

Board of Selectman  
February 6, 2012

THESE MINUTES ARE SUBJECT TO APPROVAL BY BOARD OF SELECTMEN

The Board of Selectmen held a regular meeting Monday, February 6, 2012 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 James Gaston, Sr.

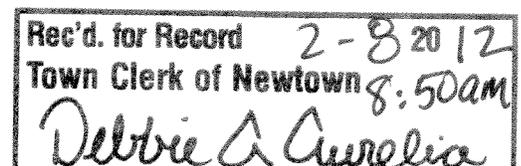
**ALSO PRESENT:** Finance Director Robert Tait, twenty members of the public and two members of the press.

**VOTER PARTICIPATION:** **Rose West, 50 Elizabeth Circle** said she would like to see a new senior center in her life time that has enough room for exercise class. They pay their taxes and would like something more in return. **Nicholas Piperis, 72 Elizabeth Circle** said fourteen years ago the senior center was empty but now it is more crowded each year. He would appreciate more time to explain the problems. First Selectman Llodra said she is very familiar with the issues and is aware the senior population is growing. There is no immediate solution; it has to be part of the space needs plan and suggested inviting the director to a meeting. **Dr. Marjorie Cramer, 38 Huntingtown Road** shared information on a group of Newtown voters who have organized to develop a scientific and safety discovery to address deer management strategies (Att. A). **Mary Wilson, 12 Whippoorwill Road** read a statement on the deer reduction issue (Att. B)

**ACCEPTANCE OF THE MINUTES:** Selectman Rodgers moved the acceptance of the minutes of January 19, 2012. Selectman Gaston seconded. All in favor. Selectman Rodgers moved the amended minutes of January 23, 2012. Selectman Gaston seconded. All in favor.

**COMMUNICATIONS:** Mr. Rodgers reported he met with Laurie McCollum who is responsible for many of the improvements to the veteran's displays at the Edmond Town Hall. She would like to create a similar display in the Municipal Center in terms of the honor roll of participants and updates. A possible goal is Veterans Day of 2012 or some time in 2013. First Selectman Llodra stated the grant application for sidewalk development has been identified as a number two priority by both HVCEO and the State DOT with a very high probability it will be funded. The section identified by HVCEO is the section from Glover Ave. to Walgreens. If the Safe Routes to School grant is also secured the section would be from Queen Street, from Glover Ave. to Wasserman. A letter to Chief White and Chief Farrell was shared with the board (Att. C). Progress is being made on the land lease for the ambulance; this will come through the Fairfield Hills Authority. Atty. Grogins represents Newtown and Atty. Pennarola represents the ambulance association. A non-emergency code red was made to remind people to make sure the batteries are active in smoke alarms in their homes. This was spurred into action by the tragic fire in Stamford. There was positive feedback to the call. First Selectman Llodra responded to John Reed regarding putting fencing around campus buildings that are unable to be demolished in a timely fashion by saying once the fencing is no longer needed at the site of Litchfield House/Yale Laboratory it can be used at the site of another building.

**FINANCE DIRECTOR REPORT:** Next week we will be selling \$11.8million bonds which relate to CIP projects and also refunding \$15+million in bonds. Mr. Tait, First Selectman Llodra and Economic Development Director called into both Moody's and Standard & Poors rating agencies (Att. D). The feeling is that the meetings went very well. The decision on rating will be known on Thursday.



