

ROBINSON & COLE

Law Offices

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P.O. Box 10305
Stamford, CT 06904-2305
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VIA FEDERAL EXPRESS

November 12, 1990

Mr. Thomas A. Myers
Comptroller
Town of Wallingford
45 South Main Street
Wallingford, CT 06492

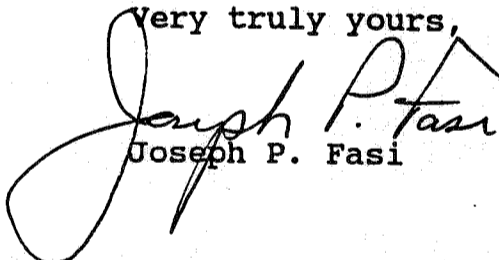
RE: An Ordinance Appropriating \$370,000 For The Purchase Of The Property Known As 88 South Main Street And Authorizing The Issue Of \$370,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose

Dear Mr. Myers:

Enclosed please find the captioned ordinance.

By copy of this letter, I am requesting the Town Clerk to send me three certified copies of all the proceedings as they appear in the Town Record Book, and two newspaper affidavits of the publication of the Notice of Public Hearing and the Notice of Enactment. A form of the Notice of Public Hearing is enclosed for the Clerk's convenience.

Very truly yours,


Joseph P. Fasi

JPF/cll
Enclosure

cc: Mr. William W. Dickinson, Jr., Mayor
Ms. Kathryn J. Wall, Town Clerk
Adam Mantzaris, Esq., Corporation Counsel

AN ORDINANCE APPROPRIATING \$370,000 FOR THE PURCHASE OF THE PROPERTY KNOWN AS 88 SOUTH MAIN STREET AND AUTHORIZING THE ISSUE OF \$370,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$370,000 is appropriated for the purchase for municipal purposes of the property known as 88 South Main Street, being all that certain piece or parcel of land, located in Wallingford, Connecticut, of 0.7 acres, more or less, bounded and described as follows:

- NORTHERLY: by land now or formerly of Bosdel Realty Company, Inc., 251.4 feet, more or less;
- EASTERLY: by land now or formerly of Isakson and Coleman, each in part, in all, 115.3 feet, more or less;
- SOUTHERLY: by land now or formerly of Fishbein, 252.4 feet, more or less; and
- WESTERLY: by South Main Street, 125.55 feet, more or less;

owned by Town Hall Associates, further described in the Wallingford Land Records, Volume 608 at Page 460, and for administrative, printing, legal and financing costs related thereto, said appropriation to be inclusive of any and all State and Federal grants-in-aid thereof.

Section 2. To meet said appropriation \$370,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds shall be issued in the amount necessary to meet the Town's share of the cost of the project determined after considering the estimated amount of the State and Federal grants-in-aid of the project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds 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 temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. 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 Town by the facsimile or manual signatures of the Mayor, the Comptroller, and the Town Treasurer, or any two of them, bear the Town seal or a facsimile

thereof, be certified by and payable at The Connecticut Bank and Trust Company, N.A., in Hartford, Connecticut, which bank and trust company may be designated the registrar and transfer agent, and be approved as to their legality by Robinson & Cole, Attorneys-at-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 3. Said bonds shall be sold by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, the purchase agreement shall be subject to the approval of the Town Council.

Section 4. The Mayor, the Comptroller, and the Town Treasurer, or any two of them, are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, be approved as to their legality by Robinson & Cole, Attorneys-at-Law, of Hartford, and be certified by The Connecticut Bank and Trust Company, N.A., in Hartford, Connecticut, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon.

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 project. Upon the sale of the 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 notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. Nothing herein shall prohibit the advancement of expenses by the Comptroller from available cash funds of the Town for the purposes authorized by this ordinance and the reimbursement thereof from the proceeds of bonds or notes authorized by this ordinance.

EXCERPT FOR MINUTES OF WALLINGFORD
PLANNING AND ZONING COMMISSION MEETING
HELD _____, 1990

Item _____.

Commissioner _____ moved that the following resolution
be adopted:

RESOLUTION WITH RESPECT TO THE ACQUISITION OF
THE PROPERTY KNOWN AS 88 SOUTH MAIN STREET
FOR MUNICIPAL PURPOSES IN THE TOWN OF
WALLINGFORD

A copy of said resolution is attached hereto.

Seconded by Commissioner _____. [Insert discussion,
if any.]

Roll Call Vote:

AYES
(List Names)

NAYS

I hereby certify that the above is a true and correct copy of the
excerpt of the Minutes of the above meeting as they are recorded
in the records of the Town.

