

DRAFTMINUTES 1

Board of Finance Regular Meeting

April 19, 2010

Room 213-7:30 PM

The meeting was called to order at 7:35 PM by Chairman Murry Stegelmann. All members of the Board of Finance were present. Kate Clarke Buch, Finance Director was also present. In attendance were Don Fiftal, Superintendent of Schools, and Dick Huot, Board of Education Director of Finance.

OPEB MEMO

Martha Banks made a motion to adopt the proposed change in accounting set forth in a joint memo from Kate Buch and Dick Huot. The change will move the OPEB obligation and credits to the Board of Education's budget, and will affect both FY 2010 and FY 2011. The motion was seconded and approved 7-0.

BUDGET RESOLUTION

Martha Banks made a motion to adopt the Resolution for the Budget Appropriation and to recommend to the RTM that the resolution be adopted. The Resolution is as follows:

The foregoing budget was approved by the Board of Finance of the Town of Darien at its meeting held April 19, 2010. The following resolutions were adopted at said meeting.

A RESOLVED, that an appropriation of \$ 2,016,720 is hereby made from the Reserve Fund for Capital and Non-Recurring Expenditures for the purpose of meeting expenses of the Town of Darien as shown by the budget this day approved.

B RESOLVED, that an appropriation of \$ 38,179,759 is hereby made in the General Fund for the Selectmen's Operating Budget.

C RESOLVED, that an appropriation of \$ 71,512,041 is hereby made in the General Fund for the Education Operating Budget.

D RESOLVED, that the above appropriations, totaling \$ 109,691,800 are for the purpose of meeting the expenses of the Town of Darien for the fiscal year commencing July 1, 2010 and ending June 30, 2011 as shown by the budget this day approved.

E RESOLVED, that a tax of 11.74 mills is hereby levied upon the last complete grand list of the Town with a total net assessment of \$ 8,739,583,725 on property as of October 1, 2009, payable in two equal semi-annual installments, the first installment to become due and payable on July 1, 2010 and the second installment to become due and payable on January 1, 2011, provided however that:

1. Any taxpayer may pay both of said installments on July 1, 2010;
2. The personal property tax on motor vehicles in said Town shall become due and payable in one single installment on July 1, 2010
3. Any property tax in any amount not in excess of one hundred (\$ 100.00) shall become due and payable in one single installment on July 1, 2010

F RESOLVED, that the Town of Darien, acting through its Board of Selectmen, and subject to the approval of said Town at the Annual Budget Meeting of the Representative Town Meeting to be held May 10, 2010, be authorized to borrow on the note or notes of the Town the sum of \$ 5,000,000 or so much thereof as may be necessary for the general expenses of the Town pending the collection of either or both of said semi-annual installments of taxes on or prior to June 30, 2011.

G RESOLVED, that the following appropriations for other funds are hereby made as detailed below for the 2010-2011 fiscal year as shown by the budget this day approved.

\$3,211,521	Sewer Operating Fund for the purpose of meeting expenses of the Town of Darien, Sewer Commission
\$ 550,000	Sewer Assessment Fund
\$ 75,685	Animal Control Fund
\$ 668,341	Parking Lot Administration Fund
\$ 149,849	Parking Lot Capital Fund

Elizabeth Smith Mao, Clerk

Board of Finance

The motion was seconded and approved 7-0.

REFUNDING RESOLUTION

Gwen Mogenson made a motion to recommend to the RTM to adopt the following resolution appropriating \$50,000,000 in order to refund certain bonds:

RESOLUTION APPROPRIATING FIFTY MILLION DOLLARS (\$50,000,000) TO REFUND CERTAIN OF THE TOWN'S OUTSTANDING BONDS AND AUTHORIZING THE ISSUANCE OF REFUNDING BONDS TO FINANCE SUCH APPROPRIATION

RESOLVED:

Section 1. The sum of FIFTY MILLION DOLLARS (\$50,000,000) is appropriated to fund the redemption and the payment, in whole or in part, as determined by the First Selectman, the Town Treasurer, the Board of Finance or any Town official designated by the Board of Finance and the Finance Director of the Town of Darien (the "Town"), of the outstanding principal, accrued interest and any call premium on all or any portion of any issue of the Town's General Obligation Bonds including, but not limited to, the Town's General Obligation Bonds issued in 1999, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009 and 2010 (the "Prior Bonds"), together with the costs of issuance including, but not limited to, any applicable consultants' fees, legal fees, trustee and escrow agent fees, investment fees, verification fees, underwriters' fees and other financing or transactional costs and other expenses related to the payment or redemption of such bonds for the purposes of refunding them.

