



SPECIAL MEETING OF THE COMMON COUNCIL
MIDDLETOWN CONNECTICUT
JULY 14, 2016

The Special meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Thursday, July 14, 2016 immediately following the 7 p.m. Community meeting.

PRESENT

Deputy Mayor Robert P. Santangelo, councilman Eugene Nocera, Councilwoman Mary A. Bartolotta, Councilman Carl R. Chisem, Councilman Robert Blanchard, Councilman Sebastian N. Giuliano, Councilwoman Deborah Kleckowski, Councilman Philip J. Pessina, Councilwoman Linda Salafia; Corporation Council Daniel B. Ryan, Sergeant-at-arms Officer Haddad, and Acting Common Council Clerk Linda DeSena

ABSENT

Councilman Thomas J. Serra and Councilman Grady L. Faulkner

ALSO PRESENT

Four members of the public

1. MAYOR CALLS MEETING TO ORDER.

The Deputy Mayor calls the meeting to order at 7:10 p.m. and leads the Pledge of Allegiance.

Acting Council Clerk Reads the call of the Meeting and the Deputy Mayor declares call a legal call and meeting a legal meeting.

2. PUBLIC HEARING OPENS ON BOND ORDINANCE

AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$750,000 FOR THE PHYSICAL INSPECTION AND REVALUATION OF ALL REAL PROPERTY IN THE CITY AND AUTHORIZING THE ISSUE OF \$750,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE TO INCLUDE MONEYS FOR A STATISTICAL REVALUATION WITHIN SUCH APPROPRIATION AND BOND AUTHORIZATION

The Acting Chair opens public comment at 7:10 p.m.

3. PUBLIC HEARING CLOSES ON BOND ORDINANCE

The Acting chair, seeing no member of the public wishing to address the agenda items, closes the public comment at 7:10 p.m.

4. PUBLIC HEARING OPENS ON AGENDA ITEMS

The Acting Chair opens the public hearing on agenda items at 7:10 and asks if there are any members of the public wishing to speak.

5. PUBLIC HEARING CLOSES ON AGENDA ITEMS

The Acting Chair, seeing no members of the public wishing to speak, closes the public hearing at 7:11 p.m.

6. QUESTIONS TO DIRECTORS

(NONE)

7. MAYOR REQUESTS COUNCIL CLERK TO READ THE APPROPRIATION AND BOND ORDINANCE REQUEST AND THE CERTIFICATE OF DIRECTOR OF FINANCE.

Appropriation Notice

NOTICE OF APPROPRIATION

Notice is hereby given that a meeting of the Common Council of the City of Middletown will be held in the Council Chamber of the Municipal Building on July 14, 2016, immediately following the 7 p.m. meeting to consider and act upon the following appropriation Ordinance:

AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$750,000 FOR THE PLANNING, ENGINEERING AND INSTALLATION OF A WEB BASED NETWORK SECURITY SYSTEM IN SCHOOLS CITYWIDE AND AUTHORIZING THE ISSUE OF \$750,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE TO INCLUDE SOLAR/SECURITY WINDOW FILM IN SCHOOLS AND BOARD OF EDUCATION ADMINISTRATIVE OFFICES CITYWIDE WITHIN SUCH APPROPRIATION AND BOND AUTHORIZATION

Any and all persons interested may appear and be heard. The complete text of the proposed Ordinance is on file and open to public inspection in the office of the City Clerk.

ATTEST:

DANIEL T. DREW
Mayor

Certificate of Director of Finance

MEMORANDUM

TO: His Honor, Mayor Daniel T. Drew and
Members of the Common Council

FROM: Finance Department

DATE: June 30, 2016

RE: Certification of Funds

This is to certify that funds sufficient to meet the appropriation requested at your meeting on July 14, 2016 are available as follows:

An Ordinance Amending an \$750,000
Ordinance for Planning, Engineering
& Installation of a Web Base Network
Security System in Schools Citywide

Respectfully submitted,

Carl Erlacher
Director of Finance & Revenue Services

Point of Information

Councilman Giuliano has a question for Corporation Counsel. He asks how much do we read before we can waive for the WHEREAS should be read on Page 1. Corporation Counsel Ryan states it's the opinion of the corporation counsel that ALL WHEREAS should be read on Page 1. Any member can make a motion to waive.

2A. Vote on Bond Appropriation

AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$750,000 FOR THE PHYSICAL INSPECTION AND REVALUATION OF ALL REAL PROPERTY IN THE CITY AND AUTHORIZING THE ISSUE OF \$750,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE TO INCLUDE MONEYS FOR A STATISTICAL REVALUATION WITHIN SUCH APPROPRIATION AND BOND AUTHORIZATION

Council Daley reads the Ordinance amending an ordinance APPROPRIATING \$750,000 for the physical inspection and revaluation of all real property in the city and authorizing the issue of \$750,000 bonds of the city to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose.

