The Bozrah Board of Selectmen held a REGULAR MEETING on Tuesday April 16, 2019 at 7:00 PM in the Meeting Room of the Bozrah Town Hall at 1 River Road, Bozrah, Connecticut.

MINUTES

1) **Call to order/attendance:** Meeting called to order at 7:03 PM by FS Pianka. Full Board of Selectmen, Attorney Bruce Chudwick, James Sipperly, Raymond Barber

2) **Public comment(s):** None

3) **Approve minutes of BOS Regular Meeting of February 19, 2019:** Zorn/Ballinger-Unanimous

4) **Approve minutes of BOS Special Meeting of February 21, 2019:** Pianka/Zorn-Unanimous

5) **Approve minutes of BOS Special Meeting of February 26, 2019:** Zorn/Ballinger-Unanimous

6) **Approve minutes of BOS Special Meeting of March 5, 2019:** Zorn/Ballinger-Unanimous

7) **Approve minutes of BOS Special Meeting of March 11, 2019:** Zorn/Ballinger-Unanimous

8) **Approve minutes of BOS Special Meeting of March 13, 2019:** Zorn/Ballinger-Unanimous

9) **Approve minutes of BOS Special Meeting of March 18, 2019:** Zorn/Pianka-Unanimous

10) **NOTATION ONLY:** BOS Regular Meeting of March 19, 2019 CANCELLED

11) **Approve minutes of BOS Special Meeting of April 4, 2019:** Zorn/Ballinger-Unanimous

12) **Approve minutes of BOS Special Meeting of April 8, 2019:** Pianka/Ballinger-Unanimous

   **MOTION:** Selectman Ballinger to add Agenda Item 23- Conflict of Interest Waiver regarding the employment of Attorney Bruce Chudwick who also represents Dime Bank

   **SECONDED:** Zorn   **PASSED-UNANIMOUS**

13) **RESOLUTION:** Recommending the First Amendment to the Contract of Sale of Water And Sewer Assets, the installation of an additional 700 linear feet of water line on Route 8, and an amended appropriation and bond authorization of $1,700,000 to finance the costs of the contract and the installation. **See attached Exhibit “A”**

   **MOTION:** Pianka/ **SECONDED:** Ballinger   **PASSED-UNANIMOUS**
14) **ORDINANCE:** Proposal to Designate the Board of Selectmen as the Water Pollution Control Authority  
   See Attached Exhibit “B”  
   **MOTION:** Pianka/SECONDED: Zorn  
   **PASSED-UNANIMOUS**

15) **RESOLUTION:** To call a Special Town Meeting to address the items under RESOLUTION as stated under Agenda Item Number 13 (above) and to also act on the recommended transfer of $66,955 from the Town’s General Fund to the Board of Education 2018-2019 budget to pay for unanticipated special education costs and dental insurance premiums for Board of Education employees, and, to act on the proposed Ordinance to Designate the Board of Selectmen the Water Pollution Control Authority.

16) **Monthly Reports-Fire Marshal January, 2019 and February, 2019:** See attached

17) **Monthly Reports-Senior Services Coordinator/Municipal Agent**  
   February, 2019 and March, 2019 attached

18) **State Police Monthly Report:** Troop “K” Commanding Officer Lt. Mark Petruzzi met with me on March 12th and agreed to resume the submission of monthly reports. **March, 2019 is attached.**

19) **Commission Appointments:**

   **Inland Wetlands and Watercourses Commission:**  
   Move James Sipperly from Alternate to Regular position and to maintain appointment dates of 01/31/18—01/31/21, and to,  
   Appoint Barbara MacFadyen to the vacant position as Alternate with the appointment dates of 07/01/17—06/30/20  
   **MOTION:** Ballinger/SECONDED: Zorn  
   **PASSED-UNANIMOUS**

   **Planning and Zoning-Alternate:**  
   Frank Driscoll 16 Schwartz Road, Bozrah, Connecticut  860-861-1170  
   **Fdriscoll001@yahoo.com** to the vacant position for the term 06/01/17—05/31/20  
   **MOTION:** Ballinger/ SECONDED: Zorn  
   **PASSED-UNANIMOUS**

   **Gardner Lake Authority:** Resignation of James McArdle effective 04/11/19  
   Accepted with regrets. Letter of thanks for the service will be sent.

