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TOWN OF NEWTOWN

TOWN OF NEWTOWN LEGISLATIVE COUNCIL MEETING

WEDNESDAY, SEPTEMBER 3, 2014

NEWTOWN MUNICIPAL CENTER, NEWTOWN, CT

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

ABSENT: Lisa Romano,

ALSO PRESENT: First Selectman Pat Llodra, Finance Director Bob Tait, Planning Director George Benson, two public, two press.

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

VOTER COMMENT: None

MINUTES: MR. KNAPP MOTIONED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF JULY 16, 2014. SECOND BY MR. FILIATO. MOTION APPROVED. MR. CHAUDHARY MOTIONED TO APPROVE THE MINUTES OF THE SPECIAL MEETING OF AUGUST 13, 2014. SECOND BY MR. KNAPP. MOTION APPROVED. MR. AMARAL, MR. LUNDQUIST AND MR. GIRGASKY ABSTAINED.

COMMUNICATIONS: None

FIRST SELECTMAN'S REPORT: Mrs. Llodra stated the discussion and possible action on regionalizing dispatch lies with the Board of Selectmen and no action has been taken. There is no time limit for when a decision has to be made in the near term, but they will need to deal with the questions due to the space needs study. If the Selectmen decide there is merit and should have further review of the question, it will come to the Council. The Selectmen, individually, have been receiving suggestions that Newtown be the regional dispatch location or to renew a partnership with Danbury. Mrs. Llodra reports all hurdles have been completed regarding the lease for the engineer's house. Newtown has successfully received part 3 of the SERV (School Emergency Response to Violence) grant for 3.1 million. It is school based, supporting personnel and programs for recovery of 12/14. Mrs. Llodra is waiting to hear from the Department of Justice on final piece of the supplemental grant. Mrs. Llodra noted the state and federal government have been very responsive to Newtown.

NEW BUSINESS

Discussion and Possible Action:

Partial road abandonment – Robin Hill Road MR CHAUDHARY MOVED TO APPROVE A RESOLUTION THAT THE PORTION OF ROBIN HILL ROAD DESIGNATED AS "PROPOSED ABANDONMENT OF ROBIN HILL ROAD RIGHT OF WAY" SHOWN ON A MAP ENTITLED "PROPOSED ROAD ABANDONMENT, THE PRESERVE AT NEWTOWN OPEN SPACE CONSERVATION SUBDIVISION, 16-19 ROBIN HILL ROAD, SCUDDER ROAD & 168 SUGAR STREET, NEWTOWN, CT," PREPARED BY MILONE & MCBROOM, DATED 8/18/14 IS HEREBY DISCONTINUED PURSUANT TO CONNCTICUT GENERAL STATUTES SECTION 13A-49 AND SECTION 7-90 OF THE NEWTOWN TOWN CHARTER. SECOND BY MR. FERGUSON.

Mr. Benson reports the road abandonment will facilitate a conservation subdivision. It is an old logging trail but has been on the maps as a town road. The topography would make it difficult to develop into a road. The subdivision will be at the north and south end of the property and the town will receive the remaining property. A zoning regulation passed by the town, allows for smaller lots and 10% more housing if 50% of the land is preserved. Mr. Knapp asked what is involved in abandoning the road, is there any work the town will need to do. Mr. Benson said nothing needs to be done, there is nothing there.

Mr. Ferguson asked why the council has not seen this before it went through Wetlands and Conservation. Mr. Benson said it was the easiest way, there is no mandatory sequence. Mr. Ferguson said we are offering a gift of property before we know if there will actually be any he activity. Mr. Benson said the road is no of use to us. If there is no town road, it limits development. Mr. Ferguson said then we would not want a road there from a conservation standpoint.

Mr. Chaudhary asked if there are safety concerns, such as access for the Fire Dept. Mr. Benson said the road will not be destroyed. It will likely be used as a trail.

Mr. Lundquist asked who would be against this. Mr. Benson some neighbors are concerned about the subdivision, the road is not an issue. He noted if a developer follows the regulations for a subdivision, it cannot be denied. By doing this, we are preserving land. Mrs. Llodra said the property was not recommended for full open space consideration.

Mr. Knapp asked who is responsible for upgrading current roads for the subdivision. Mr. Benson said the developer is responsible as part of the subdivision process.

Mr. Merola asked if the road is not abandoned, how it impacts the project. Mr. Benson said abandoning the road makes the process cleaner. It will be part of the open space. MOTION APPROVED. (*Attachment A*)

Senior Tax Relief Ordinance Asset Cap MR CHAUDHAR MOVED TO SET AN ASSET CAP FOR SENIOR TAX RELIEF AT \$1,000,000. SECOND BY MR. CARROLL. Mr. Chaudhary noted the Council is required by ordinance to set an asset cap. Mr. Chaudhary created a worksheet (*Attachment B*) to determine a number for the cap. Assets do not include the primary residence. Ms. Jacob noted the asset test is an affidavit the applicants sign.

