

Board of Selectman
April 5, 2010

THESE MINUTES ARE SUBJECT TO APPROVAL BY THE BOARD OF SELECTMEN

The **Board of Selectmen** held a regular meeting on Monday, April 5, 2010 in the Council Chambers, 3 Primrose Street, Newtown, CT. First Selectman Llodra called the meeting to order at 7:30 p.m.

PRESENT: First Selectman E. Patricia Llodra, Selectman William F.L. Rodgers and William F. Furrier.

ALSO PRESENT: Finance Director Robert Tait, sixty members of the public and two members of the press.

First Selectman Llodra announced that the students that participated in the HRRRA recycling poster contest were present and thanked them for participating in the contest. Each participant was recognized by name and given a bag containing items with the recycling logo on them.

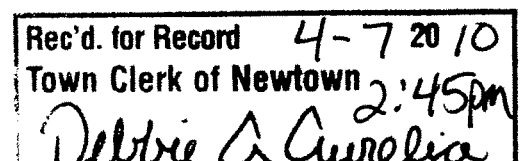
First Selectman Llodra introduced the Men in Green, a group of Middle School students interested in reducing carbon dioxide in the environment by reducing deforestation. Vivek Tedla, Wesley Morlock, Austin Raftery, Mathew Mossbarger, Garrison Buzzanca and Mike Davis explained that this started out as an eighth grade science project that took root and grew. The project was entered into the Lexus Eco Challenge and won the regional award of \$10,000 and nationwide award of \$15,000. The town donated land behind Reed School that the group plans to take over to plant 1,500 trees. There is a website for people to pledge trees and the group encourages everyone to plant trees in their yard or volunteer to help at plant trees at the Watertown Field. The reward money will be used for website development, purchase of trees and to purchase composters for each school to collect waste from school lunches for natural compost. The website is www.meningreen.net and on YouTube: men in green deforestation project and men in green rap.

VOTER COMMENTS: **Barbara O'Connor, Little Brook Lane, Newtown** said she emailed all members of the Legislative Council in support of the reduction to the Board of Education budget. Her driveway was desecrated with vulgar pictures over the weekend. It is very frightening to think that in Newtown you cannot speak your piece without being retaliated against.

ACCEPTANCE OF MINUTES: Selectman Rodgers moved to approve the minutes of March 15, 2010. Selectman Furrier seconded for discussion saying that on page 4, line twelve he also commented after saying that tax dollars cannot be taken by the executive branch, that it would be a violation of article 2 of the Connecticut Constitution, which is the separation of powers clause. Mr. Furrier also pointed out that when he questioned if there would be discussion on Page 4, line seventeen Selectman Rodgers didn't think that was a wise thing to do while the Fairfield Hills Review Committee was being formed. First Selectman Llodra noted that on page one, discussion by Karen Pierce, line six, should read 3% *decrease* in reaction time. Also page 3, item #6, line seven and eight should read *There is no financial obligation to the town until a lease proposal goes through a hearing and is approved by the First Selectman as specified by the ordinance.* The minutes as corrected were unanimously accepted.

COMMUNICATIONS: none noted

First Selectman Llodra noted there will be two items added to Unfinished Business: Legislative Council Ad Hoc Facilities Committee request to the Selectmen and the Board of Education to take responsibility and take on the tasks identified by the subcommittee. Lastly is the resolution



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regarding E-Waste collection and recycling.

First Selectman Llodra also noted there will be two additions to New Business, the endorsement of the BLAST program for tick borne illness at the request of HVCEO declaring May as BLAST month. Selectman Rodgers moved to add the endorsement of the BLAST program as item #1 under New Business. Selectman Furrier seconded. All in favor. The next addition was the addenda to the OPEB agreement. Selectman Rodgers moved to add for discussion and possible action under new business, item #8, the addenda regarding the investment advisory agreement to modify the other post employment benefit account. Selectman Furrier seconded. All in favor.

