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TOWN OF NEWTOWN
LEGISLATIVE COUNCIL

TOWN OF NEWTOWN LEGISLATIVE COUNCIL MEETING
WEDNESDAY, SEPTEMBER 7, 2016
NEWTOWN MUNICIPAL CENTER, NEWTOWN, CT

PRESENT: George Ferguson, Dan Wiedemann, Chris Eide, Neil Chaudhary, Judit DeStefano, Ryan Knapp, Mary Ann Jacob, Dan Amaral, Phil Carroll, and Dan Honan.

ABSENT: Paul Lundquist, Tony Filiato

ALSO PRESENT: First Selectman Pat Llodra, Finance Director Bob Tait, Police Chief James Viadero, Attorney David Monastersky, Attorney David Grogins, Economic Development Coordinator Betsy Paynter, EDC Members Wes Thompson, Bob Rau, Mike Boyle and Amy Dent, Board of Ed Chair Keith Alexander, 2 press.

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

EXECUTIVE SESSION: MR. CHAUDHARY MOTIONED TO ENTER EXECUTIVE SESSION TO DISCUSS LEGAL MATTERS ON A PROPOSED FROELICH SETTLEMENT AND INVITED FIRST SELECTMAN PAT LLODRA, ATTORNEY DAVID MONASTERSKY AND POLICE CHIEF JAMES VIADERO. MOTION SECOND AND APPROVED. The council entered executive session at 7:32pm and returned to public session at 7:50pm. MR. CHAUDHARY MOTIONED TO APPROVE THE PROPOSED FROELICH SETTLEMENT. SECOND BY MR. CARROLL. ALL IN FAVOR.

VOTER COMMENT: None

MINUTES: MR. FERGUSON MOVED TO APPROVE THE MINUTES OF THE AUGUST 17, 2016 REGULAR MEETING. SECOND BY MR. CARROLL. ALL IN FAVOR.

COMMUNICATIONS: Ms. Jacob received an email regarding the passport to Sandy Hook on October 8th. (Attach)

Rec'd. for Record 9-9-20 10
Town Clerk of Newtown 11:50
Debbie Aurelia Halstead

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COMMITTEE REPORTS: Mr. Chaudhary reports he attended a Public Safety Committee meeting. Total number of Garner inmates is 566 and there is a possibility of an increase in population as another prison is closing. There were some staff layoffs, none were guards.

Mr. Ferguson reports the Finance Committee continues discussion on the debt policy. They will meet with the Board of Finance before making a recommendation to the council. Committee members express concerns regarding how Newtown compares to other towns on debt, income and the challenges we face in the state of CT. All information is posted with their minutes.

Mr. Knapp reports they received responses from legal regarding the Senior Tax Abatement. They will seek input from the Board of Finance. They continue to gather research on roads. Mr. Eide has created drafts for the Municipal Volunteer Tax Abatement which includes recommendations from the Finance Director and the Attorney. They are beginning work on the Pension Ordinance and have received recommendations from the First Selectman.

FIRST SELECTMAN'S REPORT: Mrs. Llodra shared a copy of the roads work schedule. The projects should all be completed due to the good weather and some are coming in at a lower cost than anticipated. Mrs. Llodra shared a news article on a court decision regarding funding for public schools. She noted the judge gave the Legislature 180 days to revise how it provides state aid. Mrs. Llodra stated our town will likely be in the target zone due to our wealth factor. Mrs. Llodra reports the State Traffic Commission and DOT have agreed we qualify for a traffic signal at the intersection of Berkshire Rd. and Bennett's Bridge Rd after many years of petitions. The Board of Selectmen has completed its work on the investment policy for the pension plan. It was in full agreement and cooperation of the Pension Committee and the consultant. They look forward to better returns and the fees for managing the asset have been reduced. (Attach)

NEW BUSINESS

Approval of Charter Revision Questions for ballot: MR. CHAUDHARY MOTIONED TO APPROVE THE CHARTER REVISION QUESTIONS FOR THE BALLOT. SECOND BY MR. CARROLL. MR. CHAUDHARY MADE A FRIENDLY AMENDMENT TO HIS MOTION TO ACCEPT THE ATTORNEY'S RECOMMENDATION FOR QUESTION #1: SHALL THE CHARTER BE AMENDED TO PROVIDE THAT THE MAXIMUM NUMBER OF MEMBERS FROM ANY ONE POLITICAL PARTY PERMITTED TO SERVE ON THE SEVEN (7) MEMBER BOARD OF EDUCATION SHALL NOT EXCEED FOUR (4), (THE CURRENT CHARTER PROVIDES THAT THE LIMITATION IS FIVE (5) MEMBERS FROM ANY ONE POLITICAL PARTY)? SECOND BY MR. CARROLL.

MR. EIDE MOTIONED TO AMEND TO STRIKE AFTER "THAT" AND REPLACE WITH "ONE POLITICAL PARTY SHALL NOT EXCEED A BARE MAJORITY. There was no second.

MS. DESTEFANO MOTIONED TO AMEND THE MOTION TO READ: SHALL THE CHARTER BE AMENDED TO PROVIDE THAT THE 7 MEMBER BOARD OF EDUCATION PERMIT A MAXIMUM OF 4 MEMBERS FROM ANY ONE POLITICAL PARTY (THE CURRENT CHARTER PROVIDES THAT THE LIMITATION IS FIVE (5) MEMBERS FROM ANY ONE POLITICAL PARTY)? SECOND BY MR. CARROLL FOR DISCUSSION. MOTION FAILED. 2 YES (Ms. DeStefano, Mr. Eide), 10 NAYS. ORIGINAL MOTION WITH FRIENDLY AMENDMENT APPROVED. 10 YES, 2 NAYS (Ms. DeStefano, Mr. Eide).

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MR. EIDE MOTIONED TO ACCEPT THE TOWN ATTORNEY RECOMMENDATION, SUBSTITUTING THE DATE NOVEMBER 18, 2015 FOR THE BLANK ON QUESTION #2: SHALL THE CHARTER AMENDMENTS ADOPTED BY THE LEGISLATIVE COUNCIL ON 11/18/15 BE APPROVED NOTWITHSTANDING THE RESULTS OF QUESTION NUMBER 1 ABOVE? SECOND BY MR. CHAUDHARY. MS. DESTEFANO AMEDED THE MOTION TO ADD THE WORD "REMAINING". SECOND BY MR. EIDE. ALL IN FAVOR. THE AMENDED MOTION - QUESTION #2: SHALL THE REMAINING CHARTER AMENDMENTS ADOPTED BY THE LEGISLATIVE COUNCIL ON 11/18/15 BE APPROVED NOTWITHSTANDING THE RESULTS OF QUESTION NUMBER 1 ABOVE? ALL IN FAVOR. (Attach)

Explanatory text for Charter Revision ballot: Ms. DeStefano shared the suggested explanatory text. They are also working on informational text with more history on proposed changes. The committee plans to hold community forums and publish more information in the Bee. Mr. Wiedemann reminded the council the Charter Revision Commission worked to make the Charter user friendly. Mr. Knapp suggested including language explaining the thresholds for referendum which will replace town meetings so it is clear the voters will still have input. Mr. Ferguson suggested reversing the order of 2a to 2e to reflect the importance of the items. (Attach)

Resolution: MR. CHAUDHARY MOTIONED TO ADOPT A RESOLUTION AUTHORIZING THE TOWN TO RETAIN COUNSEL TO COMMENCE AND PROSECUTE A FORECLOSURE ACTION AGAINST MS. CONNOR RELATED TO THE JUDGMENT LIEN FILED AGAINST HER PROPERTY LOCATED AT 48 MAIN STREET. SECOND BY MR. CARROLL. Attorney Grogins explained this is a foreclosure of a blighted property. Fines on the vacant property are approximately \$30,000. They are seeking to have the house demolished due to the state of decay. The house is not part of the voluntary historic district and is not subject to preservation. Mrs. Llodra explained extraordinary efforts to engage the property owner over 18 months were unsuccessful. This next step was recommended by the court to have closure on a condemned property that is a public safety issue. MOTION APPROVED. 9 yes, 1 no (Mr. Amaral)

Resolution: MR. CHAUDHARY MOTIONED TO ADOPT A RESOLUTION AUTHORIZING THE TOWN TO RETAIN COUNSEL TO COMMENCE AND PROSECUTE A FORECLOSURE ACTION AGAINST MR. OSTROSKY RELATED TO THE JUDGMENT LIEN FILED AGAINST HIS PROPERTY LOCATED AT 86 HIGH ROCK ROAD. SECOND BY MS. DESTEFANO. Attorney Grogins explained this property has been an issue for many years. Mr. Ostrosky violates wetlands regulations. He excavates in wetlands and water courses and has been running an illegal gravel mining operation on the property. The town has obtained judgments against him for fines. The town of Monroe is taking similar action as the property straddles both towns. ALL IN FAVOR.

