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## TOWN OF NEWTOWN

### TOWN OF NEWTOWN LEGISLATIVE COUNCIL MEETING WEDNESDAY, MAY 7, 2014 NEWTOWN MUNICIPAL CENTER, NEWTOWN, CT

**PRESENT:** George Ferguson, Ryan Knapp, Neil Chaudhary, Mary Ann Jacob, Phil Carroll, Dan Honan, Anthony Filiato, Joe Girgasky, Paul Lundquist, Dan Amaral, Bob Merola, Lisa Romano

**ALSO PRESENT:** First Selectman Pat Llodra, Finance Director Bob Tait, Director of Economic and Community Development Elizabeth Stocker, Economic Development Coordinator Betsy Paynter, Chairman of Fairfield Hills Authority Tom Connors, 15 members of the public and 1 member of the press.

**CALL TO ORDER:** Ms. Jacob called the meeting to order at 7:30PM with the Pledge of Allegiance.

**VOTER COMMENT:** None

**MINUTES:** MR. LUNDQUIST MOTIONED TO ACCEPT THE MINUTES OF THE APRIL 2ND MEETING. MOTION SECOND AND APPROVED.

**COMMUNICATIONS:** Ms. Jacob received several letters regarding Senior Tax Relief. Attached The Council received a copy of a petition regarding the demolition of a burned out home at 31 Great Hill Rd. Issue was given to the First Selectman for history and recommendation. Letter received from Kinga Walsh and Ms. Jacobs response. Attached.

**COMMITTEE REPORTS:** Mr. Knapp reports the ordinance committee had a public hearing on senior tax relief this evening.

First Selectman: Ms. Llodra invited the Council to Community Connections Event. Attached.

#### **NEW BUSINESS:**

**SENIOR TAX RELIEF:** MR. KNAPP MOTIONED TO APPROVE THE AMENDED SENIOR TAX RELIEF ORDINANCE AS WRITTEN WITH 4 NON SUBSTATIVE CHANGES AS EXPLAINED ON FRIDAY, MAY 2, 2014 EMAIL FROM FIRST SELECTMAN LLODRA. MOTION SECOND. Attached. Mr. Knapp noted some of the challenges; we are in the midst of an applications period and didn't want to affect those people, and we are limited by state statute in what we can do. Much of the ordinance language is from the state statute. Mr. Chaudhary asked Mr. Tait if a senior can have a veteran deduction in addition to the senior tax relief. Mr. Tait said they can be eligible for both.

Ms Romano questioned how the asset test will work. Mr. Knapp said we don't have the resources to track down all assets. The proposed model is from Fairfield. His understanding is applicants will sign a document that says yes my assets are under a specific amount. This is flexible and there is time for the council to decide what will be included. This is a tool to assist in making sure the funds go to those who need it most.

Mr. Lundquist wants to be sure funds are going only to people who really need it.

Mrs. Llodra said the ordinance is enabling language and there is a requirement now that protocols are articulated so the language can be executed. The protocols still need to be developed.

Mr. Ferguson said he does not like that asset test and will vote in favor of passing the ordinance so we can have an operational senior tax relief bill.

Mr. Chaudhary clarified that existing tax relief will continue if this ordinance is voted down. The difference is the income will cap at \$65,000 and the \$150,000 will be spread among current participants. He believes one of the positives of the ordinance is the flexibility it has.

Ms. Jacob supports the ordinance and noted they have become better at writing ordinances that do not have to be rewritten every few years. They provide a backbone, with flexibility as we grow and change. Mrs. Llodra noted Redding is the only town that exceeds Newtown in the amount of senior tax relief. UNANIMOUSLY APPROVED.

**FAIRFIELD HILLS AUTHORITY:** Tom Connors, Chairman of Fairfield Hills Authority, addressed the council. FHA has entered a new chapter. An evolution in the approach of the development of the campus. The latest update of Master Plan now allows housing. His priorities are; 1. Strengthening collaboration between town agencies. 2. Improving the process by which a developer can approach the authority, working closely with P&Z, EDC, Land Use and First Selectman to streamline process and put it on paper for prospective developers. 3. Moving towards becoming a self-sustaining agency, not relying on tax dollars. Next year FHA will receive \$20K from town which goes toward a salary for an administrative assistant who is shared between EDC and FHA. FHA has a special revenue fund with a balance of \$190,000, and will receive about \$43,000 in common charges next year. FHA pays for some maintenance, economic development and support of civic events. Danbury hall is about to be knocked down, paid for by a grant; FHA will pay for removal of an oil tank. They have created a campus maintenance spreadsheet listing responsibilities of Park & Rec, Highway and FHA. Economic Development; the ambulance garage almost done, Parent Connection is moving into a duplex, the Everwonder Children's Museum working on a feasibility study, an Ice Arena is in the works, possible theater for Plymouth Hall, there is interest from Cultural Arts Commission on using a building at FHH, and interest in a bakery at Stratford Hall. The campus has active and passive recreation. Many events are held at FFH.

