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## TOWN OF NEWTOWN

TOWN OF NEWTOWN LEGISLATIVE COUNCIL MEETING  
WEDNESDAY, JUNE 18, 2014  
NEWTOWN MUNICIPAL CENTER, NEWTOWN, CT

PRESENT: George Ferguson, Lisa Romano, Joe Girgasky, Paul Lundquist, Ryan Knapp, Neil Chaudhary, Dan Amaral, Anthony Filiato, Phil Carroll, Dan Honan.

ABSENT: Robert Merola, Mary Ann Jacob.

ALSO PRESENT: First Selectman Pat Llodra, Director of Economic and Community Development Liz Stocker, Director of Planning & Land Use George Benson, Board of Finance member Joe Kearney, Selectman Jim Gaston, 1 member of the public and 1 member of the press.

CALL TO ORDER: Mr. Chaudhary called the meeting to order at 7:00pm. Mr. Lundquist led the Pledge of Allegiance.

VOTER COMMENT: None

EXECUTIVE SESSION: MR. KNAPP MOTIONED TO ENTER EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING A DRAFT DOCUMENT FOR AN ECONOMIC DEVELOPMENT PROPOSAL CONTAINING CONFIDENTIAL FINANCIAL INFORMATION; AND INVITE INTO THE EXECUTIVE SESSION MEMBERS PRESENT OF THE BOARD OF SELECTMEN AND BOARD OF FINANCE; ELIZABETH STOCKER, DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT; ROBERT TAIT, TOWN FINANCE DIRECTOR AND GEORGE BENSON, DIRECTOR OF LAND USE. MOTION SECOND AND APPROVED. COUNCIL ENTERED EXECUTIVE SESSION AT 7:02.

Council returned to regular session at 7:45.

COMMUNICATIONS: Attached

COMMITTEE REPORTS: None

FIRST SELECTMAN: Mrs. Llodra reports Newtown was awarded a 7.1 million dollar Department of Justice grant. Some of the grant is for services already provided by mental health organizations. Portions are for school hardening, school security and safety procedures. A significant fund will allow us to develop protocols, processes and personnel to be more strategic in delivering mental health services for the next 18 months. It is a multi-layered grant. More details will follow. The Board of Selectmen on Monday agreed to authorize Mrs. Llodra to sign the contract with Diversified Management for phase one of the strategic planning for municipal facilities. She will share contract at next council meeting.

NEW BUSINESS:

CHARTER CHARGE: MR. FERGUSON MOTIONED THE LEGISLATIVE COUNCIL ADOPT THE CHARTER REVISION COMMISSION CHARGE UNANIMOUSLY APPROVED BY THE CHARTER REVISION CHARGE COMMITTEE ON JUNE 12, 2014. SAID CHARGE SHOULD BE GIVEN TO THE CHARTER REVISION COMMISSION UPON FORMATION. SECOND BY MR. HONAN. APPROVED.

CHARTER COMMISSION: MR. LUNDQUIST MOTIONED THE LEGISLATIVE COUNCIL APPOINT A CHARTER REVISION COMMISSION CONSISTING OF NINE VOTING MEMBERS AND THAT THE FOLLOWING NINE CITIZENS OF NEWTOWN BE APPOINTED TO SAID COMMISSION; KEVIN BURNS, JEFFREY CAPECI, GEORGE GUIDERA, ROBERT HALL, THOMAS LONG, ERIC PARADIS, JAMES RITCHIE, DAN WIEDEMANN AND DEBORRA ZUKOWSKI. MOTION SECOND AND APPROVED.

Town Clerk Debbie Halstead swore in Commission members Jeff Capeci, Dan Wiedemann, Tom Long, Deb Zukowski and George Guidera.

CHARTER COMMISSION CHARGE: MR. LUNDQUIST MOTIONED THE LEGISLATIVE COUNCIL ESTABLISH A CHARTER REVISION COMMISSION IN ACCORDANCE WITH CONNECTICUT GENERAL STATUTES AND THE CHARTER OF THE TOWN OF NEWTOWN, CONSISTING OF NINE MEMBERS, KEVIN BURNS, JEFFREY CAPECI, GEORGE GUIDERA, ROBERT HALL, THOMAS LONG, ERIC PARADIS, JAMES RITCHIE, DAN WIEDEMANN AND DEBORRA ZUKOWSKI. AS A CHARGE, THE NEWLY FORMED CHARTER REVISION COMMISSION SHOULD CONSIDER THOSE ITEMS ADOPTED AT THE PREVIOUS MOTION BY THE LEGISLATIVE COUNCIL. MOTION SECOND AND APPROVED.

Charter Charge attached.