Purchasing Policy as it relates to BOE: Ms. Jacob explained council members had concerns with recent action by the Board of Ed regarding the transportation contract and how the charter and purchasing ordinance apply to the Board of Ed. Attorney Grogins shared his opinion. Boards of Education have a significant amount of discretion according to state statutes. Ms. Jacob explained the Board of Ed policy is similar to the towns, but the Board of Ed chose to waive their policy in this case.

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Mr. Knapp noted the Board of Ed adopted new purchasing rules as of July 21st in which they give themselves authority to waive their own regulations. He has concerns about no bid contracts in light of the recent experience with fees on the pension fund. He asked if Attorney Grogins had looked at state statute on duties of Boards of Ed which states the board of education may make contracts covering periods of no more than 5 years related to transportation. Attorney Grogins stated he looked at the theoretical question whether the town can implement regulations for purchasing that would affect the Board of Ed's discretion. Attorney Grogins noted a new provision in the law which provides for some limitations on the Board of Ed: It provides for an exception to the general discretion set forth in Section 10-222CGS relative to spending for "non-educational services". The Board of Ed must submit estimates to the Town Finance Authority which can make spending recommendations and if the Board of Ed rejects them it has to provide an explanation why. (Attach)

Economic Development Incentive Program Policy Discussion: Mrs. Paynter reviewed the Business Tax Incentive program. Mr. Thompson noted the tax incentives do not reduce the tax base; it enhances the base to a lesser degree. Ms. Jacob asked how Newtown compares to other towns also looking to attract businesses. Mrs. Paynter explained the cost of doing business in Newtown is more expensive with the higher mill rate and taxes. We are not only competing with surrounding towns, but with New York and Massachusetts. Mrs. Paynter noted businesses which receive tax incentives are making improvements to the town. (Attach)

Transfer: MR. CHAUDHARY MOTIONED TO APPROVE THE 2015-2016 YEAR END TRANSFER OF OPEB \$120,000. SECOND BY MR. FERGUSON. ALL IN FAVOR. (Attach)

Transfer: MR. CHAUDHARY MOTIONED TO APPROVE THE 2015-2016 YEAR END APPROPRIATION (BUDGET) TRANSFER REQUEST OF \$71,580. SECOND BY MR. FERGUSON. Mr. Tait explained this transfers funds from accounts with balances to accounts with shortages. ALL IN FAVOR. (Attach)

Grant: MR. CHAUDHARY MOTIONED TO AFFIRM THE BOS ACCEPTANCE OF GRANT TO CONSERVATION COMMISSION FROM IROQUOIS GAS COMPANY. SECOND BY MR. EIDE. Mrs. Llodra explained Conservation Commission received a grant to work on the Stonebridge forest project in the lower Paugussett. A species of cottontail that is almost extinct was found near the trail. To help the species thrive, the standing timber needs to be thinned. ALL IN FAVOR. (Attach)

Resolution: MR. CHAUDHARY MOTIONED TO ADOPT A RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$123,412.53 (REPRESENTING THE BALANCE OF FUNDS AVAILABLE FOR THIS PURPOSE) TO BE FUNDED FROM THE SANDY HOOK SPECIAL REVENUE FUND "MEMORIAL" DONATION ACCOUNT 133-4020 FOR THE PURPOSE OF DETERMINING THE NATURE, LOCATION, AND FUNDING OF A PERMANENT MEMORIAL. SECOND BY MR. FERGUSON. ALL IN FAVOR. (Attach)

VOTER COMMENT: None

ANNOUNCEMENTS: None

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ADJOURNMENT: There being no further business the meeting adjourned at 10:12

Respectfully Submitted,

Carey Schierloh

Attachments: Correspondence, Roadwork Update, News Article on Court Case, Ballot Questions and Explanatory Text, Attorney Letter, Business Tax Incentive, Transfers, Grant, Resolution.

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.

From: Maribeth Hemingway <wired1mbh@aol.com>

Date: September 6, 2016 at 12:46:02 PM EDT

To: mjacob4404@charter.net

Subject: It's Passport to Sandy Hook time!

Hi MaryAnn -

I hope you had a really nice start to the school year and your new "home" is all that it can be for you. Today feels like a real Fall day, that's for sure, the end of the week will be very different.

I can't even believe it is Passport time, but here we are again. VERY unfortunately, Joe and I are not going to be here for Passport to Sandy Hook. I feel like it's almost unAmerican of us, but our niece is getting married down in Hilton Head and our daughter Maggie is in the wedding so we really have to go.

That being said, I have everything under control I think and told SHOP members most of the work comes before the event for us anyway. I promised then I would make sure EVERYTHING will be taken care of except the day of and that I would try to ask extra volunteers to come help make sure things run smoothly.

Mike Burton and Kyle Lyddy are going to handle the bands, stage, sound system, WPLR, and the Graceful Planet street dancing. We do have a police officer and cruiser to help with the pedestrian traffic and we will have signs for parking. Sharon Doherty is working on students who need community service hours to man the Superfun Inflatable slide at Mike Burton's building at 107 Church Hill. She is always busy that day with PJs, the Ladies Auxillary, and any other support SHOP needs. Sharon always handle the end of day prize drawings out by the band with Newtown Savings Bank. Julie friend, our Marketing Director for SHOP, will also be on hand .

The date is Saturday, October 8, from 11 - 4pm and I know every year we are fortunate enough to hear you ask how you can help :) . I'm being a little more proactive because I really need to make sure everything runs smoothly. Are you available to help that day and do you know anyone else that might be able and want to help? We will need people to hand out the passports, CHECK the passports when they are returned, and sell Celebrate Sandy Hook Tshirts. I haven't decided yet, but I think if they are more visible we'll sell them. There are a lot of people that just come down to hear the music and hang out, so I might just setup the Tshirt shop near the band and have Kyle and Mike handle that.

Thanks so much, asking for help is not something I like to do, but I really need to make sure I can assure the others we'll be fine.

Talk soon -
maribeth

[Maribeth Hemingway](mailto:Maribeth.Hemingway@wired1mbh@aol.com)
wired1mbh@aol.com
[203-395-0343](tel:203-395-0343)

2016-2017 ROADWORK SCHEDULE

Contractual Drainage	Budget		Start	Finish	
Alpine	30,000	D-P-C-L			
Mile Hill South	165,000	D-P-C-L	Complete		
Orchard Hill Road	60,000	D-P-C-L			
Overlays:					
Cadey Lane	28,000	D-P-C-L	8/11/2016	8/12/2016	D Complete
Crestwood Drive	17,000	P-C-L			
Ethan Allen Bridge Deck	80,000	P	8/29/2016	9/16/2016	
Oakview Road	17,000	P-C-L			
Route 34	28,000	N/A	Complete		
Washington Avenue	80,000	P-C-L			
Road Improvements - Public:					
Birch Hill Road	120,000	D-P-C-L	Complete		
Bonnie Brae	235,000	D-P-C-L	Complete		
Brassie Road	40,000	D-P-C-L	Complete		
Brushy Hill Road	200,000	D-P-C-L	Complete		
Cannon Drive	60,000	D-P-C-L	8/12/2016	8/15/2016	D-P Complete
Dinglebrook Road	40,000	D-C-L			
Edgewood/Woodbine	50,000	P-C-L			P-Complete
Glover Avenue	48,000	P-C-L	Complete		
Hanover Road	125,000	P-C-L			
Hundred Acres	80,000	D	9/6/2016	9/30/2016	
Johnny Appleseed	180,000	D-P-C-L	7/11/2016	8/3/2016	D-P Complete
Keating Farm Road	100,000	P-C-L			
Monitor Hill	60,000	P-C-L			
Morgan Drive	50,000	D-P-C-L	7/18/2016	7/24/2016	D Complete
Mt. Nebo Road	100,000	D	10/3/2016	10/21/2016	
New Lebbon	100,000	D-P-C-L	9/13/2016	9/20/2016	
Newberry Road	165,000	D-P-C-L	8/3/2016	8/5/2016	D Complete
Park Lane	60,000	P-C-L			
Pheasant Ridge	85,000	D-P-C-L	8/3/2016	8/5/2016	D-P Complete
Phyllis Lane	100,000	D	9/6/2016	9/30/2016	
Pond Brook/Obtuse	100,000	S-G	Guiderail not complete		
Riverside Road	100,000	P-C-L	8/18/2016	8/19/2016	P-Complete
School House Hill	100,000	D-P-C-L	Complete		
Sugar Hill Lane	70,000	D-P-C-L	9/7/2016	9/8/2016	
Swamp Road	135,000	P-C-L	9/2/2016	9/6/2016	
The Boulevard	82,000	P-C-L			
Whipporwill Hill	40,000	D	Complete		
Road Improvements - Private:					
Lakeview Terrace	100,000	E			
Edge Lake Design	25,000	E			

C-CURBING

P-PAVING

F-FINAL PAVING

L-LANDSCAPING

B-BINDER

E-ENGINEERING

G-GUIDERAIL

D-DRAINAGE

S-STREAM BANK STABILIZATION

Judge strikes down state education aid choices as 'irrational'

By: MARK PAZNIOKAS AND KEITH M. PHANEUF | September 7, 2016

In a broad indictment of how Connecticut supports its poorest schools, Superior Court Judge Thomas Moukawsher ruled Wednesday that the state's method for distributing education aid is irrational and unconstitutional, while declining to second-guess the General Assembly on the ultimate level of state spending.

