

Board of Selectman  
December 19, 2011

THESE MINUTES ARE SUBJECT TO APPROVAL BY BOARD OF SELECTMEN

The Board of Selectmen held a regular meeting Monday, December 19, 2011 in the Council Chamber of the Municipal Center, 3 Primrose Street, Newtown. First Selectman Llodra called the meeting to order at 7:37pm.

**PRESENT:** First Selectman Llodra, Selectman William F.L. Rodgers, Selectman James Gaston, Sr.

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

**VOTER PARTICIPATION:** none.

**ACCEPTANCE OF THE MINUTES:** Selectman Rodgers moved to accept the minutes of the regular meeting of December 5, 2011. Selectman Gaston seconded. All in favor.

**COMMUNICATIONS:** The following memorandums were submitted: From Planning & Zoning to the Board of Selectman relative to the Fairfield Hills Master Plan Review Committee (Att. A) and from George Benson, Director of Planning and Land Use relative to procedures for Fairfield Hills Development Proposals (Att. B) Selectman Rodgers noted there needs to be preliminary vetting of leasing intentions.

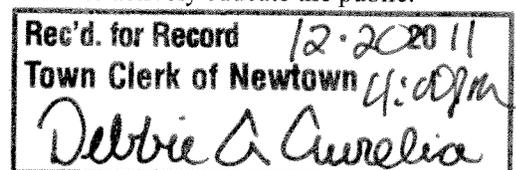
**ADD TO AGENDA:** Selectman Rodgers moved to add to the agenda, as item #8, for discussion, the sidewalk plan proposal. Selectman Gaston seconded. All in favor.

**FINANCE DIRECTOR REPORT:** Mr. Tait handed out the financial statements for the Town of Newtown for the year ended June 30, 2011. This statement can be viewed at [www.newtown-ct.gov](http://www.newtown-ct.gov) by going under Town Departments, clicking on Finance and going under the link labeled *Newtown 2010 CAFR*. Mr. Tait highlighted three areas (Att. C)

**UNFINISHED BUSINESS:**

**Discussion and possible action:**

- 1. Implementation Plan – Plan of Conservation and Development:** item to be carried.
- 2. Tick Borne Disease Action Committee – next steps:** First Selectman Llodra reported on a letter from the CT Dept. of Energy & Environmental Protection (DEEP) saying that she had asked for help in developing a comprehensive plan to reduce the Newtown deer population to 10-12 deer per square mile (the targeted deer population to have a significant effect on the incidence of tick borne disease). The response states that the DEEP has just initiated a similar project with the town of Redding to prepare a comprehensive deer management plan. This project involves conducting a town-wide survey to assess resident's opinions and perceptions about deer and deer management and support for various management strategies. It also involves surveying hunters to assess hunter effort, success and distribution throughout town. The third of the focal points is to collect data on deer population including harvest and vehicle strikes collected over the past 10 years and then finally to determine something through landscape patterns and the distribution of open space within the town. Three options being offered for consideration are action can be deferred, at our request, until the Town of New Canaan is complete as a test of the template approach or they can work with representatives from Newtown to develop a plan at the same time a plan is being developed for New Canaan. A regional plan with Monroe and Bethel is another option. Dr. McLeod, of the Tick Borne Disease Action Committee, was asked to share the letter with the Tick Borne Committee for feedback. First Selectman Llodra favors the idea of having DEEP work with Newtown at the same time as working with New Canaan. Selectman Gaston likes the idea of working with the state and favors the parallel plan or the regional plan. He read through the entire report with attachments and mentioned the cost of some ideas in the report. Dr. McLeod said it is not going to be cheap to solve all the problems addressed in the report; the committee was told not to look at expense but to explore all the different options. First Selectman Llodra said that the education component is very separate from what DEEP plans. Mr. Shugarts, 19 Wendover Road, Newtown said that DEEP is now doing exactly what the letter states in the town of Redding. There was further discussion on what can be done to actively educate the public.