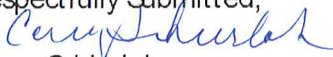
VOTER COMMENT: None

MINUTES: MR. GIRGASKY MOTIONED TO APPROVE THE MINUTES OF THE APRIL 9, 2014 SPECIAL MEETING AND THE MAY 21, 2014 MEETING. SECOND BY MR. LUNDQUIST. APPROVED.

ANNOUNCEMENTS: None

ADJOURNMENT: There being no further business, the meeting adjourned at 7:57.

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: Letter from Robert Hall:

Attachment B: Letter from Kinga Walsh

Attachment C: Charter Charge and Timeline

From: [kingawalsh@charter.net](mailto:kingawalsh@charter.net)

Date: June 11, 2014 at 1:27:53 PM 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), [merola11c@sbcglobal.net](mailto:merola11c@sbcglobal.net), [ryan.w.knapp@gmail.com](mailto:ryan.w.knapp@gmail.com), [danielthonan@gmail.com](mailto:danielthonan@gmail.com), [mjacob4404@charter.net](mailto:mjacob4404@charter.net), [lisa4ct@gmail.com](mailto:lisa4ct@gmail.com), [amaral.poggy@aol.com](mailto:amaral.poggy@aol.com), [nkc@thechaudharyfamily.com](mailto:nkc@thechaudharyfamily.com), [tonyfiliato@ymail.com](mailto:tonyfiliato@ymail.com), [ppcarroll13@gmail.com](mailto:ppcarroll13@gmail.com)

Subject: Response to May 7th Statement

Dear Newtown's Legislative Council,

Please accept this correspondence in reply to the statement read by Ms. Jacob at the May 7th Legislative Council meeting in response to my letter of the same day.

Ms. Jacob's read response did not address the issue: Ms. Jacob's hypocritical action was inappropriate. It is clearly understood that the public must not address anyone specifically or individually (elected or not) during public participation, but Ms. Jacob did just that in the newspaper article she initiated to be written highlighting only my letter to the editor and mentioning only me by name. She stated in her read response that she was just acting in her "role as chairman". Taking responsibility for and holding oneself accountable to an inappropriate action is also a chairman's role (and actually any elected official's in my opinion).

It is clear that we disagree as to what lengths an elected official should go to ensure the public clearly and unequivocally understands an issue or situation. As was stated in The Newtown Bee's "Editorial Ink Drops" on May 23, 2014:

"A fundamental rule of communication is that the quality of information depends on the path it travels. Direct is better than circuitous. Primary sources are better than secondary or tertiary sources."

The communication to the public of discussions between Ms. Jacob and the town's attorney regarding confirmation on the charter language was circuitous and secondary. It was not direct (i.e., a statement from the town council directly to the public). It appears others in town support the belief that there is an issue as to how Newtown's elected officials communicate important information to the public and that direct efforts are better to ensure the existence of minimal, if any, confusion or supposition.

To reiterate, the issue is Ms. Jacob's hypocritical action and, subsequently, her decision not to hold herself publicly accountable to it. The public, and often her fellow LC members, are corrected, interrupted, or asked to move onto another topic during meetings should Ms. Jacob (as chairperson) decide that their statements are ones she deems inappropriate. But when a resident highlights her inappropriate action she ignores and circumvents the issue. This creates a negative perception that local elected officials' promise to hold themselves accountable to the public is a farce while reinforcing the level of mistrust between elected officials and residents.

Please individually confirm receipt.

If any additional comments will be made/read during an upcoming LC meeting, please let me know ahead of time.

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

LAW OFFICES  
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ROBERT H. HALL

EMAIL ADDRESS  
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HAND DELIVERED

June 18, 2014

Newtown Legislative Council  
Municipal Center  
3 Primrose Street  
Newtown, CT 06470

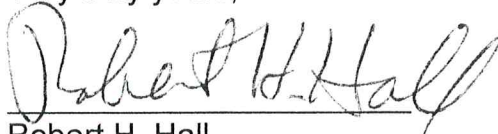
Re: Appointment to Charter Revision Commission

Dear Council Members:

I am pleased that I have been chosen as a member of the upcoming Charter Revision Commission. Unfortunately, I realized this morning that I have a conflict in my schedule for this evening. I am attending a Planning and Zoning subsection meeting of the Connecticut Bar Association and will be unable to attend your meeting this evening.

Assuming I am appointed, I will take the oath first thing tomorrow morning.

Very truly yours,

  
Robert H. Hall

RHH:lmk

## Charge

The Legislative Council's ("Appointing Authority") overarching goal for the Charter Review Commission is that the Commission undertake a comprehensive review of the Charter from the perspective that it be "readable", "user-friendly" and "accurate".

