

**MONROE TOWN COUNCIL**  
**Monroe, Connecticut**  
**FINAL SPECIAL MEETING MINUTES**

**February 17, 2016 – 6:45 PM – Council Chambers**

**Present:** Chairman Frank Lieto  
Vice Chairman Enid Lipeles  
Councilmember Nicholas Kapoor  
Councilmember Phyllis Kansky  
Councilmember Kenneth Kellogg  
Councilmember Dee Dee Martin  
Councilmember Sean O'Rourke  
Councilmember Kevin Reid  
Councilmember Terry Rooney

**Also Present:** First Selectman Stephen J. Vavrek

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A Special Meeting of the Monroe Town Council was held on Wednesday, February 17, 2016 and called to order at 7:10 p.m. in the Council Chambers of the Monroe Town Hall.

**PUBLIC PARTICIPATION** - none

**COMMUNICATIONS**

Letter of Authorization from the First Selectman to the Town Council and Board of Finance recommending the adoption of the Resolution Regarding an Appropriation and Bond Authorization of \$1,700,000 for the Masuk High School Track and Field Reconstruction Project.

Chairman Lieto noted all members of Town Council received an Opinion Letter from Town Attorney, John Fracassini. He noted the opinion letter interprets one of the Town Council Rules of Procedure. In addition, a memo from the First Selectman dated February 17, 2016 with a subject matter of Masuk High School Stadium Track and Field Project stating "please consider this a formal request for bonding for the Masuk High School Stadium Track and Field Project. Enclosed in this correspondence are the items requested/required by Rule 27 of the Town Council Rules and Procedures, adopted January 27, 2014." Chairman Lieto noted it was the First Selectman's intention to comply with Rule 27. He also noted the opinion letter from Attorney Fracassini attempts to interpret our Town Council Rules of Procedure. Chairman Lieto noted his opinion on reading this letter is twofold; it should not have been ordered by the First Selectman and is inaccurate and incorrect. Chairman Lieto stated Councilmember Kapoor sent an email to him, Mike Manjos, and the First Selectman to make sure we are in full compliance and everything is done correctly. He noted our Rules of Procedure 27 indicates no project or bonding request may be considered for Town Council approval unless the First Selectman submits in

writing a number of items (a through f). However, to consider the items for a vote, these submissions must be made at least 2 weeks before the vote. Since it was received this evening, it does not comply with this Rule. Chairman Lieto noted this was his own personal opinion and because this is a Special Meeting and he cannot amend the agenda for a Special Meeting; to suspend the rules as indicated unless it is an emergency project or bond by 2/3 vote then we cannot move forward with this issue tonight. He noted the Rules of Procedure indicate Town Council's parliamentary procedures governed by Roberts Rules of Order defines what an incidental motion is and a motion to suspend the Rules of Parliamentary Procedure is defined as an incidental motion which is a motion that is always directly related to the business on the floor. Chairman Lieto noted it is his position to make a motion to suspend Rule 27 is a motion incidental to two (2) items on our agenda and therefore not required to amend the agenda and we can proceed this evening.

Councilmember Kansky agrees with everything Chairman Lieto stated but believes it was a failed responsibility of the First Selectman, but noted she is in favor of this project. Councilmember Kellogg also agreed with Chairman Lieto's position. Councilmember Martin also agrees with Chairman Lieto noting she was disappointed with the First Selectman by not keeping Council informed and wanted him to follow the procedure to make it a smoother process. She noted she is also in support of this project even though this project is superseding other projects that were slated for consideration such as the Stepney roof.

First Selectman Vavrek noted the letter sent by Councilmember Kapoor was sent to him on February 16, 2016 at 11:42 p.m. He noted at 12:35 a.m. he received a memo from the Chairman to do a memo for February 17, 2016. He noted because of his busy schedule, he spoke to the Town Attorney but did not ask for a Letter of Opinion. He noted he does not agree with the Letter of Opinion and apologizes for this as he didn't ask for it and resents that this is being made political but believes we should move forward.