UNFINISHED BUSINESS:

Discussion and possible action:

1. **Senior Center Fees:** not discussed.
2. **Legislative Council Ad Hoc Facilities Committee request to the BOS & BOE.**
3. **E-Waste Collection and Recycling Agreement**

NEW BUSINESS:

Discussion and possible action:

1. **BLAST:** Selectman Rodgers moved to support a proclamation to identify May as the month of the BLAST program to prevent an increased incidence of tick borne diseases. (Att. A) Selectman Furrier seconded. Mr. Rodgers asked if this has been supported by our local tick borne action committee. First Selectman Llodra said that there are several representatives from Newtown that participate in a subcommittee that HVCEO has created to study the incidence to tick borne disease regionally. Also, the Health Director Donna Culbert has been involved. All in favor.
2. **Appointments/Reappointments:** Selectman Furrier moved the appointment of two Assistant Municipal Animal Control Officers, Roberta Desio and Helen Wigzell for terms to expire on April 17, 2011; the appointment of Donald Perry Straight to the Design Advisory Board for a term to expire on November 1, 2011 and the appointment of Bob Poulin to the Planning and Zoning Commission for a term to expire on December 1, 2011. Selectman Rodgers seconded. All in favor. Selectman Rodgers moved two appointments to the Sustainable Energy Commission, Chris Berchem for a term to expire on January 6, 2012 and James Smith for a term to expire on January 6, 2011. Selectman Furrier seconded. All in favor. First Selectman Llodra explained that recently appointed Paul Mangiafico will resign from the Board of Ethics because it has been determined he is not eligible to serve due to language in the code book that states a Town employee or official of the Town in any capacity within three years prior to the date of appointment cannot be appointed as a member of the Board of Ethics. There is a position open to a registered Republican, Independent or Unaffiliated voter.
3. **Request to expand the Design Advisory Board to five members:** Selectman Rodgers moved to forward to the Legislative Council a recommendation for positive action to increase the board from three to five members. Selectman Furrier seconded for discussion saying he agrees that the Board has helped applicants with a positive service allowing them to get a good handle on what is beneficial to them, not just Newtown and asked if that language should be in the motion. First Selectman Llodra stated if the board wanted to weigh in on what qualifiers there might be it would be done when the ordinance committee takes it up. Selectman Rodgers retracted his motion; Selectman Furrier retracted his second. Selectman Rodgers moved to forward the recommendation, to the Legislative Council, with an endorsement of positive action for the addition of alternates or the expansion of the

committee. Selectman Furrier seconded. All in favor. Selectman Rodgers said it should be noted the appointment process to the Design Advisory Board would come back to the Board of Selectmen.