20) **Zoning Enforcement Official:** Agenda items 20 and 21 were discussed as one item due to the fact that Thomas Weber currently holds both positions. First Selectman Pianka was verbally informed of his desire to relinquish both positions as soon as practicable. Discussion with the Town of Franklin, and possibly other surrounding towns, will be initiated to explore the possibility of coordinating a combined/shared resource. **ACKNOWLEDGED BY SELECTMEN BALLINGER AND ZORN**

21) **Inland Wetlands and Watercourses Enforcement Official:** See comments under agenda Item 20
22) Discussion: Regarding the implementation of highway tolls in Connecticut, as requested by resident Jack Sullivan of Fitchville Road:
   Request rescinded by Jack Sullivan prior to commencement of the meeting. Selectmen do desire to submit a letter of non-support of borrowing against anticipated future toll revenues. Letter will be formulated by First Selectmen Pianka and pre-approved the Board of Selectmen and signed by all Selectmen.

23) Waiver of Conflict of Interest: Regarding the employment of the Town of Bozrah and Attorney Bruce Chudwick of Goodwin/Shipman LLP who also represents Dime Bank. Discussion resulted in the acknowledgement of that relationship. Selectmen authorized the First Selectman to sign the document and that no conflict exists. See Exhibit “D”
   MOTION: Ballinger/SECONDED: Zorn PASSED-UNANIMOUS

24) Public Comment(s): None

25) Adjourn: 8:26 P.M.

Respectfully Submitted,

Glenn S. Pianka
First Selectman
TOWN OF BOZRAH
BOARD OF SELECTMEN

RESOLUTION RECOMMENDING THE FIRST AMENDMENT TO THE CONTRACT OF SALE OF WATER AND SEWER ASSETS, THE INSTALLATION OF AN ADDITIONAL 700 LINEAR FEET OF WATER LINE ON ROUTE 82, AND AN AMENDED APPROPRIATION AND BOND AUTHORIZATION OF $1,700,000 TO FINANCE THE COSTS OF THE CONTRACT AND THE INSTALLATION

RESOLVED, that the Board of Selectmen recommends that the Town of Bozrah (the "Town") approve the First Amendment (the "First Amendment") to the Contract of Sale of Water and Sewer Assets between the Town and Bozrah Senior Living, LLC (the "Seller") dated December 14, 2017 (the "Contract of Sale," and as amended, the "Amended Contract of Sale"). The First Amendment provides, in part, that the Town install the Seller’s natural gas line connecting from the Norwich Public Utilities facilities to the Seller’s property on Route 82 at a cost of $95,000.

FURTHER RESOLVED, that the Board of Selectmen recommends that the Town install approximately 700 linear feet of additional water line along Route 82 to connect the Norwich Public Utilities reservoir feed from the Town of Montville at Noble Hill Road to the terminus of the Bozrah Senior Living, LLC facility water line on Route 82.

FURTHER RESOLVED, that the Board of Selectmen recommends that the Town appropriate the amended amount of $1,700,000 for costs related to the Amended Contract of Sale and the installation of the additional water line on Route 82. The appropriation may be expended for the purchase/installation of the water, sewer and natural gas line assets pursuant to the Amended Contract of Sale, the acquisition of land and/or rights or interests in land, site improvements, design, construction, reconstruction, repair, excavation, inspection, evaluation and surveying costs for the additional water line on Route 82, financing fees and costs for the bond issuance, and other costs related to the projects, all in the amounts as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Purchase/Installation Price of the Water and Sewer Assets (and natural gas line) pursuant to the Amended Contract of Sale</td>
<td>$1,470,000</td>
</tr>
<tr>
<td>Installation of Additional Water Line on Route 82</td>
<td>200,000</td>
</tr>
<tr>
<td>Financing Fees and Costs for Bond Issuance</td>
<td>30,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$1,700,000</strong></td>
</tr>
</tbody>
</table>
The appropriation shall include any federal, state or other grants-in-aid or other funds received for the projects. The amount authorized to be expended for each purpose shall not exceed the amount set forth opposite each purpose, provided that the Board of Selectmen, upon approval of the Board of Finance, may, by resolution, transfer unexpended funds among purposes, so long as the total appropriation and bond authorization is not increased.

