

Board of Selectman
March 19, 2012

THESE MINUTES ARE SUBJECT TO APPROVAL BY BOARD OF SELECTMEN

The Board of Selectmen held a regular meeting Monday, March 19, 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: Twenty members of the public and one member of the press.

VOTER PARTICIPATION: none.

ACCEPTANCE OF THE MINUTES: Selectman Rodgers moved the acceptance of the minutes of March 5, 2012. Selectman Gaston seconded. All in favor.

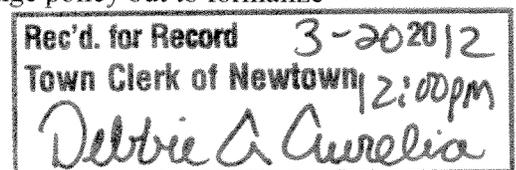
COMMUNICATIONS: First Selectman Llodra recognized Patrick Briscoe (Att. A), an eighth grader at St. Rose of Lima School who has been named as one of our state's top honorees in The Prudential Spirit of Community Award. Patrick collected pennies at various locations throughout town and raised over \$1,200 to purchase two cobblestones and a granite paver on behalf of Newtown at the National 9/11 Memorial in New York City. First Selectman Llodra shared emails from Adria Henderson and Robin Olson on the Animal Welfare Policy. An article on Fairfield Hills written by Elizabeth Stocker will appear in the New England Real Estate Journal. The First Selectman wrote a letter on behalf of the BOS to Don Sharpe, Margaret Olinger, Dick Zang, Fred Hurley, George Benson and Lilla Dean regarding sewers relative to increasing interest in projects in the Hawleyville area; a meeting is set for March 29. A seminar on meadows will be held at the Municipal Center on March 24. A Board of Education power point on space needs was handed out (Att. B); a memo has been sent to Debbie Leidlein asking her, or a representative, to present to the BOS.

FINANCE DIRECTOR REPORT: none.

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:** Mr. Kilpatrick of the DEEP will attend a meeting on May 21 to discuss methodology with the BOS; that will begin at 7:00pm. First Selectman Llodra toured the Danbury Hospital Research Institute recently and shared a brochure, under the category of education, on the Lyme Disease Registry; Danbury Hospital is the first hospital based Lyme Disease Registry in the country. First Selectman Llodra also spoke about Barberry, an invasive plant with a very clear connection to ticks. The Conservation Commission has fliers and information, the town has put them on the website at www.newtown-ct.gov.
- 3. Policy & Procedure: Impounded Animals:** First Selectman reported there are two changes since the last meeting. All reference to trainer has been substituted with behaviorist. Also there is an additional concept of an appointment of a five member advisory board to work with the MACO & ACO to support the animal control facility policy and procedures and to assist in policy development. This will not be a decision making board. Selectman Gaston said he believes this is a very good plan; the board has received positive, constructive input from the public. Selectman Rodgers agreed it has been a productive process and hopes the public is convinced the policy was not an attempt to change policy but to formalize



