8. Adjournment

Mr. Kerttula made a motion, seconded by Ms. Brakenwagen, to adjourn the meeting.

Voice Vote:  Unanimous. Motion passed.

The meeting ended at 10:36 p.m.

Respectfully submitted,

Elizabeth Buzalski

Council Secretary

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**TOWN COUNCIL**

**REGULAR MEETING**

**DATE:** TUESDAY, January 14, 2020

**TIME:** 7:00 P.M.

**PLACE:** TOWN MEETING ROOM

KILLINGLY TOWN HALL

**AGENDA**

The Town Council of the Town of Killingly held a Regular Meeting on Tuesday, January 14, 2020 at 7:00 p.m. in the Town Meeting Room of the Killingly Town Hall, 172 Main Street, Killingly, Connecticut.  The agenda was as follows:

1. **CALL TO ORDER**
2. **PRAYER**
3. **PLEDGE OF ALLEGIANCE TO THE FLAG**
4. **ROLL CALL**
5. **ADOPTION OF MINUTES OF PREVIOUS MEETINGS**

a) Regular Town Council Meeting: 11/12/2019

b) Orientation Regular Town Council Meeting: 12/2/2019

c) Regular Town Council Meeting: 12/10/2019

1. **PRESENTATIONS, PROCLAMATIONS AND DECLARATIONS**

a) KRPD, Volunteer of the Year

b) Westfield Avenue/Community Center Project

c) KMS Classroom Replacement Project

d) Revaluation Review

1. **UNFINISHED BUSINESS FOR TOWN MEETING ACTION**
2. **CITIZEN’S STATEMENTS AND PETITIONS**

(individual presentations not to exceed 5 minutes)

1. **COUNCIL/STAFF COMMENTS**
2. **APPOINTMENTS TO BOARDS AND COMMISSIONS**
3. **REPORTS FROM LIAISONS**

a) Board of Education Liaison

b) Borough Council Liaison

1. **DISCUSSION AND ACCEPTANCE OF MONTHLY BUDGET REPORTS**

a) Summary Report on General Fund Appropriations for Town Government

b) System Object Based on Adjusted Budget for the Board of Education

13. **CORRESPONDENCE/COMMUNICATIONS/REPORTS**

a) Town Manager Report

b) Northeast District Department of Health Annual Report

c) Resignation from Zoning Board and Appeals/ P. Gazzola

14. **UNFINISHED BUSINESS FOR TOWN COUNCIL ACTION**

a) Discussion of potential comment on the Draft Plan of Conservation and Development

15. **NEW BUSINESS**

* 1. Consideration and action on a resolution appointing Special Counsel
  2. Consideration and action on a resolution affirming a Fair Housing Resolution
  3. Consideration and action on a resolution authorizing the Town Manager to

execute and implement an Affirmative Action Policy Statement.

* 1. Consideration and action on a resolution authorizing the Town Manager to

execute and implement an Armstrong/Walker “Excessive Force” Certification

* 1. Consideration and action on a resolution for the Town Manager to execute and implement a Relocation Policy and Residential Anti-displacement and Relocation Assistance Plan
  2. Consideration and action on a resolution authorizing the Town Manager to execute and implement a Compliance Statement with the Title VI of the Civil Rights Act of 1964
  3. Consideration and action on a resolution authorizing the Town Manager to execute and implement a Section 3 Plan to provide feasible economic opportunities to low- and moderate-income person and businesses when using federal funds.
  4. Consideration and action on a resolution to introduce and set a date for a public hearing and special Town Meeting, to be adjourned to machine vote, on an ordinance to appropriate $16,550, 000 for improvements to Killingly Memorial School, including removal of portable structures, site reconfiguration, upgrades to existing structure, addition of an elevator, and construction of an addition and authorize the issuance of bonds and notes in the same amount.
  5. Consideration and action on a resolution to introduce and set a date for a public hearing and special Town Meeting, to be adjourned to machine vote, on an ordinance to appropriate $16,100,000 for improvements to Westfield Avenue School, including renovations needed to serve as the Community Center, and authorize the issuance of bonds and notes in the same amount.
  6. Consideration and action on a resolution to authorize the Town Attorney to resolve the Big Y Foods tax appeal by entry into a stipulate judgement
  7. Consideration and action on a resolution to authorize the Town Attorney to resolve the Dayville Properties tax appeal by entry into a stipulated judgement.
  8. Consideration and action on a resolution to authorize the Town Attorney to resolve the Rogers Corporation tax appeal by entry into a stipulated judgement.
  9. Consideration and action on a resolution to authorize the Town Attorney to resolve the Target tax appeal by entry into a stipulated judgement.

