Meeting and referendum vote at adjourned town meeting and authorizing explanatory text is hereby approved and recommended for adoption by the Town." Selectwoman Janet Carlson moved to waive the reading of the referendum resolution and incorporate its full text into the minutes of the meeting. Selectman Priscilla Pavel seconded, and the motion unanimously passed. Selectwoman Janet Carlson then moved that the

resolution be adopted by the Board of Selectmen. Selectman Priscilla Pavel seconded the motion, and there was some discussion. The motion unanimously passed.

[REFERENDUM RESOLUTION]

RESOLUTION OF BOARD OF SELECTMEN PROVIDING FOR SPECIAL TOWN MEETING AND REFERENDUM VOTE AT ADJOURNED TOWN MEETING AND AUTHORIZING EXPLANATORY TEXT

Pursuant to the provisions of Section 7-7 of the Connecticut General Statutes, as amended, a Special Town Meeting to consider and act upon the resolution entitled:

“RESOLUTION APPROPRIATING \$6,230,000 FOR THE WASTEWATER MANAGEMENT PROJECT IN WEST CORNWALL VILLAGE AND AUTHORIZING THE ISSUE OF \$6,230,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE”

(the “Resolution”) shall be called and held, and the vote on such resolution 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 at Adjourned Town Meeting to be held on July 9, 2022, between the hours of 12:00 P.M. and 8:00 P.M. at the Town Hall, 24 Pine Street, Cornwall, CT for the approval or disapproval of the Resolution.

The First Selectman is hereby authorized and directed to call a Special Town Meeting, in accordance with the provisions of this resolution, to be held at the Cornwall Consolidated School, 5 Cream Hill Rd, West Cornwall, CT 06796, on June 25, 2022 at 7:30 P.M., to consider the Resolution as of this date approved by the Board of Selectmen, to receive communications concerning the Resolution and to submit action by the Special Town Meeting on the Resolution to a vote of Town electors and qualified voters at a referendum by Adjourned Town Meeting. The Warning of said Town Meeting shall state the question to be voted upon and the ballot label with respect thereto as follows:

Question:

“Shall the resolution entitled ‘RESOLUTION APPROPRIATING \$6,230,000 FOR THE WASTEWATER MANAGEMENT PROJECT IN WEST CORNWALL VILLAGE AND AUTHORIZING THE ISSUE OF \$6,230,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE’, as adopted by the Boards of Finance and Selectmen, be approved? YES NO”

The ballot label for said question shall read as follows:

“Shall the \$6,230,000 appropriation and general obligation bond issuance authorization (expected to be paid from an estimated \$3.0 million grant and \$3.23 million of Town general obligation bonds) to construct and install sewers lines,

collection and treatment systems in the West Cornwall area of Town, known as the Wastewater Management Project in West Cornwall Village, as adopted by the Boards of Selectmen and Finance, be approved? YES/NO?"

The voting will be by paper/electronic ballot. Those desiring to vote for the question shall fill in the box in front of the question on the ballot at **"YES"**. Those desiring to vote against the question shall fill in the box in front of the question on the ballot at **"NO"**. Absentee ballots will be made available in accordance with law.

The warning shall also state that the full texts of the aforesaid Resolution and question are on file, open to public inspection, in the office of the Town Clerk, that the vote on the aforesaid Resolution is taken under the authority of Section 7-7 and Chapters 90 and 152 of the Connecticut General Statutes, as amended, and that absentee ballots will be made available in accordance with law. The First Selectman is authorized if necessary to change the date and details of the town meeting and vote.

Be it also resolved that the Board of Selectmen hereby authorizes the preparation and printing of explanatory text by the Town Clerk in accordance with Section 9-369b of the Connecticut General Statutes, as amended, for the question to be voted upon on July 9, 2022 approved above. The Board of Selectmen further authorizes the preparation and printing of materials concerning the question to be voted upon on July 9, 2022 approved above in addition to the explanatory text in accordance with Section 9-369b of the Connecticut General Statutes.

HAMMOND BEACH UPDATE: Selectmen's office clerk, Jonathan Berry read an update provided by Beach Director Marina Kotchoubey. Swim lesson registration forms have gone out through the school and are available on the Cornwallct.org website. The lifeguard application is also available on the website. Lifeguard applications are already being received so applicants are encouraged to send their applications in soon. Hammond Beach will be open for the Park 'n Rec picnic on June 10, and the beach is scheduled to officially open on June 18.

COVID VACCINATION CLINIC MAY 19, 2022: There will be a free Covid vaccine clinic at Cornwall Town Hall on Thursday May 19 from 1:00 p.m. until 6:00 p.m. First Selectman Ridgway thanked Park 'n Rec Director Jen Markow and Park 'n Rec Chair Michell Shipp for their work organizing the clinic. First Selectman Ridgway also noted that there has been an uptick of Covid cases Cornwall, and there is a supply of Covid test kits available at Town Hall. The vaccination clinic at Town Hall will have first doses, second doses, and all boosters available. Vaccines are also available on Wednesdays from 9:00 a.m. to Noon at the mobile health care van outside of the Union in West Cornwall Village.

