

THESE MINUTES ARE SUBJECT TO APPROVAL BY THE LEGISLATIVE COUNCIL

The Legislative Council held their regular meeting on Wednesday, November 20, 2013 in the Council Chambers at the Municipal Center, 3 Primrose Street, Newtown, CT. Co-chair Mary Ann Jacob called the meeting to order at 7:30pm.

Present: Robert Merola, Mary Ann Jacob, Daniel Honan, Neil Chaudhary, Dan Wiedemann, Ryan Knapp, Joseph Girgasky, Paul Lundquist, George Ferguson, Phil Carroll, Daniel Amaral

Absent: Jeff Capeci

Also Present: First Selectman Pat Llodra, Finance Director Bob Tait, Dr. John Reed, 3 members of the public and 3 members of the press

Voter Comment: None

Minutes from the Regular Meeting of October 16, 2013: Mr. Knapp moved to approve the minutes from the 10/16/12 meeting. Mr. Ferguson seconded Motion unanimously approved (Mr. Amaral abstained)

Communications: Ms. Jacob submitted the annual report of the Legislative Council activity that was prepared by Jeff Capeci. (Attachment A).

Committee Reports: None

First Selectman's Report: The Sandy Hook School is essentially demolished. The abatement report indicated more hazardous work that anticipated. The abatement is almost complete. That work parallels the demolition work. Public Works is providing some fill because there was so much hazardous material that had to be removed from the sight, not enough remained in the crushing process to complete the fill of hole that was created when the school and subsurface was removed. The architect has been busy working with the advisory committee to gather some input and an opportunity for persons on the committee to provide some information and insights about sandy hook and its relationship with the school. They are on track meeting the bench marks and it looks like they can have a completed project in the spring of 2016.

Offered an opportunity for questions about the 10 million dollar followed by 5 million for operational purposed from GE. It is too soon to determine what the impact will be on the CIP. There is a logjam using the Town Hall South. The building serves the Police Department, Dispatch, Park & Rec. and Social Services. The building is inadequate and the logjam needs to be addressed. In order to address the needs of the PD, they need to address the needs of Dispatch, Park & Rec. and Social Services. The gift from GE in addition to the CIP will help us get there. GE's intent is to not to supplant, it is to supplement.

Mrs. Llodra explained that they have taken some time addressing some aesthetics around town. The medians were falling apart, the mulch was running into the roadway. The first impression coming into town was not nice. Permission from the state to curb the islands and do plantings was granted. This effort is needed to grow our local economy.

NEW BUSINESS

Business Incentive Program application – Beneath the Vine and Fig Tree, LLC. – Mr. Knapp moved to approve the business incentive program application for Beneath the Vine and Fig Tree, LLC. Mr. Merola seconded (Attachment B). Mr. Chaudhary has recused himself from the topic. Bob Ward of Berkshire Hathaway Home Services represented Judy Fishman and Andrew Wiggin. He read a letter from the owners of the business asking for tax abatement. They are asked to fix the assessment over 3 years at 1.3 million dollars. This would give a tax abatement of about \$38,000 over the next three years. Motion passed 9-1 (Mr. Carroll No and Mr. Chaudhary abstained)

Board of Education – Newtown Association of School Administrators Contract 2014-2017 –Ms. Liedlin explained that there were two members from the Board of Education, one member from the BOF and one from the LC for negotiations. Ms. Liedlin went over changes in the contract such as the wage increases and increases in health insurance cost share (Attachment C). Dr. Reed explained that they went into this with a goal to settle this contract less than the average settlement. The contract is effective the beginning of the next school year. The cost share for the administrators is among the highest in the State. They have assembled a highly qualified administrative staff. They have accepted that the trend is down. They have been giving 110% and will continue to do so.

Financial Impact Statement for the grant to renovate a duplex at Fairfield Hills for the Newtown Parent Connection – Mrs. Llodra explained that in 2007 the town was awarded a \$500,000 grant. This was awarded for Kevin's community centers presents at the FFH Campus. That money would be used to rehab one of the duplexes. Kevin's community center gave the grant back and asked for them to hold it. Parent Connection is committed and has the resources. OPM has given the grant back. This will rehab duplex #63. They will share the parking lot that will be done for the Ambulance garage. Normally there is no economic impact for grants. They will not be paying a monthly rent but they will be paying a common area charge which will be used to maintain the campus. There is no financial impact as to cost but the benefit is substantial. The town will have a \$500,000 building. The parent connection will not own the building, it is the towns'. There is no concern that the parent connection will not cease use within a ten year period requiring the town to repay the grant to the state of ct minus 10% for each full year which has elapsed from the date of final payment.