16. **COUNCIL MEMBER REPORTS AND COMMENTS**

17. **EXECUTIVE SESSION**

a) Pending Litigation with Tax Appeals

18. **ADJOURNMENT**

**KILLINGLY TOWN COUNCIL**

1. Chairman Anderson called the meeting to order at 7:00 p.m.
2. Prayer by Mr. Wood.
3. Pledge of Allegiance to the flag.

Mr. Kerttula asked for a moment of silence for the passing of Ms. Larrow’s father.

4. Upon roll call all Councilors were present except Mr. LaPrade, who was absent. Also present were Town Manager Calorio and Council Secretary Buzalski.

5. Adoption of minutes of previous meetings

5a. Mr. Kerttula made a motion, seconded by Mr. Grandelski, to adopt the minutes of the Regular Town Council Meeting of 12 November 2019, the Orientation Regular Town Council Meeting of 2 December 2019, and the Regular Town Council Meeting of 10 December 2019.

Discussion followed. Mr. Kerttula noted a correction on the bottom of page 481 that Mr. Kerttula (not Mr. Anderson) was unanimously voted Town Council Vice-Chairman. Mr. Anderson noted that on both the November 12th and December 10th meetings, agenda item 8, Citizens Statements and Petitions should only read “(individual presentations not to exceed 5 minutes)’ to match the posted agenda. Then, on page 486, Ms. Sterling’s comments should be a number 1 instead of an exclamation point.

Voice Vote: Unanimous. Motion passed, as corrected.

6. Presentations, proclamations and declarations:

6a. KPRD, Volunteer of the Year

Mr. Anderson read the following:

**PROCLAMATION HONORING**

**THE KILLINGLY-BROOKLYN ROTARY CLUB**

**2019 VOLUNTEERS OF THE YEAR**

WHEREAS, parks and recreation programs and events are a part of our community and essential to its spirit; and

WHEREAS, The Killingly-Brooklyn Rotary has contributed more than a decade’s time with their involvement in the “Frosty’s Big Night Out” event serving up hot chocolate, cookies and holiday spirit to all in attendance.

WHEREAS, The Killingly-Brooklyn Rotary philanthropic nature has supported the town and its residents with many fundraising activities and projects that benefit so many in various ways. Having also been the very first volunteer organization to commit and sign on for the town’s largest volunteer-based event in “Killingly Bike Night” but to have also come back year after year with significant volunteers to keep the program going and growing strong now into its 6th year.

NOW, THEREFORE, BE IT PROCLAIMED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY, to recognize The Killingly-Brooklyn Rotary as the recipients of the Volunteers of the Year Award for the Killingly Parks and Recreation Department for the year 2019, and

BE IT FURTHER PROCLAIMED that the Town Council urges all citizens and organizations to see how they can help their community by volunteering their time and knowledge.

KILLINGLY TOWN COUNCIL

Jason Anderson

Chairman

Dated at Killingly, Connecticut,

this 14th day of January 2020

Tracy Mason, Director of Parks & Recreation, presented a plaque to members of the Killingly-Brooklyn Rotary Club.

6b. Westfield Avenue/Community Center Project and;

6c. KMS Classroom Replacement Project

Paul Jorgenson, Silver/Petrucelli & Associates, gave a presentation on the proposed changes to the Westfield Ave property and the KMS Classroom Replacement Project.

Mr. Grandelski made a motion, seconded by Mr. Kerttula, to suspend the rules to allow Superintendent Rioux to speak.

Voice vote: Unanimous. Motion passed.

Superintendent Rioux responded to questions related to the agreements between EASTCONN and the Board of Ed and other questions and comments from Council members.

6d. Revaluation Review

Paul Hopkins, Assistant Town Manager and Assessor, gave a presentation on the revaluation process and responded to Councilors’ questions and comments.

7. Unfinished Business for Town Meeting Action: None

8. Citizens’ Statements and Petitions:

Donna Bromwell, Bailey Hill Rd, Chair of the Conservation Commission, recommends the appointment to the Conservation Commission of both candidates who were interviewed recently. She also brought more of the Town Open Spaces brochures and said that the Commission’s website is being worked on.

Denise Archambault, North Shore Rd, feels that the traffic plan for the area around the proposed power plan needs to be addressed. She asked who was responsible for trash on the entrances to I395. She also feels that the potential sale of the Broad St Community Center should be factored in to the cost of the project on Westfield Ave. Her final issue is with GPS directions having trucks mistakenly turn onto North Shore Rd.

Joyce Ricci, Sunset Drive, wished the new Council good luck, noted that Town Manager Calorio does a good job on the radio, loves the Vo-Ag section for the Rec Department, and feels the wrestling team should be located at the new High School. She also feels the Rec Dept is doing a fantastic job for all age levels and especially enjoys the Senior Movies.

