

THESE MINUTES ARE SUBJECT TO APPROVAL BY BOARD OF SELECTMEN

The Board of Selectmen held a regular meeting Monday, October 3, 2011 in the Council Chamber of the Municipal Center, 3 Primrose Street, Newtown. First Selectman Llodra called the meeting to order at 7:30pm.

**PRESENT:** First Selectman Llodra, Selectman William F.L. Rodgers, Selectman William F. Furrier

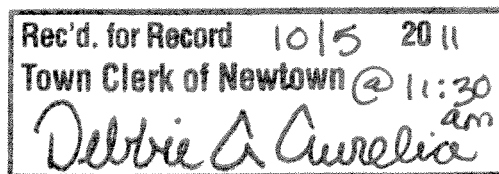
**ALSO PRESENT:** Fairfield Hills Master Plan Review Committee members Michael Floros, Ben Roberts, Nancy Roznicki, Michael Mossbarger, Deborra Zukowski, Robert Maurer and Paul Lundquist, thirteen members of the public and four members of the press.

**VOTER PARTICIPATION: Dennis Lawler, 34 Bonnie Brae Drive** stated he approached the assistant manager of Newtown Savings Bank about having a facility at Fairfield Hills. It was received as a good idea that would be mentioned to the bank president. Having a bank on the campus would benefit both the bank and the town along with the residents of Newtown and he believes this idea should be seriously discussed.

**NEW BUSINESS:**

**1. Fairfield Hills Master Plan Review Committee Report:** Mr. Floros presented a power point (Att. A); an overview of how they came up with recommendations. Also present from the Master Plan Review Committee were Paul Lundquist, Ben Roberts, Nancy Roznicki, Michael Mossbarger, Deborra Zukowski and Bob Maurer. The weighted responses to the survey were discussed as well as operational transparency and the role of the Fairfield Hills Authority vs. the role of the Town. Playing fields, open space, passive recreation and use based zoning were talked about. As far as businesses, local vs. big box or chain is preferred. The report was very well written with a description of the end result. Selectman Rodgers spoke of transparency vs. clarity saying that the word 'transparency' implies that something is being hidden. He said the Fairfield Hills Authority is the administrator of the Master Plan; direction should come from the Board of Selectmen or from this Review Committee or future Review Committees. First Selectman Llodra stated the next steps will define the vision and who the decision makers are along with their scope of authority. Ms. Zukowski said she was happy to be part of the committee, a group that worked well together. Mr. Maurer said that Ms. Zukowski did a tremendous job on the report. Mr. Roberts thanked Rosa Zubizarreta of Diaprxaxis, whose services went over and above; she did remarkable work. First Selectman Llodra recognized The Harrison Group saying Mr. Lundquist's work is outstanding. Mr. Mossbarger noted the group removed itself from politics. Words used in the report represented what residents were saying but he believes 'clarity' is a better word to use. Mr. Floros said there were nine distinct voices within the committee that were all heard. (Note: The complete Fairfield Hills Master Plan Review Committee Report can be found online at [www.newtown-ct.gov](http://www.newtown-ct.gov) under News & Announcements).

**VOTER PARTICIPATION: Marjorie Cramer, 38 Huntingtown Road** read a prepared statement (Att. B) from the Conservation Commission regarding the Fairfield Hills Master Plan Review Committee report. **Ruby Johnson, 16 Chestnut Hill Road** said this review committee will stand as the most outstanding committee. They were respectful, kind and brilliant.



Board of Selectman  
October 3, 2011

**ACCEPTANCE OF THE MINUTES:** Selectman Rodgers moved to accept the minutes of the regular meeting of September 19, 2011. Selectman Furrier seconded. All in favor.

**COMMUNICATIONS:** A letter from Mr. Oscar Berendsohn was shared with the board (Att. C). The board will invite him to attend a meeting.

**FINANCE DIRECTOR REPORT:** none.

**UNFINISHED BUSINESS:**

**Discussion and possible action:**

1. **Implementation Plan – Plan of Conservation and Development:** item to be carried.