Mr. Knapp moved a resolution providing for a special appropriation in the amount of \$125,815 to be funded from the following Sandy Hook Special Revenue Fund accounts: 2-133-05-000-4550-4018 Parks \$2,500, 2-133-05-000-4550-4024 Playground \$23,315, 2-133-05-000-4550-4024 Other \$100,000 For the purpose of partially funding the Dickinson Playground project. Mr. Carroll second. Mr. Knapp moved to wave the reading of the full resolution. Mr. Lundquist seconded. It is not borrowed money, it is donated money and they are not spending more than what was approved. The donations need to be authorized to spend.

Other donations that came into the parks fund do not need authorization. Motion unanimously accepted.

Legislative Council 2014 Calendar – Mr. Ferguson moved to accept the 2014 calendar as presented, Mr. Knapp seconded. Motion unanimously accepted.

Voter Comment: None

Announcements: Ms. Jacob read a letter from Jeff Capeci who was not able to make it to the meeting due to a business trip, thanking members of the council for their service. Mr. Weidemann spoke and said that it was an honor and a pleasure to serve.

Having no further business, the meeting was adjourned at 8:55pm

Respectfully Submitted,
Arlene Miles, Clerk

Attachments:

Attachment A – 2013 Annual Report

Attachment B – Business Incentive

Attachment C – BOE Administrators Contract

Attachment D – Resolution

3 PRIMROSE STREET
NEWTOWN, CT 06470
TEL. (203) 270-4201
FAX (203) 270-4205
www.newtown-ct.gov



TOWN OF NEWTOWN

LEGISLATIVE COUNCIL

2013 ANNUAL REPORT

The Legislative Council is comprised of twelve elected members, four from each of Newtown's three voting districts. It is the lawmaking body of the Town charged with adopting ordinances as needed, as well as the fiscal authority charged with sending an annual budget to the electorate at referendum, after giving due consideration to the recommendations of the Board of Finance.

In the wake of the protracted 2012 budget season, the voters overwhelmingly approved a charter change that produced the first bifurcated budget with advisory questions in Newtown in decades. With a combined increase of about 3.9%, both the municipal and education budgets failed at first referendum. An overwhelming majority of those answering advisory questions suggested the budgets were too high. The second vote on a budget, reduced by \$900,000, resulted in the approval of the Board of Selectman budget and another failed education budget. A third education budget referendum finally passed with an overall year over year increase of 3.6%.

Major legislative action included a new Anti-blight ordinance and an amendment to the Newtown Firearms ordinance. Anti-Blight was started in FY2012 at the request of the Borough Board of Burgesses. A Firearms amendment virtually banning the use of firearms on private property with the exception of hunting was presented by the Police Commission in July 2012. While this specific amendment was rejected early in the process by the Ordinance Committee, many hours of testimony and deliberations took place spanning entire FY2013 and into FY2014. Deliberations and public input culminated in an ordinance that protects the right of individuals to discharge firearms on private property while providing safeguards and quality of life assurances for their neighbors.

The Plan of Conservation and Development was updated ahead of schedule, by the Land Use Department and the Planning and Zoning Commission. P&Z requested Council input in the beginning and feedback at the end of the process. The resulting document is a comprehensive municipal planning guide that received accolades from the membership when presented by P&Z Chairman, Lilla Dean and Land Use Director, George Benson. The POCD will be used by all government entities over the next decade to guide planning and development so Newtown continues to develop services, adapts to a changing demography and broadens the tax base all while sustaining the New England charm of inherent in the town's culture.