Lynne LaBerge, East Franklin St, asked the Council to support both the upgrades to KMS and Westfield Ave. She said that the Westfield Ave project is the most cost-effective plan because there is no room to expand at the current Broad St location.

Lydia Rivera-Abrams, 45 Mason Hill, while fully supporting both projects, would only make one Bond for both projects. She also does not support any kind of construction while students and staff are in the facilities. She suggested using the Westfield Ave facility for the students while the KMS project is under construction.

9.  Council/Staff Comments:

Town Manager Calorio said that trash removal on the I395 exit ramps is under State control. She will ask the Town Highway Dept to reach out to the State about the issue. She will also look into the GPS issue. Mr. Grandelski said that he heard a comment by Senator Blumenthal about the problem with GPS programs pushing commercial vehicles onto the Merritt Parkway.

Mr. Kerttula said that there was a presentation a few years ago to the Council on the cost of a Renovate-as-New for the current Community Center on Broad St. Town Manager Calorio said that it would cost close to $22 million to do that which is what spurred discussion and brought the Town to where it is now. Mr. Anderson asked if the time-tables have been set for these projects. Town Manager Calorio said that the time-tables have not been set yet.

10. Appointments to Boards and Commissions:

Mr. Kerttula made a motion, seconded by Mr. Wood, to reappoint Fred Ruhlemannto his existing position with the Inland Wetland & Water Courses Commission. The new term would run 9/2019 thru 8/2021.

Discussion followed.

Voice Vote:  Unanimous. Motion passed.

Mr. Grandelski made a motion, seconded by Ms. Walsh, to reappoint Gerard CinqMars to the Water Pollution Control Authority as a Regular Member. The new term would run 11/2019through 10/2021.

Discussion followed.

Voice Vote:  Unanimous. Motion passed.

Mr. Grandelski made a motion, seconded by Ms. George, to appoint Jacob Gadbois, to the Conservation Commission as a Regular Member. The term would run from 3/2019 through 2/2024.

Discussion followed.

Voice Vote:  Unanimous. Motion passed.

Mr. Grandelski made a motion, seconded by Mr. Wood, to appoint Jean Mountford to the Conservation Commission as an Alternate Member. The term would run from 5/2019 through 10/2021.

Discussion followed.

Voice Vote:  Unanimous. Motion passed.

Ms. Walsh made a motion, seconded by Mr. Lee, to appoint John Sarantopoulos to the Planning and Zoning Commission as an Alternate Member. The term would run from 1/2020 through 12/2023.

Discussion followed.

Voice Vote:  Majority, Mr. Grandelski abstained. Motion passed.

Mr. Wood made a motion, seconded by Ms. Brakenwagen, to appoint Tammy Wakefield to the Public Safety Commission as a Regular Member. The term would run from 1/2020 through 12/2024.

Discussion followed.

Voice Vote:  Unanimous. Motion passed.

Ms. George made a motion, seconded by Mr. Kerttula, to appoint Mark LeFebvre to the Public Safety Commission as an Alternate Member. The Term would run from 1/2020 through 12/2024.

Discussion followed.

Voice Vote:  Unanimous. Motion passed.

Mr. Grandelski made a motion, seconded by Mr. Kerttula, to appoint Lynn LaBerge to the Zoning Board of Appeals as a Regular Member. The term would run from 2/2018 through 1/2023.

Discussion followed.

Voice Vote:  Unanimous. Motion passed.

11.  Reports from Liaisons:

11a. Report from the Board of Education Liaison

No report.

11b. Report from the Borough Liaison:

Borough Liaison LaBerge reported on various activities of the Borough of Danielson.

Mr. Grandelski made a motion, seconded by Mr. Kerttula, to take a five-minute recess.

Voice vote: Unanimous. Motion passed.

Meeting recessed at 9:18 p.m. and resumed at 9:25 p.m.

12.  Discussion and Acceptance of Monthly Budget Reports:

12a.   ­Summary Report on General Fund Appropriations for Town Government:

Mr. Wood made a motion, seconded by Mr. Grandelski, to accept the summary report on general fund appropriations for Town Government.

Discussion followed.

Voice Vote:  Unanimous. Motion passed.

12b. System Object Based on Adjusted Budget for the Board of Education:

Mr. Wood made a motion, seconded by Ms. Walsh, to accept the system object based on adjusted budget for the Board of Education.

Discussion followed.

Mr. Kerttula made a motion, seconded by Mr. Grandelski, to suspend the rules to allow Superintendent Rioux to speak.

Voice Vote:  Unanimous. Motion passed.

Superintendent Rioux responded to Councilors’ questions and comments.

On the original motion, voice vote: Unanimous. Motion passed.

13.  Correspondence/Communications/Reports:

13a. Town Manager Report

Town Manager Calorio discussed her report and responded to comments and questions from Council Members.