HOUSING COMMITTEE MEETING MAY 23, 2022: First Selectman Gordon Ridgway announced that the Housing Plan Implementation Committee is scheduled to meet on Monday, May 23rd at 4:00 p.m. via Zoom. First Selectman Ridgway also thanked Maggie Cooley and Ingrid Ellen for their recent Cornwall Library zoom event on housing.

TOWN MEETING MAY 20, 2022: First Selectman Gordon Ridgway reminded everyone that there is a Town Meeting scheduled for May 20, 2022 – 7:30 p.m. at CCS. The Town Meeting will include a Town vote on the FY 2022/2023 Budget as approved by the Board of Finance. Also, there will be a Town vote to authorize the creation of an easement for Blaine Matthews to install

and maintain a septic pipe underneath Whitcomb Hill Rd. First Selectman Ridgway encouraged attendees at the Town Meeting to wear masks and practice social distancing due to Covid.

MEMORIAL DAY: First Selectman Gordon Ridgway provided an update on Memorial Day 2022. There will be scaled-back but in-person observances: (1) 9:30 a.m. observance at the North Cornwall Cemetery; (2) 10:00 a.m. seamen's observance in West Cornwall Village; and (3) an 11:00 a.m. parade in Cornwall Village starting at Hubbard Field.

WEBSITE UPDATE: CornwallCT.org webmaster Rocco Botto provided an informative update on increased public use of, and upcoming changes to, the website. The changes to the government pages of the website will provide a more user friendly and focused experience that will utilize a dash-board style rather than a blog-archive style. The Board of Selectmen agreed to move forward with the changes proposed by Rocco Botto. The Board of Selectmen thanked Rocco Botto and the internet committee for all their work. Selectwoman Janet Carlson thanked Neil Frauenglass for his work with the Economic Development Committee. First Selectman Ridgway thanked Richard Griggs for making the videos for the website.

ELECTRIC VEHICLE CHARGERS: First Selectman Gordon Ridgway reported on a recent webinar with CT DOT regarding electric vehicle chargers. DOT is interested in the future availability of charging stations in the Cornwall area.

SHARON HOSPITAL: The Board of Selectmen discussed a letter from State Representative Maria Horn requesting a public hearing regarding Sharon Hospital's certificate of need application to terminate labor and delivery services. Selectwoman Janet Carlson moved for the Board of Selectmen to endorse the letter from Maria Horn, and to authorize First Selectman Ridgway to write a letter in support of Maria Horn's request for a public hearing. Selectman Priscilla Pavel seconded, and the motion unanimously passed.

CROSS WALKS IN WEST CORNWALL: The Board of Selectmen discussed asking the State DOT to install a cross walk in West Cornwall Village across Route 128. Selectwoman Carlson noted that there is increased foot traffic in West Cornwall Village, and it can be dangerous when crossing Rt. 128. First Selectman Ridgway noted that the DOT looked into adding a cross walk in West Cornwall Village a few years ago, but didn't want one near the rail road tracks. Selectwoman Janet Carlson will follow up on the idea with NHCOC director Rob Phillips.

RAILROAD SPRAYING: The Board of Selectmen discussed the rail road's plan to spray herbicide along the tracks throughout Cornwall. First Selectman Ridgway discussed the Town's "no spray zone" request, and efforts to find out when the spraying is scheduled to occur. Selectwoman Janet Carlson stated that she plans to distribute "No-Spray" signs to residents who live adjacent to the tracks.

GUIDE RAILS AT FORD HILL ROAD BRIDGE: The Board of Selectmen discussed a request to paint the guide rails on the Ford Hill Rd Bridge. First Selectman Ridgway noted the recent painting of the Cogswell Bridge guide rails was paid for by the residents requesting the guide rail paint.

PUBLIC COMMENT: Park n' Rec. Chair, Michelle Shipp announced that a Park 'n Rec. picnic will take place on June 10, 2022 at Hammond Beach. There will be burgers, hotdogs, and ice cream. There will also be Park 'n Rec events in July and August! Richard Griggs asked about the possibility of installing a speed-bump in West Cornwall Village. First Selectman Ridgway indicated that a speed bump is unlikely in West Cornwall Village. Maggie Cooley agreed that West

Cornwall Village is super dangerous, and advocated for something to be done to slow down vehicles and bicycles in the village.

Selectwoman Janet Carlson moved to end the meeting. The motion unanimously passed. The meeting adjourned at 8:36 PM.

Respectfully submitted,

Jonathan Berry
Administrative Assistant
Town of Cornwall