Dr. McLeod said that the BLAST program is the most effective personal protection and suggested slogans of the month, inserts from the penny saver or in tax mailings and Board of Education involvement. First Selectman asked to have someone on the committee come back with an actionable education plan. Selectman Gaston there has to be a baseline relative to the number of deer and the means to which control them including the costs. Selectman Rodgers stated the process has failed in divorcing the deer issue from the overall tick issue. Selectman Rodgers favors the parallel plan and the regional plan. First Selectman Llodra said she believes we need to develop an educational model that will help persuade people to adopt the right behaviors to protect themselves at the same time we start to explore with the State of CT and with any other agency that is willing to help us, the bigger picture. Mr. Shugarts and Dr. McLeod spoke about varying reports from Kirby Stafford; Mr. Shugarts agrees time could be devoted to improving education and prevention. Dr. McLeod said that Dr. Richard Ostfeld makes a clear case that tick numbers are sometimes strongly related to deer numbers, sometimes weakly and sometimes not at all. Selectman Gaston suggested continuing with education and DEEP and then, once all information is received, we can listen to the arguments between the minority and majority positions. Selectman Rodgers stated it would be helpful to know which committee members would be willing to be a part of a committee that can deal with putting the deer problem on the back burner until we get buy in on more easily agreed upon points, such as education.

#### **NEW BUSINESS:**

##### **Discussion and possible action:**

1. **Appointments/Reappointments:** Selectman Rodgers moved the seventeen re-appointments of December 19, 2011 as noted in attachment D. Selectman Gaston seconded. All in favor. Selectman Gaston moved the appointment of Sharon Cohen to the Cultural Arts Commission to fill a vacancy to expire on 1/6/13 and the appointment of Martin Gertsen to the Economic Development Commission to fill a vacancy to expire 1/6/14. Selectman Rodgers seconded. Selectman Rodgers moved the appointment of Gary Fillion to the Lake Zoar Authority to fill a vacancy to expire 1/6/13 and the appointment of Joseph Borst to the Public Building & Site Commission to fill a vacancy to expire 1/6/13. Selectman Gaston seconded. All in favor. First Selectman Llodra thanked Mr. Gersten for continuing to serve and is pleased that Mr. Borst is finding another way to serve the community also.
2. **Driveway Bond Release/Extension:** Selectman Rodgers moved the release of four driveway bonds as noted in Attachment E. Selectman Gaston seconded. All in favor.
3. **Tax Refunds:** Selectman Rodgers moved the December Tax Refunds, No. 8 in the amount of \$6,968.03. Selectman Gaston seconded. All in favor. Selectman Rodgers said that these are administrative recommendations and the amounts are generally small, he goes on record that he does not feel it is necessary to recuse himself; he can act fairly. First Selectman Llodra acknowledged that it is a good idea for Selectmen Rodgers and Gaston to scan each list, just in case there is personal connection they may have as attorneys.
4. **Policy & Procedure: Impounded Animal Euthanasia:** (Att. F) First Selectman Llodra said this will be a policy and not part of an ordinance. Selectman Rodgers stressed that creating a policy does not mean the Board of Selectman supports euthanasia. First Selectman Llodra said that the absence of policy leaves the staff vulnerable; we want a clear policy that directs the process but identifies who the people are that will make the decision. This will be acted on at a future meeting prior to the opening of the Animal Control Facility.
5. **Transfer:** Selectman Rodgers moved the \$41,933 transfer from 01550-1002 Administration to 01550-1004 Park Maintainer Salary. Selectman Gaston seconded. All in favor.
6. **Trustee Certification of Investment Powers (Employee Pension Plan):** Selectman Rodgers moved the resolution: RESOLVED that on December 1, 2011, Mr. William F. Furrier was removed as Trustee under the Town of Newtown Employee Pension Plan in accordance with said document. Mr. James O. Gaston, Sr. will be named as Trustee in his place. Mrs. E. Patricia Llodra, and Mr. William F.L. Rodgers will continue as Trustee of the Plan. The Plan and Trust is to continue in full force and effect. Selectman Gaston seconded. All in favor.
7. **RFP – Health Care Provider: update on Employee Medical Benefits Plan:** Mr. Tait shared information on the RFP for the Medical Plan Administrator (Att. G).
8. **Sidewalk Plan Proposal:** First Selectman Llodra went over the development of the Newtown Sidewalk Plan (Att. G). This plan was shared with Planning & Zoning as part of the grant proposal, but not acted on. The overall goal of the sidewalk plan is to connect all the schools, parks and Fairfield Hills, creating a big rectangle