14.  Unfinished Business for Town Council Action:

14a. Discussion of potential comment on the Draft Plan of Conservation and Development

Town Manager Calorio explained that this is a place-holder in the event that Councilors wanted to give any input on the PoCD and that Ann-Marie Aubrey is available to answer questions.

Mr. Grandelski made a motion, seconded by Mr. Kerttula, to suspend the rules to allow Director of Planning and Development Aubrey to speak.

Voice vote: Unanimous. Motion passed.

Director Aubrey responded to Councilors’ questions and comments about the PoCD.

15.  New Business:

15a. Consideration and action on a resolution appointing Special Counsel

Mr. Kerttula made a motion, seconded by Mr. Grandelski, to adopt the following:

**RESOLUTION APPOINTING SPECIAL COUNSEL**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that, pursuant to Chapter IX, Section 902, of the Killingly Town Charter, that

a) the firm of Day, Pitney, LLP be appointed as special bond counsel;

b) the firm of Pullman & Comley, LLC be appointed as special counsel for revenue collection matters

KILLINGLY TOWN COUNCIL

Jason Anderson

Chairman

Dated at Killingly, Connecticut

this 14th day of January 2020

Discussion followed.

Voice vote: Unanimous. Motion passed.

Mr. Grandelski made a motion, seconded by Ms. Walsh, to adopt the six following resolutions:

15b. Consideration and action on a resolution affirming a Fair Housing Resolution

## FAIR HOUSING RESOLUTION

**TOWN OF KILLINGLY**

**WHEREAS,** all persons are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and

**WHEREAS,** Federal fair housing laws require that all individuals, regardless of race, color, religion, sex, handicap, familial status or national origin, be given equal access to all housing related opportunities, and be allowed to make free choices regarding housing location; and

**WHEREAS,** Connecticut fair housing laws require that all individuals, regardless of race, creed, color, national origin, ancestry, sex, marital status, age, lawful source of income, familial status, learning disability, physical or mental disability, sexual orientation or gender identity or expression be given equal access to all housing-related opportunities, including rental and home ownership opportunities, and be allowed to make free choices regarding housing location; and

**WHEREAS,** the Town of KILLINGLY is committed to upholding these laws and realizes that these laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice.

**NOW, THEREFORE, BE IT RESOLVED,** that the Town of Killingly hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase, obtain financing and enjoy all other housing-related services of their choice on a non-discriminatory basis as provided by state and federal law; and

**BE IT FURTHER RESOLVED,** that the Town Manager of the Town of Killingly or his/her designated representative is responsible for responding to and assisting any person who alleges to be the victim of an illegal discriminatory housing practice in the Town of Killingly and for advising such person of the right to file a complaint with the State of Connecticut Commission on Human Rights and Opportunities (CHRO) or the U.S. Department of Housing and Urban Development (HUD) or to seek assistance from the FT Fair Housing Center, legal services, or other fair housing organizations to protect his/her right to equal housing opportunities.

KILLINGLY TOWN COUNCIL

Jason Anderson

Chairman

Dated at Killingly, Connecticut

this 14th day of January 2020

15c. Consideration and action on a resolution authorizing the Town Manager to execute and implement an Affirmative Action Policy Statement

## RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AND IMPLEMENT AN AFFIRMATIVE ACTION POLICY STATEMENT

WHEREAS, all American citizens are afforded a right to employment opportunities based solely on the basis of job-related skills, ability and merit; and

WHEREAS, State and Federal Equal Employment Opportunity laws prohibit employment discrimination based on race, color, religion, creed, gender, national origin, age, disability, marital status, veteran status, sexual orientation, gender identity or expression, or any other legally protected status; and

WHEREAS, the Town of Killingly is committed to upholding these laws, and realizes that these laws must be supplemented by an Affirmative Action Policy Statement publicly endorsing the right of all people to nondiscrimination in employment on any basis prohibited by law, now

THEREFORE, BE IT RESOLVED BY the Town Council of the Town of Killingly that the Town Manager is hereby authorized to execute and implement an Affirmative Action Policy Statement to ensure a policy of nondiscrimination in employment on any basis prohibited by law; and

BE IT FURTHER RESOLVED that the Town Manager of the Town of Killingly, acting as the Equal Employment Opportunity Officer, or his designated representative, is responsible for

responding to any person who alleges to be the victim of an illegal discriminatory employment practice in the Town of Killingly.

