

Minutes of the January 27, 2025 Regular Meeting of the West Haven City Council in the Council Chambers 3rd floor, West Haven City Hall

The Regular Meeting of the West Haven City Council was held on Monday, January 27, 2025 at 7:00p.m. in the City Council Chambers 3rd floor. Chairman Pascale called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Roll Call: Council Members Present: Nicholas Pascale, Edward McMillian, Gary Donovan, Christopher Vargo, Jr., Dawn Callahan, Sarah Ackbarali, Kathleen Mueller, Brian Laucks, Ruby Melton, Katherine Tucker, and Anne Heffernan. Absent: Meli Garthwait and Steven Johnstone. Also present: Michael Gormany, Finance Director. (From Allingtown Fire Department) Chief Terenzio, Marshal Keith Flood, Captain Panza and Kevin Scanlon

Public Hearing

6:55 p.m. to 6:58 p.m.-Finance Committee-Communication D, from the January 13, 2025 agenda, from Michael Gormany, Finance Director, regarding an ordinance authoring the issuance of \$12,450,900 bonds plus additional financing costs of the City of West Haven to meet certain fiscal 2023/2024 capital budget appropriations and the making of temporary borrowings for such purposes.

Recess from 6:58 p.m. to 7:00 p.m.

7:00p.m 7:04p.m. Public Session

See City's website for remarks.

Chairman Pascale called the Regular Meeting to order at 7:04 p.m.

I. APPROVAL OF MINUTES:

Councilman Vargo made a **MOTION to APPROVE** the Regular Meeting minutes from the January 13, 2025, meeting, which was **SECONDED** by Councilwoman Heffernan. Councilwomen Muller and Ackbarali abstained. All in favor. **MOTION passed UNANIMOUSLY.**

Councilman Vargo made a **MOTION to AMEND** Communication D from the January 13, 2025 agenda, from Michael Gormany, Finance Director, regarding an ordinance authoring the issuance of \$26,289,900 bonds plus additional financing costs of the City of West Haven to meet certain fiscal 2023/2024 and 2024/2025 capital budget appropriations and the making of temporary borrowings for such purposes. **Communication D** will now read "an ordinance authoring the issuance of \$12,450,900 bonds plus additional financing costs of the City of West Haven to meet certain fiscal 2023/2024 capital budget appropriations and the making of temporary borrowings for such purposes." which was **SECONDED** by Councilwoman Tucker. All in favor. **MOTION passed UNANIMOUSLY.**

II. COMMUNICATIONS:

Communication A: from the Tax Collector regarding Overpayment of refunds for December 2024.

Communication B: from the Tax Collector regarding Overpayments of refunds for January 2025.

RECEIVED
TOWN AND CITY CLERK
OF WEST HAVEN.
2025 FEB -6 PM 2:30
TOWN AND CITY CLERK

Communication C: from Mayor Dorinda Borer regarding a request to refer the proposal from Ideal Group, LLC ("Ideal"), for the redevelopment of Stiles School, to the West Haven Planning and Zoning Commission.

III. COMMITTEE MEETINGS:

Council-as-a-Whole-7:05 p.m-7:38 p.m.

Chief Terenzio-Allingtown Fire Department, Community Risk Reduction Program update. An update was provided regarding the Community Risk Reduction Program. The Allingtown Fire Department will be canvassing neighborhoods for illegal basement and attic apartments. Also present to answer questions were Fire Marshal Flood, Captain Panza and Firefighter Scanlon. **See City's website for remarks.**

Finance Committee called to order at 7:38 p.m.

FINANCE COMMITTEE, Councilwoman Ackbarali, Chairwoman-Committee members; Councilman Vargo, Councilman Laucks, Councilwoman Tucker, Councilman Johnstone (absent),

FINANCE UPDATES

Caucus from 8:08 p.m. to 8:31 p.m.

