

THE FOLLOWING MINUTES RE SUBJECT TO APPROVAL BY THE BOARD OF SELECTMEN

The Board of Selectmen held a regular meeting Monday, April 1, 2024. The meeting was held in the Council Chambers at the Newtown Municipal Center. First Selectman Capeci called the meeting to order at 7:30 p.m. and opened the meeting with salute to the flag.

PRESENT: First Selectman A. Jeffrey Capeci, Selectman Michelle Embree Ku and Selectman Dan Cruson

ALSO PRESENT: Finance Directors Robert Tait and Glenys Salas, Newtown Community Center Director Matt Ariniello and one member of the public.

VOTER COMMENTS: none

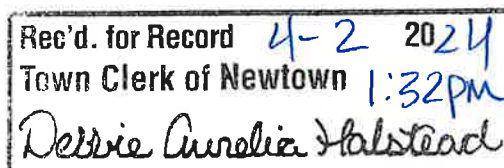
COMMUNICATIONS: First Selectman Capeci reported he and Mr. Tait went to Hartford for a \$9.2 bond sale. He also went to State Office of Historic Preservation regarding the historic district designation for the campus. The developer will add detail to the application that will go to Washington, D.C. Today is the first day for the new Finance Director, Glenys Salas. Selectman Embree Ku asked for follow up on questions she posed at a February meeting. First Selectman Capeci said the Charter will be followed. Selectman Embree Ku asked if the EDC has the authority over 6 Commerce. The plan the EDC has expired and is for a different use. First Selectman Capeci will ask if they have developed another plan. Selectman Embree Ku requested various boards and commissions created by the BOS be addressed on the next agenda. First Selectman Capeci said we were still compiling data.

ACCEPTANCE OF THE MINUTES: Selectman Embree Ku moved to accept the regular meeting minutes of March 4, 2024. Selectman Cruson seconded. The motion unanimously passed.

FINANCE DIRECTORS REPORT: There were ten bidders at the bond sale; it closely matched what we had in the budget; Bob will provide the exact interest rates. Proceeds come to Town on April 3rd. Mr. Tait shared the Town of Newtown Pension Portfolio (att.)

Discussion and possible action:

1. **\$40,000 appropriation for Newtown community Center aquatics structural concern:** Selectman Embree Ku moved to approve the \$40,000 appropriation, from capital non-recurring, to investigate the Newtown Community Center aquatics structural concerns (att.). Selectman Cruson seconded. Mr. Ariniello explained the many pool deck issues. If the problem is uncovered, it can be filed with the Town insurance company. There is background work included in the drilling and boring. The NYA had some structural issues due to wetlands. An RFP is being put together now. Mr. Ariniello has spreadsheets for the various projects at the facility in the last five years; he can provide the data to the board. The motion passed unanimously.
2. **Referral of Newtown Community Center Aquatic Structural Repair project to the Public Building & Site Commission:** Selectman Embree Ku moved to refer the Newtown Community Center Aquatic Structural Repair project investigation to the Public Building & Site Commission. Selectman Cruson seconded. The motion unanimously passed.
3. **Resolution:** Selectman Embree Ku moved the resolution providing for an appropriation of \$485,000 for the refurbishment of the Newtown Hook & Ladder, ladder truck per the 2023-24 Capital Improvement Plan (CIP) to be funded from the capital non-recurring fund. Selectman Cruson seconded. Selectman Cruson asked why the replacement ladder truck is smaller than the one they are removing. First Selectman Capeci will get an answer on this. The motion unanimously passed.



