

**MINUTES  
FIRST TAXING DISTRICT  
SPECIAL ELECTORS MEETING  
DECEMBER 13, 2017**

ELECTORS PRESENT: Michelle Botero, Marija V. Bryant, David Capolete, Thomas J. Cullen, Elsa Peterson Obuchowski and Frank Zullo  
STAFF PRESENT: Dominick M. DiGangi, General Manager; Lauren Mappa, Operations Director; and Michele McLean, District Clerk

The meeting was called to order at 8:25 P.M.

**\*\*\* THOMAS CULLEN MOVED TO ELECT FRANK ZULLO AS CHAIRPERSON  
\*\*\* MARIJA BRYANT SECONDED THE MOTION  
\*\*\* THE MOTION PASSED UNANIMOUSLY**

The District Clerk read the Notice of the meeting and stated that said Notice, signed by the Board of Commissioners, had been posted on the District website on November 29, 2017, and that a copy thereof had been published in The Norwalk Hour, a newspaper having a general circulation in said District, in its issue of November 29, 2017.

The Chairperson stated that in accordance with the Charter of the First Taxing District only an elector of the District residing in the District would be entitled to vote at the meeting.

1. Ratify the Approval, granted at the Annual Meeting of the Electors held on November 15, 2017, of the Additional Appropriation to the FY 2017 Annual Capital Budget in the amount of \$2,050,000 for Water System Reliability Improvements in the West Rocks High Service Area increasing the project cost from \$4,750,000 to \$6,800,000

**\*\*\* THOMAS CULLEN MOVED TO RATIFY THE APPROVAL, GRANTED AT THE ANNUAL MEETING OF THE ELECTORS HELD ON NOVEMBER 15, 2017, OF THE ADDITIONAL APPROPRIATION TO THE FY 2017 ANNUAL CAPITAL BUDGET IN THE AMOUNT OF \$2,050,000 FOR WATER SYSTEM RELIABILITY IMPROVEMENTS IN THE WEST ROCKS HIGH SERVICE AREA INCREASING THE PROJECT COST FROM \$4,750,000 TO \$6,800,000  
\*\*\* MARIJA BRYANT SECONDED THE MOTION  
\*\*\* THE MOTION PASSED UNANIMOUSLY**

2. Ratify the Approval, granted at the Annual Meeting of the Electors held on November 15, 2017, of the Additional Appropriation to the FY 2018 Annual Capital Budget in the amount of \$2,000,000 for Advanced Metering Infrastructure Project, Phase 1

\*\*\* MARIJA BRYANT MOVED TO RATIFY THE APPROVAL, GRANTED AT THE ANNUAL MEETING OF THE ELECTORS HELD ON NOVEMBER 15, 2017, OF THE ADDITIONAL APPROPRIATION TO THE FY 2018 ANNUAL CAPITAL BUDGET IN THE AMOUNT F \$2,000,000 FOR ADVANCED METERING INFRASTRUCTURE PROJECT, PHASE 1  
\*\*\* THOMAS CULLEN SECONDED THE MOTION  
\*\*\* THE MOTION PASSED UNANIMOUSLY

3. Consideration and Approval of the resolution entitled "Resolution Appropriating \$6,800,000 For The West Rocks High Service Area Reliability Improvement Project And Authorizing The Issuance Of \$ 6,800,000 Drinking Water Obligations Of The First Taxing District Of The City Of Norwalk, Connecticut To Meet Said Appropriation."

**THOMAS CULLEN INTRODUCED AND READ THE FOLLOWING RESOLUTION:**

RESOLUTION APPROPRIATING \$6,800,000 FOR THE WEST ROCKS HIGH SERVICE AREA RELIABILITY IMPROVEMENT PROJECT AND AUTHORIZING THE ISSUANCE OF \$6,800,000 DRINKING WATER OBLIGATIONS OF THE FIRST TAXING DISTRICT OF THE CITY OF NORWALK, CONNECTICUT TO MEET SAID APPROPRIATION

RESOLVED:

Section 1. The sum of \$6,800,000 is appropriated for the installation of water system reliability improvements to serve the West Rocks High Service Area in the First Taxing District of the City of Norwalk, Connecticut (the "District"), including, but not limited to, demolition, removal and replacement of West Rocks elevated storage tank, installation of electronic security measures, removal and replacement of approximately 5,500 feet of water mains along West Rocks Road, expansion of the high service area to include Scott Street, Shepherd Street, Mola Road, Grumman Avenue and Toilsome Avenue to provide additional hydraulic looping within the area, remediation of the PCB and lead contaminated soils from the project site, and other related improvements and tasks with respect to said project, and for administrative, printing, legal and financing costs Related thereto, said appropriation to be inclusive of any and all State and Federal Grants and/or subsidies-in-aid thereof (collectively, the "Project").

