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## TOWN OF NEWTOWN

TOWN OF NEWTOWN LEGISLATIVE COUNCIL MEETING  
WEDNESDAY, OCTOBER 1, 2014  
NEWTOWN MUNICIPAL CENTER, NEWTOWN, CT

**PRESENT:** George Ferguson, Lisa Romano, Joe Girgasky, Ryan Knapp, Neil Chaudhary, Mary Ann Jacob, Dan Amaral, Anthony Filiato, Phil Carroll, Dan Honan, Paul Lundquist (7:25)

**ABSENT:** Bob Merola

**ALSO PRESENT:** First Selectman Pat Llodra, 2 members of the public.

**CALL TO ORDER:** Ms. Jacob called the meeting to order at 7:03PM.

**VOTER COMMENT:** None

**MINUTES:** MR. FILIATO MOTIONED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 17, 2014. SECOND BY MR. CARROLL. APPROVED. Mr. Honan and Ms. Romano abstained.

**COMMUNICATIONS:** None

**COMMITTEE REPORTS:** Mr. Knapp received info from CCM. One other town has implemented additional tax abatement for 100% disabled veterans. He is in communication with the town attorney regarding adding the abatement to our code.

**FIRST SELECTMAN'S REPORT:** Danbury Hall is coming down. All material will be removed and the land graded and hydro seeded. It will be an open vista. Demolition of the Great Hill Rd. home was completed today. Contract was given to lowest bidder. Work is almost complete on Washington circle. Conduit work was town part of the project. Majority of project was paid for with a grant. Conduit will extend to Keating Farms Rd. and Mile Hill South. Services are now underground for the loop.

### NEW BUSINESS:

**Western Council of Governments:** MR KNAPP MOTIONED TO APPROVE THE ORDINANCE REGARDING THE ADOPTION OF CONNECTICUT GENERAL STATUTES 4-124I TO 4-124P TO JOIN THE WESTERN CONNECTICUT COUNCIL OF GOVERNMENTS. SECOND BY MR. CHAUDHARY. Mr. Knapp said the ordinance is a formality for the consolidation of councils. Mrs. Llodra said Legislation was passed changing the number of planning councils in Connecticut from 15 to 9. Municipalities were given to the option to select how they would join with partners. Newtown was part of the 10 town HEFCO which is combining with the 9 town South Western Fairfield County group. The purpose is to consolidate common functions. There is cost savings to the state. Changes will be made to funding, but Mrs. Llodra does not yet know what the changes are. There will be a bonus to those who are voluntarily finding partners.  
MOTION APPROVED.

**Update on Treadwell Tennis Court Project:** Mrs. Llodra reports the Treadwell tennis court project has been in the pipeline for 4 years. Originally the project included the basketball courts, but after 12/14, Nike donated the Basketball courts as a gift to the community. The tennis courts needed to be replaced, and the driveway design improved. Much of the project is being done by Parks & Rec. It will be a 5 court complex and includes a pickleball court. Mrs. Llodra said with Parks & Rec and Public Works projects, our personnel do as much work as possible so as to not pay additional money for a contractor to do what we can do. Mr. Knapp asked if the payroll costs for projects are included in the bonding costs. Mrs. Llodra said they are not. Mr. Knapp asked if the \$498,000 bonded for the project is inclusive of all costs (except payroll). Mrs. Llodra said the cost is all inclusive. (See minutes of January 30, 2014 for project details)

**VOTER COMMENT:** None

**ANNOUNCEMENTS:** None

**ADJOURNMENT:** There being no further business, the meeting adjourned at 7:30PM

Respectfully Submitted,

*Carey Schierloh*

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: Draft Ordinance Regarding Adoption of CT General Statutes 4-124I-4-124P to Join the Western CT Council of Governments

**ORDINANCE REGARDING ADOPTION OF CONNECTICUT GENERAL STATUTES §§4-124I – 4-124P  
TO JOIN THE WESTERN CONNECTICUT COUNCIL OF GOVERNMENTS**

