

TOWN OF POMFRET
NOTICE OF SPECIAL TOWN MEETING – JANUARY 28, 2008
REFERENDUM – FEBRUARY 5, 2008

A Special Town Meeting of the electors and citizens qualified to vote in town meetings of the Town of Pomfret, Connecticut, will be held in the Cafeteria of the Pomfret Community School, 20 Pomfret Street, in the Town of Pomfret, Connecticut, on Wednesday, January 23, 2008 at 7:00 PM for the following purposes:

- Article 1:** To choose a Moderator for said meeting.
- Article 2:** To see if the Town will approve a Resolution for a STEAP Grant in the amount of \$205,800 from the State of Connecticut, DEP Land Acquisition and Management to be used as a component with Federal Grant money to complete repairs to Wolf Den Drive and to replace the bridge located on this drive.
- Article 3:** To see if the Town will approve a 'Right To Farm' Ordinance as pursuant to the powers conferred upon Section 7-148 (c) (7) (e), (8), and (10) (A), and in furtherance of the goals of Section 19 a-341 of the Connecticut General Statutes, to recognize the importance of protecting prime farmland, to identify those parcels for which preservation is a priority, and to foster farming as a way of life by declaring this municipality's support of the farmer's right to farm.
- Article 4:** To see if the Town will approve the expenditure of \$75,000 to the Wyndam Land Trust to be used toward their purchase of approximately 46.55 acres of land, owned by Murray W. and Carole L. Buttner, located at 294 Wrights Crossing Road, Map 25, Block A, Lot 01.00, as approved by the Board of Selectmen at their meeting of September 4, 2007 and the Board of Finance on October 9, 2007.
- Article 5:** To see if the Town will approve the expenditure of \$100,000 for a joint purchase of Development Rights between the State of Connecticut and the Town of Pomfret, as purchasers, and Antoinette Kent, seller, pursuant to the provisions and purposes of Section 22-26aa, of the General Statutes of Connecticut, for approximately 90.25 acres of land located on the northerly and southerly sides of Mashamoquet Road and depicted as Map 27, Block B, Lot 22.00 on the northerly side and Map 27, Block C, Lot 07.00 on the southerly side, as approved by the Board of Selectmen on January 7, 2008 and the Board of Finance on December 10, 2007.
- Article 6:** To consider a Resolution,
- (a) to appropriate \$4,000,000 for costs related to the acquisition by the Town of one or more parcels of land, or of easements, development rights or other interests in or rights related thereto, for open space, passive or active recreational uses or related municipal purposes, or any combination thereof, provided that no portion of the appropriation shall be expended for the acquisition of a particular parcel of land or interest in or related thereto, other than for costs preliminary to such acquisition, until such acquisition: (1) has been submitted to the Planning and Zoning Commission of the Town for review pursuant to Section 8-24 of the Connecticut General Statutes, Revision of 1958, as amended, (2) has been approved by the Board of Selectmen upon the recommendation of the Board of Finance; and (3) has been approved by the Town Meeting. The appropriation may be spent for acquisition cost, costs preliminary thereto including without limitation survey fees, testing, engineering, feasibility and planning studies related to potential acquisitions, legal fees, net temporary interest and other financing costs, and other expenses related to the acquisitions and their financing. The Town anticipates applying for grants from the State of Connecticut Department of Environmental Protection and from other available sources to defray in part the appropriation for the acquisitions;
- (b) to authorize the issue of the bonds, notes or other obligations in an amount not to exceed \$4,000,000 to finance the appropriation for the acquisitions; to provide that the amount of bonds or notes or obligations authorized to be issued shall be reduced by the amount of grants received by the Town for the acquisitions to the extent that such grants are not separately appropriated to pay additional acquisition costs; to authorize the issue and renewal of temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds, notes or other obligations or the receipt of grants for the acquisitions; to authorize a majority of the Selectmen and the Treasurer of the Town to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes or obligations; and to perform all other acts which are necessary or appropriate to issue the bonds or notes or obligations;

(c) to take such action to allow temporary advances of available funds which the Town reasonably expects will be reimbursed from the proceeds of borrowings; and to authorize a majority of the Selectmen and the Treasurer 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 bonds or notes or obligations authorized by the resolution if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years, and to make representations and enter into written agreements for the benefit of holders of the bonds or notes or obligations to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes or obligations;

(d) to authorize the First Selectman, upon the approval of the acquisition of a particular parcel of land or interest in or related thereto, to execute all contracts, enter into all agreements and to take any other action necessary or desirable to accomplish such acquisition;

(e) to authorize the First Selectman, on behalf of the Town, to apply for and accept federal, state and other grants and State loans to finance the aforesaid appropriation; and to authorize the Board of Selectmen, the First Selectman and other proper officers and officials of the Town to take any other actions necessary to obtain such grants or loans or to implement such grant or loan agreements;

(f) to authorize the Board of Selectmen, the First Selectman, the Treasurer and other proper officers and officials of the Town to take all other action which is necessary or desirable to complete the acquisitions and to issue bonds, notes or other obligations and temporary notes and obtain grants to finance the aforesaid appropriation; and

(g) and to provide that the aforesaid appropriation will lapse if three fiscal years elapse without any expenditure from or encumbrances of the appropriation.

Article 7:

To do any other business proper to come before said meeting and pursuant to Section 7-7 of the General Statutes to adjourn said Town Meeting at its conclusion and to submit the aforesaid resolution to be submitted under item 6 of this meeting, inclusive, to vote upon paper ballots on a day to be set by the Town Meeting, not less than seven nor more than fourteen days thereafter, between the hours of 6:00 A.M. and 8:00 P.M. In the absence of objection, said referendum shall be held on Tuesday, February 5, 2008. Electors and persons qualified to vote in town meetings who are not electors shall vote at:

Pomfret Community School Auditorium
20 Pomfret Street
Pomfret, Connecticut

The aforesaid resolution will be placed on the ballot under the following headings:

"SHALL THE TOWN OF POMFRET APPROPRIATE \$4,000,000 AND AUTHROZE THE ISSUE OF BONDS, NOTES AND OTHER OBLIGATIONS IN THE SAME AMOUNT FOR ACQUISITION OF PARCELS OF LAND, OR OF EASEMENTS, DEVELPOMENT RIGHTS OR OTHER INTEREST IN OR RIGHTS RELATED THERETO, FOR OPEN SPACE, PASSIVE OR ACTIVE RECREATION USES OR RELATED MUNICIPAL PURPOSES?"

Voters approving said resolution will vote "Yes" and those opposing said resolution will vote "No." Absentee ballots will be available from the Town Clerk's office.

Dated at Pomfret, Connecticut, this 14th day of January, 2008

James S. Rivers

Timothy W. McNally

David W. Smutnick

Its Board of Selectmen

Attest: Nora V. Johnson, Assistant Town Clerk