Major CIP expenditures include phase one of the Hawley School boiler replacement project which had been a priority for the school system for a decade, a new playground replacing the deteriorating wooden "Fun Space" at Dickinson Park funded partially through town bonding and partly through donations to the town by local philanthropists and major corporations in the wake of December 14. The turf replacement at Treadwell field, planned for by Parks and Recreation, was fully funded through user

fees and did not require bonding or other taxpayer expenditures. Sandy Hook Streetscape, in its final phases, produced dramatic positive change to that hamlet, making it more attractive to residents and travelers alike. Streetscape is a great example of using local and state taxpayer funds in conjunction with commercial investment to revitalize local business districts making them more attractive and giving them greater accessibility to residents and visitors alike. Continued efforts such as these help town businesses to thrive and increase the commercial component of the town's grand list.

December 14, 2012 was a horrific tragedy that struck at the heart of our Community. No one could have predicted evil could visit our beloved Sandy Hook School. With the tragedy came great pain and suffering but also an outpouring of support from surrounding towns, around the country and throughout the world. Challenges few communities have ever had to deal with changed the focus of local government. Issues quibbled over prior to Dec 14 seemed trivial in contrast to those that accompanied the tragedy. In many ways our community, places of worship, private organizations and town officials came together to take care of those affected and to start to rebuild. The Town of Monroe immediately offered Newtown their vacant Chalk Hill School to relocate the Sandy Hook School community. Renovations and alterations made by both Newtown and Monroe personnel in the last weeks of the year made it possible to begin classes in the new Sandy Hook School shortly after the Christmas vacation; an accomplishment unimaginable on December 14 made possible by the generosity of the people of Monroe. In the spring of 2013, a Sandy Hook Task Force was created by First Selectman, Pat Llodra. It included members of the Legislative Council in collaboration with the Board of Selectman, the Board of Finance and the Board of Education. The Task Force's charge was to determine the future of the Sandy Hook School. Its public deliberations were moderated by Richard Harwood. Expertise was provided by a technical team comprised of Land Use officials, architects, and construction experts. After six long and sometimes passionate Friday night meetings, after evaluating up to 50 different properties including three different options at the existing site and after weighing agreed upon guiding principles, the task force unanimously agreed that rebuilding at the existing site was the best option.

In conclusion this was a year of accomplishment for a Legislative Council whose focus shifted from managing the ordinary affairs of the Town to working to start the long process of rebuilding in the aftermath of a tragedy. The town will continue to seek the best way to honor the 26 fallen children and staff of Sandy Hook School. As we turn toward 2014, we look forward to the start of construction of a new Sandy Hook School so that our children can move from Monroe to back to Sandy Hook. The healing process will be with the Town for many years to come.

A. Jeffrey Capeci

Jeffrey Capeci

Chairman, Newtown Legislative Council

NEWTOWN MUNICIPAL CENTER
3 PRIMROSE STREET
NEWTOWN, CONNECTICUT 06470
TEL. (203) 270-4271
FAX (203) 270-4205
www.newtown-ct.gov



ELIZABETH STOCKER, AICP
DIRECTOR

TOWN OF NEWTOWN

OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT

MEMORANDUM

DATE: October 18, 2013

TO: E. Patricia Llodra, First Selectman

FROM: Elizabeth Stocker, AICP, Director of Economic & Community Development

RE: Business Incentive Program Application – Beneath the Vine and Fig Tree, LLC dba BVFT LLC – 84 South Main Street

An application for the subject business incentive was considered and approved by the Economic Development Commission at their meeting of July 16th, 2013.

Land use approvals are in place to construct two new office buildings and related site improvements. The planned buildings will have a total combined area of 9,100 square feet. The estimated cost for the proposed improvements is \$1,592,000. Approximately 15 to 30 construction jobs could be created. The applicant estimates that future tenants have the potential to create 20 to 25 permanent jobs once the planned space is occupied.

The development will add value to the existing real property which is currently assessed at \$665,570 with a \$22,177 RE tax bill. For purposes of discussion, an increase in assessment of \$1,300,000 has the potential to increase the current RE tax by \$30,321. Any personal property on site will be taxed as personal property.

The EDC determined that the project is eligible under the Business Incentive Program (BIP) as the project is located in the Business District and is for office use. The applicant appeared before the Commission to describe his development plan and noted that LMT and several other businesses occupy the three existing buildings. <http://www.newtown.org/dbh-lmt-profile.html>

The EDC recommended the fixing the increase in assessment for a period of three years as outlined in the BIP schedule. Using the \$1,300,000 assessment increase as an example, the incentive relates to an estimated tax abatement of approximately \$38,984 over three years for the project.