Ms. Romano asked if common charges are collected, where the money goes. Mrs. Llodra said the funds would be used for specific purposes of FHA responsibilities. FHH has become a center of social, active & passive recreation, and civic activities so we are developing collaboratives around the uses and how to fund them.

Mr. Lundquist thinks it is a good idea that housing is now included in the plan.

Mr. Filiato said he has seen remarkable change to FFH and the increased amount of use.

**ECONOMIC DEVELOPMENT:** Liz Stocker and Betsy Paynter addressed the council with an update on Economic Development. Attached. Ms. Stocker said the EDC interfaces with businesses, they try to attract new businesses to town, and work with land owners and investors, helping to grow the grand list. Economic Gardening working with residents affected by recession to help them start up new businesses. Hawleyville sewers project to attract new business, the tech park, Fairfield Hills, the borough village, Sandy Hood village, and South Main St are areas of focus.

Mrs. Paynter said there are over 1,100 local businesses listed on their website. They held a spring small business seminar series. She just released the 10<sup>th</sup> edition of EDC Enewsletter. Groundbreaking for Lexington Village is May 8<sup>th</sup>. Maplewood medical office building project starts this spring on Mt. Pleasant and the gas station project on Church Hill Rd.

Brownfields properties may or may not have contaminants. Glen Rd. gas station is in foreclosure. Watkins property on Glen Rd. is now owned by the town. These properties have water and sewer access. Property at 75 Church Hill Rd. has severe contamination. It is an important site because it is a gateway to Newtown with development potential. It has water and sewer access. 57 & 57A Church Hill Rd. has redevelopment potential. Mrs. Llodra said the blight ordinance is the tool used to have owner of wire company property clean it up.

Ms. Jacob asked if all these properties were non-revenue, and how much revenue could be generated from the properties. Ms. Stocker said no revenue is being collected on any of the properties except 57 Church Hill Rd. Revenue would depend on how the property is developed.

Fairfield Hills Campus soil remediation was done. EDC has received grants of \$722,000 in brownfields grants. Hazardous cleanups include single family houses, Danbury Hall and reuse of municipal center, the EDC building, duplexes and Stratford Hall. The Random Metal Industries on Prospect St. is under clean up by the company. There is interest in using property as solar farm.

D'Addario property, 120 acres industrial zoned. Taxes have been delinquent since 2007. Batchelder is undergoing phase 1 hazardous materials assessment with a regional brownfields grant. A second grant for \$150,000 to aid in cleanup. Salvaging of scrap will be done and proceeds used for remaining clean up. It's the trail head for rails to trails. Can be redeveloped for commercial or industrial use. Former Monroe Concrete on Main St, a Newtown gateway property, potential for redevelopment.

Mrs. Stocker said we belong to the VCOG. Our cost is \$800 but we have received much more than that in grants. There is a pending STEAP grant for \$500,000 for the Hawleyville sewers which will help lower assessments of property owners. Mrs. Stocker's office has been successful in receiving approval for over 7.2 million dollars in grants.

Mr. Knapp asked who is responsible for the D'Addario property. Mrs. Stocker said it is still privately owned. Mr. Knapp asked if they have worked with Con Step. Mrs. Stocker said she is aware of them and they will be coming to a manufacturing meeting in June.

Ms. Romano asked for statistics on upcoming projects. Mrs. Stocker will get the information. They have developers who would like to build but they do not have tenets.

