

WINDHAM TOWN COUNCIL NOTICE OF STUDY SESSION, AND AGENDA



**Windham Town Hall Bellingham Auditorium, 2nd Floor
Tuesday, April 14, 2015 - 7:00 P.M.**

1. Call to Order.
2. Pledge of Allegiance.
3. Citizens and Delegations: Public Comment.
4. Town Council Comment.
5. Hear a presentation from Kim Haddad, Executive Director of the Willimantic Housing Authority, about renovation and refurbishment efforts and progress.
6. Discuss and possibly give direction about smoking on Mansfield Avenue near Windham Hospital. (Councilmember Flores)
7. Discuss and possibly direct the Town Manager to place on the April 21, 2015, regular Town Council agenda an Appropriation and Bond Authorization for \$3.2 million in bonds to refinance an Equipment Lease Purchase Agreement entered into by the Board of Education, and to set a Town Meeting on Tuesday, May 19, at 6:30pm in the Town Hall Bellingham Auditorium to approve this Bond Resolution.
8. Discuss and possibly direct the Town Manager to place on the April 21, 2015, regular Town Council agenda a Resolution authorizing the sale of \$4 million in refunding bonds issued pursuant to Section 7-370c of the Connecticut General Statutes, as amended, and any other enabling acts.
9. Future Agenda Items
 - a. Tuesday, April 21, 2015: 7 PM regular business meeting of the Windham Town Council.
 - b. Tuesday, June 2, 2015: 7 PM regular business meeting of the Windham Town Council.
 - c. Tuesday, June 9, 2015: 7 PM study session of the Windham Town Council.
 - d. Tuesday, June 16, 2015: 7 PM regular business meeting of the Windham Town Council.
10. Citizens and Delegations: Public Comment.
11. Adjournment



Neal Beets <beetsneal@gmail.com>

Smoking at Mansfield Ave

James Flores <jamesflores57@yahoo.com>

Mon, Mar 30, 2015 at 3:32 PM

To: Neal Beets <nbeets@windhamct.com>, Charlie Krich <ckrich8874@charter.net>, Tom Devivo <tomdevivo@hotmail.com>, Joe Underwood <njunderwood@snet.net>, "eeldridge@windhamct.com" <eeldridge@windhamct.com>

To whom it may concern.

I will like to discuss and possible actions to sent a letter to the Windham Hospital in order to encourage the staff not to smoke in from of the hospital (Mansfield Ave) I have notice the high volume of staff smoking in from of students waking by.

If this issue is put in the next agenda I will appreciate it.

Sincerely James Flore

WINDHAM COMMUNITY MEMORIAL HOSPITAL, INC.		Page 1 of 3
TITLE: Smoke Free Campus		SCOPE: Hospital - General
EFFECTIVE: 11/20/08	REVIEWED: Triennially	AUTHORED BY: VP of HR
REVIEWED BY: Exec Team		APPROVED BY: VP of HR
REVIEWED:		REVISED & APPROVED: 06/10

PURPOSE: To support our mission of providing quality health care;
To minimize adverse health effects to patients, visitors, physicians, volunteers and staff;
To reduce the risk of fire;
To promote health and wellness;
To serve as a role model to the community; and
To conform to Connecticut Hospital Association and State and Federal initiatives to support health and wellness.

POLICY: In our dedication to wellness and the philosophy of providing healthy working conditions for staff in a healing environment, Windham Hospital supports a smoke free / tobacco free environment and campus.

All individuals working, visiting or receiving medical care are prohibited from using tobacco products within the hospital, hospital campus buildings, on hospital grounds, offsite facilities, hospital owned vehicles or personal vehicles when on hospital grounds. Further, the hospital prohibits the sale or distribution of tobacco products on hospital property.

PROCEDURE:

I. Responsibility

All staff members share the responsibility of adhering to and enforcing this policy and the responsibility for bringing it to the attention of visitors with compassion, sensitivity and diplomacy.

II. Notification

- A.** The hospital's job application, web site, advertising and literature as appropriate will contain notice of the hospital's smoke free / tobacco free status.
- B.** Signs at entrances, parking areas and other appropriate places will provide notice to patients and visitors.