Board of Selectman  
December 19, 2011

that circles the center of town and connects up Wasserman Way to Fairfield Hills. Selectman Gaston said sidewalks are key and they are not just for students.

**VOTER COMMENTS:** **Joe Borst, 10 Beechwood Drive** hopes there will be instruction for the proper disposal of animals if they are euthanized.

**David Shugarts, 19 Wendover Road** voiced concern over the euthanasia policy saying that most municipally run pounds have a euthanasia policy that proceeds on the basis that you can't keep the animals indefinitely. He said the shelter will be for some dogs and a few cats but as time goes on it will get fuller and fuller and the town will sustain these animals. First Selectman Llodra clarified that this is not a shelter; it is an animal control facility. We have a very successful adoption program and connections with a number of rescue organizations.

**Michele McLeod, 22 Still Hill Road** said that the Stamford Animal Control Center has a no kill shelter. There are active policies in place to get animals adopted; there are people who take sick animals and animals with problems. She supports and appreciates the openness about the policy plan.

**ANNOUNCEMENTS:** none.

**ADJOURNMENT:** Having no further business the Board of Selectmen adjourned their regular meeting at 9:25pm.

Respectfully submitted,

  
Susan Marcinek, Clerk

- Att. A: 12/19/11 memo from P&Z to BOS re: FHMPRC report
- Att. B: 09/30/11 memo from G. Benson to P. Llodra re: procedures for FFH development proposals
- Att. C: notes on the financial statements for the TON, year ending June 30, 2011
- Att. D: 12/19/11 BOS Re-Appointments
- Att. E: 12/19/11 BOS Driveway Bond Releases
- Att. F: Policy & Procedure, Impounded Animal Euthanasia
- Att. G: RFP – Medical Plan Administrator
- Att. H: 12/15/11 memo re: sidewalk plan proposal

3 PRIMROSE STREET  
NEWTOWN, CT 06470  
TEL. (203) 270-4276  
FAX (203) 270-4278  
Email [www.newtown-ct.gov](http://www.newtown-ct.gov)



**TOWN OF NEWTOWN**  
PLANNING & ZONING COMMISSION

MEMORANDUM

December 19, 2011

TO: Board of Selectmen

Cc: Chairman, Fairfield Hills Master Plan Review Committee  
Chairman, Fairfield Hills Authority

FROM: Planning and Zoning Commission *Lilla P Dean*

RE: Report Written by the Fairfield Hills Master Plan Review Committee

The Commission has reviewed the report. It is thorough and obviously reveals an enormous amount of hard work. The process for gathering the information was exhaustive and lengthy. We feel that certain areas may require further clarification as we move along.

We thank the Fairfield Hills Master Plan Review Committee for this really professional effort.

We will be forming a working subcommittee to review various aspects of the Review Committee's report. It is our plan to start with the designation of certain areas for open space.

3 Primrose Street  
Newtown, CT 06470  
Tel. (203) 270-4276  
Fax (203) 270-4278



George Benson, Director  
Planning and Land Use

## **TOWN OF NEWTOWN**

### **Land Use Agency**

#### MEMORANDUM

September 30, 2011

To: Pat Llodra, First Selectman

From: George Benson, Director, Planning and Land Use

Re: Procedures for Fairfield Hills Development Proposals

At the conclusion of the meeting on September 28, 2011, it was determined that a procedure should be established for developers to submit proposals for projects at Fairfield Hills Campus. The following is a draft proposal of these procedures. An initial project review team will include the Director of Planning and Land Use and the Director of Economic and Community Development.