**MR FERGUSON MOVED TO SET THE TOWN OF NEWTOWN MILL RATE FOR YEAR 2014-2015 TO 33.31 REPRESENTING A DECREASE OF -0.02%. SECOND BY MR. KNAPP. UNANIMOUSLY APPROVED.**

MR CHAUDHARY MOTIONED TO APPROVE THE SALE OF MUNICIPAL TAX LEANS ON REAL PROPERTY APPEARING ON THE GRAND LIST OCTOBER 1, 2012 THROUGH OCTOBER 1, 2016. SECOND BY MR. FERGUSON. Mr. Tait said this something we do annually. Mr. Ferguson asked if there had been an increase. Mr. Tait said it is about the same as last year. UNANIMOUSLY APPROVED.

MR. CHAUDHARY MOTIONED TO APPROVE THE TRANSFER OF UNCOLLECTIBLE MOTOR VEHICLE, PERSONAL PROPERTY AND REAL ESTATE TAX ACCOUNT TO SUSPENSE TAX LIST. SECOND BY MR. FERGUSON. Mr. Tait said this is an annual procedure. Taxes can still be collected. Mr. Lundquist asked how it compared to last year. Mr. Tait said it has been consistent and will get the list for the council. Mr. Chaudhary clarified these will no longer be counted as possible revenue. UNANIMOUSLY APPROVED.

MR. CHAUDHARY MOTIONED TO APPROVE THE RESOLUTION ACCEPTING A GIFT FROM GENERAL ELECTRIC CORPORATION IN THE AMOUNT OF \$15,000,000 FOR CONSTRUCTION OF A COMMUNITY CENTER. SECOND BY MR. FERGUSON.

Mrs. Llodra said this formalizes the acceptance of the gift, as required by charter. It goes from BOS to BOF to Council and back to the BOS who will assign to the PB&S to execute the project. Mr. Ferguson asked if there was anything in writing about the agreement. Mrs. Llodra said attorneys are working on transmittal process from the GE Foundation and legal framework. The schedule has been developed. The initial sum of 10 million is hypothesized to be drawn from 2014 -2016 for the building. When the building is complete, 1 million a year will go to an operational account to support the organization. Mr. Ferguson would like to know if there is paperwork from GE regarding the gift. Mrs. Llodra said the only stipulation to the gift is that the town honors the intent of the donation, which is to build a new building. APPROVED. 11 YES, 1 NO (MR. FERGUSON)

MR. CHAUDHARY MOTIONED TO APPROVE A RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$450,000 FOR PRECONSTRUCTION AND DESIGN PROFESSIONAL SERVICES FOR THE NEW NEWTOWN COMMUNITY CENTER AND AUTHORIZING THE USE OF A \$450,000 GRANT WHICH IS PART OF A \$15 MILLION MULTI-YEAR GRANT FROM GE FOR THE DEVELOPMENT CONSTRUCTION AND OPERATION OF A COMMUNITY CENTER TO FINANCE THIS APPROPRIATION. SECOND BY MR. KNAPP.

Mr. Knapp said his understanding is the gift is to supplement the building and asked how much do we anticipate on spending altogether. Mrs. Llodra said the design phase will help clarify those questions, but doesn't expect the project to exceed the gift. There is discussion on space for seniors and an aquatic center. A feasibility study is needed. Mr. Knapp asked if there is money in the CIP for the Community Center. Mrs. Llodra there is \$10 million in the CIP for next year and 5 million the following year. The GE gift will offset that allocation. Mr. Ferguson asked if a place for teens is part of the vision. Mrs. Llodra said the vision has to be developed. Mr. Lundquist asked if the Design Services gets us the vision. Mrs. Llodra said it will have to. This will help us develop the project proposal. UNANIMOUSLY APPROVED.

MR. CHAUDHARY MOTIONED TO TRANSFER: \$52,000 FROM FEES & PROFESSIONAL SERVICES (1-101-13-500-5300-0000) TO CONTINGENCY (1-101-24-570-5899-0000) SECOND BY MR. FERGUSON. APPROVED.

MR. CHAUDHARY MOTIONED TO TRANSFER: \$145,000 FROM CONTINGENCY (1-101-24-570-5899-0000) TO SALARIES & WAGES-OVERTIME (1-101-12-310-5130-0000) SECOND BY MR. FERGUSON. APPROVED.

MR. CHAUDHARY MOTIONED TO APPROVE THE TRANSFER: \$35,000 FROM CONTINGENCY (1-101-24-570-5899-0000), TO PROFESSIONAL SERVICES-LEGAL (1-101-15-490-5350-0000) SECOND BY MR. FERGUSON. APPROVED.