Moukawsher said the plaintiffs failed to meet their high burden of proving beyond a reasonable doubt that the quality of public education violates the state Constitution by the standards of minimum funding or the adequacy of instruction in the state's classrooms. But he gave them a sweeping victory on the question of how aid is distributed, special education is funded and the standards to which students and teachers are held.

He handed the state, plaintiffs and General Assembly an ambitious five-point outline for action on revamping how teachers are paid, special education students are evaluated and served, and more broadly how the state directs \$2 billion in annual state spending for local education, plus another \$1 billion in reimbursements for school construction and renovations.

"So, change must come," Moukawsher said. "The state has to accept that the schools are its blessing and its burden, and if it cannot be wise, it must at least be sensible."

The judge gave the legislature 180 days to revise how it provides state aid, saying legislators circumvent the existing Education Cost Sharing formula, often at the expense of school systems in most desperate need of resources. He said the method must be rational, equitable and verifiable.

Over more than two hours, Moukawsher read from the bench a carefully calibrated decision (<http://www.jud.ct.gov/CCJEFvRel1.pdf>) that made clear the limits of judicial intervention, while scolding the legislature for recently stripping \$5 million in aid from some of the neediest school systems and giving it to comparatively wealthy communities.

"In desperate times, \$5 million is a lot of money," he said.

He took to the bench at 11 a.m., called a recess at 1 p.m., and returned to the bench at 2 p.m. for nearly another hour to resume reading a 90-page decision likely to make education a major issue in the 2017 and 2018 legislative sessions, when lawmakers also are expected to struggle to balance the budget.

The judge questioned the state's annual spending of about \$1 billion on school construction and renovation – while direct aid to operate the schools is just \$2 billion. He also indicted schools that graduate students who do not meet minimal standards.

"These aren't isolated stories," he said.



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Superior Court Judge Thomas Moukawsher

He set off a minor stir in the audience when he said teacher salaries need to be linked to skills and pronounced current evaluations of teachers as a near-worthless exercise that judges 98 percent of teachers as competent. A smiling Danbury Mayor Mark Boughton, a Republican, turned and made eye contact with a Democratic colleague, Waterbury Mayor Neil O'Leary.

Bridgeport Mayor Joseph P. Ganim, a Democrat, called the decision "courageous."

"I think it is a game-changer in that it recognizes the inadequacies of the system, the clear-cut failure of that system," Ganim said.

Boughton praised the judge, saying the ruling insists upon nothing less than "a complete overhaul of the public education system in Connecticut. You're talking about a gargantuan shift in education policy in the state."

Representatives of teachers' unions said they would decline comment until the judge read the rest of the decision.

The ruling by Moukawsher came 11 years after a coalition of parents, students, teachers and municipal officials sued the state and just a month after final arguments in a months-long trial not far from the State Capitol, examining, among other things, the adequacy, fairness and rationality of how local schools are funded.

The lawsuit, the Connecticut Coalition for Justice in Education Funding vs. Gov. M. Jodi Rell, is the latest in a series of legal and political battles to define the state's constitutional obligation to fund local schools and to prod the General Assembly to offer a more rational and expansive system of financial relief to municipalities dependent on property taxes.

The fight revolved around decades of legislative decisions, prior court cases and two terse sentences in the state Constitution: "There shall always be free public elementary and secondary schools in the state. The general assembly shall implement this principle by appropriate legislation."

"The Constitution identifies the General Assembly as the sole entity charged with enacting 'appropriate legislation' and fulfilling this weighty responsibility," the plaintiffs argued. Quoting previous case law, they said, "Despite the long history of local control over education in Connecticut, Article Eighth of the Constitution squarely 'places the ultimate responsibility for the education of the children of Connecticut on the state.' "

In 2010, the Connecticut Supreme Court concluded in response to the coalition's lawsuit that Article Eighth implied a qualitative standard of a minimally adequate education, and that the state is responsible for ensuring that level of adequacy is met.

It was left to Moukawsher, a former one-term Democratic legislator named to the bench by Gov. Dannel P. Malloy in 2013, to both define the standard and determine if the state was meeting it. The state currently provides about \$2 billion annually in school aid through its Education Cost Sharing formula.

The plaintiffs, whose legal team was led by Joseph Moodhe, did not ask the judge to provide a solution, leaving that for "further legal proceedings."

"This request is insupportable," the state said in a reply brief. "The evidentiary phase of this trial is complete, both sides have rested, and there is no legal basis for this court to engage in 'further proceedings' regarding potential remedies."

Moukawsher ordered the legislature to begin work on a new funding formula, while not mandating increased overall spending. In doing so, he gave deference to the state's position.

If remedies in an education case are constitutionally required, the Supreme Court has left no doubt "our courts should and will defer to the legislature, in the first instance, to provide those remedies," wrote the state, whose legal team was led by Associate Attorney General Joseph Rubin.

The decision came as the state struggles with chronic fiscal challenges.

The legislature's nonpartisan Office of Fiscal Analysis is projecting a \$1.3 billion deficit built into 2017-18 state finances, a gap of about 7 percent. And unless adjustments are made, it is expected to top \$1.4 billion in 2018-19 and \$1.5 billion the following year.

Further complicating matters, the Malloy administration reported in late June that it had downgraded expected income tax receipts for the outgoing fiscal year by \$75 million, and sales tax revenues by \$28 million.

During final arguments, Moukawsher pointed to a list showing the distribution of Education Cost Sharing grants and questioned whether the state had a rational approach to distributing education aid, regardless of what it ultimately can afford.

"I was particularly hoping you could provide me an explanation," Moukawsher told Rubin, the state's lead attorney. "I found \$5.3 million of cuts to poor communities like Bridgeport. And then, I also found \$5.1 million of increases to rich communities. So that you have poor towns like Bridgeport taking \$1 million cuts and rich towns like West Hartford taking a \$1 million increase."

"How," the judge asked, "can a rational budget process allow that in a time of financial crises to happen?"

Rubin said he did not know why the legislature funneled money where it did, but the vast majority of the over \$2 billion in state education aid not tied to retirement benefits goes to high-poverty school districts.

"Saying that every single dollar, every single appropriation must be explained particularly and specifically and that, if it's not, it's not rational, I submit to the court that that's not the constitutional test of rationality," Rubin said.

The lawsuit focused on educational deficiencies in six districts that the plaintiffs said were representative of high-need schools: Bridgeport, East Hartford, Danbury, New Britain, New London and Windham.

The state argued that the judge should not infer there is a systemic problem even if he determined the plaintiffs proved that the state is not fulfilling its obligation in those six school districts.

But the landmark Horton vs. Meskill decision in 1977 that ordered the state to overhaul how it funded schools was brought by a lone plaintiff who was an elementary student in Canton.

Moukawsher did not hint last month how broadly he would rule, saying Rubin's argument got to the question of whether the court should "order relief to these six districts, or are you going to do something larger than this?"

On Wednesday, the judge looked beyond the six districts, reciting the poor test scores from many of the 30 poorest school systems.

He disabused anyone who suggests the achievement gap in Connecticut is simply the product of high achievement by the top-performing schools in comparison to the worst: The state's poorest schools are posting results worse than the poorest schools of 40 other states and is no better than the other nine.

"Nobody did worse," he said.

Comments

1 comments

Ballot Questions

Recommendations from Town attorney

1. Shall the Charter be amended to provide that the maximum number of members from any one Political Party permitted to serve on the seven (7) member Board of Education shall not exceed four (4), (the current Charter provides that the limitation is five (5) members from any one Political Party)?

Yes _____ No _____

2. Shall the Charter Amendments adopted by the Legislative Council on _____ be approved notwithstanding the results of question number 1 above?