1. Step 1 – Developer or agent contacts the review team to discuss and introduce the initial project and schedules meetings with the team to develop a conceptual plan that is in compliance with the Newtown Zoning Regulations and consistent with the Fairfield Hills Master Plan.
2. Step 2 – Once the project receives a positive referral from the review team, a site plan will be referred to the Fairfield Hills Authority (FHA). The site plan will include the building, setbacks, and parking. If the project receives a positive referral from the FHA it will be contingent upon Planning and Zoning Commission (P&Z) approval and negotiation of the lease.
3. Step 3 – After the conditional acceptance the FHA will refer the site plan to the P&Z and if required the Inland Wetlands Commission (IWC). For new building construction, the developer will have to submit an application to the P&Z for a Site Development Plan or Special Exception, if the project is located in the Aquifer Protection District. If the development is a re-use of an existing building the developer has to submit a site plan to P&Z for the approval of parking, lighting, storm water drainage and landscaping plans. All project applications must comply with Newtown Zoning Regulations.
4. Step 4 – After P&Z approvals the final site plan will be re-submitted to the FHA for lease negotiations.
5. Step 5 – Once lease has been negotiated the FHA will refer the project to the Board of Selectman for public hearing and final approval.

QUICKLY:

PAGE 31      IN ACTUAL COLUMN (AT BOTTOM)...FUND BALANCE DECREASED BY 494,000  
WE BUDGETED TO USE \$1,000,000 IN FUND BALANCE  
UNASSIGNED FUND BALANCE = \$7,408,816 (7.1%)

PAGE 36      CHANGE IN PENSION TRUST FUND ASSETS = +\$3,941,875  
2010 = +2,066,850; 2009 = (-2,742,275)

PAGE 87      MEDICAL SELF INSURANCE FUND BALANCE = \$1,757,067  
10% OF CLAIMS IS ROUGHLY 1,000,000

**BOARD OF SELECTMEN – Dec. 19, 2011 Meeting****RE-APPOINTMENTS****Constable**

(R) Louis Jay Mattegat, 1 Sealund Drive	01/06/12 – 01/06/14
(D) Robert Connor, 80 Main Street	01/06/12 – 01/06/14
(R) Thomas Catalina, 59 Butterfield Road	01/06/12 – 01/06/14

**Conservation**

(U) Adria Henderson, 12 Arlyn Ridge Road	12/31/11 -12/31/15
(R) Mary Gaudet-Wilson, 12 Whippoorwill Road	12/31/11 -12/31/15

**Parks & Recreation**

(D) Jan Brookes, 38 Hundred Acres Road	01/06/12 – 01/06/14
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**Inland Wetlands**

(D) Anne Peters, 20 Erin Lane	01/06/12 – 01/06/16
(D) Mary Curran, 41 Cold Spring Road	01/06/12 – 01/06/16

**Design Advisory Board**

(D) Don Strait, 150 Head of Meadow Road	11/01/11 – 11/01/13
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**Board of Ethics**

(D) Addie Sandler, 4 Horizon Lane, SH	01/06/12 – 01/06/16
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**Commission on Aging**

(D) Thomas Dwyer, Jr., 8 Obtuse Road	01/06/12 – 01/06/15
(R) Karin Aurelia, P.O. Box 433	01/06/12 – 01/06/15

**Economic Development Commission**

(D) Thomas Murtha, 102 Boggs Hill Road	01/06/12 – 01/06/15
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**Pension Committee**

(D) Thomas Murtha, 102 Boggs Hill Road	01/06/12 – 01/06/14
(D) Francis A. Krasowski, Jr., 3 Cherry Heights Terrace, SH	01/06/12 – 01/06/14
(R) Dunham H. Smith, 31 High Rock Road, SH	01/06/12 – 01/06/14
(D) Mark Korotash, 18 Shepard Hill Rd.	01/06/12 – 01/06/14