**NEW BUSINESS (cont.):**

**Discussion and possible action:**


2. **Transfer:** The transfer is for a server upgrade at the C.H. Booth Library. The equipment is from 2006 and failing; there is a fear of losing data. Selectman Rodgers moved the \$21,117.00 transfer from 01570-2000 Contingency to 01670-0000 Library. Selectman Furrier seconded. All in favor.
3. **Appointments:** Selectman Rodgers moved the appointments of Bruce Degen and Christine Degen, 62 Castle Meadow Road to the Hattertown Historic District for a term to expire on June 30, 2016. Selectman Furrier seconded. All in favor.

**VOTER COMMENTS:** none.

**ANNOUNCEMENTS:** First Selectman Llodra noted the 2012-2013 budget timetable was included in the selectmen agenda packet.

**ADJOURNMENT:** Having no further business the Board of Selectmen adjourned their regular meeting at 9:16pm.

Respectfully submitted,

  
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Susan Marcinek, Clerk

Att. A: Fairfield Hills Master Plan Review Committee power point presentation

Att. B: Marjorie Cramer statement to the Review Committee

Att. C: Sept. 24, 2011 memo from Oscar Berendsohn



# Fairfield Hills

## Master Plan Review Committee

Michael Floros

Paul Lundquist

Bob Mauer

Mike Mossbarger

Alan Shepard

Gary Steele

Ben Roberts

Nancy Roznicki

Deborra Zukowski

October 3, 2011

# Committee Overview

- 9 diverse and dynamic voices
- 2/3 majority vote required for acceptance

# Committee Timeline

- Phase 1: Education to provide a baseline understanding of opportunities and challenges
- Phase 2: Qualitative public engagement
  - Community Input Council
  - Two Open Community Conversations that used café-style discussion groups
- Phase 3: Quantitative Community Survey
- Phase 4: Committee deliberations and synthesis into final report

# Guiding Principles

- Campus open to residents
- Plan big but start small
- Limited commercial
  - in support of other uses
- Buildings inhibiting development
- Residential housing not supported

# Vision Statement

We envision Fairfield Hills as a vibrant sustainable destination where all members of the community can go to enjoy recreational, social, cultural, indoor and outdoor activities. The campus provides a home for some municipal services and a gathering place for a variety of town-wide events. Small retail stores, restaurants, and professional offices are nestled harmoniously within the campus. The well-designed campus connects the history of the site with its future, with the town maintaining overall control of the property and preserving the campus environment and architectural style.

## *Potential Cohesive Themes*

- Community Culture and Arts Destination
- Community Recreation Destination
- Agricultural Activity and Destination

October 3, 2011

# Uses

## Recommended

- Community Culture and Arts
- Community Recreation
- Town and Community Services
- Open Land
- Commercial/Economic

## NOT Recommended

- Housing
- Education



# Process Recommendations

- Ensure Operational Transparency
- Support Continued Public Participation
- Drive towards one town-wide plan, but repeat the Fairfield Hills Review process until the vision is more fully implemented.

# Implementation Themes

- Continue the Fairfield Hills Authority's review of the lease structure and terms
- Do not consider selling a parcel of land at Fairfield Hills unless certain guidelines are met
- Demolish buildings deemed unusable but act now to save others
- Undertake/Continue a comprehensive review of existing infrastructure
- Replace the Fairfield Hills Adaptive Reuse Zone with a finer-grained, use-based zoning map
- Designate High Meadow as a protected area

# Vision Statement

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## TOWN OF NEWTOWN CONSERVATION COMMISSION

October 3, 2011

Statement from the Newtown Conservation Commission regarding the Fairfield Hills Master Plan Review Committee report.

The Conservation Commissioners commend the Fairfield Hills Master Plan Review Committee for its comprehensive report. We are particularly appreciative of the committee's support of maintaining Open Space. We would, however, like to clarify a few points that seem somewhat unclear in the report. These are:

Regarding the High Meadow on page 14 the report states: "We recommend that this area of campus be explicitly protected for public passive use, including trails, picnic areas, open fields, and potentially sheltered areas." We wonder what is meant by "sheltered areas" and would appreciate a definition of the term. The area is, as the name implies, a meadow with rich flora and fauna, including nesting birds and other wildlife and various grasses and flowers. Adding buildings would be detrimental by interfering with this biohabitat. It would also be esthetically undesirable in this beautiful, open, hilltop area.