Yes _____ No _____

Recommendations from Charter Revision Communications Committee

“SHALL THE CHARTER BE AMENDED TO PROVIDE THAT THE 7 MEMBER BOARD OF EDUCATION INCLUDE A MAXIMUM OF 4 MEMBERS FROM ANY ONE POLITICAL PARTY INSTEAD OF THE CURRENT 5 MEMBERS?”

“SHALL THE REMAINING CHARTER AMENDMENTS ADOPTED BY THE LEGISLATIVE COUNCIL ON _____ BE APPROVED, NOTWITHSTANDING THE RESULTS OF QUESTION 1 ABOVE.”

EXPLANATORY TEXT

Two questions on the ballot pertain to the Newtown charter. The two questions are independent and the outcome of one does not impact the outcome of the other. Each question can pass even if the other fails.

1. QUESTION NO# 1: Shall the Charter be amended to provide that the maximum number of members from any one Political Party permitted to serve on the seven (7) member Board of Education shall not exceed four(4), (the current Charter provides that the limitation is five (5) members from any one Political Party)?

Yes _____ No _____

EXPLANATION: Approval of Question #1 limits the number of members of the Board of Education from one political party to four (4). This changes the maximum from five (5) to four (4).

2. QUESTION NO# 2: Shall the Charter Amendments adopted by the Legislative Council on _____ be approved notwithstanding the results of question number 1 above?

Yes _____ No _____

EXPLANATION: Approval of Question #2 accepts the rest of proposed changes in their entirety, comprised of organizational, non-substantive, and substantive changes made to the document including but not limited to:

- a) It adds eleven (11) existing Boards and Commissions to the Charter; Water and Sewer Authority; Lake Lillinonah Authority; Lake Zoar Authority; and Newtown Health District Board, Commission on Aging, Economic Development Commission, Inland Wetlands Commission, Pension Commission, Public Safety Commission, Self-funded Health Insurance Fund Commission, Sustainable Energy Commission. It gives each Board or Commission a definition and gives a method for filling vacancies.
- b) It specifically spells out the advisory roles played by the Board of Finance.
- c) It revises the language of the advisory question provision set forth in Section 6-14(a) of the present Charter.
- d) It eliminates the Town Meeting and changes the annual appropriation authority of the Legislative Council from \$500,000 to \$1,500,000, with a maximum aggregate authority of 1 mil (currently about \$3,000,000).
- e) It replaces the Town Meeting for disposing of real property with a multi-board approval process. It also removes the use of sealed bid as a method of sale.

DAVID L. GROGINS
Please Reply To Danbury
E-Mail: dgrogins@cohenandwolf.com

August 31, 2016

Mary Ann Jacob
Newtown Municipal Center
3 Primrose Street
Newtown, CT 06470

Re: Purchasing Regulations

Dear Mary Ann:

You have requested my opinion on the question of whether the Board of Education ("BOE") is required to follow the dictates of Chapter 350 et. seq. of the Code of the Town of Newtown ("Chapter 350"). In this regard, I have reviewed the Town of Newtown Charter Section 5-30(c) ("Charter"), the provisions of Chapter 350, the applicable provisions of the Connecticut General Statutes as amended ("CGS"), and applicable Connecticut case law.

The short answer to your questions is that the Legislative Council can not legally require the BOE to follow the dictates of Chapter 350.

Unfortunately, this simple answer belies the complex financial relationship between local Boards of Education and municipal governments. This problem has been recognized by a string of Connecticut cases, not the least significant of which is the case of **Board of Education of the Town and Borough of Naugatuck v. Town and Borough of Naugatuck, et. al., 368 Conn. 295 (Conn. 2004)**. At the heart of the problem lies Section 10-222 CGS which states the following: "[T]he money appropriated by any municipality for the maintenance of public schools shall be expended by and in the description of the Board of Education." The situation is further exacerbated in the case of Newtown by the provisions of Section 530(c) of the Charter which reads as follows:

"The Financial Director, in conjunction with the First Selectman, shall be the purchasing authority for all supplies and contracts for services, except professional services needed by the Town, including supplies needed by the Board of Education where those supplies are of a type which are also used by Town Departments other than the Board of Education. Nothing herein shall be construed to limit the Board of Education from requesting the purchasing authority to purchase supplies of a type not used by other Town departments, in which case the purchasing authority shall carry out the purchase requested. All purchasing carried out

by the purchasing authority shall be carried out in accordance with the regulations adopted by the Legislative Council. Said regulations shall be reviewed biennially by the Legislative Council."

While an argument can be made that Section 530(c) of the Charter allows the BOE to determine whether or not to make a particular purchase, with the execution of the decision to be carried out by the purchasing authority under the provision of regulations set forth in Chapter 350, it is my opinion that the dictates of Section 10-222 CGS still control. For example, the BOE could decide it needs computers for the students; the purchasing authority decides a particular computer is the most cost effective, the BOE says it has to have a different model which is better for the application. Section 10-222 CGS would allow the BOE to overrule the purchasing authority.

In the end this is a complex enough issue that it is my recommendation that the BOE and the Legislative Council jointly agree on the regulations to be utilized. Absent that approach, it is my opinion that the Legislative Council cannot mandate that the purchasing regulations adopted pursuant to Section 530(c) of the Charter are required be utilized by the BOE.¹

Very truly yours,

David L. Grogins

DLG/cgh
Enclosure

¹ My opinion is supplemented by the provisions of PA13-60 which I have attached. This provides an exception to the general discretion set forth in Section 10-222 CGS relative to spending for "non-educational services". This provision essentially says that BOE must submit estimates for non-educational services to the Town Finance Authority which may make spending recommendations to the BOE. If the BOE rejects the recommendations, it must provide an explanation to the finance authority.



Substitute Senate Bill No. 815

Public Act No. 13-60

AN ACT CONCERNING THE CONSOLIDATION OF NONEDUCATIONAL SERVICES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (a) of section 10-222 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Each local board of education shall prepare an itemized estimate of the cost of maintenance of public schools for the ensuing year and shall submit such estimate to the board of finance in each town or city having a board of finance, to the board of selectmen in each town having no board of finance or otherwise to the authority making appropriations for the school district, not later than two months preceding the annual meeting at which appropriations are to be made. The board or authority that receives such estimate shall, not later than ten days after the date the board of education submits such estimate, make spending recommendations and suggestions to such board of education as to how such board of education may consolidate noneducational services and realize financial efficiencies. Such board of education may accept or reject the suggestions of the board of finance, board of selectmen or appropriating authority and shall provide the board of finance, board of selectmen or appropriating authority with a written explanation of the reason for any rejection. The money appropriated by any municipality for the maintenance of public schools shall be expended by and in the discretion of the board of education. Except as provided in this subsection, any such board may transfer any unexpended or uncontracted-for portion of any appropriation for school purposes to any other item of such itemized estimate. Boards may, by adopting policies and procedures, authorize designated personnel to make limited transfers under emergency circumstances if the urgent need for the transfer prevents the board from meeting in a timely fashion to consider such transfer. All transfers made in such instances shall be announced at the next regularly scheduled meeting of the board and a written explanation of such transfer shall be provided to the legislative body of the municipality or, in a municipality where the legislative body is a town meeting, to the board of selectmen. Expenditures by the board of education shall not exceed the appropriation made by the municipality, with such money as may be received from other sources for school purposes. If any occasion arises whereby additional funds are needed by such board, the chairman of such board shall notify the board of finance, board of selectmen or appropriating authority, as the case may be, and shall submit a request for additional funds in the same manner as is provided for departments, boards or agencies of the municipality and no additional funds shall be expended unless such supplemental appropriation shall be granted and no supplemental expenditures shall be made in excess of those granted through the appropriating authority. The annual report of the board of education shall, in accordance with section 10-224, include a summary

AN ACT CONCERNING THE CONSOLIDATION OF NONEDUCATIONAL SERVICES.

showing (1) the total cost of the maintenance of schools, (2) the amount received from the state and other sources for the maintenance of schools, and (3) the net cost to the municipality of the maintenance of schools. For purposes of this subsection, "meeting" means a meeting, as defined in section 1-200, and "itemized estimate" means an estimate in which broad budgetary categories including, but not limited to, salaries, fringe benefits, utilities, supplies and grounds maintenance are divided into one or more line items.