## **UNFINISHED BUSINESS:**

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

- 1. Implementation Plan – Plan of Conservation and Development:** The Board of Selectman would like to help the community and Planning & Zoning with more effectively decision making so the plan isn't put on a shelf until it is updated again years down the road. This plan should be in place by December 2012. Planning & Zoning will hold hearings on the POCD on March 1. Selectman Rodgers said the Board of Selectman does not intend to insinuate themselves in the implementation of the formulation of the POCD. First Selectman Llodra noted that once the document is drafted the final step is a presentation to the Legislative Council. The Board of Selectman has a real interest in the plan; there should be a better connection between the Plan and the CIP and the annual budget, they should inform each other.
- 2. Tick Borne Disease Action Committee – next steps:** The letter from DEEP was discussed (Att. E). A DEEP plan to the town of Redding includes assessing hunter activity, assessing the opinions of residents, developing a deer population model and assessing land open for deer management and ultimately developing a deer management plan for Redding. This aligns well with what they said in letter to Newtown. Do we want to engage DEEP, with the limited role they play, or not? Selectman Rodgers agrees DEEP verbiage does not indicate a predisposition to hunting. He does not have a problem availing ourselves of DEEP's efforts; it's free research. Selectman Gaston agrees there are multiple points of view. More information is helpful; it gives assistance in helping to make an educated decision. Mr. Gaston would like to hear from DEEP. First Selectman Llodra noted that the information itself will not decide an action. **Dr. Michele McLeod, Still Hill Road** requested the town wait for the DEEP to complete the Redding model. She is concerned that the controlled hunting proposed in areas similar to Newtown has not been able to reduce the deer. She stated concern about the survey. First Selectman Llodra has confidence our community will be able to respond to the survey. DEEP will not propose a model without data on the community and town. Selectman Rodgers likes the idea of DEEP coming to a meeting to speak to their methodology and addressing the idea that they are hunt biased. He sees advantages to having study done simultaneously with New Canaan as well as waiting for the Redding plan but noted any action is premature prior to having DEEP at a meeting. Mr. Gaston agrees in working simultaneously with New Canaan; there are no predispositions at this point, getting the information faster that better fits to Newtown can be weighed and decided upon. He would like for DEEP to come to a meeting. **Dr. Marjorie Cramer** stated DEEP is not a scientific organization. **Mary Wilson** stated she made an error in her opening statement relative to the Board of Selectman discussing options under which they would request the DEEP to offer assistance in a deer reduction program. This should have state "a deer management program". She asked that the board proceed slowly and cautiously. Selectman Rogers moved to direct the First Selectman to invite a DEEP representative to speak with the board and to hold on further action until such a presentation. Selectman Gaston seconded. All in favor.
- 3. Policy & Procedure: Impounded Animal Euthanasia:** The Selectmen have received emails from residents; each writer has suggestions for additional action within the policy. The topic will continue to be spoken about. One of the most interesting suggestions is to rename the policy the Animal Welfare Policy. Selectman Rodgers agrees the name should be changed and suggested adding a final sentence onto section II Policy that reads "this formalization of procedures is not intended to signal any policy change on this topic; instead the goal is to reaffirm and strengthen the policy by providing written procedures by which the town and the citizens may rely."
- 4. Hook & Ladder Update:** First Selectman Llodra stated the 1999 space needs study by Kaestle Boos identified H&L as a structure that should not continue to be used. We have to remember this is a volunteer organization with a critical role in public safety with over \$2 million of equipment and men

using this building. The town has committed \$1.5 million over a period of three years for the purpose of establishing a new H&L building. H&L presented to the Board of Finance, their capacity for funding is \$650,000. The Edmond Town Hall location will likely cost an additional \$500,000 for site work. If that were taken from the town commitment there would not be enough to build the fire house. If the ETH location is not the right location there has to be money for another option; whichever way it is approached we are looking at a commitment of resources beyond the \$1.5 million. H&L will do more due diligence in terms of numbers and possibilities and will return to the Board of Selectmen. Questions include what location best serves the purposes, what are the options for locations and what are the relative costs for those options.

**VOTER COMMENTS:** Rose West asked about using the Police Department for the fire house. First Selectman Llodra stated there is a long range hope a new police facility will be developed but it is still too far out.

**NEW BUSINESS:**

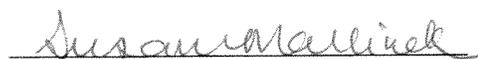
**Discussion and possible action:**

- 1. Appointments/Reappointments:** Selectman Rodgers moved the re-appointment of Desiree Galassi (U) to the Sustainable Energy Commission for a term to expire 1/6/15 and the re-appointment of Frank DeLucia (R) as a Constable for a term to end 1/6/14. Selectman Gaston seconded. All in favor. First Selectman Llodra announced two open positions on the Cultural Arts Commission; the last day for letters of interest is March 5 with an appointment date of March 19.
- 2. Driveway Bond Extension:** Selectman Rodgers moved the six month driveway bond extension for Louis R. Segneri, Alpine Circle, M42, B20, L138. Selectman Gaston seconded. All in favor.
- 3. Road Work Acceptance, Road & Drainage Work Agreement:**  
**Hundred Acres Rd. & Dug Hill Rd., "Foxview Farm Estates" Subdivision:** no action taken.
- 4. Road Acceptance, Holmes Farm Rd., "Foxview Farm Estates" Subdivision:** no action taken.
- 5. Tax Refunds:** Selectman Rodgers moved the February 2012 Tax Refunds, refund No. 10, 2011-2012 in the amount of \$8,576.17. Selectman Gaston seconded. All in favor.
- 6. Transfer: \$45,000 from Contingency to F/F Incentive Plan:** no action taken.
- 7. Parks & Recreation Contract:** After Mr. Tait went over the impact of the contract, Mr. Rodgers moved the Board of Selectman authorize the First Selectman to sign the contract with the Parks & Recreation teamsters union. Selectman Gaston seconded. All in favor.

