

3 PRIMROSE STREET  
NEWTOWN, CT 06470  
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[www.newtown-ct.gov](http://www.newtown-ct.gov)



## TOWN OF NEWTOWN

**TOWN OF NEWTOWN LEGISLATIVE COUNCIL MEETING  
WEDNESDAY, MAY 21, 2014  
NEWTOWN MUNICIPAL CENTER, NEWTOWN, CT**

**PRESENT:** Joe Girgasky, Paul Lundquist Bob Merola, Ryan Knapp, Neil Chaudhary, Mary Ann Jacob, Dan Amaral, Phil Carroll, Dan Honan, George Ferguson (arrived 7:35)

**ABSENT:** Lisa Romano, Anthony Filiato

**ALSO PRESENT:** First Selectman Pat Llodra, 1 member 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 MAY 7, 2014 MEETING. MOTION SECONDED. Mr. Lundquist said the minutes state he said he "thinks it is a good idea that housing is now included in the plan". Mr. Lundquist's comment was he clarified that housing is not actually allowed as Mr. Connors stated. Rather, it is something that is allowed to be included in a discussion, rather than being a non-starter. There is still a rigorous, public process that would be required to change zoning regulations prior to any kind of housing actually being allowable at FFH. MINUTES APPROVED WITH CORRECTION.

**COMMUNICATIONS:** Ms. Jacob received from the Board of Finance the procedures outlining the Board of Ed's non lapsing account and the CIP calendar for next year. She also received a letter from a taxpayer who had some concerns about her comments being misrepresented in the last meetings minutes. Attached

**COMMITTEE REPORTS:** Mr. Lundquist reports they interviewed a number of candidates for Charter Revision Commission. They were positive and will continue the interview process on June 2. Ms. Jacob reports the Charter Review Committee has begun to organize the information on a spreadsheet so they can begin review information by section of the charter.

**FIRST SELECTMAN'S REPORT:** First Selectman Llodra spoke to a list of upcoming event to please give attention to.

Rec'd. for Record 5-28 2014  
Town Clerk of Newtown 11:00am  
Debbie Aurdia Halstead

May 24, the Lion's Club Duck Race from 10:00am to 3:00pm. The Lion's Club has been very generous helping families since 12-14. During the event, is the official opening of a new business, the Crystal, located on lower level below Subway.

Legislative Council

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May 21, 2014

May 26 is the VFW Memorial Day recognition ceremony from 11:00-11:30.

May 31 is the Community Connections event from 10:00 to 2:30 at Walnut Hill Community Church, then the Relay for Life at 5:00 at the Newtown High School Stadium.

June 2 the BOS has invited Geralyn Hoerauf of Diversified Project Management to do a brainstorming discussion on how we want to go forward with the strategic plan for municipal facilities; what are the possibilities, how to engage the community, what makes sense. She would like the council to participate. Right now they are focusing on 3 buildings; Town Hall South, the Multi-Purpose building on Riverside Rd. and Hook & Ladder. Other buildings will be added as process is developed.

June 5 will be community presentation on Sandy Hook School design in the NHS Lecture Hall 7:00-8:00pm. It will likely be the last meeting before starting project. They are hoping to start site work in the fall.

Mr. Amaral asked if Hook & Ladder was under the Mary Hawley trust. First Selectman Llodra said she did not think so but it would be included as part of the planning.

First Selectman Llodra presented a Park & Rec report. Dept heads submit a monthly report to the First Selectman. Attached.

First Selectman Llodra said they were noticed on Monday Newtown is the recipient of a \$500,000 STEAP grant, the maximum, for the Hawleyville sewers due to the good work of Mitch Bolinsky, Liz Stocker, Betsy Paynter. This will lower the user fee. Steep grant will go into a grant fund if there is no immediate development. This brings us to 2.6 million the amount of active grant money we are managing right now.

**EXECUTIVE SESSION:** MS. JACOB MOTIONED TO GO INTO EXECUTIVE SESSION TO DISCUSS 2 LEGAL MATTERS THAT ARE ZONING VIOLATIONS. SECOND BY MR. CARROLL. MOTION APPROVED. Council entered Executive Session at 7:50pm.

The council returned to public session at 8:00pm.

MR. CHAUDHARY MOTIONED TO AUTHORIZE FUNDS TO PURSUE LEGAL ACTION REGARDING ZONING VIOLATIONS AT 10 JOAN DR. AND 3 LITTLE BROOK LANE. SECOND BY MR. FERGUSON. UNANIMOUSLY APPROVED.