4. **Consideration of persons interested in serving on Fairfield Hill Review Board:** First Selectman Llodra stated there are fourteen very capable persons that have come forward showing an interest in being on the board. Those persons are Joe Borst, Mike Floros, David Galassi, Dennis Kyle, Paul Lundquist, Neci Marr, Bob Maurer, Mike Mossbarger, Po Murray, Ben Roberts, Alan Shepard, Gary Steele, Deb Zukowski and Stephen zVon. First Selectman Llodra said she believes the town will be well served by a group made up of some or all of these persons. Process issues including timelines, reporting expectations and clerical support need to be discussed. First Selectman Llodra suggested specific recommendations regarding the size of the group and the rest of the process pieces be made at the first meeting of May. A letter will be sent to all of the interested parties.
5. **Resolution for Small Cities Grant:** Selectman Rodgers moved that the Board of Selectmen indicate it is cognizant of the conditions and prerequisites for state financial assistance imposed by Part VI of Chapter 130 of the Connecticut General Statutes. That the filing of an application for State financial assistance by the Town of Newtown in an amount not to exceed \$700,000 is hereby approved in accordance with the language in the Certified Resolution of the Governing Body and further moved the waiving of the reading of the entire resolution (Att. B). Selectman Furrier seconded. All in favor.
6. **Tax Refunds:** Selectman Furrier moved tax refund #12 in the amount of \$23,710.76 and tax refund #13 in the amount of \$19,686.44. Selectman Rodgers seconded. All in favor.
7. **Transfer:** Selectman Rodgers moved the transfer from Fairfield Hills 01870-5000 in the amount of \$70,000 to Legal Services-other 01100-4063 in the amount of \$40,000 and to Legal Services 01490-4061 in the amount of \$30,000. Selectman Furrier seconded. All in favor. Mr. Tait noted that the legal funds were over budget due to large cases; money was found in the Fairfield Hills account through electrical savings from re-metering.
8. **Resolution:** Selectman Rodgers moved to adopt the addition of Existing Employee Pension Plan Account No. JWR-019548 and Existing Employee Pension Plan Account No. JWR-046814 pursuant to the Addendum to Investment Advisory Agreement produced by Westport Resources and moved that the Board sign the agreement. Selectman Furrier seconded. Mr. Tait explained another OPEB trust fund was added, it will be managed the same way the pension funds are. All in favor.
9. **Resolution:** Selectman Furrier moved the resolution that Newtown, CT adopts as its policy to support the Nondiscrimination agreements and warranties required under Connecticut General Statutes §4a-60(a)(1) and §4a-60a(a)(1)), as amended in State of Connecticut Public Act 07-245 and Sections 9(a)(1) and 10(a)(1) of Public Act 07-142. Selectman Rodgers seconded. All in favor.

ANNOUNCEMENTS: First Selectman Llodra announced there will be an ATM installed at the Municipal Building. This will provide an opportunity for people to access cash. Also delinquent property taxes require a cash payment. There have been twenty responses to the RFQ for a town and education health benefits consultant. The Department of Transportation has authorized advertisement of work to be done on Castle Hill Road and Castle Meadow Road; this work has been supported by ARRA money. A letter was received by Lindsey Steel bringing attention to an old school house on Grays Plain Road that is in serious need of community support. Selectman Rodgers suggested consulting with Dan Cruson, saying the historical society looked into this closely about seven years ago. Selectman Furrier said it would be a tragedy if this building was lost. In October 2009 an agreement was made with CGI Communications. This is a program that markets the town through local businesses and creates a website video with a link through our home page. A marketing person is making contact with local businesses; it is strictly voluntary

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and strictly a relationship between businesses and CGI, the town does not benefit monetarily in any way.

VOTER COMMENT: **Barbara O'Connor, Little Brook Lane** took issue with the statement that all people that have shown an interest in serving on the Fairfield Hills Review Committee would work for the common good. She believes some will have a very narrow minded personal agenda and urged the Board to very carefully review their applications.

Ruby Johnson, 16 Chestnut Hill Rd, Sandy Hook questioned the \$70,000 transfer from Fairfield Hills. Mr. Tait stated the transfer was from the budget, not the bond issue. She noted there are not enough women on the list of people interested in the Fairfield Hills Review Committee saying men tend to be more business oriented while women are more concerned about the education and activities of their children. She urged the Board to try to get a balance of men and women. She doesn't think anyone on the list has a personal agenda. Lastly, Ms. Johnson is confused by the Board of Education budget.

10. Executive Session: Selectman Rodgers moved to enter executive session for the purpose of discussing legal matters involving tax collection. Mr. Tait was invited to attend. Selectman Furrier seconded. All in favor. Executive session was entered at 8:53pm and returned to regular session at 9:05pm with no motion taken.

ADJOURNMENT: Having no further business, the Board of Selectmen adjourned their regular meeting at 9:06p.m.

Respectfully Submitted,



Susan Marcinek, Clerk

Att. A: BLAST document

Att. B: Certified Resolution for Small Cities Grant

Take Early Signs and Symptoms of Lyme Disease Seriously

*Consult a healthcare
professional if you
experience these early
symptoms:*

- **Expanding Rash**
(not always present)
- **Fatigue**
- **Headache**
- **Stiff Neck**
- **Fever and/or Chills**
- **Muscle and/or Joint Pain**

Left untreated, the Lyme Disease infection can worsen and lead to joint swelling, neurological problems and cardiac complications.