Motion to Waive the Rules

Councilman Nocera moves to waive the rest of the reading and his motion is seconded by Councilwoman Kleckowski.

Councilman Daley moves it for approval and is seconded by Councilman Blanchard.

Point of Order

There is discussion about the item; the agenda only shows a bond for the Security Systems. It is discussed that an e-mail was received on July 5 stating the agenda was amended.

The vote is taken by roll call.

Councilwoman Bartolotta Aye
Councilman Blanchard Aye
Councilman Chisem Aye
Councilman Daley Aye
Councilman Giuliano Aye
Councilwoman Faulkner Absent
Councilwoman Kleckowski Nay
Councilman Nocera Aye
Councilman Pessina Aye
Councilman Salafia Abstain
Councilman Santangelo Aye
Councilwoman Serra Absent

The Chair states the matter passes with eight affirmative votes, one in opposition, one abstention and two absent.

A. AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$750,000 FOR THE PLANNING, ENGINEERING AND INSTALLATION OF A WEB BASED NETWORK SECURITY SYSTEM IN SCHOOLS CITYWIDE AND AUTHORIZING THE ISSUE OF \$750,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE TO INCLUDE SOLAR/SECURITY WINDOW FILM IN SCHOOLS AND BOARD OF EDUCATION ADMINISTRATIVE OFFICES CITYWIDE WITHIN SUCH APPROPRIATION AND BOND AUTHORIZATION

(Approved)

Ordinance No. 14-16

File Name Amendment to Middletown Bond Ordinance - School Security System (6_14_16) (2).docx

WHEREAS, on February 3, 2015, the Common Council of the City of Middletown, Connecticut (the "City") approved a bond ordinance entitled: "AN ORDINANCE APPROPRIATING \$750,000 FOR THE PLANNING, ENGINEERING AND INSTALLATION OF A WEB BASED NETWORK SECURITY SYSTEM IN SCHOOLS CITYWIDE AND AUTHORIZING THE ISSUE OF \$750,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE" (the "Original Bond Ordinance");

WHEREAS, the Original Bond Ordinance appropriated \$750,000 for the planning, engineering and installation of a web based network security system in schools citywide, including, without limitation, outdoor and indoor cameras, card swipes, switches, licenses, door strikes, access control system and programming associated with ten (10) city schools (Middletown High School, Keigwin Middle School, MacDonough, Bielefield, Farm Hill, Lawrence, Moody, Wesley, Snow and Spencer schools), and all components associated with the security system, as well as any project monitoring, inspection, testing, training, support, legal, administrative, advertising, printing and financing costs related thereto as may be accomplished within said appropriation (hereafter, the "Original Project");

WHEREAS, at the request of the City school system, the Common Council now desires to amend the Original Bond Ordinance to allow such appropriation and bond authorization to be used to purchase and installation of solar/security window film in schools and Board of Education administrative offices citywide;

WHEREAS, the Original Bond Ordinance shall be amended, restated and replaced by Sections 1 through 14 below.

NOW THEREFORE, THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN, CONNECTICUT APPROVES THE FOLLOWING:

Section 1. The sum of \$750,000 is hereby appropriated for (i) the planning, engineering and installation of a web based network security system in schools citywide, including, without limitation, outdoor and indoor cameras, card swipes, switches, licenses, door strikes, access control system and programming associated with ten (10) city schools (Middletown High School, Keigwin Middle School, MacDonough, Bielefield, Farm Hill, Lawrence, Moody, Wesley, Snow and Spencer schools), and all components associated with the security system, and (ii) the purchase and installation of solar/security window film in schools and Board of Education administrative offices citywide, as well as for (i) and (ii) above any project monitoring, inspection, testing, training, support, legal, administrative, advertising, printing and financing costs related thereto as may be accomplished within said appropriation (hereafter the "Project"). Said appropriation shall be inclusive of state and federal grants in aid thereof.

Section 2. The expected useful life of the Project is in excess of ten (10) years. The total estimated cost of the Project is \$750,000, no portion of which is expected to be paid from sources other than the proposed bond issue.