**VOTER COMMENT:** None

**ANNOUNCEMENTS:** Ms. Jacob reported the Connecticut Conference of Municipalities held a workshop on Tuesday night on understanding Parliamentary Procedure. Ms. Jacob, Mr. Chaudhary, Mr. Knapp, Mr. Carroll and a number of town board and commission members attended.

**ADJOURNMENT:** There being no further business, the meeting adjourned at 8:10pm.

Respectfully Submitted,

Carey Schierloh

Recording Secretary

*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: Board of Finance Correspondence

Attachment B: Parks & Rec Report

Attachment C: Correspondence from taxpayer

**From:** Michele <[massante@earthlink.net](mailto:massante@earthlink.net)>

**Subject:** Please Correct the Minutes to Reflect My Actual Statement on 5/7/14

**Date:** May 9, 2014 at 5:33:01 PM EDT

**To:** Mary Ann Jacob <[mjacob4404@charter.net](mailto:mjacob4404@charter.net)>, Neil Chaudhary

<[nkc@thechaudharyfamily.com](mailto:nkc@thechaudharyfamily.com)>, Lisa Romano <[lisawromano@gmail.com](mailto:lisawromano@gmail.com)>, paul

lundquist <[lundquist.paul@gmail.com](mailto:lundquist.paul@gmail.com)>, Joe Girgasky <[jgnewtownct@yahoo.com](mailto:jgnewtownct@yahoo.com)>,

Ryan Knapp <[ryan.w.knapp@gmail.com](mailto:ryan.w.knapp@gmail.com)>, Robert Merola <[merola1lc@sbcglobal.net](mailto:merola1lc@sbcglobal.net)>

**Cc:** Michele Assante <[massante@earthlink.net](mailto:massante@earthlink.net)>

To whom it may concern,

Below is the email that you received (and is attached to the minutes of 5/7/14). This is the statement that I read at the Ordinance hearing. I did not say that I disagreed with raising the income limit and allowing deductions. Please correct that statement.

Regards,

Michele Assante

Begin forwarded message:

**From:** <[massante@earthlink.net](mailto:massante@earthlink.net)>

**Date:** May 7, 2014 6:39:22 PM EDT

**To:** [massante@earthlink.net](mailto:massante@earthlink.net)

**Subject:** senior tax program

**Reply-To:** [massante@earthlink.net](mailto:massante@earthlink.net)

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 raises the adjusted income limit to \$70,000 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 (who) is not in need to participate --someone 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 (Census) 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.

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*Robert Tait, Finance Director*



**TOWN OF NEWTOWN  
BOARD OF FINANCE**

John W. Kortze, Chairman  
Joseph W. Kearney, Vice Chairman  
James Filan, Jr.  
John Godin  
Michael Portnoy  
Harrison A. Waterbury

May 14, 2014

Mary Ann Jacob  
Chairman, Newtown Legislative Council  
65 Mohawk Trail  
Sandy Hook, CT 06482

Dear Mrs. Jacob,

The attached non-lapsing BOE account recommended process was unanimously approved at the May 12, 2014 Board of Finance meeting.

Regards,

*John Kortze*

John Kortze  
Chairman, Board of Finance  
Town of Newtown

Non-Lapsing BOE Account:

Sec. 32. (NEW) (Effective July 1, 2010) For the fiscal year ending June 30, 2011, and each fiscal year thereafter, notwithstanding any provision of the general statutes or any special act, municipal charter, home rule ordinance or other ordinance, the board of finance in each town having a board of finance, the board of selectman in each town having no board of finance or the authority making appropriations for the school district for each town may deposit into a non-lapsing account (in a special revenue fund) any unexpended funds from the prior fiscal year from the budgeted appropriation for education for the town, provided such amount does not exceed one per cent of the total budgeted appropriation for education for such prior fiscal year.

Recommended process:

BOE identifies funds, in accordance with statute, to be placed in non-lapsing account. Time frame for request is no later than **August 31<sup>st</sup>** of each year. Source of funds shall be identified as well as any anticipated future use. The unexpended amount shall be consistent with the Connecticut Statute 10-248a and **not exceed 1%** of the previous year's budgeted education appropriation.

BOF meets and acts on BOE request and places funds into non-lapsing account designated for BOE future use.

Funds remain in account until request is formally made by BOE.

BOE submits request to BOF and identifies purpose for use of funds. Request should follow process identified and consistent with a special appropriation request.

BOE provides rational and justification for request as well as any necessary financial impact statement.

BOF meets and formally acts on request as well as informing Legislative Council.

