

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  
Dan Wiedemann

## TOWN OF NEWTOWN

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**Minutes from the regular meeting of the Legislative Council  
Held in the Board Room in the Newtown Municipal Center,  
3 Primrose Street, Newtown, Connecticut  
Wednesday, October 19, 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 Capeci called the meeting to order at 7:30 pm.

**Present:** Jeffery Capeci, George Ferguson, Kathy Fetchick, Daniel Amaral, Dan Wiedemann, Jan Andras, Mary Ann Jacob, Robert Merola, Ben Spragg, Kevin Fitzgerald, Gary Davis

**Absent:** James Belden

**Also Present:** First Selectman Pat Llodra, and two member of the press

*Voter Comment:* NONE

Minutes – Ms. Jacob made motion to approve the minutes of the October 5, 2011 meeting as submitted, Mr. Merola seconded, motion unanimously accepted.

*Communications:* NONE

*Committee Reports:* The ordinance committee met and started discussing the anti-blight ordinance. It is not likely that it will be finished with this council.

*First Selectman's Report:* Ms. Llodra brought copies of the Chamber of Commerce Newsletter, Connecticut Guide to Emergency preparedness and a draft of the Impounded Animal Euthanasia Policy. There will be an emergency guide that is specific to the Town of Newtown and will be mailed to residents.

The Boggs Hill Road bridge closure is a concern for the election. Ms. Llodra will talk with Public Works to see if this project can be moved along and possibly open one lane.

### UNFINISHED BUSINESS

Ordinance for Controlling Felines– Ms. Jacob moved to ask the council to review and approve the Newtown Cat Ordinance as proposed and move it to public hearing. Mr. Merola seconded. Mr. Ferguson requested to modify the motion with a friendly amendment striking “approve” from the motion noting that the body cannot

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approve an ordinance until after a property warned public hearing is held. Ms. Jacob and Mr. Merola accepted the friendly amendment to the motion and second.

The language in the ordinance is still being negotiated. The Town policy is currently being drafted and will be brought to the Board of Selectman in November. Ms. Llodra would like to see the policy identified in the ordinance. There was discussion about the name of the policy and how it should be identified in the ordinance. The absence of the direct link to the policy could cause concern years from now. Ms. Llodra stated that the policy is written so there will be three people involved if euthanasia is required, it will never be left to one person's decision. She also stated that no cat would be euthanized because of overcrowding. If there is no more room for more cats, they will not take them in. Ms. Jacob moved to withdraw the original motion and the friendly amendment. Mr. Ferguson seconded.

Ms Jacob moved to send the Ordinance for Controlling Felines back to the ordinance committee. Mr. Merola seconded. Motion passed 7 to 4. Yes(Spragg,Amaral,Ferguson,Andras,Fitzgerald,Jacob,Merola) NO(Fetchick, Capeci, Davis, Wiedemann)

### NEW BUSINESS

*Legal Matter: Tower Tax LLC vs. Martin E Bennett, Tax Collector, Town of Newtown and US Postal Service, 5 Commerce Drive, Newtown* – The Town sells tax liens. Different companies bid on buying those liens. The plaintive is Tower Tax LLC who purchased a package of liens from the town. This specific property has a sewer lien on it and that is not sellable. The town gets the money back from the taxes due but Tower Tax LLC gets the interest. The town attorney said that this is worth pursuing because of the potential payback on the sewer lien. It is unusual to be named as a defendant in a case like this. Mr. Spragg made motion that they defend against this lawsuit from Tower Tax LLC. Mr. Ferguson seconded. Mr. Jacob asked what this is likely to cost the town in legal fees. Ms. Llodra said that there is one outstanding invoice for this for about \$400 so far. Motion unanimously accepted. Mr. Amaral abstained.

*Voter Comment:* NONE

*Announcements:* NONE

Having no further business, the meeting was adjourned at 8:46pm

Arlene Miles, Clerk Pro-Tem