MR. CHAUDHARY MOTIONED TO APPROVE THE TRANSFER: \$45,000 FROM CONTINGENCY (1-101-24-570-5899-0000), \$15,000 SALARIES & WAGES-FULL TIME (1-101-12-300-5110-0000) & \$25,000 SALARIES & WAGES-FULL TIME (1-101-14-220-5110-0000) TO PROFESSIONAL SERVICES LEGAL (1-101-15-490-5350-0000) SECOND BY MR. FERGUSON. Mrs. Llodra noted most of the extra legal expenses came from the Sandy Hook tragedy for support protections. APPROVED.

**VOTER COMMENT:** Michele Assante, 16 Wendover Rd., is happy they kept the asset test. She thinks this will signal it is truly based on need. Regarding the referendum apathy, she does not think with 19% of voters voting that this where the majority of town wants to be. People staying home may have felt they had no choice because the advisory choice “no and too low” was useless. She believes it was the people who wanted a zero increase who voted yes and not the people who wanted more money for education.

**ADJOURNMENT:** There being no further business the meeting was adjourned at 10:10.

Respectfully Submitted,

Carey Schierloh  
Recording Secretary

Attachment A: Correspondence

Attachment B: Community Connections Invitation

Attachment C: Senior Tax Relief

Attachment D: Economic Development Report

Attachment E: Sale of Municipal Tax Leins

Attachment F: Transfer of Uncollectible Motor Vehicle, Personal Property and Real Estate Tax

Attachment G-J: Transfers

*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 at which they were corrected.*

## Attachment A: Correspondence

Dear Legislative Council Members:

Any senior applying for tax relief must show proof of need before tax relief is granted. I oppose the plan to allow seniors tax relief without certification of assets.

Sincerely,

Alisa Robinson  
16 Rowledge Pond Rd.

Dear Legislative Council Members:

As a taxpayer and voter, I would like to inform the entire Legislative Council of my opposition to the plan to grant tax relief to seniors without confirming their assets. In my opinion, seniors requesting tax relief should show proof of their need including asset certifications before any tax relief is granted.

Thank you,  
Charles Hepp  
4 Winter Ridge Road  
Sandy Hook

To all members of Newtown's Legislative Council,  
While I appreciate and agree with the desire to assist those in our community who are having financial difficulty, I believe it is unfair if that assistance is not based upon proven need for such assistance.

The proposed ordinance change both raises the adjusted income limit to \$70,0000 allowing for many reductions to that adjusted income - (medical and other expenses) - which essentially means that a participant may be earning a gross income that far exceeds \$70,000. To couple that very liberal amount of income with approval of applicants without any asset test seems to me that we're not really focused on relieving someone who is in need but instead giving a break on taxes based on what services a resident has determined does not benefit him/her or a service that he/she are no longer using.

I have been in the room while many of the folks who are requesting this relief without asset test, talk along with some of our elected officials talk about the "two-thirds" of households that do not have kids in school and that it is unfair that they should shoulder the burden of the rising cost of Education. To me, this new "tier" of Tax relief seems aimed more at that issue and also at the inequity in the recent Property Revaluation rather than helping those in need.

I have several concerns:

1. We are possibly taking funds away from those truly in need by allowing someone is not in need to participate who may be able to manipulate their personal balance sheet to join the program.
2. If this is truly based on need, why not look at other Newtown residents - not yet 65, who are struggling and earning far less
3. We are playing into a belief that a competitive school system is valuable to a community only if you are using it at that moment. According the 2012 only 56.7% of our 9800 households have no related children under 18 within them. Those that don't have children might soon have them or may have just sent them off to college. At a cost of roughly \$12K per year per child, the average homeowner needs to pay about \$156K per Child for their 13 years of public school. If someone has 2 Children it would be twice that. So, in effect, Seniors whose children were educated here and families who haven't started their children in school yet need to understand that their invoice will not be fully paid -by a long shot in most cases- by simply paying taxes while their kids attend School.
4. Most important to me, personally, is the culture of division we are creating here. As I said more than 2 years ago when I first heard the one third comment, I don't want to live in a town where people haggle constantly over supporting only what is good for them, or good for them at that moment. I want to live in

a community that fosters fairness, unity and compassion.

5. I could list many scenarios that could arise (I'm sure some of you have already thought about this too) where - if this is not "needs" based, but "use" based the town will have to accommodate many more residents - what about those who send their children to private school, or have no children etc. etc.