procedures and provide cover for the process. He questioned the definition of a behaviorist. First Selectman Llodra said that when the advisory board works with the MACO to roll out the policy they will be looking for someone with a broader range of experiences and abilities that exceed just the training of an animal to behave in a certain fashion. **Robin Fennimore, Pocono Road** had questions on the decision on the behaviorist, insurance and if this was the only policy. First Selectman Llodra noted that the behaviorist will not be an employee of the town but someone engaged through the decision of the MACO and ACO under the guidance of the advisory board. Anyone working with the animals has to have insurance. Ms. Fennimore thinks it is implausible that a behaviorist will be found that can support the level of insurance. This is the only policy. Selectman Gaston said that the advisory board will set policy at the shelter. Selectman Rodgers said this policy was limited to no kill and is important enough to stand alone. **Gene Rosen, 22 Riverside Road** asked about the advisory board. First Selectman Llodra noted the board will be appointed by the Board of Selectmen. It is not a decision making board but a board that will work with the MACO & the ACO to give support and guidance. **Carolee Mason, Municipal Animal Control Officer for the Town of Newtown** stated she has dealt with many trainers, there are many different types. First Selectman Llodra said that a behaviorist is a step above a trainer; a behaviorist is able to interact with an animal from a more personalized point of view. The board will defer to the judgment of the MACO. **Leila Nichols, 115 Toddy Hill Road** is the director of the dog program for the Animal Center. She agrees with Ms. Mason that there are specific issues that define the difference between a trainer and a behaviorist. The annual fee for liability insurance is minimal. She appreciates the board putting the decision making policies in the MACO's hands because she ultimately knows the dogs better than anybody on the advisory board could. She also appreciates the advisory board because there is a need for a neutral party. **Jackie zVon** asked about behaviorally non-sustainable animals. First Selectman Llodra stated that the euthanizing of any animal for aggressive behavior that has led to bodily harm to humans or other animals cannot occur unless the certain conditions are met and documented in the case file. Ms. zVon wants to make sure that the MACO and the ACO are the principle decision makers. She said that in the past six or seven years there hasn't been a dog that hasn't had a successful placement. First Selectman Llodra said that doesn't square with the information she has but we have been almost uniformly successful. **Chantal Blindenbacher, 77 Toddy Hill Road** voiced concern as to who pays for the behaviorist. First Selectman Llodra said that cost is in the Animal Control budget; the town pays the cost. **Virginia Jess** thanked the Board of Selectmen for being open to concerns. It is a unique policy that addresses problems that we do face; we will have a procedure to follow to help the animals. It is rare, not every animal that comes into the pound will have to go through any of these procedures. Having something in writing is a good idea. The five member advisory board has nothing to do with Canine Advocates. There was a need to put the policy in writing and it is something we can all work with. Selectman Gaston moved to adopt the Policy and Procedure Welfare Policy for Impounded Animals presented in the final draft. (Att. C). Selectman Rodgers seconded. All in favor.

4. Hook & Ladder Update: this item will be held under executive session

NEW BUSINESS:

Discussion and possible action:

- 1. Driveway Bond Release:** Selectman Rodgers moved the driveway bond release fro AECOM, 40/50 Mile Hill Road South, M37, B8, L2. Selectman Gaston seconded. All in favor.
- 2. Tax Refunds:** Selectman Gaston moved the March 2012 Tax Refunds, refund No. 12, in the amount of \$16,882.68. Selectman Rodgers seconded. All in favor.
- 3. Appointments/Reappointments:** Selectman Rodgers moved the appointment of Charles Copp (R) to the Sustainable Energy Commission for a term to expire 1/6/15 and the appointment of Richard Matschke (R) as an alternate member of the Public Building and Site Commission for a term to expire 1/6/13. Selectman Gaston seconded. All in favor. There is a republican vacancy on the Water & Sewer Authority

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and an open position on the Sustainable Energy Commission. The last day to submit interest is April 13 with an anticipated appointment date of April 16.

4. SweetHART Grant Assignment Certification/Maintenance Effort Certification: Selectman Gaston moved to authorize the First Selectman and the Finance Director to sign respective certifications required in connection with the Elderly and Disabled Municipal Grant Program funds as set forth in two certifications dated March 21, 2012. Selectman Rodgers seconded. All in favor.

5. Fair Housing Resolution: Selectman Rodgers moved to Resolve that the First Selectman of the Town of Newtown be 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 fair housing organizations to protect his or her right to equal housing opportunities. Selectman Gaston seconded. All in favor.

VOTER COMMENTS: none.

ANNOUNCEMENTS: none.

EXECUTIVE SESSION: Selectman Gaston moved to enter executive session to discuss legal issues relative to Hook & Ladder Fire Company. Selectman Rodgers seconded. All in favor. Rick Camejo and Rob Manna were invited to attend. Executive Session was entered into at 8:30pm and returned to regular session at 9:25pm with no motion taken.