FURTHER RESOLVED, that the Board of Selectmen recommends that the Town of Bozrah issue its bonds, notes or temporary notes in an amount not to exceed $1,700,000 to finance the appropriation.

FURTHER RESOLVED, that the Board of Selectmen hereby refers the projects to the Bozrah Planning and Zoning Commission for a report under Section 8-24 of the Connecticut General Statutes.

FURTHER RESOLVED, that the Board of Selectmen recommends that the Town approve a transfer of $66,955 from the Town's General Fund to the Board of Education 2018-2019 budget to pay for unanticipated special education costs and dental insurance premiums for Board of Education employees.

FURTHER RESOLVED, that the Board of Selectmen recommends that the Town approve an ordinance to designate the Board of Selectmen as the Town's Water Pollution Control Authority.
TOWN OF BOZRAH

ORDINANCE TO DESIGNATE THE BOARD OF SELECTMEN AS THE WATER POLLUTION CONTROL AUTHORITY

The Town of Bozrah hereby ordains that:

Section 1. Pursuant to Chapter 103 of the Connecticut General Statutes, Revision of 1958, Revised to 2019, as amended, the Bozrah Board of Selectmen is hereby designated as the Water Pollution Control Authority of the Town.

Section 2. Said Water Pollution Control Authority shall have all the rights, powers and authority conferred by, and be subject to the provisions of, said Chapter 103 of the Connecticut General Statutes, Revision of 1958, Revised to 2019, as amended.
TOWN OF BOZRAH
BOARD OF SELECTMEN
RESOLUTION TO CALL SPECIAL TOWN MEETING

WHEREAS, the Board of Selectmen has recommended that the Town of Bozrah approve 1.) the First Amendment to the Contract of Sale of Water and Sewer Assets between the Town and Bozrah Senior Living, LLC dated December 14, 2017; the installation of approximately 700 linear feet of additional water line along Route 82 to connect the Norwich Public Utilities reservoir feed from the Town of Montville at Noble Hill Road to the terminus of the Bozrah Senior Living, LLC facility water line on Route 82; an appropriation of the amended amount of $1,700,000 for costs related to the Amended Contract of Sale and the installation of the additional water line on Route 82; and the authorization for the issuance of bonds, notes or temporary notes in the amount of $1,700,000 for costs related to the projects; and 2.) a transfer of $66,955 from the Town’s General Fund to the Board of Education 2018-2019 budget to pay for unanticipated special education costs and dental insurance premiums for Board of Education employees; and

WHEREAS, the Board of Finance has recommended these appropriations and bond authorization; and

WHEREAS, the Board of Selectman has recommended that the Town approve an ordinance to designate the Board of Selectmen as the Town’s Water Pollution Control Authority.

BE IT RESOLVED, that the attached detailed appropriation and bonding resolution for the Water and Sewer Assets (and natural gas line) projects (the “Resolution”), the attached Ordinance to Designate the Board of Selectmen the Water Pollution Control Authority, and the resolution to transfer $66,955 from the Town’s General Fund to the Board of Education 2018-2019 budget to pay for unanticipated special education costs and dental insurance premiums for Board of Education employees are hereby approved and shall be submitted to a Special Town Meeting to be held on Wednesday, April 24, 2019 in accordance with the attached Warning of Special Town Meeting, which is also hereby approved.
TOWN OF BOZRAH
SPECIAL TOWN MEETING

RESOLUTION TO APPROVE THE FIRST AMENDMENT TO THE CONTRACT OF SALE OF WATER AND SEWER ASSETS, THE INSTALLATION OF AN ADDITIONAL 700 LINEAR FEET OF WATER LINE ON ROUTE 82, AND AN AMENDED APPROPRIATION AND BOND AUTHORIZATION OF $1,700,000 TO FINANCE THE COSTS OF THE CONTRACT AND THE INSTALLATION

BE IT RESOLVED:

SECTION 1. That the Town of Bozrah (the “Town”) hereby approves the First Amendment (the “First Amendment”) to the Contract of Sale of Water and Sewer Assets between the Town and Bozrah Senior Living, LLC (the “Seller”) dated December 14, 2017 (the “Contract of Sale,” and as amended, the “Amended Contract of Sale”). The First Amendment provides, in part, that the Town install the Seller’s natural gas line connecting from the Norwich Public Utilities facilities to the Seller’s property on Route 82 at a cost of $95,000.