4. **Transfer:** Selectman Embree Ku moved to transfer \$25,684 from Contingency to Finance Salaries and Wages (att.). Selectman Cruson seconded. This represents a three-week overlap in the Finance Dept. The motion passed unanimously.
5. **Set Date and Time of Referendum:** Selectman Embree Ku moved to set the time and date of the referendum for April 23, 2024 between the hours of 6:00 a.m. and 8:00 p.m. for the purpose of a vote by electors and qualified voters of the Town. Selectman Cruson seconded. The motion unanimously passed.
6. **State Homeland Security Grant Funding Resolution:** Selectman Embree Ku moved the resolution: Be it RESOLVED, that the Board of Selectmen may enter into with and deliver to the State of Connecticut Department of Emergency Services and Public Protection, Division of Emergency Management and Homeland Security any and all documents which it deems to be necessary or appropriate regarding the FFY 2023 Homeland Security Grant Program Region 5 Amendment of Memorandum of Agreement; and FURTHER RESOLVED, that A. Jeffrey Capeci, as First Selectman of the Town of Newtown, is authorized and directed to execute and deliver any and all documents on behalf of the Board of Selectman and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents. Selectman Cruson seconded. The motion unanimously passed.
7. **Resolution naming Fair Housing Officer for the Town of Newtown:** Selectman Embree Ku moved to resolve that the Town of Newtown hereby names Kimberly Chiappetta, Economic and Community Development & Fairfield Hills Coordinator, as the Fair Housing Officer for the Town of Newtown (att.). Selectman Cruson seconded. The motion unanimously passed.
8. **Fair Housing Resolution:** Selectman Embree Ku moved the Town of Newtown hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase and obtain financing and enjoy all other housing related services of their choice on a non-discriminatory basis as provided by state and federal law; and BE IT FURTHER RESOLVED, That the Economic and Community Development & Fairfield Hills Coordinator, Kimberly Chiappetta, is responsible for responding to and assisting any person who alleges to be the victim of illegal discriminatory housing practices in the Town of Newtown and for advising such person of the right to file a complaint with the State of Connecticut Commission on Human Rights and Opportunities (CHRO) or the US Department of Housing and Urban Development (HUD) or to seek assistance from the CT Fair Housing Center, legal services or other fair housing organizations to protect his or her right to equal housing opportunities and further moved to waive the reading of the entire resolution (att.). Selectman Cruson seconded. The motion unanimously passed.
9. **Resolution:** The payment percentage is now 45% due to reconsideration of density of the Town of Newtown. Selectman Embree Ku moved the following resolution: Whereas the BOS passed a resolution on December 4, 2023, supporting the appropriation of \$100,000 from the Capital and Non-recurring fund to recover unpaid motor vehicle taxes; and Whereas the BOS has been apprised of a modified proposal for the recovery of unpaid motor vehicle taxes. Therefore be it resolved that an appropriation of \$100,000 for professional services to recover motor vehicle taxes be approved to support the revised proposal and further be it resolved that the \$100,000 be funded from Capital and Non-recurring fund. Selectman Cruson seconded. Selectman Embree Ku stated the compensation is now 45% and noted there is a \$50 charge per motor vehicle. Selectman Cruson asked if the \$100,000 is still an acceptable number with the extra 5%; Mr. Tait believes it is. CTR

identifies the vehicles, gives the information to the Tax Assessor, who then addresses it. The Town only owes on money that is collected. Mr. Tait will find out who levies the \$50 fee. Selectman Embree Ku wants more understanding on the fee and if it is paid regardless of collection; is the Town obligated to pay CTR? Based on the new proposal, CTR will be collecting more than the Town, with the \$50 charge per vehicle and the additional 5% from the original proposal. The alternate company also charges \$50 per vehicle. The original proposal stated CTR had visited Newtown many times and is familiar with the geography. Selectman Embree Ku moved to table this item. Selectman Cruson seconded. The motion to table this item unanimously passed.

- 10. Town Purchasing Requirements Revision Request:** Selectman Embree Ku moved to refer the Town Code dated 10-28- 2015, 350.3 Quotes required for public work or services of less than \$50,000 to the Legislative Council to consider for revision, with the recommendation from the Board of Selectmen that the 3 quote requirement apply to expenditures "if more than \$5,000" instead of \$2,000. Selectman Cruson seconded. Selectman Embree Ku stated the Board of Education made a similar motion several years ago. The motion unanimously passed.

