

Anthony Filiato, Chair
Mary Ann Jacobs
Eva B. Zimmerman, Secretary
Tony Klabonski
Fred Hurley
Rob Sibley



3 Primrose Lane
Newtown, CT. 06470
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TOWN OF NEWTOWN

Minutes of the Board of Selectmen Ad Hoc Committee for Policy and Planning of Roads Meeting

The Roads Committee convened on Monday, June 6, 2016 in the Municipal Center, 3 Primrose Lane, Newtown Room 3. Committee Chairman Anthony Filiato called the meeting to order at 6:35pm.

Present: Anthony Filiato, Eva Bermudez Zimmerman and Director of Public Works Fred Hurley

Absent: Mary Ann Jacobs, Tony Klabonski, Deputy Director of Planning Rob Sibley

PUBLIC COMMENT: none

APPROVAL OF MINUTES: Mr. Filiato motioned to amend then pass the minutes, seconded by Ms. Zimmerman, unanimous approval.

COMMUNICATIONS: none

OLD BUSINESS: none

Went through the presentation and draft to be presented, also reviewed proposal to be presented to the Board of Selectman and made two grammatical changes.

NEW BUSINESS: none

ACTION ITEMS: Meet with Board of Selectman during tonight's June 6 meeting.

Mr. Filiato motioned to adjourn at 6:52pm Ms. Bermudez seconded, unanimously passed.

Respectfully Submitted,

Eva Bermudez Zimmerman
Ad Hoc Committee on Roads Secretary

Attachments: These minutes are subject to approval at the next regular Ad Hoc Roads Committee meeting. All corrections will be determined in minutes of the meeting at which they were corrected.

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TOWN OF NEWTOWN

To: Board of Selectman

Recommendations

After extensive research, analysis, and discussion, the Ad Hoc Committee for Policy and Planning for roads believes it is in the best interest of the Town of Newtown to develop an updated policy regarding roads. In order for the Town to do this, the Committee recommends the following actions:

- I. The Legislative Council should be asked to update the existing roads ordinance incorporating these main ideas:
 - a. All roads in Newtown should be maintained by the Town-
 - b. Unpaved roads should be considered for paving based on a cost benefit analysis; roads that are too costly to maintain as unpaved should be paved.
 - c. "Non-conforming" roads should be defined as all roads not currently accepted into the town road system.
 - d. As some roads will never meet the current guidelines set forth in the existing policy for various reason (geography, etc.), the ordinance should contain a list of exceptions for these roads that predate the current process to so that they may be accepted into the town road system.
 - e. The Ordinance committee should work with the Public Works Department to categorize these roads.
 - f. A process by which the roads on the exception list are accepted as town roads should be detailed.
 - g. All data regarding roads policy should be encapsulated under the umbrella of the updated roads ordinance so policy and procedures are clear moving forward.
 - h. The reality of existing barriers to create optimal road width, right of ways, etc. needs to be considered.
 - i. Active private associations with roads that are not part of the town roads system should they wish to present their roads to the town for acceptance, should be responsible for the legal work required to correct ownership and other issues necessary for the town to legally accept said roads into the town roads system.
 - j. In lieu of the existence of an active association where there are non-town owned roads, the town should reserve the right, in the event of a public safety concern to take over the roads.

- II. The Committee recommends that the Board of Selectman write a policy for roads to sit within the recommended ordinance changes that defines non-conforming roads base on paved or unpaved, sight lines, scenic, number of houses on the road, and any other relevant concerns.

- III. The town should continue the practice of sweeping, maintaining and plowing all roads that have three homes or more and update the policy regarding same as necessary.

- IV. The Board of Selectman should write and maintain a clear policy that defines the cost to a private association of upkeep on roads that the association wishes to remain private that includes anything beyond the normal and customary sweeping, patching and plowing.

Respectfully Submitted,

Anthony R. Filiato (Chair)
Eva B. Zimmerman (Secretary)
Anthony Klabonski
(Mary Ann Jacob)
(Fred Hurley)
(Rob Sibley)

Agreed May 18, 2016

Anthony Filiato, Chair
Mary Ann Jacobs
Eva B. Zimmerman, Secretary
Tony Klabonski
Fred Hurley
Rob Sibley



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TOWN OF NEWTOWN

Minutes of the Board of Selectmen Ad Hoc Committee for Policy and Planning of Roads Meeting

The Roads Committee meet on Monday, May 18, 2016 in the Municipal Center, 3 Primrose Lane, Newtown Room 3. Committee Chairman Anthony Filiato called the meeting to order at 6:35pm.

Present: Anthony Filiato, Mary Ann Jacobs, Tony Klabonski, Eva Bermudez Zimmerman and Director of Public Works Fred Hurley

Absent: Deputy Director of Planning Rob Sibley

PUBLIC COMMENT: none

APPROVAL OF MINUTES: Mr. Filiato motioned to amend then pass the minutes, seconded by Mr. Klabonski, unanimous approval.