SECTION 2. That the Town hereby approves the installation of approximately 700 linear feet of additional water line along Route 82 to connect the Norwich Public Utilities reservoir feed from the Town of Montville at Noble Hill Road to the terminus of the Bozrah Senior Living, LLC facility water line on Route 82.

SECTION 3. That the Town appropriate the amended amount of $1,700,000 for costs related to the Amended Contract of Sale and the installation of the additional water line on Route 82. The appropriation may be expended for the purchase/installation of the water, sewer and natural gas line assets pursuant to the Amended Contract of Sale, the acquisition of land and/or rights or interests in land, site improvements, design, construction, reconstruction, repair, excavation, inspection, evaluation and surveying costs for the additional water line on Route 82, financing fees and costs for the bond issuance, and other costs related to the projects, all in the amounts as follows:

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The appropriation shall include any federal, state or other grants-in-aid or other funds received for the projects. The amount authorized to be expended for each purpose shall not exceed the amount set forth opposite each purpose, provided that the Board of Selectmen, upon approval of the Board of Finance, may, by resolution, transfer unexpended funds among purposes, so long as the total appropriation and bond authorization is not increased.

SECTION 4. That the Town of Bozrah finance the appropriation by issuing the Town’s bonds or notes in an amount not to exceed $1,700,000 or so much thereof as may be necessary after deducting any Federal or State grants for the projects. The bonds or notes shall be issued pursuant to the Connecticut General Statutes, as amended. The bonds or notes may be sold as a single issue or consolidated with any other authorized issues of bonds or notes of the Town. The Treasurer shall keep a record of the bonds or notes. The bonds or notes shall be signed in the name and on behalf of the Town by the First Selectman and Treasurer and shall bear the Town seal or a facsimile thereof. The bonds or notes shall each recite that every requirement of law relating to its issue has been fully complied with, that such bond or 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 terms, details and particulars of such bonds or notes shall be determined by the First Selectman and Treasurer. The bonds or notes shall be sold by the First Selectman and Treasurer at public sale or by negotiation in their discretion.

SECTION 5. That the First Selectman and Treasurer are authorized to issue temporary notes in anticipation of the receipt of the proceeds of said bonds or notes. The notes shall be signed by the First Selectman and Treasurer and shall bear the Town seal or a facsimile thereof. The notes shall be issued with maturity dates in accordance with the Connecticut General Statutes, as amended. The notes shall each recite that every requirement of law relating to its issue has been fully 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 such notes, to the extent paid from the proceeds from the issuance of bonds or notes, shall be included as a cost of the appropriation.

SECTION 6. That the Town hereby declares its official intent under Treasury Regulation Section 1.150-2 of the Internal Revenue Code of 1986, as amended, that the costs of the projects may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized for the projects; that the First Selectman and Treasurer are authorized to bind the Town pursuant to such representations and agreements as they deem necessary or advisable in order to ensure and maintain the continued exemption from Federal income taxation of interest on the bonds, notes or temporary notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years; and that the First Selectman and Treasurer are authorized to make representations and agreements for the benefit of the holders of the bonds, notes or temporary notes to provide...
secondary market disclosure information and to execute and deliver on behalf of the Town an agreement to provide such information with such terms and conditions as they, with the advice of bond counsel, deem necessary and appropriate.

SECTION 7. That the bonds, notes or temporary notes authorized above, or any portion thereof, may bear interest which is includable in the gross income of holders thereof for Federal income tax purposes pursuant to the Internal Revenue Code of 1986, as amended, as the issuance of such taxable bonds, notes or temporary notes is hereby determined to be in the public interest.