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- C. The policy will be reviewed with new staff at Orientation.
- D. Patients will be notified by their physician's office of the hospital's smoke free / tobacco free status.

III. Staff Members

- A. As per policy, staff members may not leave the hospital campus **unless off duty**, therefore staff members who wish to leave the hospital campus are required to "clock-out." Therefore staff members may not use tobacco products during their hospital paid breaks.
- B. Staff members who leave the hospital campus to use tobacco products must respect the private property of our hospital's neighbors.

IV. Patients

- A. Tobacco products and other smoking materials must be sent home with family or friends at the time of admission or secured in the safe with other personal property.
- B. Patients may not leave the units or building to use tobacco products.
- C. The patient's physician may develop a plan of care to address the withdrawal symptoms of the patient.

V. Visitors and Vendors may not use tobacco products on hospital property

VI. Enforcement

- A. A staff member who observes an individual violating this policy should respectfully inform the individual of the policy and request that they adhere to it. Security or management should be notified of any individual who does not comply
- B. A staff member, who observes another staff member using

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tobacco products in violation of the policy, is urged to notify either their own manager or the staff member's manager.

- C. All managers have the responsibility to report infractions to the staff member's manager or take disciplinary action if the offending individual is their staff member.

VII. Disciplinary Action

Staff members and medical staff in violation of this Policy are subject to disciplinary action by their respective Supervisor, Department Head or Medical Department Chair.

- A. The first time a manager becomes aware of a staff member violating this policy, the manager will counsel the staff member regarding the policy and refer them to the Employee Health department to discuss options and health education opportunities.
- B. The next violation a manager receives in regard to violation of the policy by a staff member will result in a formal verbal warning.
- C. The third violation will result in the staff member being presented with a written warning.
- D. The next violation will result in the staff member being suspended for five days without pay.
- E. Any further violation of this policy will result in discharge from employment with Windham Hospital.

Suspension or termination must be reviewed jointly with the appropriate Vice President and the Vice President of Human Resources Services prior to implementing this level of discipline.

RELATED POLICIES:

Personnel Policy; Disciplinary Action
Personnel Policy; Breaks and Meal Periods

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**TOWN OF WINDHAM
TOWN COUNCIL
RESOLUTION**

RE: Appropriation and Bond Authorization of \$3,200,000 for the Refinancing of an Equipment Lease Purchase Agreement

RESOLVED:

that the Town Council of the Town of Windham (the "Town") approves and recommends to the Board of Finance that the sum of \$3,200,000 be appropriated for the cost of the Refinancing of an Equipment Lease Purchase Agreement, such project to include (i) the repayment of that certain Master Equipment Lease Purchase Agreement by and between Banc of America Public Capital Corp. and the Town, dated as of May 8, 2007 which financed certain energy performance equipment and modifications to the Windham public schools and (ii) temporary and permanent financing costs (the "Project") and to meet said appropriation and in lieu of a tax therefor, bonds of the Town be issued pursuant to Chapter 109 of the Connecticut General Statutes, as amended, or any other provision of law thereto enabling, in the amount of \$3,200,000 or so much thereof as may be necessary after deducting grants or other sources of funds available therefor, which bonds shall be general obligations of the Town to which its full faith and credit is pledged; and

BE IT FURTHER RESOLVED that should the appropriation and bond authorization be approved by the Board of Finance and the voters at Town Meeting,

(i) the Town Manager and the Treasurer be authorized to issue and sell such bonds and notes in anticipation of such bonds and to determine the amount, date, date of maturity, interest rate, form and other details of such bonds and notes, pursuant to Chapter 109 of the Connecticut General Statutes, as amended, or any other provision of law thereto enabling; and

(ii) the Town Manager and the Treasurer shall sign the bonds and notes by either manual or facsimile signatures and that the law firm of Pullman & Comley, LLC is designated as bond counsel to approve the legality of the bonds; and

(iii) the Town Manager and the Treasurer, or either of them, is authorized to designate a bank or trust company to be the certifying bank, registrar, transfer agent and paying agent of the bonds; to sell the bonds and notes at public or private sale or negotiation; to deliver the bonds and notes; and to perform and comply with all requirements of the Internal Revenue Code of 1986, as amended, and to perform all other acts and execute such documents which are necessary or appropriate to issue the bonds and notes including, but not limited to, the execution and delivery of a bond purchase agreement, tax compliance agreement and bond insurance agreement; and