COMMUNICATIONS: none

OLD BUSINESS: none

NEW BUSINESS:

Discussion on draft proposal-

Mr. Klabonski- Requested a review the draft proposal submitted Ms. Jacobs. He specifically was concerned on the language of section i. He pointed out that the recommendation proposed does not map out how the associations pay for the process of transitioning their roads to the town. This includes the high cost of a lawyer and assessments that each individually home owner would have to pay for. Mr. Klabonski mentioned that not all families have the means to pay thousands of dollars to go through the process of deeding over their road and the town should create a way to incentivize the homeowners and associations. Mr. Klabonski mentioned the idea of spacing out the cost in a payment plan to each homeowner, using a property he currently owns in another town as an example. He also wanted to make sure that this proposal had teeth and accomplished real change.

Ms. Jacobs-Explained that before the choices were not clearly defined and that this proposal gives homeowners and Associations a path to take when ready. She also mentioned that people knew when they moved to an unpaved road in an Association community that their roads were private. Ms. Jacobs reminded the group; that the access to road will be maintained for emergency services and safety all homes that have more than three homes, this detail was included on the draft proposal. Ms. Jacobs also clarified that this committee's job is to create a proposal. It is the Legislative Councilors job to create a new ordinance is the Board of Selectman requests a new ordinance or a revision of the old ordinance, we expect this will most likely be the next step in the process. She also reminded the group that the community people who live on unpaved roads have a choice to remain private includes maintaining the road and the

liability; this is part of being a homeowner. Nothing changes in your association if this is implemented until the homeowners/ Association decide they want a change.

This is only a path way and it is not our charge in this committee to create incentives for community members who could not afford the process or make up ways to make it lucrative for someone. This again is two simple options for homeowner who would like to do something. Also our charge is not to make all roads public again it is a vehicle for those who would like to and it has to be fair. At any moment now you could contact Mr. Hurley for a free quote for roads repair in private roads and take advantage of the town paying half of the cost. Ms. Jacob's made it very clear that breaking up the cost of legal fees incurred to the homeowner is not the towns responsibility and the biggest incentive to participate is by doing nothing he cost of fixing roads will only grow larger with time.

Mr. Hurley- Also echoed Ms. Jacobs's sentiments of this proposal being a path way to fix the current situation and not needing to participate if you don't have. He mentioned that in the 27 years of service to Newtown this is his fourth committee of its kind that he has participated in. Every other committee threw their hands up, this is the first committee that arrived this far. Mr. Hurly clarified that Mr. Klabonski's example of payment plans for each homeowner wouldn't work in this scenario.

Ms. Bermudez- Gave examples that some homeowners in the lake Association areas are not people of means and could not afford the process. At least with the proposal in place after each Association has a plan in place of what next steps they would like to take there is a an avenue for the transition.

Mr. Filiato- What Mr. Klabonski is trying to explain is the financial burden but this proposal will create a mechanism to make this process happen. By doing something it will space out the cost rather than letting it accumulate and dealing with the roads when they are completely in disrepair.

ACTION ITEMS: Mr. Filiato will circulate this daft. Meet with Board of Selectman during June meeting.

Mr. Filiato motioned to adjourn at 7:28pm Ms. Bermudez seconded, unanimously passed.

Respectfully Submitted,

Eva Bermudez Zimmerman
Ad Hoc Committee on Roads Secretary

Attachments: These minutes are subject to approval at the next regular Ad Hoc Roads Committee meeting. All corrections will be determined in minutes of the meeting at which they were corrected.

Board of Selectman
Ad Hoc Roads Committee for Policy and Planning
Recommendations
May 18, 2016

The Ad Hoc Committee for Policy and Planning for roads believes it is in the best interest of the Town of Newtown to develop an updated policy regarding roads. In order to do this, we recommend the following actions:

We believe the Board of Selectman should ask the Legislative Council to update the existing roads ordinance incorporating these main ideas:

All roads in Newtown should be maintained by the Town-

Unpaved roads should be considered for paving based on a cost benefit analysis; roads that are too costly to maintain as unpaved should be paved.

Define non-conforming roads as all roads not currently accepted into the town road system.

Some roads will never meet the current guidelines set forth in the existing policy.

We believe there should be a list of exceptions for preexisting roads that predate the current process to be accepted into the town road system..

The Ordinance committee should work with the Public Works Department to categorize those roads.

A process by which the roads on the exception list are accepted as town roads should be detailed.

All data regarding roads policy should be encapsulated under the umbrella of the updated roads ordinance we suggest so policy and procedures are clear moving forward.

The reality of existing barriers to create optimal road width, right of ways, etc. needs to be considered.

Active private associations with roads that are not part of the town roads system should be responsible for the legal work required to correct ownership issues in order for the town to accept said roads into the town roads system. In lieu of the existence of an active association where there are non town owned roads, the town should reserve the right, in the event of a public safety concern to take over the roads.

We believe the Board of Selectman should write a policy for roads to sit within the recommended ordinance changes that defines non conforming roads base on paved or unpaved, site lines, scenic, number of houses on the road, and any other relevant concerns.

We believe the town should continue the practice of sweeping, maintaining and plowing all roads that have more than three homes.

We believe that the Board of Selectman should write and maintain a clear policy that defines the cost to a private association of upkeep on roads they wish to remain private that includes anything beyond the normal and customary sweeping, patching and plowing.