Communication D: Councilman Vargo presented a **MOTION** to recommend the approval to the entire Council regarding a request from Michael Gormany, Finance Director, regarding an ordinance authoring the issuance of \$12,450,900 bonds plus additional financing costs of the City of West Haven to meet certain fiscal 2023/2024 capital budget appropriations and the making of temporary borrowings for such purposes which was **SECONDED** by Councilman Tucker. All in favor. **MOTION passed UNANIMOUSLY viva voce.**

Finance Committee closed at 8:33 p.m.

Public Lands Committee called to order at 8:33 p.m.

PUBLIC LANDS COMMITTEE, Councilman Donovan, Chairman -Committee members: Councilman Laucks, Councilwoman Callahan, Councilman Vargo and Councilman Johnstone (absent)

Communication C: Councilman Vargo presented a **MOTION** to recommend the approval to the entire Council regarding a request from Mayor Dorinda Borer to refer the proposal from Ideal Group, LLC ("Ideal") for the redevelopment of Stiles School to the West Haven Planning and Zoning Commission. which was **SECONDED** by Councilman Laucks. All in favor. **MOTION passed UNANIMOUSLY viva voce.**

Public Lands Committee closed at 8:39 p.m.

IV: UNFINISHED BUSINESS:

1. Update regarding Lake Street project. -None.

V. COMMITTEE REPORTS-8:39 p.m.

Clerk to read Communication A and B into record

FINANCE COMMITTEE, Councilwoman Ackbarali, Chairwoman-Committee members; Councilman Vargo, Councilman Laucks, Councilwoman Tucker, Councilman Johnstone (absent)

Communication D: from Michael Gormany, Finance Director, regarding an ordinance authoring the \$12,450,900 bonds plus additional financing costs of the City of West Haven to meet certain fiscal 2023/2024 capital budget appropriations and the making of temporary borrowings for such purposes. Councilwoman Ackbarali made a **MOTION to APPROVE** which was which was **SECONDED** by Councilman Donovan. Councilwoman Callahan abstained. All in favor. **MOTION passed UNANIMOUSLY.**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$12,450,900 BONDS PLUS
ADDITIONAL FINANCING COSTS OF THE CITY TO MEET CERTAIN FISCAL YEAR
2023/2024 CAPITAL BUDGET APPROPRIATIONS, AND PENDING THE ISSUANCE
THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE**

WHEREAS, the City Council of the City of West Haven (the "City") has previously adopted the City's Fiscal Year 2023/2024 Capital Budget (the "2023/2024 Capital Budget"); and

WHEREAS, the City desires to appropriate and finance a portion of the City's 2023/2024 Capital Budget in an amount up to \$12,450,900 as shown on Exhibit A attached hereto; and

WHEREAS, the City Council has determined to authorize bonding for certain capital projects included in the 2023/2024 Capital Budget; and now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST HAVEN:

Section 1. The sums set opposite the capital projects hereinafter listed in Exhibit A attached hereto (as may be more fully described in the narrative description of such improvements in the 2023/2024 Capital Budget of the City, hereafter the "Projects") are hereby appropriated to meet the costs thereof or so much thereof as may be accomplished within said appropriation, and for architectural, design, engineering, hydraulic, site acquisition, development, demolition and disposal, environmental studies, surveying, infrastructure improvements, paving, material, utility charges, data systems, furniture and fixtures, equipment, testing, insurance, training, administrative, advertising, printing, legal, other consultant fees, and any appurtenances related to the Projects, as well as the cost of the establishment and maintenance of any reserve pursuant to Chapter 109, Chapter 117 and other chapters of the General Statutes of Connecticut, as amended (the "Connecticut Statutes"). Said appropriations to be inclusive of any and all Federal and State grants-in-aid thereof.