Section 2. The Chairman of the District Board of Commissioners (the "Board") or his designee is authorized in the name and on behalf of the District to apply for and accept any and all federal and state loans and/or subsidies-in-aid for the Project and is further authorized to expend said funds in accordance with the terms thereof. To meet any portion of the costs of the Project determined by the State of Connecticut Department of Energy and Environmental Protection and the State of Connecticut Department of Public Health to be eligible for funding under Section 22a-475 et seq. of the Connecticut General Statutes, as may be

and may issue interim funding obligations in anticipation of project loan obligations and project loan obligations (collectively, "Drinking Water Obligations") in such denominations as the Board and the District Treasurer shall determine. Drinking Water Obligations and Project Loan and Subsidy Agreements under the Clean Water Fund Program, and any other instruments, agreements or certificates required under the Clean Water Fund Program shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman of the Board and the District Treasurer, and bear the District seal or a facsimile thereof. The Drinking Water Obligations shall be sold in the manner determined by the Board. The aggregate principal amount of the Drinking Water Obligations to be issued, the dated date, final maturity, rate or rates of interest, the date, time of issue and sale and all other terms, details and particulars of such Drinking Water Obligations, subject to the provisions of the Clean Water Fund Program, shall be determined by the Board and the District Treasurer. Said Drinking Water Obligations may be secured as to both principal and interest by the full faith and credit of the District and/or revenues of the District pledged therefore in accordance with the Clean Water Fund Program and applicable laws and by the District's Charter. Each of the Drinking Water Obligations shall recite that every requirement of law relating to its issue has been duly complied with and that such obligation is within every debt and other limit prescribed by law.

Section 3. The District hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this resolution in the maximum amount and for the Project defined in Section 1 with the proceeds of Drinking Water Obligations authorized to be issued by the District. The Drinking Water 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 the Regulations may authorize. The District hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Chairman of the Board or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of the Drinking Water Obligations.

Section 4. The Chairman of the Board or his designee is hereby authorized, empowered and directed in the name and on behalf of the District to execute and deliver such other instruments, documents and agreements and to take such other and further action, as he shall deem necessary, appropriate or desirable to carry out the purpose and intent of the foregoing resolutions and to effectuate the transactions contemplated hereby.

**THOMAS CULLEN MOVED THAT SAID RESOLUTION BE ADOPTED AS INTRODUCED AND READ AND THE MOTION WAS SECONDED BY MARIJA BRYANT. FOLLOWING A DISCUSSION AND A VOTE BY SHOW OF HANDS, THE CHAIRPERSON REPORTED THAT THERE WERE SIX VOTES IN FAVOR OF THE ADOPTION OF THE RESOLUTION AND NO VOTES IN OPPOSITION TO THE ADOPTION OF THE RESOLUTION. THE CHAIRPERSON THEREUPON DECLARED THE MOTION CARRIED AND THE RESOLUTION ADOPTED.**

4. Consideration and Approval of the resolution entitled “Resolution Appropriating \$2,000,000 For The Advanced Metering Infrastructure Project, Phase 1 And Authorizing The Issuance Of \$2,000,000 Drinking Water Obligations Of The First Taxing District Of The City Of Norwalk, Connecticut To Meet Said Appropriation.”