KILLINGLY TOWN COUNCIL

Jason Anderson

Chairman

Dated at Killingly, Connecticut

this 14th day of January 2020

15d. Consideration and action on a resolution authorizing the Town Manager to execute and implement an Armstrong/Walker “Excessive Force” Certification

## RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AND IMPLEMENT AN ARMSTRONG/WALKER “EXCESSIVE FORCE” CERTIFICATION

WHEREAS, the Town of Killingly wishes to prohibit the use of excessive force by law enforcement agencies against any individual engaged in nonviolent civil rights demonstrations; and

WHEREAS, the Town of Killingly is committed to upholding the laws governing excessive force, and realizes that a Certification must supplement these laws, now

THEREFORE, BE IT RESOLVED by the Town Council of the Town of Killingly that the Town Manager is hereby authorized to implement the Armstrong/Walker “Excessive Force” Certification; and

BE IT FURTHER RESOLVED that the Town Manager of the Town of Killingly, or his designated representative, is responsible for responding to any person who alleges to be the victim of excessive force by law enforcement in the Town of Killingly.

KILLINGLY TOWN COUNCIL

Jason Anderson

Chairman

Dated at Killingly, Connecticut

this 14th day of January 2020

15e. Consideration and action on a resolution for the Town Manager to execute and implement a Relocation Policy and Residential Anti-displacement and Relocation Assistance Plan

## RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AND IMPLEMENT A RELOCATION POLICY AND RESIDENTIAL ANTI-

## DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

WHEREAS, the Town of Killingly wishes to minimize the displacement of persons when using funds provided directly or indirectly by the U. S. Department of Housing and Urban Development; and

WHEREAS, the Town of Killingly is committed to upholding the laws governing relocation and displacement, and realizes that a Relocation Policy Statement must supplement these laws; now

THEREFORE, BE IT RESOLVED BY the Town Council of the Town of Killingly that the Town Manager is hereby authorized to implement a Relocation Policy and Residential Anti-Displacement and Relocation Assistance Plan; and

BE IT FURTHER RESOLVED that the Town Manager of the Town of Killingly, or his designated representative, is responsible for responding to any person who alleges to be the victim of an illegal displacement in the Town of Killingly.

KILLINGLY TOWN COUNCIL

Jason Anderson

Chairman

Dated at Killingly, Connecticut

this 14th day of January 2020

15f. Consideration and action on a resolution authorizing the Town Manager to execute and implement a Compliance Statement with the Title VI of the Civil Rights Act of 1964

## RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AND IMPLEMENT A COMPLIANCE STATEMENT WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

WHEREAS, all American citizens are afforded a right to equal opportunities in programs and activities receiving federal financial assistance; and

WHEREAS, State and Federal laws prohibit discrimination based on race, color, religion, or national origin in any program; and

WHEREAS, the Town of Killingly is committed to upholding these laws, and realizes that these laws must be supplemented by a Title VI Compliance Statement publicly endorsing the right of all people to nondiscrimination in all programs; now

THEREFORE, BE IT RESOLVED BY the Town Council of the Town of Killingly that the Town Manager is hereby authorized to execute and implement a Title VI of the Civil Rights Act of 1964 Compliance Statement to ensure a policy of nondiscrimination in the administration of its programs and contractual agreements as required by law.

KILLINGLY TOWN COUNCIL

Jason Anderson

Chairman

Dated at Killingly, Connecticut

this 14th day of January 2020

15g. Consideration and action on a resolution authorizing the Town Manager to execute and implement a Section 3 Plan to provide feasible economic opportunities to low- and moderate-income person and businesses when using federal funds

**RESOLUTION AUTHORIZING THE TOWN MANAGER TO execute and IMPLEMENT A SECTION 3 PLAN to provide feasible economic opportunities to low- and moderate-income persons and businesses when using federal funds**

WHEREAS, the Town of Killingly wishes to provide economic opportunities to low- and moderate-income persons and businesses to the greatest extent feasible when using funds provided directly or indirectly by the U. S. Department of Housing and Urban Development; and

WHEREAS, the Town of Killingly is committed to upholding the laws governing federal procurement and contracting, and realizes that a Section 3 Plan must supplement these laws; now

THEREFORE, BE IT RESOLVED BY the Town Council of the Town of Killingly that the Town Manager is hereby authorized to execute and implement a Section 3 Plan; and

BE IT FURTHER RESOLVED that the Town Manager of the Town of Killingly, or his designated representative, is responsible for responding to any person who alleges to be the victim of non-compliance with the Section 3 Plan in the Town of Killingly.

KILLINGLY TOWN COUNCIL

Jason Anderson

Chairman

Dated at Killingly, Connecticut

this 14th day of January 2020

Discussion followed.

Voice vote: Unanimous. All six motions passed.

