

**Town of Newtown Legislative Council Regular Meeting
Wednesday, August 7, 2013
Newtown High School Lecture Hall, Sandy Hook, CT**

PRESENT: Jeff Capeci, Mary Ann Jacob, George Ferguson, Joe Girgasky, Paul Lundquist, Bob Merola, Daniel Honan, Neil Chaudhary, Dan Amaral, Dan Wiedemann, Phil Carroll, Ryan Knapp

ALSO PRESENT: First Selectman Pat Llodra, Finance Director Bob Tait, Town Attorney David Grogins, Land Use Director George Benson, Police Chief Michael Kehoe, State Representative Mitch Bolinsky, approximately 50 members of public, Jan Andras (Clerk)

Chairman Capeci called the meeting to order at 8:45 p.m. with the Pledge of Allegiance. The meeting began late after a public hearing that was held at 7:00 pm.

APPROVAL OF MINUTES: Upon motion by Ms. Jacob, the minutes of the 7/24/13 meeting were unanimously approved as presented.

COMMUNICATIONS: None

COMMITTEE REPORTS: None

NEW BUSINESS

Addition to Capital Improvement Plan

Ms. Jacob moved to add a new elementary school at Sandy Hook to the 2013/14 – 2017/18 Capital Improvement Plan. Motion seconded and unanimously carried.

This action is necessary in order to take action on the grant funds from the State of Connecticut.

Resolution for Special Appropriation

Ms. Jacob moved the Resolution PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$49,250,000 FOR THE ARCHITECTURAL AND ENGINEERING SERVICES, DEMOLITION OF EXISTING SCHOOL, AND PLANNING, DESIGN AND CONSTRUCTION OF A NEW ELEMENTARY SCHOOL IN SANDY HOOK, AND TO PURCHASE TWO PARCELS OF LAND FOR THE PURPOSE OF RELOCATING THE ENTRANCE TO SAID SCHOOL; SAID SPECIAL APPROPRIATION TO BE FUNDED BY A GRANT FROM THE STATE OF CONNECTICUT. SAID SPECIAL APPROPRIATION IS IN ACCORDANCE WITH SECTION 6-30(a)(b) AND (c) OF THE TOWN CHARTER. Motion seconded

Mr. Knapp moved to amend by adding to direct the Town Clerk to warn a referendum to be held on October 5, 2013 between the hours of 6:00 a.m. and 8:00 p.m. at the Newtown Middle School, Queen Street, Newtown, CT. Motion seconded and unanimously carried.

MAIN MOTION AS AMENDED UNANIMOUSLY CARRIED.

Resolution for Special Appropriation

Ms. Jacob move the RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$774,162 FOR THE DEMOLITION OF THE EXISTING PLAYGROUND AREA AND THE PLANNING, DESIGN, ACQUISITION AND CONSTRUCTION OF A NEW PLAYGROUND AREA AT DICKINSON PARK LOCATED IN THE TOWN OF NEWTOWN, CONNECTICUT AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2013/14 – 2017/18, INCLUSIVE) AND AUTHORIZING THE ISSUANCE OF \$774,162 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF, THE MAKING OF TEMPORARY BORROWING FOR SUCH PURPOSE. (copy attached) Motion seconded and upon roll call was unanimously carried: YES (Capeci, Jacob, Ferguson, Girgasky, Lundquist, Chaudhary, Merola, Knapp, Amaral, Honan, Carroll, Weidemann).

Transfer

Ms. Jacob moved to transfer \$500 from Dues and Travel to Senior Center Operating Expenses (FY 2012-13). Motion seconded and unanimously carried.

This transfer is necessary due to an increase in senior participation in exercise classes, requiring more classes and payment of teachers.

Transfer

Ms. Jacob moved to transfer \$161,579 from Capital to Contingency (FY 2012-13). Motion seconded and unanimously carried.

We have received grant funds through the State of CT for law enforcement equipment and technology. This amount of reimbursement is being transferred back to contingency.