BE IT FURTHER RESOLVED that the Town reasonably expects to incur expenditures (the "Expenditures") in connection with the capital project for which a general functional description is provided above. The Town reasonably expects to reimburse itself for the cost of the Expenditures with the proceeds of bonds of the Town described above. The maximum principal amount of such debt is not expected to exceed \$3,200,000. This declaration of official intent is a declaration of official intent made pursuant to Treasury Regulation Section 1.150-2; and

BE IT FURTHER RESOLVED that should the Board of Finance approve an appropriation and bond authorization for the Refinancing of an Equipment Lease Purchase Agreement, a Special Town Meeting is hereby called to be held on _____, 20__ at the Windham Town Hall, 979 Main Street, Willimantic, Connecticut 06226 at ___ p.m. to consider and vote upon the resolution for the Refinancing of an Equipment Lease Purchase Agreement as set forth above.

**TOWN OF WINDHAM
BOARD OF FINANCE
RESOLUTION**

RE: Appropriation and Bond Authorization of \$3,200,000 for the Refinancing of an Equipment Lease Purchase Agreement

RESOLVED, that the Board of Finance of the Town of Windham (the "Town"), on recommendation from the Town Council, approves and recommends to the electors and all others entitled to vote at town meetings of the Town that the sum of \$3,200,000 be appropriated for the cost of the Refinancing of an Equipment Lease Purchase Agreement, such project to include (i) the repayment of that certain Master Equipment Lease Purchase Agreement by and between Banc of America Public Capital Corp. and the Town, dated as of May 8, 2007 which financed certain energy performance equipment and modifications to the Windham public schools and (ii) temporary and permanent financing costs (the "Project") and to meet said appropriation and in lieu of a tax therefor, bonds of the Town be issued pursuant to Chapter 109 of the Connecticut General Statutes, as amended, or any other provision of law thereto enabling, in the amount of \$3,200,000 or so much thereof as may be necessary after deducting grants or other sources of funds available therefor, which bonds shall be general obligations of the Town to which its full faith and credit is pledged.

**TOWN OF WINDHAM
TOWN MEETING
RESOLUTION**

RE: Appropriation and Bond Authorization of \$3,200,000 for the Refinancing of an Equipment Lease Purchase Agreement

RESOLVED, that the sum of \$3,200,000 be appropriated for the cost of the Refinancing of an Equipment Lease Purchase Agreement, such project to include (i) the repayment of that certain Master Equipment Lease Purchase Agreement by and between Banc of America Public Capital Corp. and the Town, dated as of May 8, 2007 which financed certain energy performance equipment and modifications to the Windham public schools and (ii) temporary and permanent financing costs (the "Project") and to meet said appropriation and in lieu of a tax therefor, bonds of the Town be issued pursuant to Chapter 109 of the Connecticut General Statutes, as amended, or any other provision of law thereto enabling, in the amount of \$3,200,000 or so much thereof as may be necessary after deducting grants or other sources of funds available therefor, which bonds shall be general obligations of the Town to which its full faith and credit is pledged.

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**TOWN OF WINDHAM
TOWN COUNCIL
RESOLUTION**

RE: AUTHORIZATION TO ISSUE REFUNDING BONDS IN THE MAXIMUM AMOUNT OF \$4,000,000 TO REFUND CERTAIN OF THE TOWN'S OUTSTANDING BONDS AND AUTHORIZING THE APPROPRIATION OF THE PROCEEDS OF SUCH REFUNDING BONDS.