Section 2. The Town is hereby authorized to issue its refunding bonds, in an amount not to exceed FIFTY MILLION DOLLARS (\$50,000,000) (the "Refunding Bonds"), to fund the appropriation authorized by Section 1 of this resolution, provided that the issuance of such Refunding Bonds achieves present value debt service savings for the Town. The Refunding Bonds shall be issued pursuant to Section 7-370c of the Connecticut General Statutes, as amended, and any other provision of law thereto enabling. The Refunding Bonds shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

Section 3. The First Selectman and the Town Treasurer shall sign the Refunding Bonds by either manual or facsimile signatures and the law firm designated as bond counsel is authorized to approve the legality of the Refunding Bonds.

Section 4. The First Selectman, the Town Treasurer, the Board of Finance or any Town official designated by the Board of Finance and the Finance Director are authorized to determine which of the Prior Bonds are to be redeemed and the amount, date, interest rates and interest mode, maturities, redemption provisions, form and other details of the Refunding Bonds; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the Refunding Bonds and escrow agent with respect to the refunding escrow or escrows to be funded with proceeds of the Refunding Bonds; to provide for the keeping of a record of the Refunding Bonds; to sell the Refunding Bonds at public or private sale; to deliver the Refunding Bonds; and to perform all other acts which are necessary or appropriate to issue the Refunding Bonds.

Section 5. The First Selectman and the Town Treasurer are authorized to call irrevocably for redemption such of the maturities of the Prior Bonds, as they shall determine to refund from the proceeds of the Refunding Bonds and other moneys as they may determine to make available for this purpose and to defease such Prior Bonds by executing and delivering an escrow agreement in such form and upon such terms as they shall approve, such approval to be conclusively evidenced by their execution thereof.

Section 6. The First Selectman, the Town Treasurer and the Finance Director, or any two of them, are authorized 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 Refunding Bonds 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 7. The First Selectman, the Town Treasurer and the Finance Director, or any one of them, are authorized to make representations and enter into written agreements for the benefit of holders of the Refunding Bonds to provide secondary market disclosure information, which agreements may include such terms as she or he deems advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such Refunding Bonds.

Section 8. The First Selectman and the Town Treasurer are authorized to take all other action which is necessary or desirable to enable the Town to effectuate the refunding of all or a portion of the Prior Bonds and to issue Refunding Bonds authorized hereby for such purposes, including, but not limited to, the entrance into agreements on behalf of the Town with underwriters, trustees, escrow agents and others to facilitate the issuance of the Refunding Bonds, the escrow of the proceeds thereof and investment earnings thereon and the payment of the Prior Bonds in whole or in part.

Section 9. Any authorized but unissued portions of previous refunding authorizations are rescinded.

The motion was seconded and approved 7-0.

TRANSFERS

The Police Force is requesting \$55,000 from Reserve Contingency to purchase a back-up dispatch system, needed because telephone and cell lines went down in the big storm, and the system would be needed for future emergencies. Several questions were asked and it was decided to table the motion to approve the transfer until the next meeting so that Martha Banks could ask Chief Lovello some follow up questions. Liz Mao made the motion to table the request. The motion was seconded and approved 7-0.

The Fire Commission is requesting \$1,523 for a Fire Watch. Gwen Mogenson made a motion to approve the transfer. It was seconded and approved 7-0.

Disaster Preparedness requests an intradepartmental transfer of \$1900 for Code Red Disaster Preparedness. Joe Duwan made motion to approve the transfer. It was seconded and approved 7-0.

SPECIAL APPROPRIATION

A special appropriation is needed to advance the \$908,000 the Town is going to receive from the federal government's stimulus package (ARRA) to do paving in town. Martha Banks made a motion that the Board of Finance recommend to the RTM that the RTM appropriate \$908,000 from the Parking Capital fund to be able to conduct the paving which will then be qualified for reimbursement of \$908,000 from the ARRA funding. The motion was seconded and approved 6-1, with Jon Zagrodzky voting no in protest of the government's stimulus package.

OTHER BUSINESS

A motion was made by Lori Bora made to go to other business. The motion was seconded and approved 7-0. Lori Bora brought to the Board's attention an article in The Norwalk hour stating that Darien had signed an agreement to fund half of the reconstruction of the old Tokeneke Bridge. Kate Buch reported that Darien has no information about this matter.

The date of April 27 was set for a Special Meeting.

There being no other business, a motion to adjourn was made by Jon Zagrodzky. The motion was approved 7-0. The meeting adjourned at 8:20 PM.

Respectfully submitted,

Elizabeth Smith Mao, Clerk

CLOSING OUT RFCNRE ACCOUNTS

The following accounts are proposed to be closed out to the Reserve Fund-Contingency account, with the exception of the Royle Library Windows account (\$90,000.)

Account	Description	Amount
31300094-907809	DHS Netting for fields	3,368.00
31300094-909416	Holmes - Install Portable Classroom	10,832.19