I hope that you will consider these comments and please add them to the record - rushed as this note was, I think it is important to get these ideas and concerns on the table.

Michele Assante  
16 Wendover Rd.  
Newtown Ct.

**From:** [kingawalsh](mailto:kingawalsh)

**Date:** May 7, 2014 at 10:57:39 AM EDT

**To:** [george-ferguson@earthlink.net](mailto:george-ferguson@earthlink.net), [jnewtownct@yahoo.com](mailto:jnewtownct@yahoo.com), [lundquist.paul@gmail.com](mailto:lundquist.paul@gmail.com),  
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**Subject: Inappropriate action by an elected member of the Newtown Legislative Council**

Dear Newtown's Legislative Council,

The purpose of this letter is to bring a situation to light that affected me personally in hopes that it never happens again – to me or anyone else. Given the situation was made public through a newspaper article and not kept to a private email discussion, I believe the situation warrants a public, transparent notification to you on the inappropriate action by an elected member of the Newtown Legislative Council (LC).

#### OVERVIEW

On April 18, 2014, Ms. Mary Ann Jacob "reached out to The Newtown Bee" (*The Newtown Bee* on-line article) to have an on-line article written specifically about my letter to the editor published April 16th on-line (printed April 18th). It mentions my opinion letter and me by name – only me. No other resident's name is mentioned in the article despite a multitude of letters, emails, and on-line posts being also circulated by others on the topic for days, weeks, if not months, before the vote.

It is understood that a letter to the editor is public once published. It is also understood that anyone who submits one is open to public criticism, rebuttal, and that others may have differing opinions and have the right to state such in response through their own letter submission. It is not understood, however, how an elected official can request a local newspaper to write an article specifically addressing one resident's viewpoint and have it mention that single resident by name, all with the implied intent to discredit that individual resident. This action is especially aggravating given the fact that the public is constantly directed at all Board/Council meetings to not single out an elected official or member of the public during public comment. One would think that this expectation of courtesy is reciprocated.

At this time, I am requesting that after this email is entered into the LC's received correspondence, that these actions be reviewed thoroughly and publicly by the Council, that a written apology be sent to me and publicly recorded (e.g., read at a council meeting), and this type of appalling, disrespectful and inappropriate action is never repeated towards anyone in town.

#### EVENT TIMELINE

During this past budget season, many of us supported and worked very hard to get the budget passed. Thankfully that goal was achieved!! Part of this effort included writing letters to the editor in *The Newtown Bee* and that many supporters collaborated on to do. My letter (copy follows) asked residents to support the education budget and outlined my opinion as to why. It also included a paragraph acknowledging the fact that there were still opposing views in town on the interpretation of the Charter budget language specific to the LC's ability or inability to add money back to the education budget. In my opinion, this ability/inability was never clearly, legally defined but was solely left up to interpretation, and this opinion was restated in my letter as an acknowledgement – not an

endorsement or “in support of” statement but an acknowledgement of the different perspectives and continued confusion of some residents. Despite clarification efforts by Ms. Jacob and other elected officials during meetings before my letter was printed, the information given to the public was still only an interpretation and not a statement of fact or legally binding.

In an effort to have a single, clear, legally binding viewpoint given to the public on the Charter budget language as well as to potentially minimize a specific group of residents’ opposing view, I asked Ms. Jacob (in her capacity as the LC chairperson during a phone conversation in early April) for a legal statement to be drawn up by the town’s council. This opinion could have not only given the public a final, clear viewpoint on the issue but could also have helped to begin to reestablish trust between the residents/voters, the process, and the elected officials. The request was denied. I was actually told that it was not necessary because “those people” (i.e., the vocal group of active constituents promoting the possibility of adding money back to the BOE budget) didn’t need to be acknowledged.

The day after my submission to The Bee on April 16th, I received the following email from Ms. Jacob’s LC email account:

Hi Kinga,

I know you’ve been working hard at getting the vote out, but I had to share my disappointment at your comments in your bee letter regarding the councils action.

Even with a super majority, the council cannot add money back if this vote fails. We have discussed the actions the council may take repeatedly. I have no idea why this continues to be a point that is being brought up. Please make every attempt to correct your error. The continued misinformation just serves to confuse the voter.