Transfer

Ms. Jacob moved to transfer \$29,000 from Contingency to Capital (\$25,000) and to Uninsured Losses (\$4,000) (FY 2012-13). Motion seconded and unanimously carried.

A new server is needed for the combined accounting operations of both education and municipal (\$25,000) and general liability deductibles were more numerous in the previous fiscal year (\$4,000).

Transfer

Ms. Jacob moved to transfer \$28,807 from Contingency to various salary and benefit accounts (FY 2013-14). (see attached) Motion seconded and unanimously carried.

Transfer

Ms. Jacob moved to transfer \$38,670 from Contingency to various salary and benefit accounts (FY 2013-14). (see attached) Motion seconded and unanimously carried.

This transfer covers the Public Works Union 2013-14 Contractual Wage Increases.

Transfer

Ms. Jacob moved to approve FY 2012-13 Year End Re-appropriations. Motion seconded and unanimously carried. (see attached)

UNFINISHED BUSINESS

Amendments to Newtown Firearms Ordinance

Ms. Jacob moved to approve the amended Firearms Ordinance as proposed and legally noticed in the Newtown Bee on July 26, 2013. Motion seconded.

After lengthy discussion:

Mr. Merola moved to amend as follows:

- 1) Section 128-3 c - change theto a single period
- 2) Section 128-3 e be changed to reflect: The provisions of this Ordinance shall not apply to the use of Firearms when a Firearm by an individual (i) discharging blank cartridges in a manner consistent with all federal, state and local law; (ii) acting to defend himself or herself or a third person from physical force or in a manner consistent with all federal, state and local laws; (iii) performing nuisance animal control in a manner consistent with all federal, state and local laws; (iv) engaging in a memorial ceremony in a manner consistent with all federal, state and local law; or (v) engaging in an official parade or ceremony in a manner consistent with all federal, state and local law.
- 3) Section 128-4 b - add "active or honorably discharged military" to the list.
- 4) Section 128-4 e - correct the "unloaded and safely stowed" to only apply to firearms on the range, not in the home.
- 5) Section 128-5 c - change to reflect that any discharge of a Firearm must be directed at a natural or manmade Backstop sufficient to contain the projectiles from the Firearm being discharged with a minimum height of ten (10) feet above the top of the intended target is required.

And to direct legal counsel to amend language and bring back to the full Council.

Amendment seconded and carried: 11 YES – 1 NO (Wiedemann)

MAIN MOTION AS AMENDED CARRIED: 11 YES – 1 NO (Wiedemann)

Anti-Blight Ordinance

Mr. Chaudhary moved to approve the Newtown Anti-Blight Ordinance as proposed and legally noticed in the Newtown Bee on July 25, 2013. Motion seconded and carried and carried: 11 YES – 1 NO (Lundquist).

VOTER COMMENT: Bill Stephens, Huntingtown Road, opined that the Council should not be enacting a Blight Ordinance when he believes that Fairfield Hills is a blighted property.

Having no further business, the meeting was adjourned at 11:00 pm.



Jan Andras
Recording Secretary

attachments

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.

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$774,162 FOR THE DEMOLITION OF THE EXISTING PLAYGROUND AREA AND THE PLANNING, DESIGN, ACQUISITION AND CONSTRUCTION OF A NEW PLAYGROUND AREA AT DICKINSON PARK LOCATED IN THE TOWN OF NEWTOWN, CONNECTICUT AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PROGRAM (2013-14 TO 2017-2018, INCLUSIVE) AND AUTHORIZING THE ISSUANCE OF \$774,162 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

RESOLVED:

Section 1. The sum of \$774,162 is a special appropriation made pursuant to Chapter 6, Section 6-30 (a), (b) and (c) of the Town Charter of the Town of Newtown (the "Town") for the demolition of the existing playground area and the planning, design, acquisition and construction of a new playground area at Dickinson Park, as authorized in the Capital Improvement Program (2013-14 to 2017-18, inclusive), and for administrative, financing, legal and costs of issuance related thereto (collectively, the "Project"), said appropriation to be inclusive of any and all State and Federal grants-in-aid and other third party sources of funds thereof.