SECTION 8. That the First Selectman is authorized to apply for and accept or reject any federal, state or other grants-in-aid for the projects and to contract with the contractors and others on behalf of the Town to complete the projects; and that the Board of Selectmen, Treasurer and other Town officials and employees are authorized to take all actions necessary and proper to carry out the projects and to issue the bonds, notes or temporary notes to finance the appropriation.
TOWN OF BOZRHA
WARNING OF
SPECIAL TOWN MEETING
WEDNESDAY, APRIL 24, 2019

The electors and those persons eligible to vote in town meetings of the Town of Bozrah, Connecticut, are hereby warned and notified that a Special Town Meeting will be held at the Fields Memorial School, 8 Bozrah Street Extension, Bozrah, Connecticut, on Wednesday, April 24, 2019, at 7:00 P.M. for the following purposes:

ITEM 1. - To consider and vote on a resolution:

(a) To approve the First Amendment to the Contract of Sale of Water and Sewer Assets between the Town and Bozrah Senior Living, LLC (the “Seller”) dated December 14, 2017 (as amended, the “Amended Contract of Sale”). The First Amendment provides, in part, that the Town install the Seller’s natural gas line connecting from the Norwich Public Utilities facilities to the Seller’s property on Route 82 at a cost of $95,000;

(b) To approve the installation of approximately 700 linear feet of additional water line along Route 82 to connect the Norwich Public Utilities reservoir feed from the Town of Montville at Noble Hill Road to the terminus of the Bozrah Senior Living, LLC facility water line on Route 82;

(c) To appropriate the amended amount of $1,700,000 for costs related to the Amended Contract of Sale and the installation of the additional water line on Route 82, and authorize the issuance of bonds, notes or temporary notes in the amount of $1,700,000 to finance the costs related to the projects;

(d) To authorize the First Selectman and Treasurer to determine the terms, conditions, and other details of the bonds, notes or temporary notes;

(e) To declare the Town’s official intent under applicable Internal Revenue Service Regulations that project costs may be paid from temporary advances of available funds that the Town reasonably expects will be reimbursed from the proceeds of borrowings; and to authorize the First Selectman and Treasurer to bind the Town as they deem necessary or advisable to issue the bonds, notes or temporary notes on a tax-exempt basis and to provide secondary market disclosure information related to such issuance;

(f) To authorize the bonds, notes or temporary notes to be issued on a taxable basis if necessary, as the issuance of such taxable bonds, notes or temporary notes is in the public interest; and
(g) To authorize the First Selectman to apply for and accept or reject any federal, state or other grants-in-aid for the projects, to enter into contracts for the projects and to authorize the Board of Selectmen, Treasurer and other Town officials and employees to take all other actions necessary to complete the projects and issue the bonds, notes or temporary notes to finance the appropriation.

ITEM 2. To consider and vote on a transfer of $66,955 from the Town’s General Fund to the Board of Education 2018-2019 budget to pay for unanticipated special education costs and dental insurance premiums for Board of Education employees.

ITEM 3. To consider and vote on an Ordinance to designate the Board of Selectmen as the Town’s Water Pollution Control Authority.

Copies of the full text of the Resolution described in Item 1 above and the Ordinance described in Item 3 above are on file and available for public inspection in the Office of the Town Clerk.

Dated at Bozrah, Connecticut this 16th day of April, 2019.

BOARD OF SELECTMEN

______________________________
Glenn S. Pianka
First Selectman

______________________________
William E. Ballinger
Selectman

______________________________
Carl Zorn
Selectman
03/11/2019

Glenn Pianka, First Selectman
Town of Bozrah
1 River Rd
Bozrah CT 06334

Glenn,

The following are activities conducted by the Fire Marshal’s Office between 01/10/2019 thru 02/09/2019:

- Review of monthly communications from the State of Connecticut DEMHS
- Data entry into fire department data base
- Review Town of Bozrah LEOP
- Fire Marshal continuing education Gardner Lake FD- 2 separate classes 4 hours each
- Fire Department walk thru Elmbrook Senior Housing- 2 hours
- Bulldog Fire Apparatus Office Inspection
- Elmbrook Senior Housing on-site inspections 12 ¾ hours
- Elmbrook plan reviews 3 hours

Annual Occupancy Inspections:

- Revelation Church
- Moose Lodge
- Gilman Corporation
- Gilman Brothers Company
- Hillandale Farms

Submitted,

Thomas E Main Jr., Fire Marshal
Town of Bozrah
FEBRUARY 2019 SENIOR REPORT

-The Bozrah Senior Center has 15 active members. I expect once the nicer weather gets here more seniors will want to come out.