Approved June 3, 2013



ECONOMIC DEVELOPMENT COMMISSION

Business Tax Incentives

Legislative Council Meeting

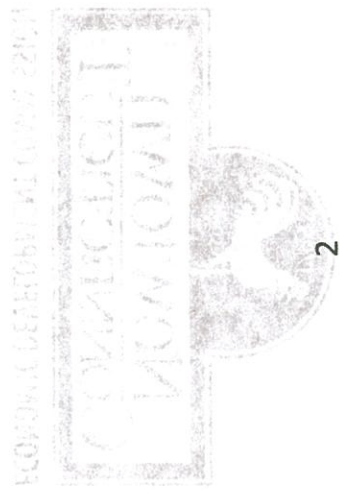
September 7, 2016

Presented by: Betsy Paynter, Wes Thompson & Bob Rau



Overview

- Business Tax Incentive Program (BIPs) used to attract substantial development and investment into Newtown
 - New construction, utilize abandon buildings/sites create industry, generate jobs, grow the grand list
 - Since 2011, 8 BIPs for new construction, 1 for building renovation
 - 60,000 sq ft of medical space to launch “Medical Mile”
 - 70,000 sq ft of professional/retail in central business district



WHY Business Tax Incentive Program?

- Attract private investment
- Improve physical property appearance
 - Vacant, underdeveloped or blight properties
- Competitive market place
 - 169 towns in CT all vying for the same development
- Enterprise zone
- Respond to corporate requests
 - site selectors compare towns for recommendations



WHO is eligible for BIP?

- **New business development**
 - Redevelopment of underutilized properties
- **Existing property owners to enhance property**
- **Retain current business**
 - Applicant must not be delinquent in taxes
- **Examples of use: Office, Retail, Manufacturing, Warehouse, IT, Recreational, R&D**

WHAT is the BIP?

- Increased tax abatement % is based on cost of investment
 - Only the increased tax \$ amount is affected
 - More private investment, generating additional tax \$, the higher the abatement
 - Abatements NEVER go below existing tax base

HOW is the BIP approved/generated?

- Initial discussion by developer/business owner
 - Shopping the market, buyers market
 - Sales tool for competitive environment
- Application submitted to EDC
 - Provide investment \$, development type/use, job creation, economic impact, estimated increase tax
- BOS, BOF, LC final approvals

WHEN is a BIP utilized?

- **Marketing specific properties**
 - Sewers, blight, industrial/commercial use
- **When business type and investment is worthy of incentive**
 - Retain business, grow business, attract business
- **Brokers/developers are shopping markets, fine tuning their development investment**

BIP Examples

Address	Pre Development Real Estate Assessment	Pre Development Annual Tax	Post Development Real Estate Assessment	Post Development Annual Tax	Increase + Annual Tax
12 Queen Street (Dr. Beck)	\$139,400	\$2,873	\$577,710	\$19,105	+\$16,232 (2017)
164 Mt. Pleasant Rd (Medical)	\$402,150	\$9,869	\$3,702,320	\$124,397	+\$114,528 (2017)
67 Church Hill Road (Gas Station)	\$308,660	\$10,285	692,710	\$23,275	+\$12,990 (2018)
11 Edmond Road (AFS) *	\$5,524,130	\$145,378 (RE) \$8,736 (PP) \$154,114	\$5,558,230 (RE) \$7,721,380 (PP)	\$186,757 (RE) \$446,194 (PP) \$632,951	+478,837 (2017)



* Includes Real Estate tax + Personal Property tax



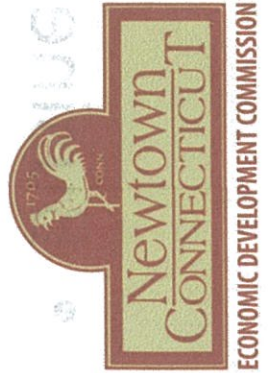
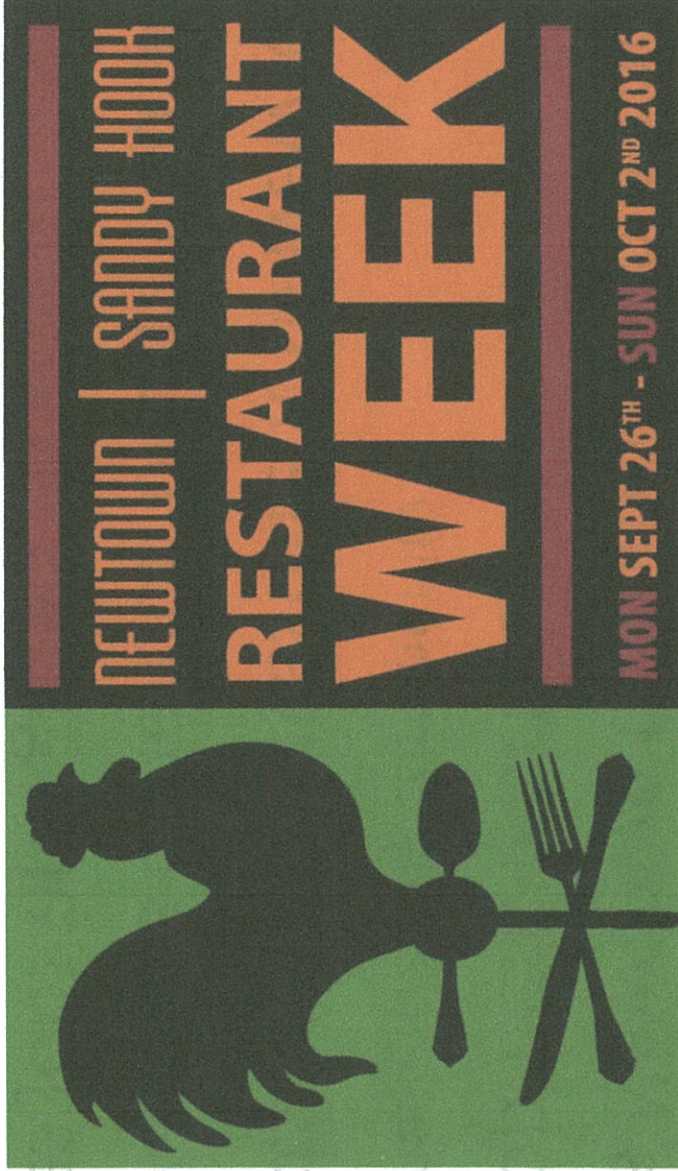
Summary

- Business Tax Incentive abatements ALWAYS result in increase taxes
- Allows Newtown to compete in a competitive development market
 - Business friendly community
- Attracts private investment to Newtown
- Improves the condition of blighted areas, creates jobs and grows Newtown's Grand List



Newtown/Sandy Hook Restaurant Week

www.NewtownSandyHookEats.com



TOWN OF NEWTOWN BUSINESS INCENTIVE PROGRAM

PREAMBLE AND PURPOSE

The purposes of the Business Incentive Program are to encourage private investment, improve the physical appearance of our commercial and industrial properties, expand the local economic base, support strategic economic growth, encourage job creation and foster a healthy business climate within the Town of Newtown.

A focus on the improvement of properties within the business and industrial areas is found and declared to be in the best interest of the Town of Newtown. Therefore, the Town of Newtown hereby broadens a Business Incentive Program pursuant to CT General Statutes Sections 12-65b and 12-65h, meant to promote sustainable and strategic economic growth that will benefit and improve the overall quality of life in our community. This program is declared to be consistent with the Plan of Conservation and Development and the Strategic Plan for Economic Development of the Town of Newtown.

Economic development efforts will focus on new business development within the industry clusters of technology, communications and bioscience, the retention and expansion of existing businesses and the continued revitalization and enhancement of Newtown's business centers and corridor including, but are not limited to, the Borough of Newtown, Sandy Hook Center, Botsford, Dodgingtown, Hawleyville and the South Main Street Village District. Efforts will focus on job creation, promoting the redevelopment or reuse of abandoned or underutilized commercial and industrial properties and streetscape improvements within the commercial areas of Newtown.

APPLICATION AND ELIGIBILITY

Eligibility Requirements

1. The applicant may not be delinquent in taxes owed to the Town of Newtown.
2. Only those properties located within a village or design district, a commercial, mixed use or industrial zone are eligible for this program.
3. The provisions of this program shall apply only if the improvements expand production and / or the capacity of a business involved in at least one of the following uses:
 - a. Office
 - b. Retail
 - c. Manufacturing
 - d. Warehouse, storage or distribution
 - e. Information technology
 - f. Recreational facilities
 - g. Research and Development

4. Proposed improvements, enlargements, or construction shall comply with all applicable state and local codes.
5. The applicant must provide appropriate estimates of cost of improvements and/or construction and compliance with all requirements herein stated. The Town Building Inspector, or his designee, shall verify that construction costs are properly stated in the application for a building permit.

Application Procedure

Following initial discussions with the First Selectman and/or the Economic and Community Development Director, the prospect will be invited to submit an application for participation in the Business Incentive Program. Application forms are available online and in the Economic and Community Development office. Completed forms should be returned to the Economic and Community Development Director.

The Economic and Community Development Director will review the application and present it to the Economic Development Commission for comments and recommendations. Following these reviews, the Economic Development Commission will forward the application, comments and recommendations to the First Selectman for consideration.