**WHEREAS**, the Town of Newtown has heretofore been a designated member municipality of the Housatonic Valley Planning Region; and,

**WHEREAS**, the Town of Newtown is a member of the Housatonic Valley Council of Elected Officials (“HVCEO”), a regional council of elected officials and regional planning agency serving the Housatonic Valley Planning Region; and,

**WHEREAS**, the current member municipalities of the Housatonic Valley Planning Region are Bethel, Bridgewater, Brookfield, Danbury, New Fairfield, New Milford, Newtown, Redding, Ridgefield, and Sherman; and,

**WHEREAS**, the State of Connecticut has determined that a reorganization and redesignation of planning regions shall be completed on or before January 1, 2015; and,

**WHEREAS**, pursuant to C.G.S. § 16a-4c(b) (as amended by Public Act 13-247, § 249), the member municipalities of HVCEO and of the South Western Regional Planning Agency (“SWRPA”) have agreed to consolidate the Housatonic Valley Planning Region and the South Western Planning Region into a single planning region; and

**WHEREAS**, on or about December 6, 2013, the Office of Policy and Management of the State of Connecticut (“OPM”) redesignated the Housatonic Valley Planning Region and the South Western Planning Region as the Western Connecticut Planning Region; and,

**WHEREAS**, Public Act 13-247, § 250 requires that each regional planning agency and regional council of elected officials within a planning region restructure as a single regional council of governments on or before January 1, 2015; and

**WHEREAS**, HVCEO and SWRPA have determined, subject to the municipal approvals referred to herein, to restructure themselves as the Western Connecticut Council of Governments, which shall commence operations at the end of the Transitional Period (as defined herein); and,

**WHEREAS**, the Town of Newtown desires to participate in the establishment of the Western Connecticut Council of Governments as the regional council of governments for the Western Connecticut Planning Region by (1) approval of an ordinance by its legislative body pursuant to C.G.S. §4-124j adopting C.G.S. §§4-124i through 4-124p; (2) filing by the Town Clerk of a certified copy of the adopting ordinance with the Secretary of OPM; and (3) upon certification by the Secretary of OPM that the Western Connecticut Council of Governments has been duly established as the regional council of governments for the Western Connecticut Planning Region, participating in the operation of the Transitional Executive Committee of the Western Connecticut Council of Governments during the Transitional Period, as defined herein; and,

**WHEREAS**, the Town of Newtown desires to (1) remain a member of HVCEO as it continues to operate and wind down as a council of elected officials and regional planning agency during the Transitional Period, as defined herein, and (2) participate with the other former members of HVCEO after the Transitional Period as an unincorporated association

to administer and assume any and all rights, privileges and obligations of HVCEO that the Transitional Executive Committee deems unacceptable for assumption by the Western Connecticut Council of Governments; and

**WHEREAS**, HVCEO has been designated since 1981 pursuant to federal and state law as the Metropolitan Planning Organization (“MPO”) for the municipalities comprising HVCEO; and

**WHEREAS**, on or about June 19, 2014, HVCEO created a transitional MPO board (“Transitional MPO Board”) to succeed to the rights and responsibilities of HVCEO as an interim MPO beginning on January 1, 2015 and continuing until a new MPO has been designated for either the former Housatonic Valley Planning Region or the Western Connecticut Planning Region, and the Town desires to have the First Selectman serve as a member of such Transitional MPO Board.

**NOW THEREFORE BE IT ORDAINED, AS FOLLOWS:**

**Sec. 1. Creation of Western Connecticut Council of Governments.** The Town of Newtown hereby joins with such other adopting municipalities of the Western Connecticut Planning Region to create a regional council of governments to be known as the Western Connecticut Council of Governments (“WCCOG”), by adopting the provisions of C.G.S. §§4-124i – 4-124P, as amended by Public Act 13-247, and further amended by Public Act 14-217, §§ 228 and 256.