Mary Ann

Sent from my iPhone

Ms. Jacob’s email simply reiterates her own differing viewpoint, which she is completely entitled to have. The audacious tone, condescending and belittling manner in which she addressed me, however, was inappropriate. My letter was my opinion of the situation – an opinion I am allowed to have and share per the Constitution and one that stems from a lack of legal clarity and trust of the LC’s interpretation.

On April 18th, coincidentally the day after the email, there was a The Newtown Bee on-line article posted that was initiated by Ms. Jacob (see below) specifically addressing my letter to the editor, characterizing my opinion as misinformation, and specifically mentioning me by name. It was also posted onto Ms. Jacob’s Facebook page “Mary Ann Jacob for Legislative Council” with the header “Confused on what the council can do?”, and it was posted on The Newtown Bee’s Facebook page as a newsfeed article (on April 21st).

The article states:

Council Chair Clarifies Misinformation In Letter, Social Network Posts

By John Voket

Friday, April 18, 2014

Shortly after reviewing a letter to the editor in this week’s pre-budget vote edition of The Newtown Bee, Legislative Council Chair Mary Ann Jacob reached out hoping to clarify what she believes is a lingering misconception regarding the council’s ability to add funds back if the school and/or town proposals fail at referendum April 22.

Ms Jacob said that while the issue of whether or not the council can add more money to either side appears to be a point of contention among a few residents, she is concerned that misinformation could still confuse budget voters, or worse, cause them to opt out of casting a budget ballot next Tuesday.

The concern was raised after a letter from longtime school supporter Kinga Walsh wrote that "Some residents want dollars added to the budget despite the charter language while other residents and elected officials say it cannot be done at all..."

Ms Walsh’s letter goes on to state: "Despite being a part of the effort to have \$240,000 added back after a \$1 million reduction a few years ago, this year’s unprecedented budget level and the fact that there is a lot of pressure from many other resident groups to reduce the budgets overall, getting the necessary majority or super majority vote from the Legislative Council (LC) to have dollars added is highly unlikely if not impossible."

Ms Jacob said it is critical for residents and taxpayers to understand the fine print in Newtown’s Charter, which only empowers the council to add back funds up to the amount originally requested by the Boards of Education and Selectmen. This year’s budget is somewhat of an anomaly because after the Boards of Education and Selectmen made their final requests, the Board of Finance added funds to both budget lines.



Prior to unanimously recommending the 2014-15 budget proposal to the council, the finance board added \$279,380 to the selectmen's budget request to accommodate the hiring of school security officers (SSOs), and added \$400,000 to infuse the town employees' self-insured health plan's fund balance to cushion against anticipated rate and claims increases next year.

That expense was split proportionately based on participants, with \$300,000 being added to the school district budget, and \$100,000 being added to the selectmen's budget.

In Section 6-13 of the Newtown Charter, it states the council "may increase any item in [the] budget or add items...on a two thirds affirmative vote...only to the extent that such items were included in the budgets proposed by the Board of Selectmen and the Board of Education and provided further that any increase in said budget shall not be in excess of the amount for said item in the budgets proposed by the Board of Selectmen and the Board of Education."

"Because the budget request going to referendum April 22 is more than was originally requested by the Boards of Selectmen and Education, the only council option if [either or both] proposals fail is to leave it the same or reduce it," Ms Jacob said.

The council chair said the charter is purposeful in its directive.

"The town and school administrations are the experts, so they request the budget they believe best serves the town. When the finance board or the council act to reduce either or both of those requests, they are acting as the fiscal authority on behalf of taxpayers," Ms Jacob said.

"That's why the state prevents even the fiscal authorities in municipalities from making line item reductions in school district budgets," she added. "Reductions made in the process of finance or council deliberations are financial decisions made either because there is new information — like in the case of the SSOs or the health plan allocations — or because the majority on either or both boards believes the requested amounts will not pass at referendum and they act to send voters a budget request they believe will pass."

Ms Jacob said she is very grateful for the work and advocacy Ms Walsh and many other residents put forth during the budget process. But the council official said circulating hypothetical or incorrect information in letters to the newspaper, via social networks, or e-mail chains ahead of a budget referendum can confuse voters weighing their decision at the polling place, or deciding whether to vote or not.

"This year the budget process is different than any budget in recent history for several reasons, and voters should have the facts," Ms Jacob said. "The charter installs a series of checks and balances when it comes to the budget process. That has meaning and it works."

