

A. Jeffrey Capeci, Chairman
Mary Ann Jacob, Vice Chair
Dan Amaral
Jan Andras
Kathy Fetchick
James S. Belden



Gary Davis
George T. Ferguson
Kevin Fitzgerald
Bob Merola
Ben Spragg
Richard Woycik

TOWN OF NEWTOWN

3 Primrose Lane
Newtown, CT. 06470
Tel. (203) 270-4210
www.newtown-ct.gov

**Minutes of the Regular Meeting of the Legislative Council
Held in the Board Room in the Newtown Municipal Center,
3 Primrose Street, Newtown, Connecticut
Wednesday, March 16, 2011**

** These are draft minutes and as such are subject to correction by the Legislative Council at the next regular meeting. All corrections will be determined in minutes of the meeting which they were corrected.*

Chairman Jeff Capeci called the meeting to order at 7:30 pm.

PRESENT: George Ferguson, Ben Spragg, Dan Amaral, Jan Andras, Gary Davis, Rich Woycik, Kevin Fitzgerald, Bob Merola, Kathy Fetchick, Mary Ann Jacob, and Chairman Capeci

ABSENT: James Belden

ALSO PRESENT: First Selectman Patricia Llodra, Finance Director Bob Tait, Chairman of the Board of Education Bill Hart, 2 members of the public and 2 members of the press.

VOTER PARTICIPATION: None

Mrs. Jacob moved to accept the minutes of the Public Hearing January 26, 2011 and the Regular Meeting of March 2, 2011, Mr. Spragg seconded. Mr. Spragg said at the meeting of March 2nd, during communications he had requested adding to a future agenda the support for the Governor's Horse Guard and requested that a resolution be added to a future agenda in support of the Newtown's facility. He would like the minutes amended to show his request. Mr. Fitzgerald said that the amendment of the bifurcation discussion was not accurate and would like to listen to the audio. Minutes from the March 2, 2011 Tabled, Minutes of the Public Hearing January 26, 2011 were unanimously accepted.

COMMUNICATIONS: Mr. Capeci received a letter from Jim Gaston, the Warden of the Borough of Newtown, looking into the possibility of a Blight Ordinance for the Borough and the Town and would like to do it in coordination with the Town.

COMMITTEE REPORTS - Mrs. Jacob reported that the Ordinance Committee met and they are very close to asking full council review and approval of their request for a public hearing on a Child Protection Ordinance and an amendment to the ordinance that created the FFH Authority. They also discussed a strategy for the cat ordinance to be ready when the new Animal Control Facility opens and modification of the fire and safety ordinance to include underwater search and rescue.

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Mr. Spragg reported that the finance committee will be meeting Tuesday April 5th to take up the budget. They would like subcommittee reports by that date.

Mrs. Fetchick reported that the Education committee has two meetings scheduled, one on March 21 with Dr. Robinson and Mr. Hart present and one on Monday the 28th at the municipal center at 7:30.

FIRST SELECTMAN'S REPORT – They are prepared to begin the presentation to the various levels of government with the status of CIP projects that are in progress. On March 21st, that information will be shared with the BOS, on March 24th with the BOF and April 6th with the Council.

Mrs. Llodra handed out revised budget pages for the Board of Education at the request of Mr. Beinkowski. She also handed out two documents that are part of the BOS budget that are in the budget book. One document is a list of items that are not in the budget. The second document is an analysis of the funds of how Public Works have used Capital Road funds and Tarp funds and also touches on the Winter Maintenance budget.

Mrs. Llodra has met with Major Gordon Johnson of The Horse Guard. He is actively working with Chris Lyddy, DebraLee Hovey, John McKinney and other legislators to try to secure continuing recourses for the Horse Guard here in Newtown. There is an art show that is featuring Horse Guard photographers at the Municipal Center on April 3rd.

Mr. Capeci spoke about letters to legislators that Mr. Spragg and Mr. Davis want compiled. He would like to get as many items as possible combined into a single letter.

NEW BUSINESS

Presentation of Board of Finance Approved 2011-2012 Town of Newtown Budget – Chairman of the Board of Finance John Kortze presented the Board of Finance approved budget (3 to 2 vote) which is a 2.7% increase in taxes and respectively 2.25% increase in spending. There were three drivers in their request, additional spending, debt service, differences in revenue. A summary that talks about the debts services and the major drivers is included in the book. He also included a package that summarized the adjustments that the BOF made and the back up for that. This budget represents no use of fund balance. The Board of Finance asked the Board of Selectman to come up with a game plan to increase the fund balance in the years to come. They are all very concerned about the State budget, Town budget, and what is going on in the world. There are demographic changes that the town is looking at. They did all agree that the budget presented to them was tighter, more efficient.

Mr. Fitzgerald questioned the split budget which Kortze replied that they were split 3 to 2. They all agreed on the fact that the town is looking at a demographic change from the past. They want to continue the dialog on space needs. They differ on how to get there and the path they take.

Mr. Woycik questioned the \$70,000 in the BOE budget for the shared organizational analysis. He is concerned that money should be in the Selectman's budget. Mrs. Llodra added that the Selectman's budget has \$30,000 identified in the contingency fund for the organizational analysis so this is a shared cost for a shared project. For shared expenses, the common breakdown in cost is 2/3, 1/3 between the Town and the Board of Education. Mr. Davis likes the idea that there are funds in both camps. It shows they are committed to a shared project.

Mr. Amaral asked what the mill rate would be with the presented budget which Mr. Kortze replied, 24.64. Mr. Amaral would like to reduce the budget without reducing services.

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Mr. Spragg questioned why Ability Beyond Disability funds that were added, was it because of a late request which Mrs. Llodra replied yes. The 10% policy that the town has for direct services has eliminated agencies that were not able to evidence the 10% direct services to Newtown. The higher level of accountability has made some agencies drop out because they could not or would not supply the back up.

Mr. Davis would like council members who are reviewing items in the budget and have suggestions that they have the ability to share that with the council without having discussion. Mr. Capeci suggested that if anyone has any suggestions on the budget that they contact the Chairman of the appropriate committee for further review. Mr. Davis's concern is that if someone that is not on the Education Committee and made a suggestion to the Chairman of that committee, other members not on that committee wouldn't necessarily know about it.

2011-2012 – 2015-2016 Capital Improvement Plan – Mr. Capeci stated that the CIP needs to go back to the Board of Finance. There are six questions that need to be addressed. Questions 1 to 5 are answered. However Question 6 which is trying to get the overall spending in year 4 and 5 down in the 9% level needs to be addressed. The Board of Finance unanimously endorses the idea. There is new information on the table given to them by Mrs. Llodra that the Board of Finance has yet to discuss. Mr. Kortze said that if the Legislative Council refers the CIP back to them, it will be on the next agenda and handled quickly.

Mr. Spragg moved to refer the 2011-2012 – 2015-2016 Capital Improvement Plan for further review by the Board of Finance, Mr. Amaral seconded. Motion unanimously accepted.

Appointment of Kostin, Ruffkess & Company, LLC as Auditor for the Town of Newtown - Mr. Spragg moved to appoint Kostin, Ruffkess & Company, LLC as auditor for the Town of Newtown for the fiscal year ending June 30, 2011. Mrs. Jacob seconded. Motion unanimously accepted.

Mrs. Jacob made the motion to adjourn at 8:33 pm. Mrs. Fetchick seconded and the motion was unanimous.

Arlene Miles, Clerk Pro Tem