For additional information visit:

www.ct.gov/caes "Tick Management Handbook"

www.cdc.gov/ncidod/dvbid/lyme/index.htm

www.ct.gov/dph

www.tickencounter.org



Tick-Borne Disease Prevention Program

**Follow the BLAST steps and
keep your family safe.**

- B**athe or shower soon after coming indoors.
- L**ook for ticks and remove with fine tipped tweezers.
- A**pply repellents to skin and/or clothing.*
- S**pray the perimeter of your yard for ticks.*
- T**reat your pets with a product recommended by your vet.

Contact the Ridgefield Health Department BLAST Tick-Borne Disease Program at: 203-431-2745 for additional information.
E-mail: blastlyme@ridgefieldct.org
Web Site: www.ridgefieldct.org

* Using repellents and pesticides, while proven effective, is a personal decision.

For more information on the safety of repellents and pesticides, contact the National Pesticide Information Center at 1-800-858-7378

This brochure was developed by the Ridgefield Health Department and the Connecticut Department of Public Health.

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
 STATE OF CONNECTICUT
 (AN EQUAL OPPORTUNITY EMPLOYER)
CERTIFIED RESOLUTION OF THE GOVERNING BODY

I, _____, _____, certify that below is a true and correct copy of a
 (Name of Official) (Title of Official)

resolution duly adopted by _____ Town of Newtown _____
 (Name of the Municipality)

at a meeting of its _____ Board of Selectmen _____
 (Governing Body)

duly convened on _____ April 5, 2010 _____ and which has not been rescinded or modified in
 (Meeting Date)

any way whatsoever and is at present in full force and effect.

 (Date) _____ E. Patricia Lopez _____
 (Signature and Title of Official)

SEAL

WHEREAS, federal monies are available under the Title I of the Housing and Community Development Act of 1974, 42 U.S.C § 5301, et. seq., as amended, also known as Public Law 93-383, and administered by the State of Connecticut, Department of Economic and Community Development as the Connecticut Small Cities Development Block Grant Program; and

WHEREAS, pursuant to Chapter 127c, and Part VI of Chapter 130 of the Connecticut General Statutes, the Commissioner of the State of Connecticut Department of Economic and Community Development is authorized disburse such federal monies to local municipalities; and

WHEREAS, it is desirable and in the public interest that the _____ Town of Newtown _____ make an application to the State for
 (Municipality)
\$700,000 in order to undertake and carryout a Small Cities Community Development Program and to execute an Assistance Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE
 _____ Board of Selectmen _____
 (Governing Body)

1. That it is cognizant of the conditions and prerequisites for the state financial assistance imposed by
 _____ Part VI of Chapter 130 of the CGS _____
 (State Statutory Reference)

2. That the filing of an application for State financial assistance by

Town of Newtown

(Municipality)

in an amount not to exceed \$700,000

is hereby approved and that

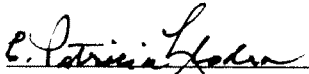
First Selectman, E. Patricia Llodra

(Title and Name of Authorized Official)

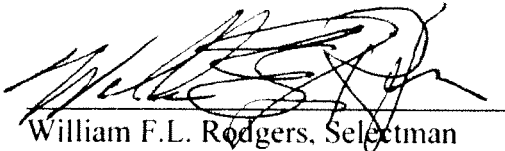
is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, to carryout approved activities and to act as the authorized representative of

Town of Newtown

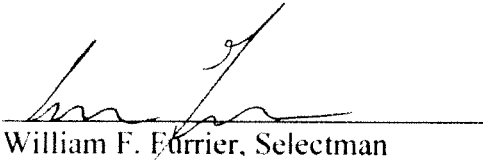
(Municipality)



E. Patricia Llodra, First Selectman



William F.L. Rodgers, Selectman



William F. Furrier, Selectman