Page 14 expresses concern that designating the high meadow as Open Space implies that it will be returned to its natural state and suggests that the term "protected" is preferable to "Open Space." We are unclear as to the meaning of "natural state" since this is not a term in common usage and would appreciate a definition. We point out that many Open Space areas in Newtown already have trails, benches, signs, plant and tree labels and kiosks. Many are also "managed" to maintain a healthy population of flora and fauna. We find that the term "protected" is vague and would prefer the continued use of the term "Open Space" which is commonly used in Newtown to describe and define a specific landscape and has a historical meaning to the town.

We strongly recommend that the high meadow be designated Open Space in perpetuity.

The same paragraph mentions adding picnic areas and other resting/activity spots for visitors. We are unclear what is meant by "resting/activity spots" and would appreciate a definition. We have concerns that this could imply construction. We are in favor of saving the High Meadow for low impact passive activities such as hiking, bird watching, etc.

Finally while Open Space areas are a major resource for passive recreation, we note that the report did not mention protection of wildlife and wildlife corridors. We strongly recommend that this be included. Loss of biodiversity, in large part due to loss of Open Space land, is occurring at an alarmingly rapid rate that can be ameliorated to some extent by being mindful of the land needs of a variety of flora and fauna and leaving both space and corridors for movement.

Newtown Conservation Commission

September 24, 2011

### Did You Know

That our teachers are not employed by the State, but by our town

That they contribute 6 % of their salary to their pension fund, but the balance is paid by the State (by law) even though they are not employees of the State

That according to the State Teacher Pension Administration formula the average teacher starting at age 30 and retiring at age 60 (not 65) can expect a lifetime pension of about 60,000 dollars per year based on an average salary of 83,500 dollar for the last three years.

That since they are not State employees they were not affected by the concessions made by other State employees to Governor Malloy So much for sharing the pain of our State workers..

That the working year consists of 187 days. Any additional days are paid extra at a rate which goes up by 15 % over the next three years.

From those working days of 187 deduct three weeks (15 days) allowable per year for sick leave minus another week or 5 days for personal reasons for a total of four weeks deduction from those 26.7 weeks and you arrive at a grand total of 22.7 weeks of actual work per year. Not bad, I think I will apply. Any unused sick leave may be accrued up to 100 days.

That only teachers are entitled by law to tenure in office. The same protection is denied to all other workers in the State Is everybody protected by tenure? Ask the unemployed.

That each teacher automatically receives a raise every year since he moves up one notch on the salary scale no matter how much the suffering of others. Never mind the other employees. That is for the peons.

Let us look at what all this means. First of all it means that even though we have a horrendous property tax ,it still is not enough to pay for the approximately 20 % or more of the remaining benefits of the teachers in the form of the pension or in other words the cost of our school system approximates or even exceeds the total of the taxes collected by Newtown. This is intolerable, it is more than excessive.

What is the reason? The main cause is found in a combination of collective bargaining and tenure of office. You combine these and a town has effectively turned over any of its bargaining power to the Union. We cannot continue to function indefinitely under such conditions. So what is the alternative?

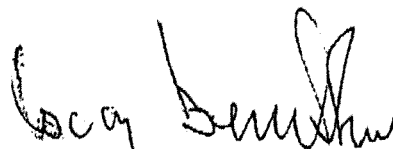
The first step is to hold discussions with Governor Malloy or his office about the situation. It should be pointed out that the law establishing tenure is in violation of the XIV Amendment, section 1 of the Constitution which states as follows "nor shall any citizen under its jurisdiction be denied the equal protection of its laws." Since the tenure law only protects teachers it is in violation of the constitution and as such invalid.

A similar argument can be made for the pension payments to the teachers pension fund since the State does not pay such benefits to any other non State employee.

Furthermore, there are elements of the IRS code here since the payments are not to employees they may be considered gifts under IRS rules and as such taxable. A State law establishing such payments as most of us know is meaningless if it is in violation of Federal laws or the Constitution which take precedence.

The writer believes that public employees should have the right of a Union to protect their working conditions and rights under existing laws, but that these rights do not extend to collective bargaining and must be discontinued since in my opinion they violate both State and Federal restraint of trade laws. In the case of teachers the results speak for themselves. A class of highly privileged persons has been generated, in direct opposition of everything this country and its constitution is all about..

In the event that talks with the Governor and his office are unproductive, I believe the town has no option but to refer the case to a Federal court citing the violations of our constitution and restraint of trade laws.



Oscar Berendsohn