Section 2. To meet said appropriation, \$774,162 bonds of the Town, or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the maximum maturity permitted by the General Statutes of the State of Connecticut, as amended from time to time (the "Connecticut General Statutes"). The bonds may be issued in one or more series as determined by the Financial Director, and the amount of bonds of each series to be issued shall be fixed by the Financial Director, in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amount of State and Federal grants-in-aid and other third party sources of funds of the Project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of the bonds outstanding at the time of the issuance thereof, and to pay for the costs of issuance of such bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the First Selectman and the Financial Director, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, Connecticut. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds including approval of the rate or rates of interest shall be determined by the First Selectman and the Financial Director, in accordance with the Connecticut General Statutes.

Section 3. Said bonds shall be sold by the First Selectman and the Financial Director in a competitive offering and the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. To the extent required by the Charter of the Town of Newtown, bids shall be solicited from at least three lending institutions. A notice of sale or a summary thereof

describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds.

Section 4. The First Selectman and the Financial Director are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the First Selectman and the Financial Director, have the seal of the Town affixed, be payable at a bank or trust company designated by the First Selectman, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, and be certified by a bank or trust company designated by the First Selectman pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and any time after the date of passage of this resolution in the maximum amount and for the Project with the proceeds of bonds or bond anticipation notes or other obligations ("Tax Exempt Obligations") authorized to be issued by the Town. The Tax Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Financial Director or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of Tax Exempt Obligations, and to amend this declaration.

Section 6. The First Selectman and the Financial Director are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 7. The First Selectman is hereby authorized, on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution.

**TOWN OF NEWTOWN
APPROPRIATION (BUDGET) TRANSFER REQUEST**

<u>FISCAL YEAR</u>	<u>2013 - 2014</u>	<u>DEPARTMENT</u> Finance	<u>DATE</u>	<u>7/1/13</u>
	<u>Account</u>		<u>Amount</u>	
FROM:	1-101-20-570-5899-0000	CONTINGENCY	(28,807.00)	USE NEGATIVE AMOUNT
TO:				
social svcs	1-101-11-110-5110-0000	SALARIES & WAGES - FULL TIME	666.00	USE POSITIVE AMOUNT
tax collector	1-101-11-140-5110-0000	SALARIES & WAGES - FULL TIME	2,320.00	
town clerk	1-101-11-170-5110-0000	SALARIES & WAGES - FULL TIME	1,924.00	
assessor	1-101-11-190-5110-0000	SALARIES & WAGES - FULL TIME	1,699.00	
finance	1-101-11-200-5110-0000	SALARIES & WAGES - FULL TIME	1,826.00	
senior svcs	1-101-14-220-5110-0000	SALARIES & WAGES - FULL TIME	1,118.00	
fire	1-101-12-320-5110-0000	SALARIES & WAGES - FULL TIME	719.00	
animal control	1-101-12-340-5110-0000	SALARIES & WAGES - FULL TIME	719.00	
building official	1-101-12-460-5110-0000	SALARIES & WAGES - FULL TIME	3,584.00	↓
land use	1-101-15-490-5110-0000	SALARIES & WAGES - FULL TIME	2,523.00	
public works	1-101-13-500-5110-0000	SALARIES & WAGES - FULL TIME	4,226.00	
parks & recr	1-101-16-550-5110-0000	SALARIES & WAGES - FULL TIME	2,446.00	
parks & recr	1-101-16-550-5115-0000	SALARIES & WAGES - PART TIME	343.00	
public bldg	1-101-13-650-5110-0000	SALARIES & WAGES - FULL TIME	2,647.00	
social svcs	1-101-11-110-5220-0000	SOCIAL SECURITY CONTRIBUTIONS	51.00	
tax collector	1-101-11-140-5220-0000	SOCIAL SECURITY CONTRIBUTIONS	177.00	
town clerk	1-101-11-170-5220-0000	SOCIAL SECURITY CONTRIBUTIONS	147.00	
assessor	1-101-11-190-5220-0000	SOCIAL SECURITY CONTRIBUTIONS	130.00	
finance	1-101-11-200-5220-0000	SOCIAL SECURITY CONTRIBUTIONS	140.00	
senior svcs	1-101-14-220-5220-0000	SOCIAL SECURITY CONTRIBUTIONS	86.00	
fire	1-101-12-320-5220-0000	SOCIAL SECURITY CONTRIBUTIONS	55.00	
animal control	1-101-12-340-5220-0000	SOCIAL SECURITY CONTRIBUTIONS	55.00	
building official	1-101-12-460-5220-0000	SOCIAL SECURITY CONTRIBUTIONS	274.00	
land use	1-101-15-490-5220-0000	SOCIAL SECURITY CONTRIBUTIONS	193.00	
public works	1-101-13-500-5220-0000	SOCIAL SECURITY CONTRIBUTIONS	323.00	
parks & recr	1-101-16-550-5220-0000	SOCIAL SECURITY CONTRIBUTIONS	213.00	
public bldg	1-101-13-650-5220-0000	SOCIAL SECURITY CONTRIBUTIONS	203.00	