Section 3. To meet said appropriation \$750,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the tenth (10th) year after their date, or such later date as may be allowed by law. The bonds may be issued in one or more series as shall be determined by the Mayor and the City Treasurer, and the amount of bonds of each series to be issued shall be fixed by the Mayor and the City Treasurer. The bonds shall be issued in an amount necessary to meet the City's share of Project costs determined after considering the estimated amounts of grants in aid of the Project and 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 City 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 City by the manual or facsimile signatures of the Mayor and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor and the City Treasurer, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor and the City Treasurer, and be approved as to their legality by Bond Counsel. The bonds shall bear such rate or rates of interest (whether fixed or floating) as shall be determined by the Mayor and the City Treasurer. The bonds shall be general obligations of the City 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 City are pledged to the payment of the principal thereof and the interest thereon and paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds of each series, the annual installments of principal, maturity dates, prices, redemption provisions, if any, time of issue and sale, and other terms, details and particulars of such bonds, including the terms of any reserve that might be established as authorized herein, shall be determined by the Mayor and the City Treasurer in the best interests of the City and in accordance with the requirements of the General Statutes of Connecticut, as amended.

Section 4. Said bonds shall be sold by the Mayor and City Treasurer in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City, or comparable method. If the bonds are sold by negotiation, the purchase contract shall be approved by the Mayor and City Treasurer.

Section 5. The Mayor and the City Treasurer 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 Mayor and the City Treasurer, have the seal of the City or a facsimile thereof affixed, be payable at a bank or trust company designated by the Mayor and the City Treasurer, be certified by a bank or trust company designated by the Mayor and the City Treasurer pursuant to the General Statutes of Connecticut, as amended, and be approved as to their legality by Bond Counsel. 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 City 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 City 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 6. In connection with the issuance of any bonds or notes authorized herein, the City may exercise any power delegated to municipalities pursuant to Section 7-370b, as may be approved and executed by the Mayor and the City Treasurer, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the Common Council.

Section 7. With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Mayor and City Treasurer are authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund future debt service payments on such bonds or notes or to fund any purpose for which bonds of the City 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 8. In order to meet the capital cash flow expenditure needs of the City, the Director of Finance, with notice to and advice from the Mayor and the City Treasurer, is authorized to allocate and reallocate expenditures incurred for the Project to any bonds or notes of the City 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 9. The issue of the bonds aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this Ordinance, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law as shown by the "Debt Statement" attached hereto.

Section 10. The Mayor is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the purposes set forth herein, and the Mayor is specifically authorized to make, execute and deliver any contract or contracts, and any other documents necessary or convenient to complete the improvements authorized herein and the financing thereof.

Section 11. The Mayor, the City Treasurer, the Director of Finance and any other proper City official are each hereby authorized to apply for and accept any available State or Federal grant in aid of the financing of the Project, and to take all action necessary or proper in connection therewith.

Section 12. The City hereby expresses its official intent pursuant to 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid 60 days prior to and after the date of passage of this ordinance in the maximum amount and for the Project with the proceeds of bonds, notes, or other obligations authorized to be issued by the City. Such obligations 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 as the Regulations may authorize. The City 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 his designee is authorized to pay project expenses in accordance herewith pending the issuance of any such reimbursement obligations, and to amend this declaration.

Section 13. The Director of Finance 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 14. This ordinance shall become effective fifteen days after its publication in a newspaper of general circulation in the City pursuant to Section 5 of the City Charter.

DEBT STATEMENT			
April 30, 2016			
CITY OF MIDDLETOWN, CONNECTICUT			
ANNUAL RECEIPTS FROM TAXATION AND REIMBURSEMENTS ("BASE")			
Fiscal Year Ended June 30, 2015			121,572,543
BORROWING CAPACITY FOR EACH CLASS			
2-1/4 times base for General Purposes			273,538,222
4-1/2 times base for Schools			547,076,444
3-3/4 times base for Sewers			455,897,036
3-1/4 times base for Urban Renewal			395,110,765
3 times base for Unfunded Past Benefit Obligations			364,717,629
MAXIMUM AGGREGATE BORROWING CAPACITY (7 times Base)			851,007,801
INDEBTEDNESS BONDS AND NOTES:			
GENERAL PURPOSES		59,728,225	
SCHOOLS		9,464,400	
SEWERS		5,061,550	
URBAN RENEWAL		-	
UNFUNDED PAST BENEFIT OBLIGATIONS		-	
BONDS AND NOTES AUTHORIZED BUT UNISSUED			
GENERAL PURPOSES		53,509,220	
SCHOOLS		748,000	
SEWERS		26,746,130	
URBAN RENEWAL		-	
UNFUNDED PAST BENEFIT OBLIGATIONS		-	
CLEAN WATER FUND LOANS:			
SEWERS		4,608,136	
SUB-TOTAL INDEBTEDNESS		159,865,661	
LESS			
FEDERAL AND STATE OF CONNECTICUT BUILDING GRANTS, COMMITMENTS AND RECEIVABLES			
GENERAL PURPOSE		-	
SCHOOLS		-	
SEWERS		15,000,000	
URBAL RENEWAL		-	
TOTAL DEDUCTIONS		15,000,000	
NET INDEBTEDNESS			144,865,661
BALANCE OF BORROWING CAPACITY FOR EACH CLASS:			
GENERAL PURPOSE		160,300,777	
SCHOOLS		536,864,044	
SEWERS		434,481,220	
URBAL RENEWAL		395,110,765	
UNFUNDED PAST BENEFIT OBLIGATIONS		364,717,629	
BALANCE OF MAXIMUM AGGREGATE BORROWING CAPACITY AVAILABLE			706,142,140

Councilman Daley reads the ordinance through the Whereas paragraphs and Section 1.