Section 2. To meet said appropriations, \$12,450,900 bonds or other obligations of the City (in the amounts set forth in Exhibit A attached hereto) plus an additional amount for all necessary and appropriate financing costs not in excess of three percent of the cost of the Projects, or so much thereof as may be necessary for said purpose (the "Bonds"), may be issued, maturing not later than the twentieth year after their date, or such later date as may be allowed by law. The Bonds may be issued in one or more series as shall be determined by the Mayor, City Treasurer, and the Director of Finance (collectively, the "Bond Committee"), and the amount of Bonds of each series to be issued shall be fixed by a majority of the Bond Committee. The Bonds shall be issued in an amount up to the City's share of the cost of the Projects determined after considering the estimated amount of any State and Federal grants in aid for the Projects, or the actual amount thereof if such amount is ascertainable, and the anticipated times of receipt thereof, provided that the total amount of Bonds to be issued shall not be less than an amount which will provide funds sufficient, with other funds available for such purpose, to pay the principal of and the interest on all outstanding temporary borrowings issued in anticipation of the receipt of the proceeds of said Bonds, and any administrative, printing and legal costs of issuing the Bonds as determined by a majority of the Bond Committee. The Bonds shall be in the denomination

of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the manual or facsimile signatures of a majority of the Bond Committee, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by a majority of the Bond Committee, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by a majority of the Bond Committee and be approved as to their legality by the City's bond counsel. The Bonds shall bear such rate or rates of interest as shall be determined by a majority of the Bond Committee. The Bonds shall be general obligations of the City and shall comply with all requirements of law, including any debt limit, relating to the authorization or issuance of such Bonds. The Bonds may also be secured as to both principal and interest, to the extent permitted by law, by a pledge of certain revenues or benefit assessments or both. The aggregate principal amount of the Bonds, installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such Bonds, including any repayment agreements or memoranda of understanding, or whether any of the Bonds will be issued as taxable bonds, shall be determined by a majority of the Bond Committee, in accordance with the requirements of the Connecticut Statutes.

Section 3. In connection with the issuance of any bonds or notes authorized herein (collectively, the "Obligations"), the City, as determined by a majority of the Bond Committee, may exercise any power delegated to municipalities pursuant to the Connecticut Statutes, including the authority to establish credit facilities and to enter into agreements managing interest rate risk. The City, as determined by a majority of the Bond Committee, shall have all appropriate powers under the Connecticut Statutes, including Chapter 748 (Registered Public Obligations Act), Chapter 173 (School Building Projects), Chapter 446k (Water Pollution Control) and Chapter 109 (Municipal Bond Issues), to issue, sell and deliver the Obligations and, further, shall have the full power and authority to do all that is required under the Internal Revenue Code of 1986, as amended, and other applicable laws and regulations of the United States, to provide for issuance of the Obligations in tax exempt form and to meet all requirements which are or may become necessary in and subsequent to the issuance and delivery of the Obligations in order that the interest on the Obligations be and remain exempt from Federal income taxes, including, without limitation, to covenant and agree to restriction on investment yield of bond proceeds, rebate of arbitrage earnings, and expenditure of proceeds within required time limitations. In order to meet the capital cash flow expenditure needs of the City, a majority of the Bond Committee is authorized to collectively allocate and reallocate expenditures incurred for the Projects to any bonds or notes of the City outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes herein authorized.

Section 4. Said Bonds shall be sold in a competitive offering or by negotiation as determined by a majority of the Bond Committee. If sold at competitive offering, the Bonds shall be sold by a majority of the Bond Committee at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City, by sealed proposals, auction, or other comparative method. If the Bonds are sold by negotiation, the purchase contract shall be signed by a majority of the Bond Committee. With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the City is authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund future debt service payments on the City's bonds and notes or to fund any purpose for which bonds of the City are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds for the purpose to which the premium was applied, in the amount so applied.