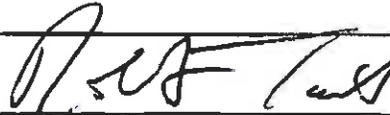
REASON:

TOWN HALL EMPLOYEES 2013-14 CONTRACTUAL WAGE INCREASE. SEE ATTACHED.

AUTHORIZATION:

date:

(1) DEPARTMENT HEAD



6/20/13

(2) FINANCE DIRECTOR

(3) SELECTMAN

(4) BOARD OF SELECTMEN



(5) BOARD OF FINANCE

7/25/13

(6) LEGISLATIVE COUNCIL

**TOWN OF NEWTOWN
 APPROPRIATION (BUDGET) TRANSFER REQUEST**

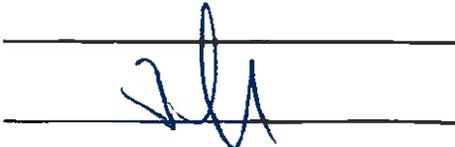
FISCAL YEAR 2013 - 2014 **DEPARTMENT** Finance **DATE** 7/1/13

	<u>Account</u>	<u>Amount</u>	
FROM:	1-101-20-570-5899-0000CONTINGENCY	(38,670.00)	USE NEGATIVE AMOUNT
	.		
	.		
	.		
	.		
	.		
TO:	1-101-13-500-5110-0000SALARIES & WAGES - FULL TIME	32,881.00	USE POSITIVE AMOUNT
	1-101-13-515-5110-0000SALARIES & WAGES - FULL TIME	3,041.00	
	1-101-13-500-5220-0000SOCIAL SECURITY CONTRIBUTIONS	2,515.00	
	1-101-13-515-5220-0000SOCIAL SECURITY CONTRIBUTIONS	233.00	
	.		

REASON:

PUBLIC WORKS UNION 2013-14 CONTRACTUAL WAGE INCREASE. SEE ATTACHED.