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*Robert Tait, Finance Director*



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May 14, 2014

Mary Ann Jacob  
Chairman, Newtown Legislative Council  
65 Mohawk Trail  
Sandy Hook, CT 06482

Dear Mrs. Jacob,

The attached charter revision suggestions were unanimously approved at the May 12, 2014 Board of Finance meeting.

Regards,

*John Kortze*

John Kortze  
Chairman, Board of Finance  
Town of Newtown

### Legislative Change / Clarification of Authority / Finance Director Role

1-40, 2-130: Consider merit of Town Meeting as a legislative body and functionality of the Town Meeting. Also clarify the legislative body and the role of the BOF as BOF has some legislative  
5-10: Suggestion was made to consider this section and whether or not it's the best way to hire a  
5-01B2: Clarify role of Town and BOE funds. Does Town financial director have overall fiduciary  
5-01B4: Consider Town Meeting language and the LC and BOS role.  
5-01B5&6  
5-01E: Include BOF? Who does Financial Director report to? Clarify?  
6-02: Considering BOF does most financial legwork, should auditor come with recco from BOF?  
Chapter 7: Legislative Bodies. Does that include BOF?  
to BOF function. Also, CIP reg should not be sole duty of Council. Should be in conjunction with BOF.  
BOF should have ability to write regulations pertaining to financial matters subject to approval of Council.

### Board Continuity

2-40: BOF should mirror other boards and have the ability to fill a vacancy by a vote of its board and not an appointment. Town Hall Board of Managers has this ability, as does BOE. Should be  
2-50, 2-130: Consider 4 year term for BOF and stagger the terms to elect three positions every two year for the purpose of continuity and stability.

### Budget Language / Process

due to the failure of the referendums. Budgets, by line item, should be officially adopted at some point either at the the passing of the first referendum, or after changes have been made as a result of a failed referendum and then subsequent passage.  
6-13B1: Language is contradictory and needs clarification. Council should reduce by a majority or make other recommendations should a budget fail. BOF can, to the extent possible, meet and recommend in its advisory capacity, an amended budget or any other recommendations it deems prudent for the councils consideration prior to the Council acting. Ultimate and recent practice is to hold joint meetings, but BOF should lay a role as they do virtually all of the detail work.  
6-14: Consider changes required in all areas referring to Town Meeting should the Council consider number, these sections refer to a concept of accounting and approvals to make sure line items are properly funded and adjusted. Should clarify the "Town Department" includes BOE and that budgets commence with official adoption at a point and will be changed and adjusted properly going forward.

### Technical / Process Clarification Changes

3-10C: Suggestion was made to clarify language  
4-70: Include language "user fees"



501B3: Finance Director no longer holds bonds in safekeeping

5-01B7: CIP should be updated annually, not every two years by BOF and Town

5-40: Should there be language for legal resources for the BOF?

6-11B: Itemized revenues should include ECS monies?

6-12: Should charter include language on BOE non-lapsing account as well as language regarding statute regarding statute regarding municipal efficiencies?

6-11: Should language be amended to indicate BOE and BOS operating budgets?

6-12C2: Should consider changing language from language from "audited cash deficit" to

6-12D2: "Receipt items" should be changed to "estimated revenues"

6-20: See recommendation from Bob Tait

6-20B: Consider updating amount per Bob Tait

6-30: Special and Emergency appropriations section requires review

6-60: Bob Tait suggests this section should be removed If maintained, should include recco from BOF. Many sections of charter on these types of financial matters require recco from BOF. (See

6-70: "a contingency fund" should be changed to "Town contingency account"

6-70B: "Town Departments" should be replaced by "Finance Director"

6-90E: Funds should be segregated by Finance Director and remove language "from the general fund BOF and Council needs to approve prior to application or acceptance. Impact statements should also be a component of this section for the purpose of clarity and transparency. Should also include BOE. (ARRA grat)

7-70: Should consider necessity for this as state no longer requests these reports as per Bob Tait.

8-02: Does a "town department" include the BOE due to the fact that the language refers to any

8-10: Should be removed per Bob Tait.

Should a process for formalizing communications between the Council and BOF and the BOE exist? Currently the BOS sits with the Council and BOF on a regular basis.