**ANNOUNCEMENTS:**

**ADJOURNMENT:** Having no further business the Board of Selectmen adjourned their regular meeting at 9:26pm.

Respectfully submitted,

  
Susan Marcinek, Clerk

- Att. A: Statement from Dr. Marjorie Cramer, Feb. 6, 2012
- Att. B: Statement from Mary Gaudet-Wilson, Feb. 6, 2012
- Att. C: Letter to Chief Farrell & Chief White, Jan. 26, 2012
- Att. D: Rating Agency Meeting notes, Feb. 2, 2012
- Att. E: DEEP letter, Dec. 12, 2011

February 6, 2012

Good evening Board of Selectman and Newtown Residents,

- We are here to address the deer management issue.
- A group of Newtown voters has organized to develop a scientific and safety discovery to address deer management strategies in Newtown.
- This group consists largely of people interested in preserving natural habitats, Newtown's wildlife and, more importantly, the safety of our residents.
- The goal of this campaign is to show that increasing recreational hunting on private and public land will neither reduce the incidence of tick borne disease, nor improve the health of our forests, and poses serious public safety concerns. We will do this by providing residents with scientific, analytical, and safety data to show that increasing recreational hunting is not the answer.
- Our communications campaign will include physical media, social networking, website presence, and internet based forums.
- It is our intent to work with the Board of Selectman to identify objectives pertaining to this issue and develop a strategy to ensure this issue is addressed fairly and properly.
- We welcome all other organizations to present their due diligence and recommendations to our community, though we do not expect to see confirmed data on long term deer reduction success in areas geographically comparable to Newtown.
- In the case of agencies that may be consulted by the town, we expect transparency regarding any revenue those organizations receive based on the number of hunting licenses issued and hunting-related equipment sales in Connecticut.
- We would like to thank you in advance for moving forward judiciously on this matter and we look forward to working with you.

## Statement to Board of Selectmen, February 6, 2012

### The Deer Reduction Issue

It is my understanding that the Board of Selectmen will be discussing the options under which they would request the DEEP to offer its assistance in a deer reduction program.

I can understand how asking the State for help may seem like an appropriate course of action. Tick borne diseases are a serious health problem in Newtown and a link between deer and ticks has been demonstrated. However, as the DEEP as well as TBDAC Report have pointed out, the deer population must be reduced significantly to have an effect on TBD's.

It is not clear to me what specific objective the Board of Selectmen had when it decided to ask for DEEP assistance. Was it reduction of TBD's or was it under Public Act 03-192 which allows a town to ask for help if it determines that deer are a severe nuisance?

While members of the TBDAC did recommend that the State be contacted for assistance, this was in the context of if and when the town had chosen lethal deer reduction for its preferred means of deer control. I don't recall that discussion and decision by the Board of Selectmen, so it seems that DEEP is being called in to control a nuisance.

My objection to pursuing this help from DEEP, is that it gives credibility to the idea that a significant reduction of deer can be attained through an enhanced program of recreational hunting in Newtown. Giving credibility to this idea only perpetuates that myth and gives false hope to those who would like easy answers to a very complex problem. This sets the stage for increased controversy among Newtown residents, the casual observers, who would see the DEEP as the agency who will come in and solve the problem, and those who know that there are reasons why this will not work.

Since Redding has already embarked on this process, it may be instructive to look at the Redding plan as developed by DEEP. I have asked several respected scientists to comment on the plan and here is what they have said:

- 1) Dr. Rick Ostfeld of the Carey Institute, Millbrook, N.Y.: "The Stella model [used in DEEP's report] was developed in the 1980's mostly for college students to learn how to create simulation models. Its use for developing explicit, numerical wildlife management objectives is highly questionable. I haven't seen a paper using Stella in leading journals in probably two decades."
- 2) He goes on to say, "The [DEEP] simulation seems to lack the industry standard of a "sensitivity analysis", [ie. when one factor changes how would that affect other factors.]

- 3) Dr. Anthony DeNicola, authority on deer population reduction: "There are no data that demonstrate that hunters can kill enough deer to reduce the population below 40 deer/square mile in suburban areas like Fairfield County. The theory is great in the Power Point presentation, but it cannot be accomplished with hunters using archery equipment; not even close. Bernards is the perfect example. Similar development pattern, high hunter access, and extensive use of shotguns (in addition to archery) over bait for 10 years and still 46 deer per square mile. State agencies do not want to accept this reality."