**BOARD OF SELECTMAN MEETING – Dec. 19 2011**

**DRIVEWAY BOND RELEASE**

Michael & Laura Brennan, Fallen Leaf Lane, M19, B6, L1.2	\$1,000 posted: 11/29/10
David French & Sons Bldg., Fallen Leaf Lane, M19, B6, L1	\$1,000 posted: 07/05/11
Richard Gracy, 76 Jeremiah Road, M51, B2, L4	\$1,000 posted: 07/20/11
Rooster Ridge Assoc., LLC, Rooster Ridge Rd., M7, B3, L2A	\$1,000 posted: 08/21/08

## POLICY AND PROCEDURE

### IMPOUNDED ANIMAL EUTHANASIA

#### **I. PURPOSE:**

The Newtown Animal Control Facility is a place of safety for potentially adoptable animals. Therefore this policy is a guideline for all personnel when considering the well being and fate of animals impounded at the Newtown Animal Control Facility.

#### **II. POLICY:**

It is the belief of the Newtown community, supported by town government and the animal control program of the Town of Newtown that euthanizing any animal impounded in the Newtown Animal Control Facility should be avoided unless circumstances dictate euthanasia is the only reasonable course to pursue. Euthanasia will not be considered as a control for over-population at the Newtown Animal Control Facility.

#### **III. PROCEDURES:**

Newtown Animal Control personnel have the responsibility to the Town of Newtown to proceed with practices that will limit the danger and threat to the human and animal populations.

General Statement- No one person shall be empowered to make the decision to euthanize any animal under impound at the Newtown Animal Control Facility. The euthanizing of an animal will be determined through consultation involving three or more key persons, including a licensed veterinarian, the First selectman, the Chief of Police, the MACO and an ACO. The consultative group must evaluate the situation and agree that euthanasia is the right course of action before any such action may occur.

A. Medically Non-Sustainable- In the case of a diseased or injured animal for which no restorative action is reasonably available, a licensed veterinarian will make the recommendation to euthanize to the MACO who in turn will consult with the ACO. Only when those persons mutually agree on the euthanizing action, may the veterinarian proceed with a euthanasia procedure.

Euthanasia shall not be considered for any animal which is relatively healthy and which can be reasonably accommodated at the Animal Control Facility. Every effort must be put forth to locate appropriate homes for all animals housed at the Facility. These efforts must be fully documented and become part of each animal's investigative file.

B. Behaviorally Non-Sustainable- The euthanizing of any animal for aggressive behavior that has led to body harm to humans or other animals cannot occur

unless the following conditions are met and documented in the investigative file of the animal:

1. Has every possible and reasonable effort been implemented to locate the owner of the animal in question?
2. Has every possible and reasonable effort been undertaken to find an appropriate home for the animal?
3. Is there a rescue shelter or a rescue group available to take custody of the animal?
4. Are there arrangements that can be made to temporarily house the animal in an alternate location?
5. Has the animal been professionally evaluated by an independent animal trainer to determine the suitability for a behavior modification program? If yes to the above question- has a suitable program been implemented without success?
6. Has a licensed veterinarian tested the animal for known health disorders associated with aggressive behavior? If yes to the above question, has the animal undergone all available treatment?

A licensed veterinarian may proceed with a euthanasia procedure only after the MACO, ACO, licensed veterinarian and the Chief of Police or other government official all agree the only course of action is euthanasia after discussion and deliberation of the investigative file for behaviorally non-sustainable animals.\*

- A checklist with signatures and comments for items 1-6 above is maintained with the file of each animal euthanized under this Behaviorally Non-Sustainable category.

MACO – Municipal Animal Control Officer  
ACO – Animal Control Officer

December 8, 2011

**MEDICAL PLAN ADMINISTRATOR – RFP\*\* TIME TABLE:**

- 12/7-RFP Sent to Vendors
- 12/7-12/30 Email Q&A from Vendors to LRI
- 12/15- Conference Call for All Participating Vendors \*\*\*
- 1/6/12 –RFP due date
- 1/18/12- (or thereabouts) LRI Finding presented
- 1/18/12- (or thereabouts) Finalists Identified
- 1/18/12- (or thereabouts)-1/27 further negotiations with finalists
- 1/30/12- (or thereabouts)-finalist presentations—if necessary
- 2/3/12- (or thereabouts)-Vendor Identified
- 2/3/12-3/19/12-Union Communication/Deliberations-if necessary (The longest period allowed for review with the Town and BOE unions is 45 days).