**Town of Newtown**  
**Board of Finance - Capital Improvement Plan Calendar**  
**CIP 2015-16 through 2019-10**

August 11, 2014	Board of Selectmen presents 2015-16 through 2019-20 Capital Improvement Plan
August 28, 2014	Board of Education presents 2015-16 through 2019-20 Capital Improvement Plan
Sept thru Oct, 2014	Board of Finance Reviews 2015-16 through 2019-20 Capital Improvement Plan
November 10, 2014	Board of Finance completes recommended Capital Improvement Plan
November 19, 2014	Board of Finance recommended CIP presented to The Legislative Council for its review and Approval (by November 30).
January 2015	Legislative Council approves the Capital Improvement Plan (within 60 days from receipt of BOF)

May 16, 2014 Director's report Newtown Parks and Recreation Amy Mangold

Carl, John Moore and I interviewed 12 applicants for the open Maintainer position. We narrowed the process to three second interviews and then decided on our candidate that we felt was our best fit. His name is [REDACTED] Sue will be setting up an interview with you and Jose soon. We would like to get him started as soon as possible if you feel he is a good fit and if he manages the process with Carole. We are excited to have another hard working, well qualified Maintainer to add to the crew!

Victory Garden has all the rows spoken for. The irrigation system is being installed starting this week. The gardeners are all very appreciative of this progress. Bird houses and Bees are now also part of the garden community.

Eichler's slip rentals have begun and we have 1 slip left to be rented for the season. Deborah has been doing a fantastic job with this process. I will continue to explore ways to compensate her for this exceptional performance and success of this facility.

The Dog Park Grand Opening was a huge success. Thank you for sending Jim Gaston to represent the Selectman and the town. Carl has told me that Butterworth and Check has begun the installation of the water at this site on Wednesday.

The Dickinson playground project is coming along fantastic. I am so excited to see the plans come to life. It looks like it will be a showcase of playgrounds and a tremendous asset and play experience for the children and families of our community. Our Grand Opening date is Saturday, July 26<sup>th</sup> at 11:00am. hope you can put it on your calendar to attend.

Jennifer D. Barahona, LCSW, and *Executive Director of the* Newtown-Sandy Hook Community Foundation and I have established a process for children to get camp scholarships through the foundation. We are very happy to be able to accommodate this need again for this summer.

Rose Ann and I have training meetings set up with Lou Bergholz of Edgework consulting for day camp. I have secured the funds from Mercy Corps to pay for these valuable sessions and visits.

In a continued effort to show the community the benefits of Parks and Recreation in Newtown and the wonderful programs and services we provide, I hosted a table at Earth Day, Rose Ann and I were at Destination Newtown and I will be at the Communities COlllections event at the end of the month at the Walnut Tree Church. Rose Ann and I have also been invited to speak at another forum for parents at Hawley School on May 22, once at 10:00am and again at 6:00pm. We enjoy these opportunities and feel they are value valuable to elevate the awareness of our programs and facilities.

Plans for the Rooster Run and Mad Dash are moving forward nicely. The Mad Dash will be June 7 and the Rooster Run is June 14<sup>th</sup>. Summer Concert dates are set and we are excited to be planning the second annual day time children's series which was a fantastic success last year. I am also working with the Chamber of Commerce to have a family concert night during the season. This will be a fun event to add some life to the series and to work in cooperation with our community partners.

I will continue to research and learn about the information you shared with me on non-resident use in park areas. I will also be interested to hear what David Grogins has learned on this topic. Most of the other park professionals I have talked to have the same impression that town owned land is different than land that was funded with State monies. I have sent and shared your case study with them and many are also investigating this issue. I did copy Ed on the information and we will sort it all out and make any changes as we may need to.

Yesterday Suzette from the Health Department and I met with potential vendors for the food concession area at the mandatory pre proposal meeting. I am hopeful we will get a good quality and qualified vendor for the Treadwell facility this year. Monday 5/1/19 is the date proposals must be submitted to the Finance Department.

PARKS AND FIELDS REPORT FROM: Carl Samuelson, Assistant Director -Parks

RE: Monthly park update and field report

May has been busier than normal following an extended winter season. We have had fluctuating temperatures as well as a lot of wet weather, especially on weekends.

- 4 Staff members attended OSHA 10 hour certification training
- Repair and installation of all Eichler's Cove docks for season.
- Spring prep and painting of all athletic fields.
- Spring aeration and fertilizer applications.
- Contracted tree work at cemeteries.
- Drainage completion at Liberty Fields
- Pruning and mulching of trees at Treadwell Park.
- Fence screen installation at Glander fields
- Fencing completion at dog park
- Fencing install at Oakview field.
- Dog Park walkway install and opening.
- Daily grooming, lining and mowing operations in full swing.

Items we have started/continued work on:

- Start of irrigation central control project.
- Victory garden irrigation installation
- Tree screening installation at maintenance facility.
- Dog park water hook up.
- Treadwell pool house clogged pipe investigation.
- Pool opening and start up
- Kiddie pool plastering.