

**TOWN OF PRESTON  
BOARD OF SELECTMEN**

RESOLUTION TO ENDORSE, AND CALL A SPECIAL TOWN MEETING TO APPROVE, AMENDMENT NO. 1 TO THE PROPERTY DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE TOWN OF PRESTON AND THE MOHEGAN TRIBAL GAMING AUTHORITY, THE ACCEPTANCE AND AUTHORIZATION TO EXPEND A STATE GRANT OF \$7,000,000 AND A STATE LOAN OF \$2,000,000, AND THE RATIFICATION OF THE TOWN'S PREVIOUS APPROVAL OF SAID LOAN, ALL AS PROVIDED UNDER SAID AMENDMENT NO. 1 AND A STATE FINANCIAL ASSISTANCE AGREEMENT

WHEREAS, the Preston Redevelopment Agency has recommended to the Board of Selectmen that Amendment No. 1 to the Property Disposition and Development Agreement dated as of April 19, 2017, by and between the Town of Preston and the Mohegan Tribal Gaming Authority ("MTGA"), relating to the disposition and development of Preston Riverwalk (the "PDDA"), be submitted to a Special Town Meeting for approval; and

WHEREAS, the PDDA provides for the receipt and expenditure of a grant of \$7,000,000 and a loan of \$2,000,000 from the State of Connecticut to fund additional remediation and abatement work, and associated administration, engineering and contingency costs, at Preston Riverwalk, in accordance with a State Financial Assistance Agreement (the "State Financial Assistance Agreement"); and

WHEREAS, in connection with the approval of the PDDA by the voters at the April 18, 2017 Referendum, the Town approved the acceptance and expenditure of the \$2,000,000 State loan included in Amendment No. 1 and the State Financial Assistance Agreement to fund the remediation and abatement work.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Selectmen hereby endorses Amendment No. 1 to the PDDA and approves the State Financial Assistance Agreement and recommends their approval by the voters of the Town.

FURTHER RESOLVED, that Amendment No. 1 to the PDDA, the acceptance and authorization to expend the State Financial Assistance Agreement grant and loan and the ratification of the Town's previous approval of said loan, as provided in the attached "Resolution to Approve Amendment No. 1 to the Property Disposition and Development Agreement By and Between the Town of Preston and the Mohegan Tribal Gaming Authority, the Acceptance and Authorization to Expend a State Grant of \$7,000,000 and a State Loan of \$2,000,000, and the Ratification of the Town's Previous Approval of Said Loan, all as Provided Under Said Amendment No. 1 and a State Financial Assistance Agreement" (the "Resolution") be submitted to a Special Town Meeting on Thursday, October 6, 2022, at 7 P.M. at the Preston Plains Middle School, 1 Route 164, Preston, Connecticut in accordance with the attached Warning of Special Town Meeting.

**TOWN OF PRESTON  
WARNING OF  
SPECIAL TOWN MEETING THURSDAY, October 6, 2022**

The electors and those persons eligible to vote in town meetings of the Town of Preston, Connecticut, are hereby warned and notified that a Special Town Meeting will be held at Preston Plains Middle School, 1 Route 164, Preston, Connecticut, on Thursday, October 6, 2022, at 7 P.M. for the following purposes:

ITEM 1. - To discuss and vote on a “Resolution to Approve Amendment No. 1 to the Property Disposition and Development Agreement By and Between the Town of Preston and the Mohegan Tribal Gaming Authority, the Acceptance and Authorization to Expend a State Grant of \$7,000,000 and a State Loan of \$2,000,000, and the Ratification of the Town’s Previous Approval of Said Loan, all as Provided Under Said Amendment No. 1 and a State Financial Assistance Agreement.”

Copies of the Resolution under Item 1 above, Amendment No. 1 to the Property Disposition and Development Agreement and the State Financial Assistance Agreement are on file and available for inspection at the Offices of the First Selectwoman and Town Clerk, and the Town’s website at [www.preston-ct.org](http://www.preston-ct.org).

Dated at Preston, Connecticut this \_\_\_\_\_ day of September, 2022.

**BOARD OF SELECTMEN**

\_\_\_\_\_  
Sandra Allyn-Gauthier  
First Selectwoman

\_\_\_\_\_  
Kenneth L. Zachem  
Second Selectman

\_\_\_\_\_  
Gerald W. Grabarek  
Third Selectman

**ITEM 1**

**TOWN OF PRESTON  
SPECIAL TOWN MEETING  
THURSDAY, October 6, 2022**

**RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE PROPERTY  
DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE  
TOWN OF PRESTON AND THE MOHEGAN TRIBAL GAMING AUTHORITY, THE  
ACCEPTANCE AND AUTHORIZATION TO EXPEND A STATE GRANT OF  
\$7,000,000 AND A STATE LOAN OF \$2,000,000, AND THE RATIFICATION OF THE  
TOWN'S PREVIOUS APPROVAL OF SAID LOAN, ALL AS APROVIDED UNDER  
SAID AMENDMENT NO.1 AND A STATE FINANCIAL ASSISTANCE  
AGREEMENT**

**BE IT RESOLVED:**

SECTION 1. That Amendment No. 1 (“Amendment No. 1”) to the Property Disposition and Development Agreement Dated as of April 19, 2017, by and between the Town of Preston and the Mohegan Tribal Gaming Authority, relating to the disposition and development of Preston Riverwalk, is approved in substantially the form referred to above and as presented to this Special Town Meeting; the First Selectwoman is authorized to execute and deliver Amendment No. 1 for and on behalf of the Town; the Chairperson of the Preston Redevelopment Agency (the “PRA”) is authorized to execute and deliver Amendment No. 1 for and on behalf of the PRA; and the Board of Selectmen, Treasurer, PRA and other Town officials and employees are authorized to take all actions necessary and proper to execute and deliver all documents pursuant to Amendment No. 1, and to bind the Town and the PRA to their respective terms.

SECTION 2. That the Board of Selectmen is authorized to accept and expend a grant of \$7,000,000 and a loan of \$2,000,000 from the State of Connecticut pursuant to a financial assistance agreement between the Town and the State (the “State Financial Assistance Agreement”), to fund additional remediation and abatement work, and associated administration, engineering and contingency costs, at Preston Riverwalk (the “Project”); the First Selectwoman is authorized to execute and deliver the State Financial Assistance Agreement, a Pass-Through Agreement related thereto and all other documents and instruments related to the State grant and loan. The First Selectwoman and Chairperson of the PRA, or their designees, are authorized to contract with engineers, contractors and others on behalf of the Town and the PRA, as applicable, and to approve expenditures for the Project.

SECTION 3. That the Town’s previous approval (by Referendum on April 18, 2017) of the \$2,000,000 loan from the State of Connecticut pursuant to the State Financial Assistance Agreement is ratified and confirmed. The full faith and credit of the Town are pledged to the

payment of the principal of and interest on the loan, subject to the loan forgiveness and other terms and conditions of the loan. The final terms and conditions of the State Financial Assistance Agreement and loan related thereto, shall be determined by the Board of Selectmen and Treasurer, and as otherwise provided by the Connecticut General Statutes. The State Financial Assistance Agreement, the loan documents and all other documents, instruments and agreements related thereto shall be signed in the name and on behalf of the Town by the First Selectwoman and Treasurer.