**Motion: (F. Lieto)**

To suspend Rule 27 to move forward on the resolutions.

**Second: (E. Lipeles)**

**Motion passed 9-0**

**UNFINISHED BUSINESS**

**Resolution Regarding an Appropriation and Bond Authorization of \$1,700,000 for the Masuk High School Track and Field Reconstruction Project**

To the Town Council, Board of Finance and Legal Voters of the Town of Monroe;

Pursuant to Chapter IX of the Monroe Town Charter, I recommend the adoption of the resolution attached hereto and entitled:

“RESOLUTION REGARDING AN APPROPRIATION AND BOND AUTHORIZATION OF \$1,700,000 FOR THE MASUK HS TRACK AND FIELD RECONSTRUCTION PROJECT.”

Pursuant to Section 7-7 of the Connecticut General Statutes and the Monroe Town Charter, I recommend to the Town Council the adoption of and hereby approve the resolution attached hereto and entitled:

RESOLUTION REGARDING THE SPECIAL TOWN MEETING AND REFERENDUM VOTE ON THE APPROPRIATION AND BOND AUTHORIZATION OF \$1,700,000 FOR THE MASUK HS TRACK AND FIELD RECONSTRUCTION PROJECT.

Very truly yours,

Stephen J. Vavrek, First Selectman

**Motion: (E. Lipeles)**

To approve and adopt recommendation resolution as stated.

**Second: (D. Martin)**

**Motion: (E. Lipeles)**

Motion to waive the reading of the entitled resolution full text incorporated into the minutes of the meeting.

**Second: (N. Kapoor)**

**TOWN OF MONROE  
RESOLUTION REGARDING AN  
APPROPRIATION AND BOND AUTHORIZATION OF  
\$1,700,000 FOR THE MASUK HS TRACK AND FIELD RECONSTRUCTION  
PROJECT**

**RESOLVED:**

(i) that the sum of \$1,700,000 be appropriated for the cost of the Masuk HS Track and Field Reconstruction Project, such project to include, but not be limited to, the construction of a turf multipurpose field, reconstruction of the end zones, resurface of the track, the addition of two sprint lanes and the upgrades of the athletic field lighting and the audio, scoreboard and security systems at Masuk High School in the Town of Monroe (the "Town") and all alterations, repairs and improvements in connection therewith, as well as engineering, architectural and temporary and permanent financing costs (the "Project") and to meet said appropriation and in lieu of a tax therefor, bonds of the Town be issued pursuant to Chapter 109 of the Connecticut General Statutes, as amended, or any other provision of law thereto enabling, in the amount of \$1,700,000 or so much thereof as may be necessary after deducting grants or other sources of funds available therefor, which bonds shall be general obligations of the Town to which its full faith and credit is pledged; and

(ii) that the First Selectman and the Treasurer be authorized to issue and sell such bonds and to determine the amount, date, date of maturity, interest rate, form and other details of such bonds, pursuant to Chapter 109 of the Connecticut General Statutes, as amended, or any other provision of law thereto enabling; and

(iii) that the First Selectman and the Treasurer shall sign the bonds by either manual or facsimile signatures and that the law firm of Pullman & Comley, LLC is designated as bond counsel to approve the legality of the bonds; and

(iv) that the First Selectman and the Treasurer be authorized to issue and sell temporary notes of the Town in an amount not to exceed \$1,700,000 in anticipation of the receipt of the proceeds from the sale of such bonds and to determine the amount, date, date of maturity, interest rate, form and other details of such notes, pursuant to Chapter 109 of the Connecticut General Statutes, as amended, or any other provision of law thereto enabling, provided that the proceeds from the sale of such notes shall be used for said purpose; and

(v) that the First Selectman, the Treasurer, or either of them, is authorized to designate a bank or trust company to be the certifying bank, registrar, transfer agent and paying agent of the bonds; to sell the bonds and notes at public or private sale or negotiation; to deliver the bonds and notes; to perform and comply with all requirements of the Internal Revenue Code of 1986, as amended, and to perform all other acts and execute such documents which are necessary or appropriate to issue the bonds and notes including, but not limited to, the execution and delivery of a bond purchase agreement, tax compliance agreement and bond insurance agreement; and