RECURRING BUSINESS:

Discussion and possible action:

- 1. Appointments/Reappointments/Vacancies/Openings:** Selectman Cruson moved the appointment of Paula Wickman as the Police Dept. representative to the Pension Committee for a term to expire 1/6/26. Selectman Embree Ku seconded. The motion unanimously passed.
- 2. Driveway Bond Release/Extension:** none.
- 3. Tax Refunds:** Selectman Embree Ku moved the tax refunds #35 in the amount of \$16,912.86. Selectman Cruson seconded. The motion unanimously passed.

VOTER COMMENTS: none.

ANNOUNCEMENTS: none.

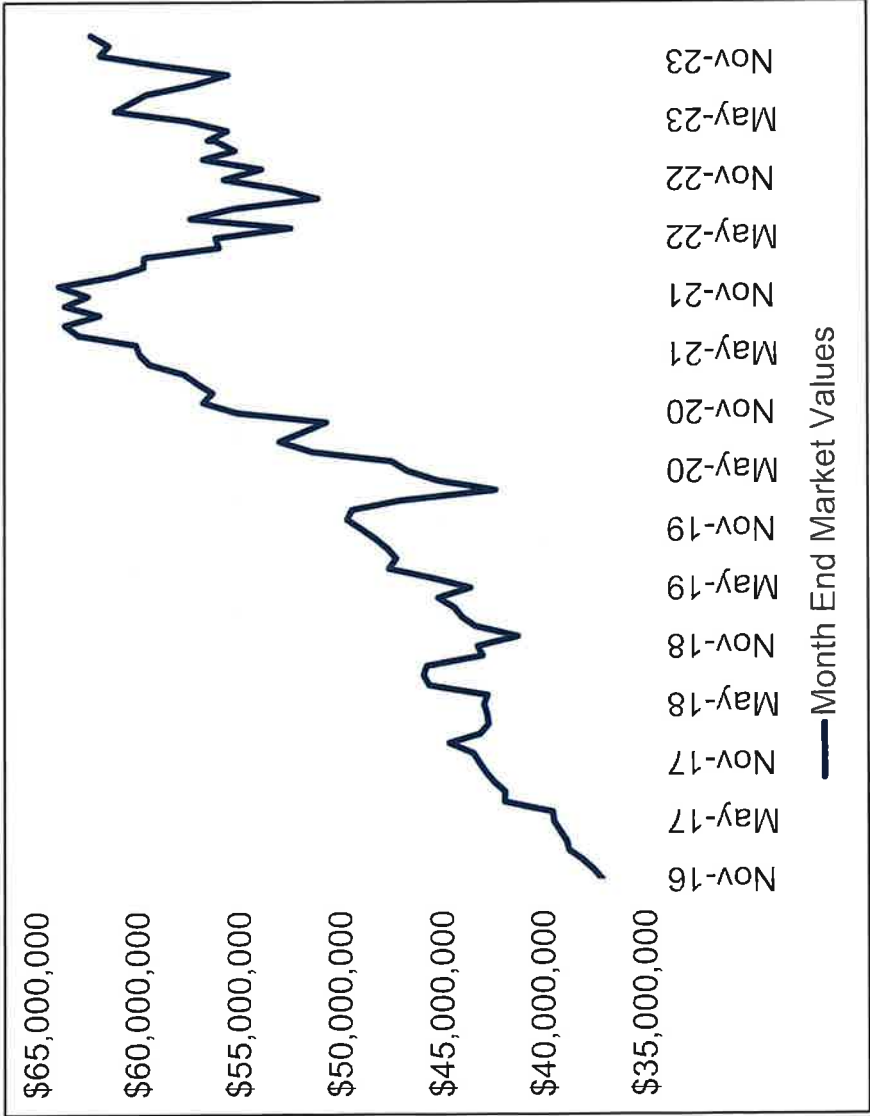
ADJOURNMENT: Having no further business the regular Board of Selectmen meeting was adjourned at 8:24p.m.