Section 5. Said Bonds may be secured by the City's property taxes, including interest, penalties and related charges, pursuant to Chapter 117 and other chapters of the Connecticut Statutes, and, if deemed necessary or appropriate and in the City's best interest by a majority of the Bond Committee, the Bond Committee, on behalf of the City, is hereby authorized: (i) to establish a property tax intercept procedure and a debt service payment fund pursuant to Chapter 117 of the Connecticut Statutes, §7-560 et seq., and other Chapters of the Connecticut Statutes, on such terms as a majority of the Bond Committee deem necessary or appropriate, and (ii) to take all further actions which a majority of the Bond Committee deem necessary or appropriate to so secure the Bonds or which are contemplated by law. A majority of the Bond Committee, if they determine it to be advisable, necessary or appropriate, is authorized, on behalf of the City, to enter into an indenture of trust and/or

a supplemental indenture of trust to any existing indenture of the City (collectively, the "Indenture") with a bank or trust company located within or without the State of Connecticut (the "Trustee"), and to covenant: (i) if the Bonds are issued pursuant to such Indenture that all or a portion of the City's property taxes shall be paid to the Trustee and be held in trust for the benefit of the holders of the Bonds as provided in Chapter 117 and other Chapters of the Connecticut Statutes, and (ii) the terms on which any payments or reserves securing the payment of the Bonds will be paid, and the terms of any reserve or other fund for the benefit of the holders of the Bonds; and, in any event, to amend or supplement the Indenture containing such terms and conditions as a majority of the Bond Committee shall determine to be necessary or advisable and in the best interest of the City, the execution thereof to be conclusive evidence of such determination.

Section 6. The issue of the Obligations aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this Ordinance, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law.

Section 7. The City is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said Bonds or any anticipated amounts of State and Federal grants in aid for the Projects. Notes evidencing such borrowings shall be signed by the manual or facsimile signatures of a majority of the Bond Committee, have the seal of the City or a facsimile thereof affixed, be payable at a bank or trust company designated by a majority of the Bond Committee, be certified by a bank or trust company designated by a majority of the Bond Committee, pursuant to Section 7-373 of the Connecticut Statutes, and be approved as to their legality by the City's bond counsel. Notes shall be sold in competitive offering or by negotiation as determined by a majority of the Bond Committee. If sold in a competitive offering, the notes shall be sold by a majority of the Bond Committee at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City, by sealed proposals, auction or other comparative method. If the notes are sold by negotiation, the purchase contract shall be signed by a majority of the Bond Committee. The notes shall be issued with maturity dates which comply with the provisions of the Connecticut Statutes that govern the issuance of such notes. The notes shall be general obligations of the City and shall comply with all requirements of law, including any debt limit, relating to the authorization or issuance of such notes. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said Bonds, shall be included as a cost of the Projects. Upon the sale of said Bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose. The City is also authorized to issue notes in anticipation of the receipt of grants, if applicable, and a majority of the Bond Committee shall determine the terms and conditions of such issuance.

Section 8. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The City hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid 60 days prior to and after the date of passage of this Ordinance in the maximum amount and for the Projects described above with the proceeds of bonds, notes, or other obligations authorized to be issued by the City. Such 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 City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement obligations, and to amend this declaration.

Section 9. The Director of Finance is hereby authorized to exercise all powers conferred by section 3-20e of the Connecticut Statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds, notes or other obligations authorized by this Ordinance.

Section 10. The Mayor, the Director of Finance and any other duly authorized City or Board of Education official is authorized to seek grants and other contributions for the costs of the Projects. Any such

grants or contribution received prior to the issuance of any Obligations authorized herein shall be applied to the costs of the Projects or to pay at maturity the principal of any outstanding bond anticipation note, grant anticipation note or other temporary obligation issued pursuant this Ordinance and shall reduce the amount of Obligations that can be issued pursuant to this Ordinance. If such grants and contributions are received after the issuance of any Obligations, they shall be applied to pay either non-financed portions of the Projects or debt service on the Obligations provided such application does not adversely affect the tax-exempt status of the Obligations.

Section 11. For purposes of the City’s charter, this Ordinance shall be effective immediately upon the Mayor’s signature.

ENACTED BY THE CITY COUNCIL ON: January 27, 2025

APPROVED BY THE MAYOR: _____ DATE: January __, 2025

EXHIBIT A

<u>Project Description</u>	<u>2023/2024</u> <u>Capital Budget</u> <u>Bond</u> <u>Authorization</u>
<u>Public Works:</u>	
DPW Passenger Vehicles 243WN-2004 Crown Victoria – Zoning Coniff 110WN-2005 Crown Victoria – Mayor’s Office	 \$18,500 <u>\$18,500</u> \$37,000
DPW Light Duty Vehicles 165 WN-2012 F250 Pickup w/ Plow 3WN-2016 Ford Explorer – Supervisor 4WN-2013 Ford Explorer – Supervisor 6WN-2017 Ford Explorer – Supervisor 238WN-2002 Ford Explorer – Pool 211WN – 2008 F250 Pickup w/ Plow 65WN – 2004 F250 Pickup w/ Plow/Liftgate 62WN-Tree Warden-1998 Ford F-150 PU	 \$250,000 \$30,000 \$30,000 \$30,000 \$45,000 \$75,000 \$75,000 <u>\$55,000</u> \$590,000
DPW Heavy Duty Vehicles 220WN-2005 F350 DRW Dump Sand Plow HWY18-2002 Freightliner Refuse HWY23-2001 Volvo Dump 175WN Bucket Truck	 \$130,000 \$185,000 \$200,000 <u>\$165,000</u> \$730,000
DPW Equipment BAF Fans for PW Garage New Tire Machine Mower Replacements New Trailers – Parks & PW	 \$100,000 \$25,000 \$30,000 <u>\$30,000</u> \$185,000
Street Paving	\$800,000

<u>Public Safety:</u>	
Technology – Citywide technology including but not limited to laptops, desktop, docking stations, etc.	\$60,000
Technology – Security Cameras	\$55,000
Police Services – Vehicle Replacement	
2007 Crown Vic (28-WN)	\$64,000
2011 Crown Vic (29-WN)	\$64,000
2011 Crown Vic (33-WN)	\$64,000
2011 Crown Vic (34-WN)	\$64,000
2011 Crown Vic (35-WN)	\$64,000
1999 Crown Vic (71-WN)	<u>\$64,000</u>
	\$384,000
Police Services – Traffic Control Signal Box	\$250,000
<u>Parks and Recreation:</u>	
Beach Sand Management	\$100,000
<u>Building:</u>	
Scanning archived files (10 years at a time)	\$180,000
<u>Water Pollution Control Authority</u>	
Outfall Reconstruction Total	\$250,000

Board of Education:	
Maintenance Equipment – Mowers/Tractors	\$30,000
Bennett Rink – Chiller Plant	\$450,000
Bennett Rink – Floor Replacement, with Piping	\$800,000
Savin Rock – Roof Replacement (City Share)	\$350,000
Washington School – Rebuild Project	<u>\$7,199,900</u>
	\$8,829,900
	\$12,450,900

PUBLIC LANDS COMMITTEE, Councilman Donovan, Chairman -Committee members: Councilman Laucks, Councilwoman Callahan, Councilman Vargo and Councilman Johnstone (absent)

Communication C: from Mayor Dorinda Borer regarding a request to refer the proposal from Ideal Group, LLC (“Ideal”) for the redevelopment of Stiles School to the West Haven Planning and Zoning Commission. Councilman Donovan made a **MOTION to APPROVE** which was **SECONDED** by Councilwoman Tucker and Councilwoman Heffernan. All in favor. **MOTION passed UNANIMOUSLY.**

VI. COUNCIL LIAISON REPORTS

Councilwoman Tucker attended a committee meeting regarding the Opioid Settlement. **See remarks on City’s website.**

VII. NEW BUSINESS

None.

VIII. ADJOURNMENT

Councilwoman Hefferan made a **MOTION to ADJOURN** which was **SECONDED** by Councilwoman Callahan. All in favor. **MOTION passed UNANIMOUSLY.**

The City Council meeting was ADJOURNED at 8:48 p.m.

Nicholas Pascale
Chairman of the Council

Stacy Riccio
Clerk of the Council

Carlotta M. Serrini
City Council Administrator

****These minutes are subject to City Council approval.**