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

Respectfully submitted,



Susan Marcinek, Clerk

Att. A: Patrick Briscoe proclamation

Att. B: BOE space needs power point

Att. C: Policy and Procedure, Welfare Policy for Impounded Animals

TOWN OF NEWTOWN
Office of the First Selectman

PROCLAMATION

***WHEREAS**, Patrick Briscoe, recently named as one of our state's top honorees in The Prudential Spirit of Community Awards program, exemplifies the value of volunteer community service and is a role model to other youth as well as adults in our community; and*

***WHEREAS**, Patrick Briscoe, an eighth grader at St. Rose of Lima School, learned someone had anonymously donated \$10,000 to the National 9/11 Memorial and was inspired to find out more about the project; and*

***WHEREAS**, Patrick Briscoe conducted a penny collection drive that raised more than \$1,200 to purchase two cobblestones and a granite paver on behalf of his town at the National 9/11 Memorial in New York City; and*

***WHEREAS**, Patrick Briscoe decorated more than 20 coffee tins and sought permission to display them from the school principal, the Newtown library director and local business owners; and*

***WHEREAS**, Patrick Briscoe's parents and grandfather used to work in the World Trade Center and many people in their area lost loved ones in the 2001 terrorist attacks; and*

***WHEREAS**, Patrick Briscoe hopes that every American has the opportunity to visit the memorial and that people from Newtown will make a special effort to visit the pavers and cobblestones that represent our community.*

***NOW THEREFORE, BE IT RESOLVED**, that as First Selectman of Newtown and on behalf of our town, I commend Patrick Briscoe, our Prudential Spirit of Community Award honoree, for his outstanding volunteer contribution to others and our community.*

***IN WITNESS WHEREOF**, I have set my hand and caused the Seal of the Town of Newtown to be affixed this Nineteenth day of March, 2012.*

Patricia E. Llodra, First Selectman

SUMMARY OVERVIEW OF RECOMMENDATION TO THE BOARD OF EDUCATION

Ad Hoc Facilities Subcommittee
March 6, 2012

Charge and Membership

- ▣ In November 2010, the Board of Education established an ad-hoc committee made up of people from across the Town's government to examine the enrollment projections, develop options, analyze their potential impact, and make recommendations for future action. The committee considered changes that may provide cost savings while maintaining or improving education quality.
- ▣ Committee members included:

Original	Organization	Final
Fran Pennarola	Moderator	Fran Pennarola
Bill Hart	BOE	Bill Hart
Debbie Leidlein	BOE	Debbie Leidlein
Richard Gaines	BOE	Richard Gaines
Keith Alexander	BOE	Keith Alexander
Bill Farrier	BOS	
Robert Merola	LC	Robert Merola
Richard Woytek	LC	Dan Amaral
James Belden	LC	Dan Wiedemann
Kathy Fetchick	LC	Kathy Fetchick

Additional Participants

- ▣ Joining the committee to extend and contribute to the discussion were:
 - Janet Robinson, Superintendent
 - Linda Gejda, Assistant Superintendent
 - Ron Bienkowski, District Financial Director
 - Diane Sherlock, Principal, Newtown Middle School
 - JoAnne Peters, Principal, Hawley Elementary
 - Barbara Gasperine, Principal, Head O'Meadow
 - Chris Geissler Principal, Middle Gate
 - Dawn Hochsprung, Principal, Sandy Hook
 - Sharon Epple, Principal, Reed Intermediate
 - Jen Steinholtz, Asst. Principal, Reed Intermediate
 - Gino Faiella, School Facilities Director

Baseline Facilities

- ▣ Understand existing space
 - Classroom, Specialty rooms and offices
 - Physical property
- ▣ Assess possible configurations to absorb:
 - The educational programs and
 - Students from a closed school
- ▣ Consideration given to:
 - Class size
 - Gyms and other specials (art, music, labs, ...)
 - Portables or expansion, if necessary