Mr. Lundquist asked if the asset cap will take people out of the pool who had received relief previously. Ms. Jacob said we do not know that, but we have a recap of what occurred this year. (*Attachment C*) The 1 million cap will allow us to serve the neediest. Asset test is done annually. Mr. Lundquist said while not wanting to see people pushed out of tax relief, he has concerns about providing tax relief to people with a 1 million dollar nest egg, when there are non-seniors who have problems. Mr. Lundquist would like to the cap lower, but can agree to this if it is revisited next year. Ms. Jacob said there are other things that may eliminate people who have a 1 million nest egg. Mr. Chaudhary said there are three criteria to determine eligibility; income, house value and asset test. The benchmark for determining house value is 2 times the median assessed value of residences.

Mr. Ferguson is not in favor of asset test. He does not agree with the chart either as people should be preserving capital and he believes a 5% return on capital is too generous. MR FERGUSON MADE A FRIENDLY AMENDMENT TO THE MOTION TO INCREASE THE CAP TO 1.5 MILLION. FRIENDLY MOTION WAS NOT ACCEPTED.

Mr. Knapp voted against this in ordinance. He said there have been asset tests in place for the senior tax relief. It was the biggest issue in getting the ordinance passed. He thinks the seniors feel, after the reveal, that they were targeted. Council committed to 1.625 million, and it was not all used. We don't need to exclude anyone. Any funds remaining are not going to a "single mother of 5"; they roll over into next year's tax abatement. We discussed setting a conservative number. He thinks 1 million might be more of a shock. People have assets that do not have a return. Seniors in the community feel they pay for many services they do not use and feel discouraged about living in Newtown. We should be attracting seniors, not discouraging them.

Mr. Lundquist has reservations about using the relief for those who do not need it. We do not know the impact of the test and would like to do more homework. Ms. Jacob said we have no way of gathering that info without having people go through the process. Mrs. Llodra said we learn more over the next couple

years as the program is applied. It can be modified as needed.

Mr. Chaudhary said this is a program designed for people in need of assistance, not general tax relief for people of a certain age. People have opportunity to apply every year. We don't have to spend every dollar we have allocated.

Mr. Carroll believes the 1 million is a good number to start. For every dollar of tax abatement, someone else in town has to pay that dollar.

Ms. Jacob stated this program has nothing to do with the re-evaluation. CT does not allow towns to give tax abatements across the board to seniors. This money should go to the neediest seniors in our community. If we find we are not spending the full 1.65 million and we are addressing the neediest, Ms. Jacob would rather see the money returned to the other taxpayers, then give to those who don't need it.

Mr. Filiato reminded everyone that we were one of the most generous towns with senior tax rebates even before we the income cap.

Mr. Ferguson said the philosophy behind the senior tax rebate is helping seniors on a fixed income stay in their home and that was in the best interest of the community because they have a small footprint on demands for services.

Mr. Knapp agrees with Mr. Ferguson. Seniors help distribute some of the burden, especially with the school system. Mr. Knapp noted it doesn't say anywhere in the ordinance this program is for assistance, it is an abatement. He doesn't think 1 million is high enough and we may unintentionally exclude people. He would rather err on the side of caution. If we start with a higher cap, it can be lowered the following year if it is too high. When he spoke with seniors, the cap was a tool to be used if the rebates had to be prorated.

Mr. Girgasky said we are dealing with a new cap and new income range; we may not get it perfect. He said Mr. Ferguson made some good points. MR. GIRGASKY MADE A FRIENDLY AMENDMENT TO RAISE THE CAP TO 1.25 MILLION. MR. CHAUDHARY ACCEPTED THE FRIENDLY AMENDMENT. AMENDMENT SECOND BY PHIL MR. CARROLL.

Mr. Lundquist thinks it is completely arbitrary. Chances are just as good it is too high.

AMENDMENT APPROVED. (7 YES, 4 NO- MR. LUNDQUIST, MS. JACOB, MR. FILIATO, MR. HONAN). MOTION AS AMENDED APPROVED. (7 YES, 4 NO- MR. LUNDQUIST, MS. JACOB, MR. FILIATO, MR. HONAN).

MR. KNAPP MOTIONED TO HAVE THE COUNCIL SEND AN ORDINANCE REGARDING THE ADOPTION OF CONNECTICUT GENERAL STATUTES 4-124I TO 4-124P TO PUBLIC HEARING ON OCTOBER 1ST AT 7:00PM. SECOND BY MR. CHAUDHARY. Mr. Knapp reports this has to do with joining the Western Ct Council of Governments. This is a formality. Mrs. Llodra has spoken on the subject several times. MOTION APPROVED. *Attachment D*