-Lunch is still provided by TVCCA and is delivered. Judy Poprosky, our new Site Server, has fit right in and is doing a great job! She is a big help and very eager to help any way she can.

-In January we had a surprise inspection from Uncas Health. We got a passing grade with points taken off for a burnt light bulb in the refrigerator, which still needs to be replaced before our next inspection. I was told they would inspect quarterly. We had an issue with the heat being out one morning, which the problem was quickly identified and fixed by Bozrah DPU. No further issues with the furnace since relighting the pilot.

-With Spring right around the corner and the inevitable bugs that come. I would like to see if we could get some flashing or something for the bottom of the doors, which have large enough gaps under them to allow those critters in. Last year we had an issue with black beetles getting in. Also, if someone could clean the spider webs and nests off the front of the building and doors and spray to deter them from rebuilding that would be greatly appreciated.

-For the month of February we took a trip to the Groton Senior Center, had lunch out, did a fruit tasting and learned some new benefits of adding them to our diets, and celebrated Valentine’s Day. For next month I’ve got some exciting events planned, including a paint party.

-As Municipal Agent, I have brought updated and new brochures to the Center, with lots of info about Medicare, upcoming events/classes for health issues, and free clinics. I also have been in contact with the ECTC board and communicated our needs as they apply for the new grant for the upcoming fiscal year. Funds for the Dial-a-Ride program are running low. They may need to lower the number of rides available and/or limit the reimbursement amount per month. I will keep you updated once they decide a plan.

-The current balance for the Senior Center account ~ $2834.78.

-Pamela Contino
Director/Municipal Agent
MARCH 2019 SENIOR REPORT

-The Bozrah Senior Center has 16 active members.

-Lunch is provided by TVCCA
Judy Poprosky/Site Server

-March was an active month. We welcomed new members and were happy to see some old ones return. For activities we decorated pots and planted marigolds, took a lunch trip to Bozrah Pizza, had a movie day, bingo, and ended the month with a very fun, successful painting party.

-On Thursday, March 28th, I spent about 3 hours cleaning the Senior Center. I organized the outer hallway, vacuumed and mopped the floors, amongst other things. I don't think the floors have been vacuumed in over a month and honestly don't think they have been mopped since I did it last May! I have left several notes for the "cleaning person" and they have all been ignored or not seen. I'm not sure what he does every week, because it isn't noticeable. If someone could please replace the refrigerator light bulb and clean and spray the spider webs around the doors on the outside of the building it would be GREATLY appreciated.

-Last month I mentioned that funding for the Dial-a-Ride program was running low. They have since decided that no new enrollments for current year will be accepted. All previously scheduled rides will be honored. Also, the mileage reimbursement will now be limited to $25/day. They are writing the new grant as we speak and this is what they are proposing:

*We will maintain the $24 enrollment fee.
*We will reduce the number of rides to be provided to 12 round trips or 24 1-way trips.
*We will cap out the mileage reimbursement to $25 per day.
*We will adjust our brochure and related to paperwork. In very large letters, we will indicate that this is grant funded and the money is not infinite.

I will keep you informed of any new updates.

-The current balance for the Senior Center account ~ $2631.92. Money was used for craft & center supplies, lunch, and for artist for painting party.

-Pamela Contino
Director/Municipal Agent
Date: April 1, 2019

Mr. Glenn Pianka
Bozrah First Selectman
1 River Road
Bozrah, CT 06334

Dear Mr. Pianka,

This correspondence is an effort to keep you apprised of the monthly police services occurring within the Town of Bozrah.

During the month of March 2019 the Troop K Troopers responded to 107 Calls for Service in the Town of Bozrah. Of these Calls for Service the most notable are:

- Accidents: 3
- Burglaries: 0
- Larcenies: 1
- Other Criminal: 0
- Other Non-Criminal: 2
- Non Reportable Matters: 70
- Other Noteworthy Events (List): N/A.