AUTHORIZATION: _____ date: _____

- (1) DEPARTMENT HEAD _____
- (2) FINANCE DIRECTOR  _____ date: 6/20/13
- (3) SELECTMAN _____
- (4) BOARD OF SELECTMEN _____
- (5) BOARD OF FINANCE  _____ date: 7/25/13
- (6) LEGISLATIVE COUNCIL _____

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) 270-4246
FAX (203) 270-4205
Email carola.ross@newtown-ct.gov



Carole M. Ross
Human Resources Administrator

TOWN OF NEWTOWN
OFFICE OF HUMAN RESOURCES

**SUMMARY OF NEGOTIATIONS
TOWN HALL UNION
PUBLIC WORKS UNION
APRIL 2013**

Note: Both of these contracts are extensions with exceptions to wages and medical

Town Hall Union Wages as of July 1st, 2013 1.90%
 Wages as of July 1st, 2014 1.75%

 Medical cost share
 Current 9%

 Jan 1st, 2014 10%
 Jan 1st, 2015 10%

Language Change:

ARTICLE 8 - OVERTIME

Section 8.01 Rate

Time and one-half times the applicable hourly rate shall be paid for all paid time in excess of eight (8) hours per day or forty (40) hours per week.

Discussion: This allows for Town Hall Union members employed in Public Works and Parks & Recreation to take paid time off during weather related events for long work hours consistent with the Public Works Union employees and to receive overtime for doing so.

Public Works Union Wages as of July 1st, 2013 1.90%
 Wages as of July 1st, 2014 1.75%

 Medical cost share
 Current 8%

 July 1st, 2013 9%
 July 1st, 2014 9%

+\$33,800

Dispatch/Clerical Union is pending

Overall additional contribution to medical self insurance fund = \$9,000 over 1 year

3 PRIMROSE STREET, MUNICIPAL BLD
 NEWTOWN, CONNECTICUT 06470
 TEL. (203) 270-4221
 www.newtown-ct.gov



ROBERT G. TAIT
 FINANCE DIRECTOR

**TOWN OF NEWTOWN
 OFFICE OF THE FINANCE DIRECTOR**

YEAR END RE-APPROPRIATION REQUESTS (carrying forward 2012-13 appropriations to 2013-14)
JULY 01, 2013

PUBLIC WORKS

Account 01500-4064 Contractual Overlays. Request \$107,131 carried forward to account
 1-102-13-500-5505 Contractual Services. For scheduled project – Paving Horseshoe Ridge Road.

Account 01500-5081 Capital Road Improvement. Request \$200,000 carried forward to account
 1-102-13-500-5735 Road Improvements. For scheduled project – Eden Hill Road.

Account 01515-5080 Capital. Request \$10,297 carried forward to account 1-102-13-515-5749 Capital.
 For Recycling bins – regarding single stream recycling.

Account 09500-5080 Capital (prior yr acct). Request \$25,600 carried forward to account 1-102-13-500-5749
 Capital. For work order system.

FAIRFIELD HILLS AUTHORITY

Account 01870-2026 Misc. Expenses Request \$1,000 carried forward to account 1-102-11-870-5800 Other
 Expenses.

Account 01870-3051 Repairs & Maint. Request \$2,400 carried forward to account 1-102-11-870-5430
 Repair & Maintenance.

Account 01870-4060 Contractual Services Request \$10,800 carried forward to account 1-102-11-870-5301
 Fees & Professional Services.
 "For campus improvements"

Account 09870-3051 Repairs & Maint.(prior yr acct) Request \$18,000 carried forward to account
 1-102-11-870-5430 Repairs & Maintenance.
 "For Police Sub-station improvements"

Account 09870-4060 Contract Svs. (prior yr acct) Request \$20,000 carried forward to account
 1-102-11-870-5301 Fees & Professional Services.
 "For Brownfield grant match (\$20,000)."

SUSTAINABLE ENERGY COMMISSION

Account 01755-0000 Allocations. Request \$5,000 carried forward to account 1-102-11-755-5800 Other Expenditures.

Account 09755-0000 Allocations(prior yr acct). Request \$4,135.07 carried forward to account 1-102-11-755-5800 Other Expenditures.

"For energy savings activities."

ECONOMIC & COMMUNITY DEVELOPMENT

Account 01740-4060 Contractual Services. Request \$8,300 carried forward to account 1-102-11-740-5300 Fees & Professional Services.

"10% match required by the Regional Brownfield's Partnership."