15h. Consideration and action on a resolution to introduce and set a date for a public hearing and special Town Meeting, to be adjourned to machine vote, on an ordinance to appropriate

$16,550, 000 for improvements to Killingly Memorial School, including removal of portable

structures, site reconfiguration, upgrades to existing structure, addition of an elevator, and construction of an addition and authorize the issuance of bonds and notes in the same amount

Mr. Kerttula made a motion, seconded by Ms. Brakenwagen, to adopt the following:

**resolution to introduce and set a date for a public hearing and special town meeting, to be adjourned to machine vote, on an ordinance APPROPRIATING $16,550,000 FOR IMPROVEMENTS to KILLINGLY MEMORIAL SCHOOL including removal of portable structures, site reconfiguration, upgrades to existing structure, addition of an elevator, and construction of an addition AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE SAME AMOUNT**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that the following ordinance be introduced and set down for a public hearing and a Special Town Meeting on Tuesday, February 11, 2020. The Public Hearing will begin at 7:00 p.m., and the Town Meeting will convene immediately following the Public Hearing, in the Town Meeting Room of the Killingly Town Hall, 172 Main Street, Killingly, Connecticut; said Special Town Meeting to be adjourned to a machine vote to be held on Tuesday, February 18, 2020, between the hours of 6:00AM and 8:00PM, at the Killingly High School, 226 Putnam Pike, Killingly, CT:

**an ordinance APPROPRIATING $16,550,000 FOR IMPROVEMENTS to KILLINGLY MEMORIAL SCHOOL including removal of portable structures, site reconfiguration, upgrades to existing structure, addition of an elevator, and construction of an addition AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE SAME AMOUNT**

**BE IT HEREBY ORDAINED,**

**Section 1.** That the Town of Killingly appropriate SIXTEEN MILLION FIVE HUNDRED FIFTY THOUSAND DOLLARS ($16,550,000) for costs associated with improvements to Killingly Memorial School, including removal of portable structures, site reconfiguration, upgrades to existing structure, addition of an elevator, and construction of an approximately 18,950 square foot addition, substantially as described as Site Concept A3, dated September 25, 2019, prepared by Silver/Petrucelli & Associates. The appropriation may be spent for design and construction costs, site improvements, demolition, engineers’ and other consultants’ fees, administrative fees, legal fees and other professional fees, equipment, materials, net temporary interest and other financing costs, and other costs related to the project and its financing. The Killingly Permanent Commission on Public Buildings shall determine the particulars and scope of the project and may reduce or modify the project, and the entire appropriation may be expended on the project as so reduced or modified.

**Section 2.** That the Town issue bonds or notes in an amount not to exceed SIXTEEN MILLION FIVE HUNDRED FIFTY THOUSAND DOLLARS ($16,550,000) to finance the appropriation for the project. The amount of bonds or notes authorized to be issued shall be reduced by the amount of grants received by the Town for the project. The bonds or notes shall be issued pursuant to Sections 7-369 and 10-289 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

**Section 3.** That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project or the receipt of grants for the project. The amount of the notes outstanding at any time shall not exceed SIXTEEN MILLION FIVE HUNDRED FIFTY THOUSAND DOLLARS ($16,550,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of said General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

**Section 4.** That the Town Manager and the Town Treasurer shall sign the bonds, notes or obligations by their manual or facsimile signatures. The Treasurer shall keep a record of the bonds, notes or obligations. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds, notes or obligations. The Town Manager and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds, notes or obligations; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds, notes or obligations; to provide for the keeping of a record of the bonds, notes or obligations; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds, notes or obligations at public or private sale; to deliver the bonds, notes or obligations; and to perform all other acts which are necessary or appropriate to issue the bonds, notes or obligations.

**Section 5.** That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds, notes or temporary notes authorized by this resolution if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

**Section 6.** That the Town Manager and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds, notes or temporary notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds, notes or temporary notes.

**Section 7.** That the Board of Education is authorized on behalf of the Town to apply for and accept state grants for the project. The Board of Education is authorized to file applications with the State Board of Education, to execute grant agreements for the project, and to file such documents as may be required by the State Board of Education to obtain grants for the costs of financing the project. Any grant proceeds may be used to pay project costs or principal and interest on bonds, notes or temporary notes.

**Section 8.** That the Town Council, the Chairman of the Town Council, the Vice Chairman of the Town Council, the Town Manager, the Treasurer, the Director of Finance, the Town Engineer, the Board of Education, the Killingly Permanent Commission on Public Buildings and other proper officers and officials of the Town are each authorized to take any other action which is necessary or desirable to enable the Town to complete the project and to issue bonds, notes or temporary notes to finance the aforesaid appropriation.

**Section 9.** That this Ordinance shall become effective on a date fifteen (15) days after publication of the title of this Ordinance in a newspaper having a general circulation in the Town of Killingly after final adoption by the voters of the Town at a Special Town Meeting and referendum called for such purpose.

KILLINGLY TOWN COUNCIL

Jason Anderson

Chairman

Dated at Killingly, Connecticut

this 14th day of January 2020

Discussion followed.