In addition to the above investigations Troopers conducted the following motor vehicle enforcement:
- On-Sight DWI: 1
- Traffic Citations: 21
- Written Warnings: 7

Sincerely,

Lieutenant Marc Petrucci #037
COMMANDING OFFICER
Troop “K” Colchester, CT
March 1, 2019

VIA EMAIL ONLY: firstselectman@bozrahct.org
Mr. Glenn Pianka, First Selectman
Town of Bozrah
1 River Road
Bozrah, CT 06334

Re: Waiver of Conflict of Interest Re: Dime Bank and Town of Bozrah (the “Town”) - Sale of Bonds to Finance Water and Sewer Asset Acquisition

Dear Glenn:

As we discussed yesterday, our firm has represented the Town as bond counsel on prior projects financed by the Town. You have now asked us to represent the Town as bond counsel to finance the Town’s financial obligations under the Contract of Sale of Water and Sewer Assets between the Town and Bozrah Senior Living, LLC (aka Optimus) (the “Financing”). In addition, our firm represents Dime Bank (the “Bank”) on employment and general corporate matters. We understand that the Bank will engage other counsel to advise it on the Financing.

This letter seeks your consent for our firm’s representation of the Town in the Financing and a waiver of any actual or potential conflict as described in this letter.

Notice of Professional Duties and Potential Adverse Interests

Under the applicable Rules of Professional Conduct, which apply to all attorneys, our firm may not act adversely to a current client, even on an unrelated matter, without full disclosure to each affected client and the consent of each client. This means that we must explain to both the Town and the Bank the pros and cons of giving their consent, and that we cannot proceed with representing the Town unless both the Town and the Bank give consent to the simultaneous representation.

In deciding whether or not to consent, you should consider how our representation of the Bank as described above could or might affect the Town. For example, a client who is
asked to waive or consent to conflicts typically should consider whether there is any material risk that its attorney will be less zealous or eager on the client’s behalf due to the conflict. Similarly, a client asked to waive a conflict should consider whether there is any material risk that client confidences or secrets will be used adversely to it due to the conflict. While we do not believe that there is a material risk of either type in this case, these are issues that you should consider for yourself. In addition, you should bear in mind that, if you consent, the firm will be representing the Bank on other matters not involving the Financing.

In addition, under the applicable Rules of Professional Conduct, our firm owes various duties to the Bank and the Town, including duties of care, loyalty and confidentiality. We reasonably believe, however, that our representation of the Town in the Financing does not involve issues of confidentiality that would be breached and that our representation of each of the Bank and the Town on unrelated matters will not adversely affect the relationships with the other.

We also reasonably believe that our representation of the Town will not involve issues requiring the breach of confidentiality owed to the Bank, or adversely affect our representation of the Bank in other matters; and that our representation of the Bank in those other matters will not adversely affect our representation of the Town in the Financing.

Other Conditions

We will not represent either the Bank or the Town in any dispute, claim, workout, challenge, controversy, litigation or adjudicatory proceeding that is threatened or arises concerning the Financing. We will also make sure that the confidential and attorney-client information of each client is preserved and protected.

Request for Consent

You should also know that you have the right to seek independent counsel, such as your Town Attorney, to assist you in deciding whether or not to give your consent. You do not have to do so if you do not wish to, however. Whether or not you consult such counsel on this issue is entirely up to you.

Please review this matter carefully. If you have any questions that you would like me to answer prior to reaching a decision on this issue, please let me know. If you are willing to consent to our firm’s representation of the Town in the Financing, subject to the conditions set forth above, and our continued ongoing representation of the Bank in other unrelated matters after such review as you believe appropriate, please sign a copy of this letter in the space provided and return it to me by email for our files. Thank you.
Mr. Glenn Pianka, First Selectman
March 1, 2019
Page 3

Sincerely,

Bruce A. Chudwick

READ AND CONSENTED TO
this 16th day of April, 2018.

TOWN OF BOZRAH

By: Glenn Pianka
First Selectman

Doc. 7435473v1