The First Selectman's office will inform the applicant of the status of the application and the incentives being considered in this specific and individual case. Following discussion, possible negotiation, consultation with the Town Attorney and if anticipated tax abatement exceeds \$25,000 per annum, review by the Board of Finance, the First Selectman will make his/her recommendation to the Board of Selectmen for review and action.

On approval by the Board of Selectmen, the application will be submitted to the Legislative Council.

If approved by the Council, it shall adopt a resolution authorizing the First Selectman to enter into an agreement with the applicant.

General Conditions of Business Incentive Approvals

1. After final approval of any Business Incentive Agreement, including fixing the assessment of the real property, work on the approved project must begin within twelve (12) months and shall be completed within twenty-four (24) months. Any variation from this must be approved by the First Selectman upon approval by the Board of Selectmen.
2. In the event that any term of the Agreement is disregarded by the applicant, including construction schedules, the Business Incentive Agreement including the fixing of the assessment shall terminate and the full amount of the tax that would otherwise be due the Town of Newtown shall become due and payable.
3. Should payment for taxes to the Town of Newtown become delinquent at any time during the agreement period, the Business Incentive Agreement shall immediately terminate and the full amount of the tax that would otherwise be due shall become due and payable.

BUSINESS INCENTIVES

Consideration requested by the applicant may include physical improvements to the property and/or the fixing of assessment of real property pursuant to the schedule outlined below. The Town of Newtown may consider alternatives to the schedule as allowed by the CT General Statutes, Section 12-65b and may consider fixing the assessment of personal property in a manufacturing facility as allowed by CT General Statutes, Section 12-65h.

1. Physical improvement consideration may include the following; the one time Town subsidizing, whole or in part of:
 - a. The paving of driveways or parking areas;
 - b. Site preparation including tree/branch removal, grading, earth moving or removal;
 - c. Street or road improvement including drainage;
 - d. Hook-ups to water, sewer, other utilities;
 - e. Infrastructure engineering;
 - f. Correction of other physical problems, i.e., brooks, rock ledge, etc.
 - g. Streetscape specific areas where specs are in place

2. Agreements to fix the assessment of real property will be based on the estimated cost of improvements and the resulting increase in assessment of the property after improvements. In the event that completion of physical improvements and/or construction and costs thereof are less than those considered in negotiations, the Agreement will be appropriately adjusted.
 - a. The Business Incentive Agreement shall be in effect as long as the property use remains as authorized in the agreement.
 - b. The Agreement is no longer valid upon the sale or transfer of the property. A new Agreement may be negotiated with a new applicant.
 - c. The Town Assessor shall have the sole responsibility of determining the value of the assessment which is the subject of the Agreement.
 - d. The Agreement shall be filed in the land records and a copy filed in the office of the Assessor.

3. Business Incentive Schedule: The Agreement for fixing the assessment of the real property and all improvements thereon or therein and to be constructed thereon and therein, may utilize the following schedule for determining the maximum amount and maximum period of time for which such agreement may be given. However, the Town has the option to consider the alternatives allowed pursuant to CGS Section 12-65b.

Assessed Value of increase in Real Property	Maximum Percentage that may be Fixed for Three Years
\$0 to \$100k	0%
\$100k to \$250k	20%
\$250k to \$500k	25%
\$500k to \$1mil	30%
\$1mil to \$2mil	35%
\$2mil to \$3mil	40%
Over \$3mil	45%

If the project entails a large amount of personal property to be added, an additional incentive (multiplier to above figures) will be considered as follows:

Assessed Value of Personal Property	Multiplier for Three Years
\$0 to \$50k	0.00
\$50k to \$100k	1.10
\$100k to \$250k	1.15
\$250k to \$500k	1.20
Over \$500k	1.25

TOWN OF NEWTOWN			
06/30/2016 TRANSFER REQUEST - ADDITIONAL FUNDING FOR OPEB TRUST			
<u>DEPARTMENT/ACCOUNT #</u>	<u>ACCOUNT</u>	<u>TRANSFER</u>	<u>TRANSFER</u>
		<u>TO</u>	<u>FROM</u>
OPEB CONTRIBUTION			
1-101-11-270-5270-0000	OTHER POST EMPLOYMENT BENEFITS	120,000	
SELECTMEN			
1-101-11-100-5350-0000	PROF SERV - LEGAL		(5,000)
1-101-11-100-5580-0000	DUES, TRAVEL & EDUCATION		(2,000)
1-101-11-100-5611-0000	OFFICE SUPPLIES		(1,000)
SELECTMEN - OTHER			
1-101-11-105-5443-0000	COPIER LEASING		(1,000)
1-101-11-105-5590-0000	MEETING CLERKS		(1,000)
REGISTRARS			
1-101-11-180-5115-0000	SAL & WAGES - PART TIME		(1,000)
TAX ASSESSOR			
1-101-11-190-5580-0000	DUES, TRAVEL & EDUCATION		(1,000)
FINANCE			
1-101-11-200-5580-0000	DUES, TRAVEL & EDUCATION		(1,000)
1-101-11-200-5611-0000	OFFICE SUPPLIES		(1,000)
TECHNOLOGY			
1-101-11-205-5301-0000	FEES & PROF SERV		(3,000)
1-101-11-205-5744-0000	EQUIPMENT - TECHNOLOGY		(9,000)
INSURANCE			
1-101-11-350-5520-0000	INSURANCE		(1,000)
1-101-11-350-5800-0000	OTHER EXPENDITURES		(1,000)
COMMUNICATIONS			
1-101-12-300-5220-0000	SOCIAL SECURITY CONTR		(1,500)
1-101-12-300-5501-0000	OTHER PURCHASED SERV		(1,500)
1-101-12-300-5580-0000	DUES, TRAVEL & EDUCATION		(500)
POLICE			
1-101-12-310-5110-0000	SAL & WAGES - FULL TIME		(500)
1-101-12-310-5290-0000	OTHER EMPLOYEE BENEFITS		(2,000)
1-101-12-310-5505-0000	CONTRACTUAL SERVICES		(3,000)
1-101-12-310-5746-0000	POLICE EQUIPMENT		(9,000)
1-101-12-310-5749-0000	CAPITAL		(5,000)
EMERGENCY MGT			
1-101-12-330-5310-0000	PROF SERV		(2,000)
1-101-12-330-5505-0000	CONTRACTUAL SERVICES		(3,000)
1-101-12-330-5580-0000	DUES, TRAVEL & EDUCATION		(1,000)
ANIMAL CONTROL			
1-101-12-340-5290-0000	OTHER EMPLOYEE BENEFITS		(1,000)
BUILDING OFFICIAL			
1-101-12-460-5220-0000	SOCIAL SECURITY CONTR		(2,000)
1-101-12-460-5580-0000	DUES, TRAVEL & EDUCATION		(1,000)
1-101-12-460-5611-0000	OFFICE SUPPLIES		(1,000)

<u>DEPARTMENT/ACCOUNT #</u>	<u>ACCOUNT</u>	<u>TRANSFER</u>	<u>TRANSFER</u>
		<u>TO</u>	<u>FROM</u>
HIGHWAY			
1-101-13-500-5110-0000	SAL & WAGES - FULL TIME		(2,000)
1-101-13-500-5430-0000	REPAIR & MAINT SERV		(1,000)
1-101-13-500-5611-0000	OFFICE SUPPLIES		(1,000)
1-101-13-500-5625-0000	ENERGY - GASOLINE		(6,000)
1-101-13-500-5650-0000	CONSTRUCTION SUPPLIES		(1,000)
1-101-13-500-5735-0000	ROAD IMPROVEMENTS		(2,000)
TRANSFER STATION			
1-101-13-515-5505-0000	CONTRACTUAL SERVICES		(4,000)
1-101-13-515-5622-0000	ENERGY - ELECTRICITY		(2,000)
PUBLIC BUILDING MAINT.			
1-101-13-650-5505-0000	CONTRACTUAL SERVICES		(2,000)
1-101-13-650-5622-0000	ENERGY - ELECTRICITY		(3,000)
1-101-13-650-5624-0000	ENERGY - OIL		(10,000)
SENIOR SERVICES			
1-101-14-220-5115-0000	SAL & WAGES - PART TIME		(1,000)
NEWTOWN CULTURAL ARTS			
1-101-14-680-5800-0000	OTHER EXPENDITURES		(1,000)
LAND USE			
1-101-15-490-5110-0000	SAL & WAGES - FULL TIME		(2,000)
1-101-15-490-5550-0000	OPEN SPACE INDEXING		(1,000)
1-101-15-490-5580-0000	DUES, TRAVEL & EDUCATION		(2,000)
1-101-15-490-5611-0000	OFFICE SUPPLIES		(1,000)
PARKS & RECREATION			
1-101-16-550-5110-0000	SAL & WAGES - FULL TIME		(3,000)
1-101-16-550-5115-0000	SAL & WAGES -PART TIME		(2,000)
1-101-16-550-5580-0000	DUES, TRAVEL & EDUCATION		(1,000)
1-101-16-550-5611-0000	OFFICE SUPPLIES		(1,000)
1-101-16-550-5615-0000	GENERAL MAINT SUPPLIES		(8,000)
1-101-16-550-5616-0000	GROUNDS MAINT SUPPLIES		(1,000)
		120,000	(120,000)

2015-2016 YEAR END APPROPRIATION (BUDGET) TRANSFER REQUEST:

TRANSFERS TO (AMOUNTS REQUIRED):

SELECTMEN- OTHER

1-101-11-105-5531-0000 POSTAGE	1,500
Additional amount needed due to additional postage activity (assessor & comm. on aging)	
1-101-11-105-5540-0000 ADVERTISING	750
Additional amount needed due to additional advert activity (charter & ordinance)	

HUMAN RESOURCES

1-101-11-108-5310-0000 PROFESSIONAL SERVICES	1,750
Additional amount needed due to additional pension activity (total dept. budget was not over).	