MR. CHAUDHARY MOVED TO APPROVE THE TRANSFER OF \$33,048 FOR LAND USE/ECONOMIC DEVELOPMENT REORGANIZATION AS ATTACHED: (1-101-11-740-5300-0000) \$30,000 FEE & PROFESSIONAL SERVICES, (1-101-11-740-5110-0000) \$3,048 SALARIES & WAGES – FULL TIME, TO (1-101-15-490-5110-0000) \$15,000 SALARIES & WAGES FULL TIME, (1-101-15-490-5220-0000) \$1,148 SOCIAL SECURITY CONTRIBUTIONS, (1-101-11-740-5210-0000) \$7,650 GROUP INSURANCE, (1-101-11-870-5210-0000) \$4,650 GROUP INSURANCE, (1-101-11-740-5230-0000) \$3,475 RETIREMENT CONTRIBUTION, (1-101-11-870-5230-0000) \$1,125 RETIREMENT CONTRIBUTION. SECOND BY MR. FERGUSON. Mrs. Llodra said this is how money will be applied to the reorganization of those departments with the departure of Liz Stocker. We had key people in the department whose roles were increased. APPROVED. *Attachment E*

MR. CHAUDHARY MOVED TO APPROVE THE TRANSFER OF \$3,020 FOR 2013-14 YEAR END PUBLIC WORKS DEPARTMENT INTERDEPARTMENTAL AS ATTACHED: (1-101-13-500-5580-0000) \$600 FROM DUES, TRAVEL & EDUCATION, (1-101-13-650-5430-0000) \$2,200 FROM REPAIR & MAINTENANCE SERVICES, (1-101-13-650-5615-0000) \$50 FROM GENERAL MAINTENANCE SUPPLIES AND (1-101-13-650-5622-0000) \$150 FROM ELECTRICITY TO (1-101-13-500-5626-0000) \$600 FOR STREET LIGHTS AND (1-101-13-650-5411-0000) \$2,420 FOR WATER/SEWERAGE. SECOND BY MR. FERGUSON. APPROVED. *Attachment F*

MR. CHAUDHARY MOVED TO APPROVE THE TRANSFER OF \$20,750 FOR 2013-14 YEAR END FIRE DEPARTMENT INTERDEPARTMENTAL TRANSFER AS ATTACHED: FROM (1-101-12-320-5115-0000) \$1,000 FROM SALARIES & WAGES – PART TIME, (1-101-12-320-5220-0000) \$950 FROM SOCIAL SECURITY CONTRIBUTION, (1-101-12-320-5580-0000) \$11,000 FROM DUES TRAVEL & EDUCATION, (1-101-12-320-5745-0000) \$3,500 FROM FIRE EQUIPMENT, (1-101-12-320-5749-0000) \$3,400 FROM CAPITAL, (1-101-12-320-5520-0000) \$900 FROM INSURANCE, OTHER THAN EMPLOYEE TO (1-101-12-320-5290-0000) \$4,800 OTHER EMPLOYEE BENEFITS, (1-101-12-320-5310-0000) \$1,600 PROFESSIONAL SERVICES – OFFICIAL/ ADMINISTRATION, (1-101-12-320-5412-0000) \$2,450 HYDRANTS, (1-101-12-320-5435-0000) \$1,400 RADIO & PAGER SERVICE, (1-101-12-320-5436-0000) \$10,500 TRUCK REPAIR. SECOND BY MR. FERGUSON. APPROVED. *Attachment G*

MR. CHAUDHARY MOVED TO APPROVE THE TRANSFER OF \$207,070 RELATIVE TO THE MEDICAL SELF INSURANCE FUND (2013-14) AS ATTACHED: \$207,070 (1-101-25-890-5870-0000) TRANSFER OUT \$207,070. SECOND BY MR. FERGUSON. APPROVED. *Attachment H&I*

MR. CHAUDHARY MOVED TO APPROVE THE TRANSFER OF \$2,700, 2013-14 YEAR END LAND USE INTERDEPARTMENTAL TRANSFER AS ATTACHED: (1-101-15-490-5340-0000) \$1,900 PROFESSIONAL SERVICES – TECHNICAL, (1-101-15-490-5550-0000) \$800 PRINTING, BINDING & MICROFICHING TO (1-101-15-490-5350-0000) \$2,700 PROFESSIONAL SERVICES-LEGAL. SECOND BY MR. FERGUSON. APPROVED. *Attachment J*

MR. CHAUDHARY MOTIONED TO APPROVE THE YEAR END RE-APPROPRIATION REQUESTS AS NOTED IN THE DOCUMENT DATED 8/7/2014. SECOND BY MR. FERGUSON. Mrs. Llodra noted the re-appropriation is to carry forward the intention to spend the money as originally identified into next year. APPROVED. *Attachment K*

VOTER COMMENT: None

ANNOUNCEMENTS: None

ADJOURNMENT: There being no further business, the meeting was adjourned at 9:12pm.

Respectfully Submitted,

Carey Schierloh, Clerk

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- Robin Hill Road
Attachment B- Asset Cap Worksheet Tax Relief Program 2014
Attachment C- Senior Tax Relief Program 2014
Attachment D- Ordinance on Western Ct Council of Governments
Attachment E- Transfer
Attachment F-Transfer
Attachment G- Transfer
Attachment H-Transfer
Attachment I - Report on Insurance Fund
Attachment J- Transfer
Attachment K-Re-Appropriation