Furthermore, the Appointing Authority, pursuant to Section 7-187 et seq. of the Connecticut General Statutes, charges the Charter Review Commission with considering the items listed in the attached schedule for inclusion in any amendments to the Charter; and to comment on said items in its reports to the Appointing Authority.

To assist the Charter Review Commission, attached is a chronological schedule for accomplishing its tasks in time for placing any proposed amendments on the November 2015 election ballot.

## TIMELINE

TIMEFRAME	PROPOSED DATE (Hypothetical)	PROCEDURE	STATUTE
	06/18/2014	Legislative Council ("LC") adopts Resolution (2/3) majority and constitutes a Charter Revision Commission ("CRC").	§ 7-188(b)
Within 30 days from adoption of Resolution to constitute a CRC	06/18/2014	LC appoints CRC; specifies when CRC shall deliver draft report (not later than 16 months from appointment) specifies what issues LC desires CRC to consider. *assume appointment date of 06/18/2014*	§ 7-190(a)&(b)
Approx. 3 weeks	07/16/2014	CRC holds organizational meeting (elects Chairperson and Secretary).	
	07/30/2014	CRC to hold a public hearing on the proposed charter prior to the beginning of any substantive work on such charter.	§ 7-191(a)
		CRC to hold a second public hearing after the draft report to the LC has been completed, but not submitted. CRC to complete draft report by 06/01/2015.	
	06/17/2015 (Hypothetical Date)	CRC to submit draft report to the Town Clerk, who shall subsequently transmit draft report to the LC.	§ 7-191(b)
days ≤ 45 from 06/17/2015	07/15/2015	LC to hold final hearing on draft report.	§ 7-191(b)
days ≤ 15 from 07/15/2015	08/02/2015	Deadline for LC to make recommendations to CRC for such changes in the draft report as it deems desirable.	§ 7-191(b)
days ≤ 30 from 06/17/2015	08/17/2015	CRC shall make final report to LC after receiving recommendations from the LC.	§ 7-191(c)
days ≤ 15 from 08/17/2015	08/17/2015	LC, by a majority vote of its entire membership, shall either approve or reject the proposed charter amendment outlined in the CRC's final report.	§ 7-191(d)
days ≤ 30 from 08/02/2015	09/02/2015	<b>IF APPROVED:</b> LC must publish the proposed charter either by: 1) publishing the proposed charter in full at least once in a newspaper having general circulation in the Town; <b>or</b> 2) publishing the portion of the charter being amended at least once in a newspaper having a general circulation in the Town with a notice that a complete copy of the charter and amendment is available in the Town Clerk's office and that a copy shall be mailed to any person who requests a copy.	§ 7-191(d)
days ≤ 45 from 08/02/2015	09/15/2014	<b>IF REJECTED:</b> 10% of electors may sign and submit petition for referendum on the proposed charter to LC.	§ 7-191(d)

<p>days <math>\geq</math> 60 from election date (assuming election date is 11/03/15); and <math>\leq</math> 15 months from 09/02/15</p>	<p>09/04/2014</p>	<p><b>IF APPROVED:</b> LC to determine by a majority vote of its entire membership whether proposed charter is to be submitted to electors for approval or rejection at a regular election or special election, and such election shall be held not later than 15 months after either approval by the appointing authority or the certification of a petition of a referendum. LC, by a majority vote of its entire membership, must decide whether to submit to electors at an election the proposed charter, within <b>60 days</b> prior to the election date, or it cannot be voted on.</p>	<p>§ 7 § 9</p>
<p>days <math>\geq</math> 45 from election date (assuming election date is 11/03/15)</p>	<p>09/16/2015</p>	<p><b>IF APPROVED:</b> Town Clerk, upon determination that the necessary action has been taken for submission of the question to vote of the electors of the Town at an election, must file in the office of the Secretary of the State a statement setting forth the designation of the question as it is to appear on the voting machine ballot labels at the election, the date upon which the submitting action was taken and the reference to the law under which the action was taken. *vote 11/03/15*</p>	<p>§ 9.</p>
<p>30 days after election date</p>	<p>12/03/2015</p>	<p><b>IF APPROVED:</b> If the proposed charter is approved by a majority of the electors of the Town voting thereon at a regular election, or if approved by a majority which number equals at least 15 percent of the electors of the Town at a special election, such charter amendment shall become effective thirty days after such approval.</p>	<p>§ 7</p>
<p><math>\leq</math> 30 days after election date</p>	<p>12/03/2015</p>	<p><b>IF APPROVED:</b> Not later than thirty days after the approval by the electors of any proposed charter amendment, the Town Clerk must file, with the Secretary of State:</p> <ol style="list-style-type: none"> <li>1) Three certified copies thereof, with the effective date indicated thereon; and</li> <li>2) Three certified copies of the complete charter incorporating such amendments.</li> </ol>	<p>§ 7</p>