PROBATE COURT

1-101-11-255-5310-0000 PROFESSIONAL SERVICES	550
Additional amount needed due to budget underestimate (billed at year end)	

EMERGENCY COMMUNICATIONS

1-101-12-300-5442-0000 RENTAL OF EQUIPMENT	3,500
Additional amounts needed due to budget underestimate (total dept. budget was not over).	

POLICE

1-101-12-310-5117-0000 SALARIES & WAGES – SEASONAL	600
Additional amount needed due to crossing guard activity.	

FIRE

1-101-12-320-5115-0000 SALARIES & WAGES – PART TIME	3,010
1-101-12-320-5290-0000 OTHER EMPLOYEE BENEFITS	5,120
1-101-12-320-5310-0000 PROFESSIONAL SERVICES	2,400
1-101-12-320-5412-0000 HYDRANTS	100
1-101-12-320-5430-0000 REPAIR & MAINTENANCE SERVICES	1,290
1-101-12-320-5622-0000 ENERGY – ELECTRICITY	4,900
1-101-12-320-5745-0000 FIRE EQUIPMENT	8,300
1-101-12-320-5749-0000 CAPITAL	18,150
Additional amounts are covered from other accounts in Fire budget.	
Total amount in fire transfers = 43,270. See Fire transfers from.	

ANIMAL CONTROL

1-101-12-340-5115-0000 SALARIES & WAGES – PART TIME	1,900
Additional amount needed due to extra part time hours needed (total dept. budget was not over).	

PUBLIC WORKS - HIGHWAY

1-101-13-500-5626-0000 STREET LIGHTS	910
Additional amounts needed due to budget underestimate (total dept. budget was not over).	

PUBLIC BUILDING MAINTENANCE

1-101-13-650-5411-0000 WATER / SEWERAGE	4,000
Additional amounts needed due to budget underestimate (total dept. budget was not over).	

TRANSFERS TO (AMOUNTS REQUIRED): - CONTINUED

LAND USE

1-101-15-490-5350-0000 PROFESSIONAL SVS – LEGAL 3,000
Additional amount needed due to budget underestimate (prior year was higher).

PARKS & RECREATION

1-101-13-650-5505-0000 CONTRACTUAL SERVICES 9,850
Additional amount needed due to budget underestimate (total dept. budget was not over).

TOTAL TRANSFER TO 71,580

TRANSFERS FROM (AMOUNTS AVAILABLE):

FINANCE

1-101-11-200-5110-0000 SALARIES & WAGES – FULL TIME (2,900)
Amount available due to secretary position hours reduced.

POLICE

1-101-12-310-5130-0000 SALARIES & WAGES – OVER TIME (3,500)
Mid-year transfer to this account was over estimated.

1-101-12-310-5220-0000 SOCIAL SECURITY CONTRIBUTIONS (4,000)
Social security savings due to lower total payroll amount

1-101-12-310-5445-0000 SOFTWARE / HARDWARE MAINTENANCE (15,000)
Some contract savings

FIRE

1-101-12-320-5435-0000 RADIO & PAGER SERVICES (1,500)

1-101-12-320-5436-0000 TRUCK REPAIR (1,500)

1-101-12-320-5520-0000 INSURANCE (1,000)

1-101-12-320-5580-0000 DUES, TRAVEL & EDUCATION (19,000)

1-101-12-320-5621-0000 ENERGY – NATURAL GAS (2,000)

1-101-12-320-5624-0000 ENERGY – OIL (18,270)

Amounts available to cover Fire overages = 43,270.

HIGHWAY

1-101-13-500-5625-0000 ENERGY – GASOLINE (2,910)
Gasoline savings.

TOTAL TRANSFER FROM (71,580)

**TOWN OF NEWTOWN
FINANCIAL IMPACT STATEMENT
(Per Town Charter 6-100)**

REQUESTING DEPARTMENT LAND USE

PROJECT: NEWTOWN FORESTRY MANAGEMENT PLAN

PROPOSED APPROPRIATION AMOUNT: \$ 10,000

PROPOSED FUNDING:
 BONDING
 GRANT \$ 10,000
 OTHER
\$ 10,000

ANNUAL FINANCIAL IMPACT ON OPERATING BUDGET (GENERAL FUND):

List any financial impact your request will have on the Town's annual operating budget. Attach spreadsheet(s) showing your calculation of the estimated impact.

EXPENDITURE CATEGORY:	**FOR BRACKETS USE NEGATIVE SIGN BEFORE NUMBER**	(POSITIVE IMPACT) / NEGATIVE IMPACT	Attachment #
SALARIES & BENEFITS	
PROFESSIONAL SERVICES	
CONTRACTED SERVICES	
REPAIRS & MAINTENANCE	
UTILITIES	
OTHER	
DEBT SERVICE (1st year)	
TOTAL IMPACT ON EXPENDITURES		<u>\$ -</u>	

REVENUE CATEGORY:	POSITIVE IMPACT / (NEGATIVE IMPACT)	Attachment #
PROPERTY TAXES	
CHARGES FOR SERVICES (FEES)	
OTHER	
TOTAL IMPACT ON REVENUES		<u>\$ -</u>

TOTAL FINANCIAL IMPACT ON OPERATING BUDGET \$ -

EQUIVALENT MILL RATE OF TOTAL IMPACT 0.0000 mills


(using current year's information)

COMMENTS:

NO IMPACT ON THE OPERATING BUDGET

Grant is a private grant from the Iroquois Gas company, a "community grant program". Primary focus areas of the community grant program is enviromental initiatives and passive recreation.

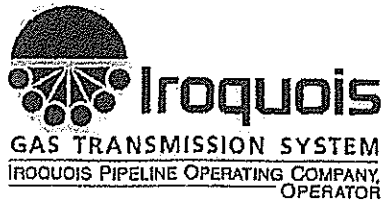
The grant will be used to fund the Stonebridge forest management planning project. Stonebridge Trail is a 42.56 acres of Newtown open space. The Conservation Commission is working with a wildlife biologist from the Connecticut Department of Energy and Enviromental Protection (DEEP) and a consultant to enhance this space in order to provide a safe and nurturing enviroment increasing the possibility that new species will thrive, including the New England Cottontail. This will involve some reduction in the standing timber.

PREPARED BY: 

DATE: 8/8/2016

TO: BOF, LC

MOTION TO ACCEPT A \$10,000 GRANT FROM THE IROQUOIS GAS COMPANY, A COMMUNITY GRANT PROGRAM, FOR ENVIRONMENTAL INITIATIVES AND PASSIVE RECREATION. THIS GRANT WILL BE USED IMPROVING STONE BRIDGE TRAIL, WHICH IS A 42.56 ACRE NEWTOWN OPEN SPACE. IMPACT STATEMENT ATTACHED.



Community Grant Program Guidelines & Criteria

Iroquois' *Community Grant Program* was established to strategically assist our host communities in providing long-term, lasting benefits through environmental initiatives, historic preservation and passive recreational opportunities that improve the quality of life for residents and increase the sense of community.

Who May Apply

- Local, state and county governments representing pipeline host communities
- Environmental organizations and land trusts which are tax-exempt, not-for-profit
- Private tax-exempt organizations under Section 501(c)(3) of the Internal Revenue Service Code

Types of Grants

Iroquois' *Community Grant Program* is a competitive based program with grants ranging from \$2,500 to \$10,000.