**ELSA PETERSON OBUCHOWSKI INTRODUCED AND READ THE FOLLOWING RESOLUTION:**

RESOLUTION APPROPRIATING \$2,000,000 FOR THE ADVANCED METERING INFRASTRUCTURE PROJECT, PHASE I AND AUTHORIZING THE ISSUANCE OF \$2,000,000 DRINKING WATER OBLIGATIONS OF THE FIRST TAXING DISTRICT OF THE CITY OF NORWALK, CONNECTICUT TO MEET SAID APPROPRIATION

RESOLVED:

Section 1. The sum of \$2,000,000 is appropriated for the conversion to an Advanced Metering Infrastructure (AMI) System, Phase 1 for the West Rocks and Spring Hill High Service areas in the First Taxing District of the City of Norwalk, Connecticut (the “District”), including, but not limited to, installation of a fixed network for the entire District system, acquisition of meter reading software, installation of new radio read meters and radio based meter transmission units at various locations, rightsizing evaluations and installation of large commercial meters, and other related improvements and tasks with respect to said project, and for administrative, printing, legal and financing costs related thereto, said appropriation to be inclusive of any and all State and Federal grants and/or subsidies-in-aid thereof (collectively, the “Project”).

Section 2. The Chairman of the District Board of Commissioners (the “Board”) or his designee is authorized in the name and on behalf of the District to apply for and accept any and all federal and state loans and/or subsidies-in-aid for the Project and is further authorized to expend said funds in accordance with the terms thereof. To meet any portion of the costs of the Project determined by the State of Connecticut Department of Energy and Environmental Protection and the State of Connecticut Department of Public Health to be eligible for funding under Section 22a-475 et seq. of the Connecticut General Statutes, as may be amended from time to time (collectively, the “Clean Water Fund Program”), the District is authorized and may issue interim funding obligations in anticipation of project loan obligations and project loan obligations (collectively, “Drinking Water Obligations”) in such denominations as the Board and the District Treasurer shall determine. Drinking Water Obligations and Project Loan and Subsidy Agreements under the Clean Water Fund Program, and any other instruments, agreements or certificates required under the Clean Water Fund Program shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman of the Board and the District Treasurer, and bear the District seal or a facsimile thereof. The Drinking Water Obligations shall be sold in the manner determined by the Board. The aggregate principal amount of the Drinking Water Obligations to be issued, the dated date, final maturity, rate or rates of interest, the date, time of issue and sale and all other terms,

details and particulars of such Drinking Water Obligations, subject to the provisions of the Clean Water Fund Program, shall be determined by the Board and the District Treasurer. Said Drinking Water Obligations may be secured as to both principal and interest by the full faith and credit of the District and/or revenues of the District pledged therefore in accordance with the Clean Water Fund Program and applicable laws and by the District's Charter. Each of the Drinking Water Obligations shall recite that every requirement of law relating to its issue has been duly complied with and that such obligation is within every debt and other limit prescribed by law.

Section 3. The District hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this resolution in the maximum amount and for the Project defined in Section 1 with the proceeds of Drinking Water Obligations authorized to be issued by the District. The Drinking Water 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 the Regulations may authorize. The District hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Chairman of the Board or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of the Drinking Water Obligations.

Section 4. The Chairman of the Board or his designee is hereby authorized, empowered and directed in the name and on behalf of the District to execute and deliver such other instruments, documents and agreements and to take such other and further action, as he shall deem necessary, appropriate or desirable to carry out the purpose and intent of the foregoing resolutions and to effectuate the transactions contemplated hereby.

**ELSA PERTERSON OBUCHOWSKI MOVED THAT SAID RESOLUTION BE ADOPTED AS INTRODUCED AND READ AND THE MOTION WAS SECONDED BY MARIJA BRYANT. FOLLOWING A DISCUSSION AND A VOTE BY SHOW OF HANDS, THE CHAIRPERSON REPORTED THAT THERE WERE SIX VOTES IN FAVOR OF THE ADOPTION OF THE RESOLUTION AND NO VOTES IN OPPOSITION TO THE ADOPTION OF THE RESOLUTION. THE CHAIRPERSON THEREUPON DECLARED THE MOTION CARRIED AND THE RESOLUTION ADOPTED.**

5. To transact any other business properly before the meeting.

**THERE WAS NO OTHER BUSINESS**

6. Adjournment

**\*\*\* THOMAS CLLEN MOVED TO ADJOURN THE MEETING  
\*\*\* MARIJA BRYANT SECONDED THE MOTION  
\*\*\* THE MOTION PASSED UNANIMOUSLY**

The meeting adjourned at 8:37 P.M.

Respectfully submitted,

Michele McLean  
District Clerk  
First Taxing District of the City of Norwalk