(vi) that the First Selectman, Treasurer and Director of Finance or any one of them are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution, including agreements to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended; and

(vii) that the Town reasonably expects to incur expenditures (the "Expenditures") in connection with the capital project for which a general functional description is provided above. The Town reasonably expects to reimburse itself for the cost of the Expenditures with the proceeds of bonds, notes or other obligations of the Town described above. The maximum principal amount of such debt is not expected to exceed \$1,700,000. This declaration of official intent is a declaration of official intent made pursuant to Treasury Regulation Section 1.150-

**Motion passed 9-0**

**Resolution Regarding A Special Town Meeting and Referendum Vote on the Appropriation and Bond Authorization of \$1,700,000 for the Masuk High School Track and Field Reconstruction Project.**

**Motion: (E. Lipeles)**

A resolution regarding a special town meeting and referendum vote on the appropriation and bond authorization of \$1,700,000 for the Masuk High School Track and Field Reconstruction Project

**Second: (K. Kellogg)**

**RESOLVED**, that should the Board of Finance approve the \$1,700,000 appropriation and bond authorization recommended by the First Selectman and the Town Council for the Masuk HS Track and Field Reconstruction Project, a Special Town Meeting is hereby called to be held on February 29, 2016 at 7:00, p.m. at the Monroe Town Hall, 7 Fan Hill Road, Monroe, CT (the "Town Meeting"), to consider, but not act upon, and to receive communications from the First Selectman, Town Council and Board of Finance regarding the resolution entitled, AN APPROPRIATION AND BOND AUTHORIZATION OF \$1,700,000 FOR THE MASUK HS TRACK AND FIELD RECONSTRUCTION PROJECT and that the Town Clerk cause legal notice of such meeting to be posted and published in accordance with law.

**BE IT FURTHER RESOLVED**, that on recommendation of the First Selectman, the Town Council, pursuant to Section 7-7 of the Connecticut General Statutes, as amended, and the Monroe Town Charter hereby removes the item described above on the call of the Town Meeting to be held on February 29, 2016 for submission to the voters for vote on March 8, 2016 by the

voters entitled to vote at the Town Meeting by paper ballots during the hours from 6:00 a.m. to 8:00 p.m. on the following question:

Shall the Town of Monroe appropriate \$1,700,000, for the cost of the Masuk HS Track and Field Reconstruction Project, such project to include, but not be limited to, the construction of a turf multipurpose field, reconstruction of the end zones, resurface of the track, the addition of two sprint lanes and the upgrades of the athletic field lighting and the audio, scoreboard and security systems at Masuk High School and all alterations, repairs and improvements in connection therewith, as well as engineering, architectural and temporary and permanent financing costs, and authorize the issuance of bonds and notes in the amount of \$1,700,000 to finance such appropriation.

The moderator of the Town Meeting shall adjourn such Town Meeting after reasonable discussion of such item and conclusion of such other business as may properly come before the Town Meeting and order such vote by paper ballots in accordance with this resolution, Section 7-7 of the Connecticut General Statutes and the Charter.

**BE IT FURTHER RESOLVED**, that the voters at the town meeting to be held on February 29, 2016 shall consider and act upon a resolution to determine the place of holding the adjourned Town Meeting to vote on the question as set forth above.

**Motion passed 9-0**

## **2<sup>ND</sup> PARTICIPATION**

*Steve Kirsch, 35 Applegate Lane* requested all information discussed tonight be put on the website for the public to see.

## **ADJOURNMENT**

**Motion: (E. Lipeles)**

To adjourn the meeting at 7:43 p.m.

**Second: (K. Reid)**

**Motion passed 9-0**

Respectfully submitted,

Donna Cerreta  
Town Council Clerk