Att.: Newtown Pension Portfolio; detail on \$40k NCC appropriation; \$25,684 transfer; (2) Fair Housing Documents;

Respectfully submitted,
Susan Marcinek, clerk

Town of Newtown, CT Pension Portfolio

Market Value History



Month	Month End Market Value
March 2023	\$56,189,865
April 2023	\$56,544,612
May 2023	\$55,597,283
June 2023	\$57,574,571
July 2023	\$61,138,850
August 2023	\$59,572,721
September 2023	\$57,253,790
October 2023	\$55,565,141
November 2023	\$59,099,993
December 2023	\$61,889,520
January 2024	\$61,431,491
February 2024	\$62,331,715

DISCLOSURE: The balance information has been compiled solely by Fiducient Advisors and has not been independently verified. In preparing this report, Fiducient Advisors has relied upon information provided by the investment managers and by the custodian.

March 20, 2024

Dear Board of Selectmen, Board of Finance and Legislative Council,

The Newtown Community Center is submitting this memorandum to request an appropriation of \$40,000.00 from the town's capital non-recurring account. Following a meeting with the town's building inspector, public works department, the town engineer, and members of the town's Public Building and Site Commission, it has been determined that the following steps are necessary to address the current structural issues facing the Newtown Community Center.

These funds will be allocated towards conducting site condition testing, as well as drilling and boring tests on the Fairfield Hills Campus, both indoors and outdoors. The rationale behind this request stems from significant structural concerns that have been observed at the Community Center, particularly in the vicinity of the pool area. These concerns include:

- Large amounts of cracks on and around the pool deck
- Separation between the pool deck and the pool wall
- Tiles lifting on the pool deck and around the pool
- Piping conforming due to shifting
- Some structural cracking and interior cracking
- Movement of masonry joints

Given the importance of addressing these issues promptly to ensure the safety and integrity of our facilities, we believe that conducting comprehensive site condition testing, drilling, and boring tests is imperative. Additionally, water testing and metering will be included as part of these tests. These comprehensive assessments will provide essential insights into the underlying causes of the observed structural issues and inform the development of appropriate remediation measures. After a discussion with CIRMA, our insurance carrier, CIRMA is reserving its right to make a coverage decision until the actual cause of loss is determined.

We appreciate your attention to this matter and kindly request that the appropriation of \$40,000.00 be approved from the town's capital non-recurring account for this investigative purpose.

Respectfully,

Matt Ariniello
Community Center Director

TOWN OF NEWTOWN APPROPRIATION (BUDGET) TRANSFER REQUEST

FISCAL YEAR 2023 - 2024 **DEPARTMENT** Finance **DATE** 3/18/24

	<u>Account</u>	<u>Amount</u>	
FROM:	101245700000-5899CONTINGENCY	(25,684)	USE NEGATIVE AMOUNT
	*		
	*		
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	*		
TO:	101112000000-5110SALARIES & WAGES - FULL TIME	22,800	USE POSITIVE AMOUNT
	101112000000-5220SOCIAL SECURITY CONTRIBUTIONS	1,744	
	101112000000-5230RETIREMENT CONTRIBUTIONS	1,140	
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REASON:

Transfer from Contingency. To cover the time overlap and vacation payout due to the retirement of the finance director and assistant finance director. The finance director will have a two week training period with the incoming finance director and four weeks paid (unused) vacation time. The assistant finance director will have a one week training period with the incoming assistant finance director and 3 days paid (unused) vacation time. Note, the assistant finance director's paid vacation time extends into the next fiscal year so an additional transfer will be required then.