Mr. Grandelski made a motion, seconded by Ms. Walsh, to table the resolution.

Voice vote: Unanimous. Motion passed to table the resolution.

15i. Consideration and action on a resolution to introduce and set a date for a public hearing and special Town Meeting, to be adjourned to machine vote, on an ordinance to appropriate $16,100,000 for improvements to Westfield Avenue School, including renovations needed to serve as the Community Center, and authorize the issuance of bonds and notes in the same amount

Mr. Wood made a motion, seconded by Mr. Kerttula, to table the following:

**resolution to introduce and set a date for a public hearing and special town meeting, to be adjourned to machine vote, on** **an ordinance APPROPRIATING $16,550,000 FOR IMPROVEMENTS to KILLINGLY MEMORIAL SCHOOL including removal of portable structures, site reconfiguration, upgrades to existing structure, addition of an elevator, and construction of an addition AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE SAME AMOUNT**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that the following ordinance be introduced and set down for a public hearing and a Special Town Meeting on Tuesday, February 11, 2020. The Public Hearing will begin at 7:00 p.m., and the Town Meeting will convene immediately following the Public Hearing, in the Town Meeting Room of the Killingly Town Hall, 172 Main Street, Killingly, Connecticut; said Special Town Meeting to be adjourned to a machine vote to be held on Tuesday, February 18, 2020, between the hours of 6:00AM and 8:00PM, at the Killingly High School, 226 Putnam Pike, Killingly, CT:

**an ordinance APPROPRIATING $16,550,000 FOR IMPROVEMENTS to KILLINGLY MEMORIAL SCHOOL including removal of portable structures, site reconfiguration, upgrades to existing structure, addition of an elevator, and construction of an addition AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE SAME AMOUNT**

**BE IT HEREBY ORDAINED,**

**Section 1.** That the Town of Killingly appropriate SIXTEEN MILLION FIVE HUNDRED FIFTY THOUSAND DOLLARS ($16,550,000) for costs associated with improvements to Killingly Memorial School, including removal of portable structures, site reconfiguration, upgrades to existing structure, addition of an elevator, and construction of an approximately 18,950 square foot addition, substantially as described as Site Concept A3, dated September 25, 2019, prepared by Silver/Petrucelli & Associates. The appropriation may be spent for design and construction costs, site improvements, demolition, engineers’ and other consultants’ fees, administrative fees, legal fees and other professional fees, equipment, materials, net temporary interest and other financing costs, and other costs related to the project and its financing. The Killingly Permanent Commission on Public Buildings shall determine the particulars and scope of the project and may reduce or modify the project, and the entire appropriation may be expended on the project as so reduced or modified.

**Section 2.** That the Town issue bonds or notes in an amount not to exceed SIXTEEN MILLION FIVE HUNDRED FIFTY THOUSAND DOLLARS ($16,550,000) to finance the appropriation for the project. The amount of bonds or notes authorized to be issued shall be reduced by the amount of grants received by the Town for the project. The bonds or notes shall be issued pursuant to Sections 7-369 and 10-289 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

**Section 3.** That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project or the receipt of grants for the project. The amount of the notes outstanding at any time shall not exceed SIXTEEN MILLION FIVE HUNDRED FIFTY THOUSAND DOLLARS ($16,550,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of said General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

**Section 4.** That the Town Manager and the Town Treasurer shall sign the bonds, notes or obligations by their manual or facsimile signatures. The Treasurer shall keep a record of the bonds, notes or obligations. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds, notes or obligations. The Town Manager and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds, notes or obligations; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds, notes or obligations; to provide for the keeping of a record of the bonds, notes or obligations; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds, notes or obligations at public or private sale; to deliver the bonds, notes or obligations; and to perform all other acts which are necessary or appropriate to issue the bonds, notes or obligations.

**Section 5.** That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds, notes or temporary notes authorized by this resolution if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

**Section 6.** That the Town Manager and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds, notes or temporary notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds, notes or temporary notes.

**Section 7.** That the Board of Education is authorized on behalf of the Town to apply for and accept state grants for the project. The Board of Education is authorized to file applications with the State Board of Education, to execute grant agreements for the project, and to file such documents as may be required by the State Board of Education to obtain grants for the costs of financing the project. Any grant proceeds may be used to pay project costs or principal and interest on bonds, notes or temporary notes.

**Section 8.** That the Town Council, the Chairman of the Town Council, the Vice Chairman of the Town Council, the Town Manager, the Treasurer, the Director of Finance, the Town Engineer, the Board of Education, the Killingly Permanent Commission on Public Buildings and other proper officers and officials of the Town are each authorized to take any other action which is necessary or desirable to enable the Town to complete the project and to issue bonds, notes or temporary notes to finance the aforesaid appropriation.