Baseline Facilities

- ▣ The BoE Facilities Committee, with Gino Faiella, documented the space utilization of each of the District's schools.
- ▣ Portables are configured as classrooms – there will be a considerable cost to convert to support advanced science labs (i.e., other than Earth Science)
- ▣ Reed Intermediate Specialty Rooms are not shown

Standard Sized Classrooms							
School	Elementary	JRMS	MS	HS	HS	HS	Total
PK	2	2	2				6
E	4	1	5				10
J	4	4	5				13
M	4	4	5				13
R	4	4	5				13
Special Ed	3	1	2				6
Unassigned	3	1	2				6
Other	1						1
Total	27	23	27	0	0	0	77

Specialty Rooms							
School	Elementary	HS	MS	HS	HS	HS	Total
Art	1	1	1				3
Computer Lab	1	1	1				3
Music	1	1	1				3
Total	3	3	2	0	0	0	8



Chung Enrollment Projections

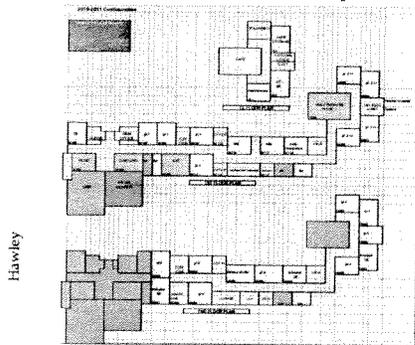
- ▣ Commissioned in 2009 based upon economy and 3 years of decline in District enrollment
- ▣ 10 year projection for 2010 thru 2019
- ▣ Consideration given to housing, birth rate, unemployment . . .
- ▣ As with all projections of this type, reliability decreases as years increase
- ▣ Study shows continued decline in PK-12
 - -3% to -4% year to year
- ▣ Study shows 'bands' of rise and fall in enrollment as early grade declines flow from PK thru 12th grade
- ▣ PK – 4th starts to rise at outer limits of the study
- ▣ Lowest enrollment for 12th grade is 2011

Thank You

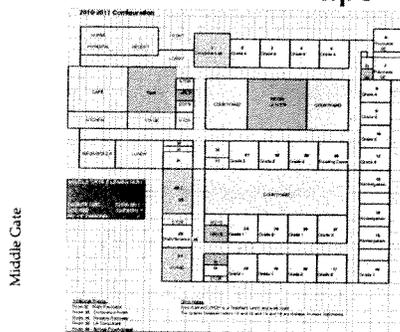
- ❑ The Board of Education and the Facilities Committee offer thanks to all who participated and contributed to the Ad Hoc Committees effort.
- ❑ A Special Thanks to Fran Pennarola for moderating the many meetings conducted.
- ❑ Finally, thanks to the press for keeping the public informed of our progress.