AUTHORIZATION:

date:

- (1) DEPARTMENT HEAD
- (2) FINANCE DIRECTOR
- (3) SELECTMAN
- (4) BOARD OF SELECTMEN
- (5) BOARD OF FINANCE
- (6) LEGISLATIVE COUNCIL

[Handwritten signatures for Department Head, Finance Director, and Selectman]

[Handwritten dates: 3/18/24, 4/1/24, 4/1/24]

AUTHORIZATION SIGN OFF

FIRST 335 DAYS >>>>WITH IN A DEPT.>>>>LESS THAN \$50,000>>>> (1), (2) & (3) SIGNS OFF; MORE THAN \$50,000>>>> (1), (2), (3) & (5)
 >>>>ONE DEPT TO ANOTHER>>>>LESS THAN \$200,000>>>>ALL EXCEPT (6); MORE THAN \$200,000>>>>ALL SIGN OFF
AFTER 335 DAYS >>>>(1), (2), (3), (5) & (6) ANY AMOUNT FROM CONTINGENCY>>>> ALL SIGN OFF

NEWTOWN MUNICIPAL CENTER
3 PRIMROSE STREET
NEWTOWN, CONNECTICUT 06470
TEL. (203) 270-4201
FAX (203) 270-4205



A. JEFFREY CAPECI
FIRST SELECTMAN

TOWN OF NEWTOWN
OFFICE OF THE FIRST SELECTMAN

FAIR HOUSING OFFICER RESOLUTION
TOWN OF NEWTOWN

BE IT RESOLVED,

That the Town of Newtown hereby names Kimberly Chiappetta, Economic and Community Development & Fairfield Hills Coordinator, as the Fair Housing Officer for the Town of Newtown.


A. Jeffrey Capeci, First Selectman


Daniel J. Cruson, Selectman


Michelle Embree Ku, Selectman

Adopted by the Town of Newtown on April 1st, 2024

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3 PRIMROSE STREET
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FAIR HOUSING RESOLUTION
TOWN OF NEWTOWN

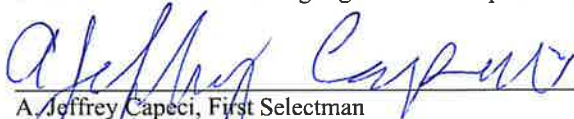
- Whereas, All persons are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and
- Whereas, Federal Fair Housing laws require that all individuals, regardless of race, color, religion, sex, handicap, familial status or national origin, be given equal access to all housing-related opportunities, including rental and home ownership opportunities, and be allowed to make free choices regarding housing location; and
- Whereas, Connecticut Fair Housing laws require that all individuals, regardless of race, creed, color, national origin, ancestry, sex, marital status, age, lawful sources of income, familial status, learning disability, physical or mental disability, sexual orientation, be given equal access to all housing-related opportunities, including rental and home ownership opportunities, and be allowed to make free choices regarding housing location; and
- Whereas, The Town of Newtown is committed to upholding these laws and realizes that these laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice.

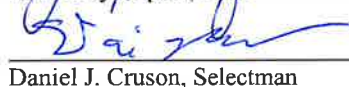
NOW THEREFORE, BE IT RESOLVED,

That the Town of Newtown hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase and obtain financing and enjoy all other housing related services of their choice on a non-discriminatory basis as provided by state and federal law; and

BE IT FURTHER RESOLVED,

That the Economic and Community Development & Fairfield Hills Coordinator, Kimberly Chiappetta, is responsible for responding to and assisting any person who alleges to be the victim of illegal discriminatory housing practices in the Town of Newtown and for advising such person of the right to file a complaint with the State of Connecticut Commission on Human Rights and Opportunities (CHRO) or the US Department of Housing and Urban Development (HUD) or to seek assistance from the CT Fair Housing Center, legal services or other fair housing organizations to protect his or her right to equal housing opportunities.


A. Jeffrey Capeci, First Selectman


Daniel J. Cruson, Selectman


Michelle Embree Ku, Selectman

Adopted by the Town of Newtown on April 1st, 2024