Iroquois will consider requests as follows:

- New, enhanced or phased projects based on a documented need, having a strong project plan, specific outcomes and a feasible budget
- Priority will be given to those that meet the criteria and have a high correlation with the grant program's intent
- Preference is given to requests with visible community involvement and demonstrated additional fundraising
- Startup or ongoing projects or programs that have proven specific benefits to the community (no more than 2 consecutive years of funding will be considered)
- Lower priority given to requests for capital and equipment
- Requests from schools must have approval of the Superintendent
- Projects/programs located only in Iroquois' host communities
- Projects/programs that are shovel/launch ready and will achieve completion within one year of approval

Focus Areas

- **Primary Focus Areas:** Environmental Initiatives (Preservation, Enhancement, Education) and Passive Recreation
- **Secondary Focus Areas:** Historic Preservation, Civic & Community, Targeted Arts and Culture

TOWN OF NEWTOWN
SANDY HOOK SPECIAL REVENUE FUND DETAIL
5/9/2016

ACCOUNT DESIGNATION:

UNDESIGNATED						<u>EXPENDED</u>	<u>UNEXPENDED</u>	<u>UNAPPROPRIATED</u>
<u>RECEIPTS</u>	<u>#</u>	<u>APPROPRIATED</u>	<u>DESCRIPTION</u>					
	1	50,000	SCHOOL POLICE SECURITY OVERTIME *					
	1a	(50,000)						
	2	8,400	ADD'L TRAINING & STAFF (2) - SUMMER DAY CAMP		8,400	-		
	3	32,969	SECURITY - SUMMER DAY CAMP		32,969	-		
	4	50,000	EDUCATION IT CONTRACTED SERVICES		50,000	-		
	5	5,000	NYA FOUNDATION CONTRIBUTION		5,000	-		
	6	34,217	BOE ADDITIONAL VIDEO SURVEILLANCE EQUIPMENT		34,217	-		
	7	25,000	INSURANCE DEDUCTIBLE FOR LIBRARY		25,000	-		
	8	774	MEMORIAL PLAYGROUND		774	-		
	9	4,900	LOOK BOOK		4,900	-		
	10	15,000	MARKETING PLAN FOR TICK BORNE DISEASE		481	14,519		
	11	17,540	BAND TRUCK		17,540	-		
<u>193,900</u>		<u>193,800</u>			<u>179,281</u>	<u>14,519</u>		<u>100</u>

SCHOOL PROJECT FACILITATOR / CONSULTANT						<u>EXPENDED</u>	<u>UNEXPENDED</u>	<u>UNAPPROPRIATED</u>
<u>RECEIPTS</u>	<u>#</u>	<u>APPROPRIATED</u>	<u>DESCRIPTION</u>					
20,000	1	20,000	NEW SANDY HOOK SCHOOL FACILITATOR		10,082	9,918		-

SANDY HOOK SCHOOL						<u>EXPENDED</u>	<u>UNEXPENDED</u>	<u>UNAPPROPRIATED</u>
<u>RECEIPTS</u>	<u>#</u>	<u>APPROPRIATED</u>	<u>DESCRIPTION</u>					
	1	60,000	NEW SANDY HOOK SCHOOL FACILITATOR		60,000	-		
	2	65,000	PRECONSTRUCTION SERVICES FOR NEW SCHOOL		51,691	13,309		
	2a	(65,000)	RECLASSED TO CAPITAL PROJECT		(51,691)	(13,309)		
<u>175,385</u>		<u>60,000</u>			<u>60,000</u>	-		<u>115,385</u>

MENTAL HEALTH ADVISOR						<u>EXPENDED</u>	<u>UNEXPENDED</u>	<u>UNAPPROPRIATED</u>
<u>RECEIPTS</u>	<u>#</u>	<u>APPROPRIATED</u>	<u>DESCRIPTION</u>					
50,000	1	50,000	MENTAL HEALTH ADVISOR		50,000	-		-

VICTORY GARDEN FENCE						<u>EXPENDED</u>	<u>UNEXPENDED</u>	<u>UNAPPROPRIATED</u>
<u>RECEIPTS</u>	<u>#</u>	<u>APPROPRIATED</u>	<u>DESCRIPTION</u>					
9,400	1	9,400	VICTORY GARDEN FENCE		9,400	-		-

SCHOOLS						<u>EXPENDED</u>	<u>UNEXPENDED</u>	<u>UNAPPROPRIATED</u>
<u>RECEIPTS</u>	<u>#</u>	<u>APPROPRIATED</u>	<u>DESCRIPTION</u>					
4,465		-			-	-		4,465

CHILDREN						<u>EXPENDED</u>	<u>UNEXPENDED</u>	<u>UNAPPROPRIATED</u>
<u>RECEIPTS</u>	<u>#</u>	<u>APPROPRIATED</u>	<u>DESCRIPTION</u>					
2,995		-			-	-		2,995

PARKS						<u>EXPENDED</u>	<u>UNEXPENDED</u>	<u>UNAPPROPRIATED</u>
<u>RECEIPTS</u>	<u>#</u>	<u>APPROPRIATED</u>	<u>DESCRIPTION</u>					
2,500	1	2,500	DICKINSON PLAYGROUND PROJECT		2,500	-		-

* REIMBURSED BY GRANT

**TOWN OF NEWTOWN
SANDY HOOK SPECIAL REVENUE FUND DETAIL
5/9/2016**

ACCOUNT DESIGNATION:

PLAYGROUND						
<u>RECEIPTS</u>	<u>#</u>	<u>APPROPRIATED</u>	<u>DESCRIPTION</u>	<u>EXPENDED</u>	<u>UNEXPENDED</u>	<u>UNAPPROPRIATED</u>
23,315	1	23,315	DICKINSON PLAYGROUND PROJECT	23,315	-	-
MEMORIAL						
<u>RECEIPTS</u>	<u>#</u>	<u>APPROPRIATED</u>	<u>DESCRIPTION</u>	<u>EXPENDED</u>	<u>UNEXPENDED</u>	<u>UNAPPROPRIATED</u>
133,413		-		-	-	133,413
POLICE						
<u>RECEIPTS</u>	<u>#</u>	<u>APPROPRIATED</u>	<u>DESCRIPTION</u>	<u>EXPENDED</u>	<u>UNEXPENDED</u>	<u>UNAPPROPRIATED</u>
20,401	1	20,371	POLICE PROTECTIVE VESTS	20,371	-	30
FIRE						
<u>RECEIPTS</u>	<u>#</u>	<u>APPROPRIATED</u>	<u>DESCRIPTION</u>	<u>EXPENDED</u>	<u>UNEXPENDED</u>	<u>UNAPPROPRIATED</u>
235		-		-	-	235
FIRST RESPONDERS						
<u>RECEIPTS</u>	<u>#</u>	<u>APPROPRIATED</u>	<u>DESCRIPTION</u>	<u>EXPENDED</u>	<u>UNEXPENDED</u>	<u>UNAPPROPRIATED</u>
52,924	1	3,629	POLICE PROTECTIVE VESTS	3,629	-	
	2	11,914	POLICE OPERATIONS	11,914	(0)	
	3	15,543	FIRE OPERATIONS	15,542	1	
	4	15,542	AMBULANCE OPERATIONS	15,543	(1)	
		<u>46,628</u>		<u>46,628</u>	-	<u>6,296</u>
SANDY HOOK MEMORIAL SIDEWALK						
<u>RECEIPTS</u>	<u>#</u>	<u>APPROPRIATED</u>	<u>DESCRIPTION</u>	<u>EXPENDED</u>	<u>UNEXPENDED</u>	<u>UNAPPROPRIATED</u>
183,264		183,264	MEMORIAL SIDEWALK	183,264	-	0
OTHER						
<u>RECEIPTS</u>	<u>#</u>	<u>APPROPRIATED</u>	<u>DESCRIPTION</u>	<u>EXPENDED</u>	<u>UNEXPENDED</u>	<u>UNAPPROPRIATED</u>
131,853	1	22,749	OTHER ITEMS (ITEMIZED IN LOG BOOK)	22,749	-	
	2	100,000	DICKINSON PLAYGROUND PROJECT	100,000	-	
		<u>122,749</u>		<u>122,749</u>	-	<u>9,104</u>
GRAND TOTALS						
<u>RECEIPTS</u>	<u>#</u>	<u>APPROPRIATED</u>	<u>DESCRIPTION</u>	<u>EXPENDED</u>	<u>UNEXPENDED</u>	<u>UNAPPROPRIATED</u>
<u>1,004,049</u>		<u>732,027</u>		<u>707,590</u>	<u>24,437</u>	<u>272,023</u>

UNEXPENDED = APPROPRIATED - EXPENDED
UNAPPROPRIATED = RECEIPTS - APPROPRIATED

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