

CURTIS RAND
FIRST SELECTMAN

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BOS – Minutes – 10.4.2021

The Board of Selectmen Regular Meeting minutes of October 4, 2021.

Present: Curtis Rand, First Selectman; Christian Williams, Selectman; Donald Mayland, Selectman; William Veras, Resident Trooper; members of the press and public.

1. The meeting was **called to order** at 5:00pm.
2. D. Mayland made a motion to **approve the agenda** with the additions of New Business #5e - Loan Resolution for the WPCA and #5f - Resolution for John Whalen. C. Williams seconded, and the motion was approved unanimously.
3. C. Williams made a motion to **approve the minutes** of September 13th, 2021 (Regular) meeting. D. Mayland seconded, and the motion was approved unanimously.
4. **First Selectman Report**
C. Rand reported that a Pfizer booster vaccine clinics are available locally in various places, including the High School on October 1 and 15th, as well as other pharmacy locations.
5. **New Business:**
 - a. The Selectmen introduced William Veras, our new Resident Trooper and Chris Ohmen, the new assistant at the Water Pollution Control Authority (WPCA). The Selectmen also announced Charles Humes, who will be taking over as Superintendent of the WPCA once John Whalen retires October 10, 2021. Charles has been working in Salisbury for 10 years and looks forward to taking over the position.
 - b. D. Mayland made a motion to reappoint Michael Carbone as Building Official for a 4-year term. C. Williams seconded, and the motion was approved unanimously.
 - c. The sidewalk project from Scoville Library to Salmon Kill Road was awarded to Progressive Paving in the amount of \$53,840, unless they run into unforeseen conditions. D. Mayland made a motion to award the bid for the sidewalk in Salisbury to Progressive. C. Williams seconded, and the motion was approved unanimously.
 - d. The American Rescue Plan has provided funding to the town to help turn the tide on the pandemic, address economic fallout, and lay the foundation for a strong and equitable recovery. The Selectmen have discussed certain areas to allocate funds including the non-profits, technology updates to Town Hall to host virtual meetings, building upgrades to the Town Hall, sewer infrastructure, the bridge going into the sewer plant, predevelopment of the Pope property for recreation and affordable housing, and sidewalks.
 - e. C. Williams made a motion to approve the **loan resolution** of the Board of Selectmen of the Town of Salisbury authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving,

and/or extending its Municipal Government facility to serve an area lawfully within its jurisdiction to serve. Whereas, it is necessary for the Town of Salisbury (herein after called the Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of **\$2,521,300.00** pursuant to the provisions of CT General Statutes... *continued* (See Attached Loan Resolution). D. Mayland seconded, and the motion was approved unanimously. The vote was 3 Yeas, 0 Nays. This will close out the loan from the bank for the WPCA improvements, and then the town can receive reimbursement from USDA.

- f. John W. Whalen, Superintendent of the WPCA, is retiring this week after 48 years. C. Rand read the following resolution: Resolved, on behalf of all residents of the Town of Salisbury, and with deepest gratitude for exemplary service, and in recognition of an excellent and selfless work ethic, and to acknowledge his meticulous and skillful mastery of all aspects of the Salisbury Water Pollution Control Authority, the Salisbury Board of Selectmen is honored to recognize John W. Whalen for 48 incredible years taking care our waste water treatment plant. C. Williams made a motion to approve the resolution. D. Mayland seconded, and the motion was approved unanimously with much gratitude from the Selectmen.

6. **Old Business:**

a. **Pope Design Committee**

The Selectmen have been working carefully to articulate the charge for the Pope Design Committee. The Pope property likely has two main purposes including recreation and affordable housing. In order to get a good planner, the committee might need to decide what percentage of the available land is used for each category before hiring a planning firm. The new committee would be advisory to the Board of Selectmen and any other board related to the project. C. Rand read the draft charge, “ The Pope Land Design Committee will be an advisory committee to work with residents, consultants, and volunteer members to advise the Salisbury Board of Selectmen and other commissions and committees to develop an integrated plan, based on recommendations from the Salisbury Affordable Housing Commission and the Salisbury Recreation Commission, for use of the developable land on the so-called Pope Property on Salmon Kill Road. In addition to input from above, this effort may involve Salisbury’s Planning and Zoning Commission, Inland Wetlands Commission, Conservation Commission, Historic District Commission, and Boards of Selectmen and Finance and the Economic Development Committee.”

7. **Selectmen’s Reports**

C. Williams and D. Mayland also thanked John Whalen for his time working for the town.

8. **Citizen Comments** – Megan Foley notified the Selectmen of the issue of owners of dogs on the bike path not in control of their pet. The Selectmen will look into the ordinances and talk to the animal control officer.

9. **Adjourn:** 5:40pm

LOAN RESOLUTION
(Public Bodies)

A RESOLUTION OF THE _____

OF THE _____
AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A
PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS

FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the _____

(Public Body)

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of

_____ ; and

WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture,
(herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921
et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event
that no other acceptable purchaser for such bonds is found by the Association:**NOW THEREFORE**, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal ly permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0572-0121. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

CERTIFICATION TO BE EXECUTED AT LOAN CLOSING

I, the undersigned, as _____ of the _____
hereby certify that the _____ of such Association is composed of
_____ members, of whom , _____ constituting a quorum, were present at a meeting thereof duly called and
held on the _____ day of _____ ; and that the foregoing resolution was adopted at such meeting
by the vote shown above, I further certify that as of _____ ,
the date of closing of the loan from the United States Department of Agriculture, said resolution remains in effect and has not been
rescinded or amended in any way.

Dated, this _____ day of _____

Title _____