RESOLVED, that the Town Council of the Town of Windham (the "Town") hereby approves the following Resolution:

(i) that the Town is hereby authorized to issue its refunding bonds, in an amount not to exceed FOUR MILLION DOLLARS (\$4,000,000) (the "Refunding Bonds"), to fund the appropriation authorized by section (ii) of this resolution. The Refunding Bonds shall be issued pursuant to Section 7-370c of the Connecticut General Statutes, as amended, and any other enabling acts. The Refunding Bonds shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town; and

(ii) that the Town appropriate the proceeds of the Refunding Bonds to fund the redemption and the payment, in whole or in part, as determined by the Town Manager and the Treasurer of the Town, of the outstanding principal, accrued interest and any call premium on all or any portion of any issue of the Town's General Obligation Bonds including, but not limited to, the Town's General Obligation Bonds issued in 2010 (the "Prior Bonds"), together with the costs of issuance including but not limited to, any applicable consultants' fees, legal fees, trustee's and escrow agent fees, investment fees, verification fees, credit enhancement fees, underwriters' fees, bond insurance premiums, net temporary interest and other financing or transactional costs, and other expenses related to the payment or redemption of such bonds for the purposes of refunding them; and

(iii) that the Town Manager and the Treasurer shall sign the Refunding Bonds by either manual or facsimile signatures and that the law firm of Pullman & Comley, LLC is designated as bond counsel to approve the legality of the Refunding Bonds; and

(iv) that the Town Manager and the Treasurer are authorized to determine which of the Prior Bonds are to be redeemed and the amount, date, interest rates and interest mode maturities, redemption provisions, form and other details of the Refunding Bonds; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the Refunding Bonds and escrow agent with respect to the refunding escrow or escrows to be funded with proceeds of the Refunding Bonds; to provide for the keeping of a record of the Refunding Bonds; to sell the Refunding Bonds at public or private sale; to deliver the Refunding Bonds; and to perform all other acts which are necessary or appropriate to issue the Refunding Bonds; and

(v) that the Town Manager and the Treasurer are authorized to call irrevocably for redemption such of the maturities of the Prior Bonds, as they shall determine to refund from the proceeds of the Refunding Bonds and other moneys as they may determine to make available for this purpose and to defease such Prior Bonds by executing and delivering an escrow agreement in such form and upon such terms as they shall approve, such approval to be conclusively evidenced by their execution thereof; and

(vi) that the Town Manager and the Treasurer are authorized 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 Refunding Bonds authorized by this resolution, including covenants to pay rebates of investment earnings to the United States in future years; and

(vii) that the Town Manager and the Treasurer, or either of them, are authorized to make representations and enter into written agreements for the benefit of holders of the Refunding Bonds to provide secondary market disclosure information, which agreements may include such terms as he deems advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such Refunding Bonds; and

(viii) that the Town Manager, the Treasurer and the Director of Finance, or any one of them, are authorized to take all other action which is necessary or desirable to enable the Town to effectuate the refunding of all or a portion of the Prior Bonds and to issue Refunding Bonds authorized hereby for such purposes, including, but not limited to, the entrance into agreements on behalf of the Town with underwriters, trustees, escrow agents, bond insurers, and others to facilitate the issuance of the Refunding Bonds, the escrow of the proceeds thereof and investment earnings thereon and the payment of the Prior Bonds in whole or in part; and

(ix) that the Town Manager and the Treasurer, or either of them, are hereby authorized if they determine it is in the Town's best interest, to acquire, on behalf of the Town, bond insurance or other forms of credit enhancement guaranteeing the Refunding Bonds on such terms as the Town Manager or the Treasurer, as the case may be, determines to be appropriate, such terms to include, but not be limited to, those relating to fees, premiums and other costs and expenses incurred in connection with such credit enhancement, the terms of payment of such expenses and costs and such other undertakings as the issuer of the credit enhancement shall require; and the Town Manager or the Treasurer, as the case may be, are authorized, on the Town's behalf, to grant security to the issuer of the credit enhancement to secure the Town's obligations arising under the credit enhancement, including the establishment of a reserve from the proceeds of the Refunding Bonds; and

(x) that the Town Manager and the Treasurer are hereby authorized in connection with the issuance of the Refunding Bonds to execute and deliver on behalf of the Town such reimbursement agreements, remarketing agreements, standby bond purchase agreements, interest rate swap agreements, and any other appropriate agreements the Town Manager and the Treasurer deem necessary, appropriate or desirable and the Town Manager and the Treasurer are hereby authorized on behalf of the Town to secure the payment of such agreements with the full faith and credit of the Town, if they deem it necessary, appropriate or desirable.