The council chair also clarified that even if either or both budgets fail, and the advisory questions advise that most voters believe the requested amounts were too low — the charter directive trumps the advisory opinions of voters. "The budgets going before voters April 22 are as good as they are going to get in terms of the bottom lines," Ms Jacob said. "Any public implication that we can add money back proves there are still some misinformed taxpayers out there."

## CONCLUSION

This all could have been easily avoided.

Many of us have differing opinions and beliefs but I have never been a part of a press-published piece that blatantly states a discrediting message of an elected official or fellow resident nor would I ever initiate or agree to be a part of such actions. Had a more anonymous or generalized reference to a resident(s) been made in the article, this letter would never have had to be written. A differing opinion does not warrant discrediting someone, but, rather, warrants reflection on how a more thorough, upfront job needs to be done to ensure the public is clear on all issues and interpretations to ultimately minimize the development of differing opinions.

At this point and time, as previously stated, I am requesting that these actions be reviewed thoroughly and publicly by the Council and that a written apology be sent to me and publicly recorded (e.g., read at a council meeting). Most importantly, I am requesting that this type of disrespectful and inappropriate action is never repeated towards anyone in town.

Please confirm receipt.  
Regards,  
Kinga Walsh  
21 Horseshoe Ridge Rd  
Sandy Hook, CT

Copy of April 16th "Letter to the Editor" The Newtown Bee Submission:

Dear Newtown,

Please vote "YES" for the Education budget on Tuesday April 22nd! Why? Because the proposed budget takes into account declining enrollment, current needs, and doesn't play a "cat and mouse" game with the bottom-line.

Unfortunately, with the declining enrollment through the Middle School, staffing has to be reduced. And this is happening per the budget document and BOE votes to date. Although hard and not necessarily a personally preferred option, it is a reality of the economy. Moving forward, the district will also be redoing the enrollment and facility studies in order to better understand cyclical changes and long-term projections to plan for facility usage and staffing needs within our existing and future educational system. Implementation timetables on these and many other strategic initiatives were placed on hold after 12/14. Once the budget is passed, however, the district can steadily begin to review these as well as the district's strategic plan and to propose new ideas to keep the district strong, competitive, and healthy.

This year's budget amount is unprecedented with the 0% increase. Some residents want dollars added to the budget despite the Charter language while other residents and elected officials say it cannot be done at all (the "cat & mouse" game). Despite being a part of the effort to have \$240,000 added back after a \$1million reduction a few years ago, this year's unprecedented budget level and the fact that there is a lot of pressure from many other resident groups to reduce the budgets overall, getting the necessary majority or super majority vote from the Legislative Council (LC) to have dollars added is highly unlikely if not impossible. Watch the 4/2/14 LC meeting video and hear for yourself the LC members' very cautious budget support statements.

Everyone has the ability to vote on April 22nd. Please vote! And please vote "YES" in support of the education budget to allow the district to reestablish its footing, to give the new superintendent a chance to lead, to keep most if not all programs in place, to allow time to redo the strategic plan, and to give our kids, our administration, our teachers and staff the ability to maintain and grow our strong educational system.

Regards,  
Kinga Walsh  
21 Horseshoe Ridge Rd  
Sandy Hook, CT

Ms. Jacob's Response, May 7 Council Meeting

My role as chairman is to be accurate in my guidance to the council and to the public regarding our duties and allowed actions as directed by the town charter. I confirmed with our attorney my understanding of the application of the charter as it related to the inability of the council to add money back, and communicated that information publicly here to the council members as well as privately to Mrs. Walsh and others who asked. This is not my opinion, but the appropriate application of the charter language.

In reaching out to the Bee, I referenced my concerns about misinformation this way...and I quote " Shortly after reviewing a letter to the editor in this week's pre-budget vote edition of The Newtown Bee, Legislative Council Chair Mary Ann Jacob reached out hoping to clarify what she believes is a lingering misconception regarding the council's ability to add funds back if the school and/or town proposals fail at referendum April 22." End Quote

Perpetuating a supposition that was inaccurate, purposely or not may have caused people to vote based on false information.

My single reference to Mrs. Walsh was, and I quote again as follows "Ms Jacob said she is very grateful for the work and advocacy Ms Walsh and many other residents put forth during the budget process. But the council official said circulating hypothetical or incorrect information in letters to the newspaper, via social networks, or e-mail chains ahead of a budget referendum can confuse voters weighing their decision at the polling place, or deciding whether to vote or not....End quote