Cc: Jean Leonard, Chairman, EDC
es

**84 South Main Street - Andrew Wiggin Judy Fishman
Analysis of Newtown Business Incentive Program - For Discussion Purposes Only**

Current Year (2012 Grand List)	2012 Assessment (Pre-development)	2012 Grand List Assessment	Value of Increase in Assessment	35% of Increase in Assessment	NEW Assessment if 35% of the increase in Assessment is fixed	Total Assessment with increase
84 South Main Street (Beneath The Vine and Fig Tre, LLC)	\$665,570	\$665,570	\$1,300,000	\$390,000 (1/2 payment due July 2014 & Jan. 2015)	\$1,575,570	\$1,965,570
			Tax Payment if 100% of the Assessment			\$65,493
			Tax Payment if 35% of the Increase in Assessment is fixed			\$52,498
			NET ANNUAL TAX ABATEMENT			\$12,995
			NET TAX PAYMENT OVER 3 YEARS			\$157,493.98
			Total 3 year Abatement:			\$38,984
2012 Grand List Mill Rate: 33.32						

*10/21/2013
Newtown they
when they came to
emp 10 years
had 12 4 1/2 years later
so now
there
Newtown residents
employees are*

Town of Newtown
Business Incentive Program Application

Rec'd
9/30/2013

Negotiations of Business Incentives will be conducted by the First Selectman. The findings and conclusions of the First Selectman will be submitted to the Board of Selectmen for acceptance or denial. Board approved applications will be forwarded to the Legislative Council for consideration and action.

Name of Company: Beneath the Vine and Fig Tree, LLC dba BVFT LLC

Address: 11 Farm Meadow Rd. Newtown CT

Company Contact: Andrew Wiggin Judy Fishman

Phone Number: Cell 860 463 2468 home 203 470-5540

Types of Products Manufactured or Distributed: Improvement of Vacant Lot to Create a Mixed Use Facility/Office and Retail Operations, Creation of Construction Jobs Followed By New Businesses, Employment Opportunities

Project Description: Two new construction buildings added to 84 South Main St. Mixed use. See attached SDD2 proposal

Estimated Cost of Proposed Improvements: 9,098 Square feet of new construction in two new buildings and parking for 34 cars \$1,592,000

(Attach itemized list of these costs and improvements) Total cost to develop Two new buildings and 34 parking spots. Building One: 1-½ story, 32'x35'. Building Two -2 stories, 40' x90'. Total 9,098 sf.

Number of Jobs To Be Retained in Newtown: new construction – potential to employ construction workers

Number of Jobs To Be Created: 15-30 construction workers; 20-25 onsite office/retail employees

Date 7/18/2013

Signature of Company Representative Andrew Wiggin

Completed applications should be returned to the First Selectman's Office or the office of the Director of Community Development.

CONFIDENTIAL

NBOE Tentative Agreement

	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>
Wages	1.50%	2.00%	1.75%
Premium Share	20%	20 / 21%	21 / 23%
HSA	18%	19%	20%
BOE Cost	\$ 37,737	\$ 51,070	\$ 45,580
SERV Grant	\$ 5,334	\$ 7,219	\$ 6,443

- A RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$125,815 TO BE FUNDED FROM THE FOLLOWING SANDY HOOK SPECIAL REVENUE FUND ACCOUNTS:

○ 2-133-05-000-4550-4018	"PARKS"	\$2,500
○ 2-133-05-000-4550-4024	"PLAYGROUND"	\$23,315
○ 2-133-05-000-4550-4024	"OTHER"	\$100,000**

FOR THE PURPOSE OF PARTIALLY FUNDING THE DICKINSON PLAYGROUND PROJECT. THIS AMOUNT REPRESENTS AN AMOUNT ABOVE AND BEYOND THE CIP BONDING AMOUNT FOR THE PROJECT (I.E. IT DOES NOT SUPPLANT).

** A donation of \$100,000 for the Dickinson Playground project was entered into the "other" account