Additional Materials

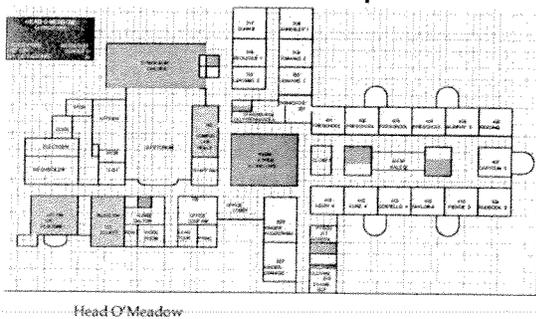
Utilization Maps



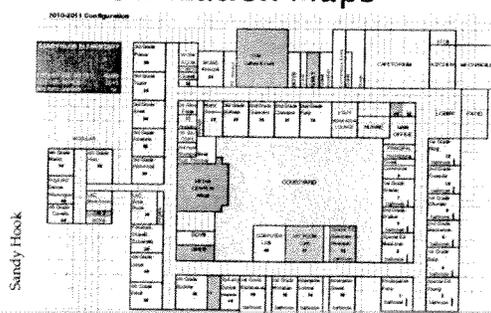
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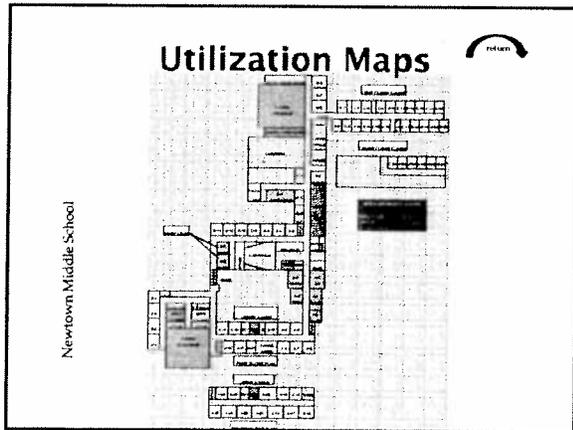
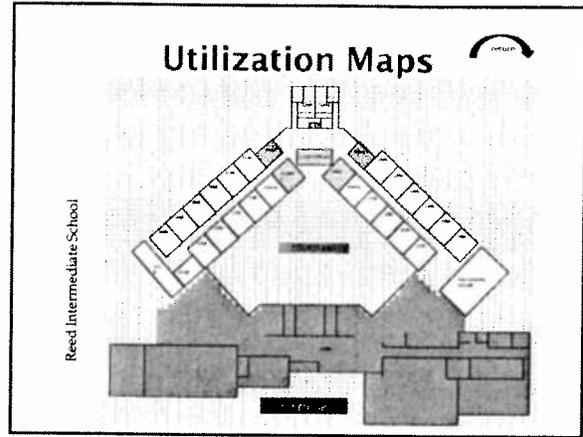
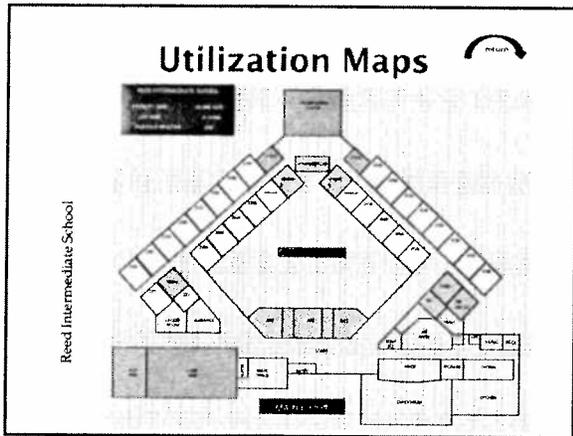


Utilization Maps



Utilization Maps





POLICY AND PROCEDURE

WELFARE POLICY FOR IMPOUNDED ANIMALS

I. PURPOSE:

The Newtown Animal Control Facility is a place of safety for potentially adoptable animals. This policy is intended to provide support for the continuation of the Town's long-standing 'no-kill' practice. The policy herein will serve as a guideline for all personnel when considering the well-being and fate of animals impounded at the Newtown Animal Control Facility. Town government remains committed to a no-kill philosophy and there is nothing in this policy that should be construed as advocating the euthanizing of animals impounded at our 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.

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 an 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 case file.

B. Behaviorally Non-Sustainable- The euthanizing of any animal for aggressive behavior that has led to bodily harm to humans or other animals cannot occur unless the following conditions are met and documented in the case 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 behaviorist 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*, animal behaviorist*, Chief of Police or his/her designee, and the First Selectman or his/her designee have carefully and thoroughly reviewed the case file, and agree that euthanasia is the only appropriate course of action for that behaviorally non-sustainable animal.

The BoS will appoint an Advisory Board to work with the Municipal Animal Control Officer and the Assistant Control Officer to support the Animal Control Facility policies and procedures and to assist in program development. Membership on the five- member Advisory Board will be open to Newtown residents and voters.

- 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

*For purposes of this policy: a) MACO is understood to be a municipal employee, not a member of the Town's police force; and b) the preferred veterinarian and animal behaviorist involved in the treatment and decision-making will have had experience with impounded/shelter animals.

Approved by the Board of Selectmen on March 19, 2012