Motion to Waive the Rules

Councilman Pessina moves to waive the rules to waive the reading of the rest of the ordinance; his motion is seconded by Councilman Giuliano. The Acting Chair calls for the vote and it is unanimous to approve with ten aye votes.

Councilman Daley moves the ordinance for approval and is seconded by Councilman Giuliano.

The Acting Chair, hearing no discussion, calls for the vote by roll call:

Councilwoman Bartolotta	Aye
Councilman Blanchard	Aye
Councilman Chisem	Aye
Councilman Daley	Aye
Councilman Giuliano	Aye
Councilwoman Faulkner	Absent

Councilwoman Kleckowski	Aye
Councilman Nocera	Aye
Councilman Pessina	Aye
Councilman Salafia	Aye
Councilman Santangelo	Aye
Councilwoman Serra	Absent

The Acting Chair states the matter passes with ten in the affirmative and two absent.

Motion to Reconsider

Councilman Giuliano moves to reconsider 2A to vacate the vote. He discusses an e-mail sent by the Council Clerk and this item was only the subject of a public hearing. Councilman Daley agrees and the vote should be vacated.

The Acting Chair asks for the Corporation Counsel's opinion on how to handle this. Corporation Counsel Ryan asks why it is on the agenda. Councilman Daley states it was, from the e-mail the Council received, added only for a public hearing and it needs a second hearing. A discussion ensues on this matter.

Corporation Counsel Ryan states there should first be a motion to reconsider then a motion to vacate the first vote. Councilman Giuliano states he made the motion to reconsider and asks if the vote to reconsider should also be by roll call. Corporation Counsel Ryan states since the vote on 2A was roll call, the vote to reconsider and vacate should both be roll call votes.

The Acting Chair calls for the roll call vote to reconsider the matter of 2A, an ordinance amending an ordinance appropriating \$750,000 for the physical inspection and revaluation of all real property in the city and authorizing the issue of \$750,000 bonds of the city to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose to include moneys for a statistical revaluation within such appropriation and bond authorization:

Councilwoman Bartolotta	Aye
Councilman Blanchard	Aye
Councilman Chisem	Aye
Councilman Daley	Aye
Councilman Giuliano	Aye
Councilwoman Faulkner	Absent
Councilwoman Kleckowski	Aye
Councilman Nocera	Aye
Councilman Pessina	Aye
Councilman Salafia	Aye
Councilman Santangelo	Aye
Councilwoman Serra	Absent

The Acting Chair states the motion to reconsider is approved with ten aye votes and two absent.

Motion to Vacate the Vote on 2A

Councilman Daley moves to vacate the vote on 2A, an ordinance amending an ordinance appropriating \$750,000 for the physical inspection and revaluation of all real property in the city and authorizing the issue of \$750,000 bonds of the city to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose to include moneys for a statistical revaluation within such appropriation and bond authorization. His motion is seconded by Councilwoman Kleckowski.

The Acting Chair calls for the vote to vacate the vote on 2A, an ordinance amending an ordinance appropriating \$750,000 for the physical inspection and revaluation of all real property in the city and authorizing the issue of \$750,000 bonds of the city to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose to include moneys for a statistical revaluation within such appropriation and bond authorization by roll call:

Councilwoman Bartolotta	Aye
Councilman Blanchard	Aye
Councilman Chisem	Aye
Councilman Daley	Aye
Councilman Giuliano	Aye
Councilwoman Faulkner	Absent
Councilwoman Kleckowski	Aye
Councilman Nocera	Aye
Councilman Pessina	Aye
Councilman Salafia	Aye
Councilman Santangelo	Aye
Councilwoman Serra	Absent

The Acting Chair states the matter passes with ten affirmative votes and two absent.

Motion to Adjourn

The Acting Chair asks for a motion to Adjourn. Councilman Chisem so moves and is seconded by Councilwoman Kleckowski. The Acting Chair calls for the vote and it is unanimous with ten aye votes to adjourn the meeting. The meeting is adjourned at 7:40 p.m.

ATTEST:

**LINDA DESENA
ACTING COMMON COUNCIL CLERK**