

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, July 6, 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 Jeffrey Capeci called the meeting to order at 7:30pm.

Present: George Ferguson, Robert Merola, Kevin Fitzgerald, Kathy Fetchick, Mary Ann Jacob, Richard Woycik, Ben Spragg, Jeff Capeci, Daniel Amaral

Absent: Jan Andras, Gary Davis, James Belden

Also Present: First Selectman Pat Llodra, 8 Members of the public and 2 members of the press

Voter Comment: None

Minutes from the Regular Meeting of June 15, 2011: Ms. Jacob moved to approve the minutes of the regular meeting of June 15, 2011. Mr. Ferguson seconded. Ms. Fetchick noted that the motion on page 3 regarding a \$150,000 to the Capital Education Non-reoccurring Fund. The word education was never used and should be omitted. Motion unanimously approved with correction.

Communications: Mr. Capeci received a CIP calendar which was distributed with the agenda.

Committee Reports: None

First Selectman's Report: On-line mapping system is now available. She encourages everyone to have a look at it. This accesses information from our GIS system and is very user friendly.

The legislature passed the Paid Sick Leave bill which is quite controversial. Ms. Llodra has had an analysis done and found that it only affects one employee in the town. This bill only effect service workers. She will do further analysis but feels that the impact to the town is very low.

Ms. Llodra reported that there will be no further erosion of municipal funding through state aid. There are two areas of concern, funding for Newtown Youth and Family services and security of the horse guard. That funding is on the table to fill the gap in the state's budget.

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Three items have been added to the town's website, Roadwork that is updated weekly, Catch Basin Cleaning and Street Sweeping which will be updated monthly.

There is a television program on channel 21. It is called Newtown round-up. There have been 5 shows. First was with Donna Culbert on Tick Born Disease, the next with Amy Mangold about the parks and programs, Rob Sibley on Evasive Species, again with Rob Sibley on Open Space, and finally with Fred Hurley on single stream recycling.

Ms. Jacob suggested interviewing the Chief of Police to inform the public how to deploy assets.

Mr. Woycik questioned the potential short fall for Newtown Family and Youth Services. Ms. Llodra responded that she does know what the level of funding is so she doesn't know the impact. Candice is the new Director and Ms. Llodra has made her aware of the situation.

UNFINISHED BUSINESS

An Amendment to the Fairfield Hills Authority Ordinance:

Mary Ann Jacob moved to adopt the amendment to the Fairfield Hills Authority Ordinance as noticed in the Newtown Bee dated July 19, 2011, Ms. Fetchick seconded. Ms. Jacob read the ordinance and also what was being added. The purpose of this change was meant specifically addresses instances such as the Sports Academy, instead of them writing a check every month to the town, the town is writing them a check. Mr. Fitzgerald questioned if something needed to be added as to the definition of expenditures. He would like this motion to be tabled until the next meeting so that questions that came up by Mr. Walczak at the public hearing could be thought through. Mr. Capeci would prefer to leave this as is, the council has come so far and this language covers those scenarios. Ms. Fetchick suggested that they need to be more general because if you go down specific case by case you may miss something. If you try to tighten it up you can actually lose some of cases and prefers a broader definition of using the word expenditure. Mr. Woycik said that he feels comfortable where they are at. Mr. Spragg said that the Finance Committee took a long time looking into this. A lot of the conclusion was that the prior administration did this to save the town money. The ordinance allowed this to move forward. At this point, we do not want to erode the negotiating powers for the Board of Selectman Closing this loophole on the negative lease is pushing us in the right direction.

Motion passed 8 to 1. YES(Merola, Ferguson, Fetches, Jacob, Woycik, Spragg, Amaral, Capeci)
NO(Fitzgerald)

Adoption of a Child Protection Ordinance:

Mary Ann Jacob moved to adopt the Child Protection Ordinance as notice in the Newtown Bee dated July 19, 2011. Ms. Fetchick seconded. Ms. Jacob explained that includes the option for open space in town for child protection area's in the future if it was signed and noticed and the effective parties were informed. The name of the ordinance has changed from sex offender because this is about the children. Motion passed by roll call vote. unanimously

NEW BUSINESS

Resolution: Ms. Jacob made motion for RESOLUTION AMENDING A RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$4,257,690 FOR ROOF REPLACEMENT AT NEWTOWN MIDDLE SCHOOL AND AUTHORIZING THE ISSUANCE OF \$4,257,690 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWING FOR SUCH PURPOSE . Mr. Spragg Seconded. Ms. Llodra explained that the modification of the resolution is to insert HVAC into the language of the bond. Should something occur to

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the HVAC system, none of the funds of the bond could be used to repair or replace them. There is no intention to do any of the enhancement projects but there is a contingency of \$302,188 as it currently stands and none of that could be used for the HVAC system that is currently sitting on the roof. The base bid plus option 9 is the only expenditure. Ms. Llodra explained that they can't change the amount of the bond or they would have to start at the beginning in the bonding process. Interest on the bond is only for what funds were used. Mr. Merola questioned if the maximum number of HVAC units be damaged would there be enough money. Ms. Llodra replied that there are no estimates at this time. The contractor has been instructed to identify priority units first. Motion unanimously passed by roll call vote.

Mr. Spragg moved to authorize the Board of Selectman to call a Town meeting to consider and take action upon the resolution entitled "Resolution Amending A Resolution Providing For A Special Appropriation In The Amount Of \$4,257,690 For Roof Replacement At Newtown Middle School And Authorizing The Issuance of #4,257,690 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose." Mr. Merola seconded. Motion unanimously accepted by roll call vote.

Mr. Spragg moved to transfer \$29,836 from 1570-2000 Contingency to various municipal salary accounts Mr. Ferguson seconded. The transfer is to give a 1.5% increase to non-union personnel. They have had 0% for the past two years. Part of this action is to change their medical plan from the comprehensive plan to a less comprehensive plan. Moving the non-union employees completes the cycle that all union and non-union personnel would be participating in a less costly medical plan. Motion unanimously accepted.

Mr. Spragg moved to transfer \$57,750 from 1570-2000 Contingency, \$52,717 to 1310-1003 Sworn Personnel and \$4,033 to 1240-2002 FICA, Ms. Fetchick seconded. The Sworn personnel have agreed to a contract which will give them a 1.75% increase. In the past they have paid a flat rate for insurance. The first year of the contract they will remain a flat rate but years two and three will be a percentage. Mr. Woycik would like to see a discussion at the Finance Committee or Legislative Council level, to have some way to having an impact or understanding on how committing pay increases years out will affect the town. Motion passed unanimously.

Mr. Spragg moved to transfer \$4,106 from 1510-4060 Contractual Services to 1500-1004 Overtime, Ms. Fetchick seconded. Motion unanimously accepted.

Voter Comment: NONE

Announcements: Mr. Capeci handed out committee lists. Each Council member will have two committees and there will be 6 people on each committee.

Mr. Woycik made the motion to adjourn at 8:50 pm. Mr. Spragg seconded and the motion was unanimously carried.

Arlene Miles, Clerk Pro-Tem