**Sec. 2. Certification by the Secretary of OPM; Transitional Executive Committee and Transitional Period.**

(a) Upon certification by the Secretary of OPM that at least sixty percent of the municipalities in the Western Connecticut Planning Region have adopted ordinances creating a regional council of governments, as required by the Connecticut General Statutes, the Western Connecticut Council of Governments shall be established.

(b) Upon such certification, a transitional period (hereafter the "Transitional Period") shall commence, and shall conclude no later than January 1, 2015. During such period the First Selectman shall participate as a member of the Transitional Executive Committee, as defined and for the purposes set forth in Section 4-124l(b) of the Connecticut General Statutes, as amended by Public Act 14-217, §§ 228 and 256. The legislative body of the Town shall appoint, in the manner provided by ordinance, an elected official to serve as an alternate member of the Transitional Executive Committee in the absence of the First Selectman. The First Selectman also may send a representative in his or her stead; however, such representative shall not be a member of the Transitional Executive Committee.

(c) Except as provided in Section 6 below, at the conclusion of the Transitional Period, the Transitional Executive Committee shall cease to exist, and the Western Connecticut Council of Governments shall succeed to and be responsible for all of the rights, privileges and obligations of HVCEO and SWRPA, whether statutory or contractual, relating to such active programs as may be recommended by the Transitional Executive Committee and adopted by the Western

Connecticut Council of Governments following appropriate due diligence and good faith negotiations during the Transitional Period.

**Sec. 3. Membership in the Western Connecticut Council of Governments.** At the conclusion of the Transitional Period, the Town of Newtown shall be a member of the Western Connecticut Council of Governments.

**Sec. 4. Powers and Duties of the Western Connecticut Council of Governments.** Except as provided in Section 6 below, the Western Connecticut Council of Governments shall have such powers, purposes, rights, duties and responsibilities of regional councils of governments as are set forth in the Connecticut General Statutes, currently and as they hereafter may be amended.

**Sec. 5. Representative to the Western Connecticut Council of Government.** The First Selectman shall be the representative of the Town to the Western Connecticut Council of Governments. The legislative body of the Town may appoint, in the manner provided by ordinance, an elected official to serve as an alternate representative in the absence of the First Selectman. The First Selectman may send the alternate to meetings in his or her stead; and the alternate in that instance shall be entitled to the same rights and privileges as the First Selectman. The Town shall notify the Western Connecticut Council of Governments in writing of the appointment of an alternate under this section. Each Town shall be entitled to one vote in the affairs of the Western Connecticut Council of Governments.

**Sec. 6. HVCEO's Continued Existence During Transitional Period.** The Town shall remain a member of HVCEO as it continues to operate and wind down as a regional

council of elected officials and regional planning agency until the end of the Transitional Period. After the Transitional Period ends, the Town also may create, together with the other former HVCEO member municipalities, an unincorporated association to assume and administer all rights, privileges and obligations of HVCEO that the Transitional Executive Committee, in its sole discretion, deems unacceptable for assumption by the Western Connecticut Council of Governments. The First Selectman shall be the Town's representative to such association.

**Sec. 7. First Selectman to serve on Transitional Metropolitan Planning**

**Organization Board.** The First Selectman shall serve as a member of the Transitional MPO Board, which has been created by HVCEO to temporarily perform the functions of the MPO for the municipalities in the former Housatonic Valley Planning Region beginning on January 1, 2015 and until such time as the Governor redesignates an MPO to serve that former region or the Western Connecticut Planning Region pursuant to 23 U.S.C. § 134.

**Sec. 8. Withdrawal from HVCEO; Repeal of Prior Ordinances.** Pursuant to § 8-36a of the Connecticut General Statutes, the Town hereby withdraws as a member of HVCEO, effective as of the expiration of the Transitional Period. . The following ordinance provisions regarding HVCEO are repealed effective as of the end of the Transitional Period [Sections \_\_\_\_\_], except that the Transitional MPO Board referred to in Section 7 hereof shall continue in existence for such time period as determined by its members.