**Section 9.** That this Ordinance shall become effective on a date fifteen (15) days after publication of the title of this Ordinance in a newspaper having a general circulation in the Town of Killingly after final adoption by the voters of the Town at a Special Town Meeting and referendum called for such purpose.

KILLINGLY TOWN COUNCIL

Jason Anderson

Chairman

Dated at Killingly, Connecticut

this 14th day of January 2020

Discussion followed.

Voice vote: Unanimous. Motion passed to table the resolution.

Agenda items 15j through 15m and 16 moved after Executive Session.

17.  Executive Session

17a. Pending Litigation with Tax Appeals

Mr. Wood made a motion, seconded by Ms. Brakenwagen, to move to Executive Session with Town Manager Calorio and Assistant Town Manager Hopkins to discuss pending litigation with Tax Appeals.

Voice vote: Unanimous. Motion passed.

Moved to Executive Session at 10:24 p.m. and returned from Executive Session at 10:42 p.m.

Mr. Wood made a motion, seconded by Mr. Lee to adopt the following four resolutions:

15j. Consideration and action on a resolution to authorize the Town Attorney to resolve the Big Y Foods tax appeal by entry into a stipulate judgement

**RESOLUTION to authorize the Town Attorney to resolve the BIG Y Foods tax appeal by entry into a stipulated judgment**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that the Town Attorney acting on behalf of the Town of Killingly is hereby authorized to enter into a Stipulated Judgment to resolve the Big Y Foods Tax Appeal, said Judgment to be on the terms outlined by the Town Assessor; to be in effect only for the tax year of October 1, 2019 through the October 1, 2022 Grand List; and to be without cost to either party.

KILLINGLY TOWN COUNCIL

Jason Anderson

Chairman

Dated at Killingly, Connecticut

this 14th day of January 2020

15k. Consideration and action on a resolution to authorize the Town Attorney to resolve the Dayville Properties tax appeal by entry into a stipulated judgement

**RESOLUTION to authorize the Town Attorney to resolve the dayville properties tax appeal by entry into a stipulated judgment**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that the Town Attorney acting on behalf of the Town of Killingly is hereby authorized to enter into a Stipulated Judgment to resolve the Dayville Properties Tax Appeal, said Judgment to be on the terms outlined by the Town Assessor; to be in effect only for the tax year of October 1, 2019 through the October 1, 2022 Grand List; and to be without cost to either party.

KILLINGLY TOWN COUNCIL

Jason Anderson

Chairman

Dated at Killingly, Connecticut

this 14th day of January 2020

15l. Consideration and action on a resolution to authorize the Town Attorney to resolve the Rogers Corporation tax appeal by entry into a stipulated judgement

**RESOLUTION to authorize the Town Attorney to resolve the rogers corporation tax appeal by entry into a stipulated judgment**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that the Town Attorney acting on behalf of the Town of Killingly is hereby authorized to enter into a Stipulated Judgment to resolve the Rogers Corporation Tax Appeal, said Judgment to be on the terms outlined by the Town Assessor; to be in effect only for the tax year of October 1, 2019 through the October 1, 2022 Grand List; and to be without cost to either party.

KILLINGLY TOWN COUNCIL

Jason Anderson

Chairman

Dated at Killingly, Connecticut

this 14th day of January 2020

15m. Consideration and action on a resolution to authorize the Town Attorney to resolve the Target tax appeal by entry into a stipulated judgement

**RESOLUTION to authorize the Town Attorney to resolve the TARGET tax appeal by entry into a stipulated judgment**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that the Town Attorney acting on behalf of the Town of Killingly is hereby authorized to enter into a Stipulated Judgment to resolve the Target Tax Appeal, said Judgment to be on the terms outlined by the Town Assessor; to be in effect only for the tax year of October 1, 2019 through the October 1, 2022 Grand List; and to be without cost to either party.

KILLINGLY TOWN COUNCIL

Jason Anderson

Chairman

Dated at Killingly, Connecticut

this 14th day of January 2020

Discussion followed.

Voice vote: Unanimous. All four motions passed.

16. Council Member Reports and Comments:

Mr. Grandelski reported on the WPCA

Mr. Lee attended the KBA monthly meeting, the Solid Waste Seminar, and CCM training.

Mr. Anderson attended the IW/WC meeting and the Board of Ed meeting.

Ms. George reported on the Ag Commission meeting.

18.  Adjournment:

Mr. Kerttula made a motion, seconded by Mr. Grandelski, to adjourn the meeting.

Voice Vote:  Unanimous. Motion passed.

The meeting ended at 10:50 p.m.

                                                                                                       Respectfully submitted,

                                                                                                       Elizabeth Buzalski

                                                                                                       Council Secretary

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