Clerk

RESOLUTION WITH RESPECT TO THE ACQUISITION OF
THE PROPERTY KNOWN AS 88 SOUTH MAIN STREET
FOR MUNICIPAL PURPOSES IN THE TOWN OF
WALLINGFORD

RESOLVED:

The Planning and Zoning Commission of the Town of Wallingford, exercising the authority of the Planning Commission pursuant to Chapter 126 of the General Statutes, having reviewed the proposal to acquire for municipal purposes the property known as 88 South Main Street, being all that certain piece or parcel of land, located in Wallingford, Connecticut, of 0.7 acres, more or less, bounded and described as follows:

- NORTHERLY: by land now or formerly of Bosdel Realty Company, Inc., 251.4 feet, more or less;
- EASTERLY: by land now or formerly of Isakson and Coleman, each in part, in all, 115.3 feet, more or less;
- SOUTHERLY: by land now or formerly of Fishbein, 252.4 feet, more or less; and
- WESTERLY: by South Main Street, 125.55 feet, more or less;

owned by Town Hall Associates, further described in the Wallingford Land Records, Volume 608 at Page 460, hereby approves the aforesaid proposal.

LEGAL NOTICE

Pursuant to Chapter III Section 6 of the Charter of the Town of Wallingford, Connecticut, a Public Hearing will be held by the Town Council of the Town of Wallingford on _____, 1990, at _____ P.M. in _____, to act on the following proposed ordinance:

AN ORDINANCE APPROPRIATING \$370,000 FOR THE PURCHASE OF THE PROPERTY KNOWN AS 88 SOUTH MAIN STREET AND AUTHORIZING THE ISSUE OF \$370,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Dated at Wallingford, Connecticut this _____ day of _____, 1990.

Kathryn J. Wall
Town Clerk

RETURN OF LEGAL NOTICE

Pursuant to Chapter III Section 6 of the Charter of the Town of Wallingford, Connecticut, a Public Hearing will be held by the Town Council of the Town of Wallingford on _____, 1990, at _____ P.M. in _____, to act on the following proposed ordinance:

AN ORDINANCE APPROPRIATING \$370,000 FOR THE PURCHASE OF THE PROPERTY KNOWN AS 88 SOUTH MAIN STREET AND AUTHORIZING THE ISSUE OF \$370,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Dated at Wallingford, Connecticut this _____ day of _____, 1990.

Kathryn J. Wall
Town Clerk

I HEREBY CERTIFY that the above legal notice of Public Hearing of the Town Council was published on _____, 1990, in the Record-Journal.

I FURTHER CERTIFY that I placed a copy of the same Public Hearing Notice on the signboard of the Municipal Building on _____, 1990.

Dated at Wallingford, Connecticut this _____ day of _____, 1990.

Kathryn J. Wall
Town Clerk

(Seal)

CERTIFICATE

I, KATHRYN J. WALL, the duly appointed, qualified and acting Town Clerk of the Town of Wallingford, hereby certify that the attached copy of the excerpt of minutes of the meeting of the Town Council of the Town of Wallingford duly warned and held on _____, is a true, correct and complete copy of the original minutes of said meeting on file and of record as the same pertain to the public hearing, and consideration and adoption of the Ordinance set forth therein.

Dated

Kathryn J. Wall
Town Clerk

(SEAL)

CERTIFICATION OF MAYOR'S APPROVAL

I, Kathryn J. Wall, the duly appointed, qualified and acting Town Clerk of the Town of Wallingford, hereby certify that the attached copy of the Mayor's Approval of the ordinance entitled, "An Ordinance Appropriating \$370,000 For The Purchase Of The Property Known As 88 South Main Street And Authorizing The Issue Of \$370,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose" is a true and correct copy of the aforesaid original Mayor's approval on file and of record of the Town of Wallingford.

Dated _____ 1990.

Kathryn J. Wall
Town Clerk

(SEAL)

MAYOR'S APPROVAL

I hereby certify that the following ordinance was enacted by the Town Council of the Town of Wallingford, on the _____ day of _____, 1990, in accordance with the provisions of the Charter of the Town of Wallingford.

Kathryn J. Wall
Town Clerk

AN ORDINANCE APPROPRIATING \$370,000 FOR THE PURCHASE OF THE PROPERTY KNOWN AS 88 SOUTH MAIN STREET AND AUTHORIZING THE ISSUE OF \$370,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

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- SOUTHERLY: by land now or formerly of Fishbein, 252.4 feet, more or less; and
- WESTERLY: by South Main Street, 125.55 feet, more or less;

owned by Town Hall Associates, further described in the Wallingford Land Records, Volume 608 at Page 460, and for administrative, printing, legal and financing costs related thereto, said appropriation to be inclusive of any and all State and Federal grants-in-aid thereof.