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Employee Medical Benefits Board moved to authorize a request for proposal (RFP) for administrative services only at their November 14<sup>th</sup> meeting.

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Anthem  
 Aetna  
 Cigna  
 Connecticare  
 United/Oxford

<u>2011 - 2012</u>		
<u>ADMIN</u>		
	<u>BOE</u>	<u>TOWN</u>
Jul-11	47,011	17,684
Aug-11	46,456	17,770
Sep-11	47,407	17,431
Oct-11	48,200	17,937
Nov-11	47,328	17,770
Dec-11	47,804	17,517
PROJECTED ANNUAL AMOUNT	568,410	212,218
	<u>780,627</u>	

Joseph D. Spurgeon  
 Lindberg & Ripple, Inc.  
 100 Northfield Drive, 3rd Floor  
 Windsor, CT 06095



**Lindberg & Ripple**  
Deeper Insights. Better Solutions.™

100 Northfield Drive  
Third Floor  
Windsor, CT 06095  
P: (860) 731-5566  
F: (860) 731-5563

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**REQUEST FOR PROPOSAL**

NEWTOWN: TOWN AND BOARD OF EDUCATION

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Enclosed is our RFP for Newtown's Group Medical, Prescription and Dental coverages. The emphasis is on financial competitiveness, plan design flexibility, and service including wellness initiatives.

Our goal is to maintain a benefit package that complies with the collectively-bargained plan designs, provides ease of access to providers, and is cost effective. The initial focus will be on cost structure, network depth and service capacity. Key planning parameters:

- Competitive pricing and funding arrangements;
- Quality administrative and claim processing services;
- All plan designs must be duplicated and you must provide a list of plan design deviations and your equal to or better than alternative:
- Network breadth and depth;
- Company and Network stability; and,
- Predictability of future cost adjustments, including stop loss premium and administrative fee guarantees.
- Innovative approach to health care management

We are requesting an ASO, and Fully Insured proposals. We also welcome alternative funding arrangements at your discretion (minimum premium, participating fully insured plans). While we are interested in total package replacement proposals, you are welcome to quote plans on a standalone basis. If applicable, please indicate and value any plan integration credits.

See RFP Specifications at the end of this document for important information regarding the format of your proposal and the timeline for this process.

3 Primrose Street  
Newtown, CT 06470  
Tel. (203) 270-4276  
Fax (203) 270-4278



George Benson, Director  
Planning and Land Use

## TOWN OF NEWTOWN

### Land Use Agency

#### MEMORANDUM

December 15, 2011

To: Elizabeth Stocker, Director Economic and Community Development

From: George Benson, Director, Planning and Land Use

Cost estimates for implementation of Town Sidewalk Plan:

1. Church Hill Road, Route 84 to Dayton Street, both sides of road, Length = 3,000 feet x \$75.00/foot = **\$225,000.**
2. Mile Hill Road to Queen Street up Wasserman Way to Trades Lane, Length = 2,500 feet x \$75.00/foot = **\$188,000.**
3. Glover Avenue to Mile Hill at Walgreens, Route 25, Length = 3,500 feet x \$75.00 = **\$263,000.**
4. Route 34, Washington/Berkshire from Sandy Hook to High School, Length = 5,000 feet x \$75.00 = **\$375,000.**
5. Wasserman Way from Trades Lane to High School, Length = 6,500 feet x \$75.00 = **\$488,000.**
6. Church Hill Road St. Rose School to Route 84, Length = 1,800 feet x \$75.00 = **\$135,000.**

Contingency of 20% should be added on to the final estimate for the Grant