At the local level: Dr. Pat Boily, resource member of the TBDAC and professor of biology at Western Connecticut State University, has written you (letter dated January 11, 2012) to express his objections to the request for DEEP assistance. Dr. Boily stresses that this solution is not practical for Newtown and that this type of plan has not worked in Redding, as evidenced by the programs that they already have in place. He further suggests that the Redding plan, developed by DEEP, is based on a number of faulty assumptions, one being overly optimistic about the ability to consistently decrease the number of does year after year.

Also at the local level, the Conservation Commission has unanimously supported town open space parcels to remain as No Hunting zones. This is based on the size of our open space areas, individually being too small to have any impact on the deer population town wide. Additionally, if every deer on every open space parcel could be killed (very unlikely) it would represent only about 4% of Newtown's deer population. There are also issues of safety on town land which is currently being used for multi-recreational purposes.

In summary, there is much evidence to show that any recreational hunting program, enhanced or not, will not obtain the level of deer density needed to have any effect on TBD in Newtown. Dr. Boily said it best when he wrote, "It is a futile exercise, a waste of resources, and a massive distraction from implementing interventions that are likely to be effective."

It is the distraction factor (to cull or not) that I particularly see as an issue which will become more contentious as time goes on. Giving credibility to a plan which gives false hope to those who don't know all the facts has its inherent risks. It seems to me that steering the town towards solutions which are attainable and have some likelihood of success is a much better way to proceed. This is where town leadership can be crucial.

However, if the choice is made to request DEEP assistance, then I would urge the town to proceed slowly and cautiously, evaluating any plan on the basis of its scientific viability. Moving slowly also gives the general public a chance to understand the complexity of these issues and to be in a better position to support rational decisions.

Mary Gaudet-Wilson  
12 Whippoorwill Hill Road, Newtown

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E. Patricia Llodra  
First Selectman

**Att. C**

**TOWN OF NEWTOWN**  
**OFFICE OF THE FIRST SELECTMAN**

*January 26, 2012*

*Chief Joe Farrell, Hawleyville Fire Company  
34 Hawleyville Road  
Hawleyville, CT 06440*

*Chief Mark White, Dodgingtown Fire Company  
55 Dodgingtown Road  
Newtown, CT 06470*

*Dear Chief Farrell and Chief White:*

*Thank you very much for attending the Board of Selectmen budget deliberation session on Monday, January 23<sup>rd</sup>. And, thank you also for sharing your thoughts regarding the purchase of command vehicles for the Hawleyville and Dodgingtown Fire Departments. You represented your individual fire companies very well and expressed the need for a vehicle in a fair and balanced fashion. We are proud to recognize you as fire chiefs. You and the members of your fire companies serve our towns well and we are greatly appreciative of that service.*

*As you probably know, the issue of the command vehicles remains a bit undetermined at this point. The Selectmen unanimously voted to send the budget to the Board of Finance without adding money for the command vehicles but with the recommendation that such purchase be considered if the Town receives a positive result from the bond refunding and accrues other savings from the current fiscal year budget. So, the matter is undecided but still 'on the table'.*

*We will know more within a few weeks as we move through the budget process with the Board of Finance and Legislative Council. The bond refunding activity is scheduled for early February and some internal restructuring affecting current funds is coming to closure at about the same time.*

*The Board of Selectmen, in concert with the Board of Fire Commissioners, will do our best to meet your needs. We do not question the value of the services provided by our public safety volunteers – our struggle is about finding enough resources.*

*Thank you again for speaking with us.*

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*Pat Llodra, for the Board of Selectmen*

*C: Kevin Cragin, Chair Board of Fire Commissioners*

RATING AGENCY MEETING, FEBRUARY 2, 2012

2010 – 2011 Financial Statement Highlights

- P. 26 Unassigned fund balance (general fund):
  - Unassigned fund balance increased over prior year
- |         |             |
|---------|-------------|
| 2010-11 | \$7,408,816 |
| 2009-10 | \$6,903,051 |
- P.31 Budget & Actual:
  - Short fall in property taxes related to the prior year taxes. The actual tax collection rate was 99.1%.
  - Intergovernmental revenues did not have a shortfall (as it looks). An education grant had to be pulled out. This was offset by corresponding education expenditures that were pulled out. So the short fall in intergovernmental revenues were offset by the savings in educational expenditures.
  - Only half of the budgeted use of fund balance was used. This was the last year of the use of fund balance.
- P.32 Sewer / Water (enterprise fund):
  - Working capital = \$2,084,371
- P.32 Internal service fund:
  - First year of being self insured for medical. Ended up with a fund balance of \$1,936,013 (= 18% of total claims)
- P.35 Pension trust fund:
  - Pension assets:

<u>6/30/08</u>	<u>6/30/09</u>	<u>6/30/10</u>	<u>6/30/11</u>
25,394,477	22,652,202	24,719,052	28,660,927

- Town plan = 97.3% funded; Police plan = 89.0% funded.
- P. 3 Timely disclosure:
  - Date of report = November 10, 2011 (would have been October except for the storm). 06/30/2010 report = November 9, 2010.
- P.86 Capital nonrecurring fund balance = 1,663,838 (print ~ 824 k)

## **2011 – 2012 Budget Highlights**

- No budgeted use of fund balance.
- Grand list increased 0.7%
- Two referendums
- Revenues – See attached
  - Revenues are estimated to be short around \$125,000 (mainly due to prior year tax collections). This may change due to tax sales.
  - With new governor, state revenues have become predictable.
- Expenditures – See attached
  - Expenditures are estimated to have a favorable budget to actual balance of around \$580,000. This is mainly due to insurance savings, vacant positions and debt service savings due to refunding.
- Budget surplus is around \$450,000 of which a majority will be used to increase unassigned fund balance (some will be used for capital expenditures)
- \$225,000 budgeted to be transferred to capital nonrecurring fund.
- \$1,800,000 budgeted “pay as you go” capital expenditures.

## **2012-2013 Budget Highlights**

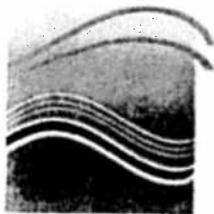
- Up to the Board of Selectmen proposed budget.
  - No use of fund balance
  - \$250,000 budgeted to be transferred to capital nonrecurring fund.
  - \$1,800,000 budgeted “pay as you go” capital expenditures.
  - Prior year tax budget amount reduced to estimated prior year actual.
  - Reasonable negotiated wage increases with increased employee cost share on medical benefit plan (see attached).
- Using a new budget book format. Gives a lot of detail and explanations on assumptions. Available on line in PDF format and with book marks is real easy to move through.
- Initial taxable grand list has increased 0.7%.

## **DEBT PLANNING**

- See attached.

## **POLICIES**

- New fund balance policy. Increases lower limit from 7% to 8% of total budget. Instructs the BOF to issue a plan of action to increase the fund balance if it falls below 8%.
- Debt policy. Has a cap of 10% debt service to total budget. BOF has issued a policy statement making it a goal to get the debt cap to 9% (actual).
- Investment policy.
- Policy statement on general fund contributions to capital nonrecurring fund.



Connecticut Department of  
**ENERGY &  
ENVIRONMENTAL  
PROTECTION**

December 12, 2011

Ms. E. Patricia Llodra, First Selectman  
Town of Newtown  
Newtown Municipal Center  
3 Primrose Street  
Newtown, CT 06470

Dear Ms. Llodra:

Thank you for your letter of October 24 requesting assistance in developing a comprehensive plan for reducing the Newtown deer population to 10-12 deer per square mile. The Connecticut Department Energy and of Environmental Protection (DEEP) is happy to work with the town officials as partners to develop a comprehensive deer management plan.

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 will also involve surveying hunters to assess hunter effort, success and distribution throughout town. All available data on the deer population (i.e., harvest, vehicle strikes) collected over the past 10 years will be evaluated. Finally, landscape patterns and the distribution of open space within the town will be analyzed.

As you might imagine this is a substantial undertaking; one that we expect to conclude in late spring (2012). The intent is that, once complete, this plan will serve as a template for subsequent individualized plans. These individualized plans will likely incorporate many discrete elements of the Redding plan in total and, where new information is required, serve as a template that towns can apply themselves. We've already received a request from the Town of New Canaan for planning assistance wherein we intend to apply the Redding template. As for your request we have several options: we could defer action on your request until the Town of New Canaan plan is completed, as a test of the "template approach" to individualized plan development; we could work with your representatives to prepare a plan simultaneously with that for the Town of New Canaan; or we could reach out to other towns in your area (e.g., Monroe, Bethel) and explore developing a regional plan based on the template. Regardless the direction you wish to pursue I encourage you to follow the progress in developing the Redding deer management plan. We will be producing progress reports periodically summarizing our findings in Redding, and we will be sure to share these reports with you.

Please do not hesitate to contact me if you have any questions.

Sincerely,

*Susan W. Frechette*

Susan W. Frechette  
Deputy Commissioner

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www.ct.gov/deep

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*I apologize for the delay in responding - wanted to incorporate most updated information from Redding for this letter. Please feel free to call and let me know how you'd like to proceed. 603-421-3133*