Section 2. To meet said appropriation \$370,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds shall be issued in the amount necessary to meet the Town's share of the cost of the project determined after considering the estimated amount of the State and Federal grants-in-aid of the project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the

proceeds 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 temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. 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 Town by the facsimile or manual signatures of the Mayor, the Comptroller, and the Town Treasurer, or any two of them, bear the Town seal or a facsimile thereof, be certified by and payable at The Connecticut Bank and Trust Company, N.A., in Hartford, Connecticut, which bank and trust company may be designated the registrar and transfer agent, and be approved as to their legality by Robinson & Cole, Attorneys-at-Law, of Hartford. They shall bear such rate or rate of interest as shall be determined by the Mayor, the Comptroller and the Town Treasurer, or any two of them. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 3. Said bonds shall be sold by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, the purchase agreement shall be subject to the approval of the Town Council.

Section 4. The Mayor, the Comptroller, and the Town Treasurer, or any two of them, are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, be approved as to their legal-

at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. 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 Town by the facsimile or manual signatures of the Mayor, the Comptroller, and the Town Treasurer, or any two of them, bear the Town seal or a facsimile thereof, be certified by and payable at The Connecticut Bank and Trust Company, N.A., in Hartford, Connecticut, which bank and trust company may be designated the registrar and transfer agent, and be approved as to their legality by Robinson & Cole, Attorneys-at-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, in accordance with the General Statutes of the State of Connecticut, as amended.

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Section 4. The Mayor, the Comptroller, and the Town Treasurer, or any two of them, are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, be approved as to their legality by Robinson & Cole, Attorneys-at-Law, of Hartford, and be certified by The Connecticut Bank and Trust Company, N.A., in Hartford, Connecticut, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General

Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. 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 project. Upon the sale of the 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 notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. Nothing herein shall prohibit the advancement of expenses by the Comptroller from available cash funds of the Town for the purposes authorized by this ordinance and the reimbursement thereof from the proceeds of bonds or notes authorized by this ordinance.

I hereby certify that the above ordinance was enacted by the Town Council of the Town of Wallingford, this _____ day of _____, 1990, in accordance with the provisions of the Charter of the Town of Wallingford.

Approved: William W. Dickinson, Jr.
Dated: _____, 1990

Kathryn J. Wall
Town Clerk

CERTIFICATE OF FINAL PASSAGE
AND
NO PETITION

I HEREBY CERTIFY that Ordinance No. _____ entitled "An Ordinance Appropriating \$370,000 For The Purchase Of The Property Known As 88 South Main Street And Authorizing The Issue Of \$370,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose" was enacted by the Town Council of the Town of Wallingford at a meeting held on _____, 1990, was approved by the Mayor on _____ (within ten days of passage by the Town Council), that I caused Notice of Passage of said Ordinance to be published in the Record-Journal on _____, a newspaper with circulation in the Town of Wallingford, and no petition has been filed in this office requesting that said Ordinance be repealed or submitted to a vote of the electors pursuant to Section 9 of Chapter III of the Town Charter, within 30 days after the foregoing date of publication.

Dated at Wallingford, Connecticut this _____ day of _____, 1990.

Kathryn J. Wall
Town Clerk
Town of Wallingford

RETURN OF PUBLICATION OF NOTICE
OF PASSAGE OF ORDINANCE

I, KATHRYN J. WALL, Town Clerk of the Town of Wallingford, hereby certify that I caused a copy of the attached Notice to be published in the Record-Journal, a newspaper having a general circulation in said Town, in its issue of _____, 1990. Said Notice was published pursuant to the Charter of the Town of Wallingford within ten days after final passage of said ordinance.

Dated _____, 1990.

Town Clerk

ity by Robinson & Cole, Attorneys-at-Law, of Hartford, and be certified by The Connecticut Bank and Trust Company, N.A., in Hartford, Connecticut, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. 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 project. Upon the sale of the 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 notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. Nothing herein shall prohibit the advancement of expenses by the Comptroller from available cash funds of the Town for the purposes authorized by this ordinance and the reimbursement thereof from the proceeds of bonds or notes authorized by this ordinance.

I, WILLIAM W. DICKINSON, JR., Mayor of the Town of Wallingford, hereby certify that within ten days after the _____, 1990, Town Council adoption of the foregoing ordinance, I hereby approve such ordinance.

Dated _____, 1990.

William W. Dickinson, Jr.
Mayor

Received for record
_____, 1990:

Town Clerk

NOTICE OF PASSAGE

Ordinance Number _____
Public Hearing _____ P.M.
_____, 1990

AN ORDINANCE APPROPRIATING \$370,000 FOR THE PURCHASE OF THE PROPERTY KNOWN AS 88 SOUTH MAIN STREET AND AUTHORIZING THE ISSUE OF \$370,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

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Section 2. To meet said appropriation \$370,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds shall be issued in the amount necessary to meet the Town's share of the cost of the project determined after considering the estimated amount of the State and Federal grants-in-aid of the project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds 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 temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding