

Board of Selectmen
June 11, 2019

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

The Board of Selectmen held a regular meeting Tuesday, June 11, 2019, in the Council Chamber, Newtown Municipal Center, 3 Primrose Street, Newtown. First Selectman Rosenthal called the meeting to order at 7:34p.m.

PRESENT: First Selectman Daniel C. Rosenthal, Selectman Maureen Crick Owen and Selectman Jeff Capeci.

ALSO PRESENT: Public Works Director, Fred Hurley, Board of Finance members: James Gaston, Sandy Roussas, Steve Hinden, Keith Alexander and Mark Boland; Legislative Council members Paul Lundquist, Chris Eide, Dan Wiedemann, Phil Carroll, Kelley Johnson, Jay Mattegat, Dan Honan, Judit DeStefano, Ryan Knapp, one members of the public and one member of the press.

ABSENT: Ned Simpson (Board of Finance) and Jordana Bloom, Robert Picard, Chris Smith (Legislative Council).

VOTER COMMENTS: none.

ADD TO THE AGENDA: Selectman Crick Owen moved to add and Executive Session for Legal Matters regarding the Community Center and Senior Center. Selectman Capeci seconded. All in favor.

Selectman Crick Owen moved to go into Executive Session to discuss legal matters regarding the Community Center and Senior Center and invited all present Board of Selectmen, Board of Finance and Legislative Council members to attend. Selectman Capeci seconded. All in favor. Executive session was entered into at 7:36pm and returned to regular session at 7:56pm with no motion taken.

ACCEPTANCE OF THE MINUTES: Selectman Crick Owen moved to accept the minutes of the regular meeting of 05/20/19. Selectman Capeci seconded adding that under the Pension, new custodian, fees were discussed. FIA stated overall the Comerica fees are comparable to Wells Fargo. All in favor of the amended minutes.

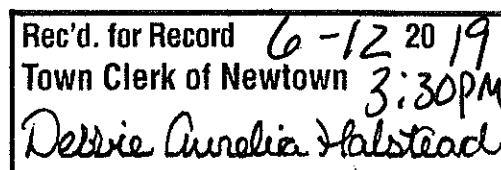
COMMUNICATIONS: The State budget passed. Revenue for Newtown was preserved; teacher pension obligations were not passed down to the Town. Given the tenuous nature of state finances the best approach is to underestimate state revenues.

FINANCE DIRECTORS REPORT: none.

NEW BUSINESS

Discussion and possible action:

1. Transfer: Selectman Crick Owen moved to transfer of \$110,000 from various Salaries & Wages and Contingency to Capital per the attached document (att.) Selectman Capeci seconded. First Selectman Rosenthal noted that there should be FEMA resolution before month end, however paving of the community center/senior center project is taking place on June 17. Public Works will line the parking lot. Additionally, a temporary CO requires landscaping. The Commission on Aging gift fund will be used for a minimum amount of furniture for the senior center. These two items will be addressed after FEMA resolution. All in favor.



BOF: Ms. Roussas moved the \$110,000 transfer from various Salaries & Wages and Contingency to Capital as reflected on the Appropriation (Budget) Transfer Request form dated May 29, 2019 (att.). Mr. Alexander seconded. All in favor.

LC: Mr. Wiedemann moved the \$110,000 transfer from various accounts, including but not limited to, Salaries & Wages, to the Capital account. Mr. Carroll seconded. All in favor.

2. Road Work Presentation update: Fred Hurley was present to discuss the 2019-2020 road work (att.). Work is being done all over Newtown. First Selectman Rosenthal stated that over the past two years, there has been 40 miles of roadwork. The budget for crack sealing, which helps maintain roads, has doubled. \$180,000 was taken from roads due to the tornado, anticipating FEMA relief to replenish the funds. Mile Hill South and half of Mt. Nebo will be paved. Carried from last year is Washington, Crestwood and a small piece of Riverside. Some work will be tied into state work on Nunnawauk. First Selectman Rosenthal still thinks chip sealing is an effective tool, although approximately half the roads chip sealed last year presented problems, most of them smaller, cul de sac roads. The vendor is standing by the work and has been asked to look into why the stone didn't adhere as well as it should; a smaller stone should be used on a lesser traveled road. Those areas will be corrected over the next couple of weeks. There was a question as to whether or not the plows had an effect on the outcome; it's more a question of the smaller roads. Chip sealing is meant to extend the life of a road, not to replace full paving. First Selectman Rosenthal said that the Council wants to decrease the amount of dirt roads. Hoseye Coach is currently paved at both ends with dirt road in the middle and will be paved. Mr. Hurley said that all roads on the list were reviewed and evaluated by multiple people and there is consensus on all.

3. SUEZ Water Environmental Services, Inc. Operation, Maintenance and Management Service Agreement: The Water & Sewer Authority has already authorized this agreement. Selectman Crick Owen moved to approve Amendment 2 Agreement between Suez Water Environmental Services, Inc. and the Town of Newtown as presented (att.) and allow the First Selectman to sign the document. Selectman Capeci seconded. United went to Aquarion, which was bought out by Eversource. The operating company was purchased by Suez. This agreement changes the name and extends the agreement. All in favor.

4. Transfer: Selectman Crick Owen moved the \$12,000 transfer from Finance Social Security Contributions to Finance Retirement Contributions (att.). Selectman Capeci seconded. All in favor.

5. Appointments/Reappointments/Vacancies/Openings: First Selectman Rosenthal explained that the Sustainable Energy Commission exceeds 45 days and the action tonight will not be to appoint but to recommend a candidate to the commission. Selectman Crick Owen moved to recommend, to the Sustainable Energy Commission, Erik Weiss (U), to fill the vacancy with an expiration date of 01/06/19. Selectman Capeci seconded. All in favor. Selectman Crick Owen moved the appointments of Natalie Jackson, as the Municipal Agent for the Elderly, for a term to expire 7/1/21 and Bob Edwards (D), to fill an alternate vacancy on the Commission on Aging for a term to expire 1/6/21. Selectman Capeci seconded. All in favor. Selectman Crick Owen moved the re-appointments of Elaine Corbo (R) and Matthew Mihalcik (R) to the Library Board of Trustees for a term to expire 07/01/23. Selectman Capeci seconded. All in favor.

6. Driveway Bond Release/Extension: Selectman Crick Owen moved to release the driveway bond for Turkey Ridge Development, LLC, 4 Turkey Roost Road, M46, B3, L15 and the release of driveway bond for 8 Shady Rest Blvd., LLC, M42, B7, L5, each in the amount of \$1,000. Selectman Capeci seconded. All in favor.

7. Tax Refunds: Selectman Crick Owen moved the June 11, 2019, 2018/19 Refund #19 in the amount of \$3,978.13. Selectman Capeci seconded. All in favor.

VOTER COMMENTS: none.

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ANNOUNCEMENTS: none.

ADJOURNMENT: Having no further business the regular Board of Selectmen meeting adjourned at 8:43p.m.

Att: \$110,000 transfer; Road Work 2019-2020; SUEZ agreement; \$12,000 transfer

Respectfully submitted,
Sue Marcinek, Clerk

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

FISCAL YEAR 2018 - 2019 **DEPARTMENT** Finance **DATE** 5/29/19

	<u>Account</u>	<u>Amount</u>	
FROM:	1-101-11-110-5110-0000SALARIES & WAGES - FULL TIME social svcs	(25,000)	USE NEGATIVE AMOUNT
	1-101-11-170-5110-0000SALARIES & WAGES - FULL TIME town clerk	(5,000)	
	1-101-12-300-5130-0000SALARIES & WAGES - OVERTIME communications	(5,000)	
	1-101-12-310-5130-0000SALARIES & WAGES - OVERTIME police	(20,000)	
	1-101-12-460-5110-0000SALARIES & WAGES - FULL TIME building	(10,000)	
	1-101-15-490-5110-0000SALARIES & WAGES - FULL TIME land use	(5,000)	
	1-101-24-570-5899-0000CONTINGENCY	(40,000)	
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TO:	1-101-13-500-5749-0000CAPITAL	110,000	USE POSITIVE AMOUNT
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REASON:

Various salary line item savings due to vacancies and contingency to be transferred to public works capital account for paving at the new community center & senior center.

AUTHORIZATION:

date:

(1) DEPARTMENT HEAD

(2) FINANCE DIRECTOR

(3) SELECTMAN

(4) BOARD OF SELECTMEN

(5) BOARD OF FINANCE

(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

2019-2020 ROAD PROGRAM

Updated 6/12/2019

Road Name	Length	Type of work	Budget
Arrowhead Lane (Great Ring to Indian Hill)	2,500	Mill & Pave	\$65,000
Birch Hill Road (Scudder to Castle Hill)	4,375	Overlay & Guide Rail	\$226,000
Currituck Road (Tunnel To Brennan)	4,100	Mill & Pave	\$124,000
Great Hill (Castl Hill to Taunton Hill)	4,750	Mill & Pave	\$110,000
Great Ring Road (Rt. 34 to Bradley Lane)	4,800	Overlay	\$200,000
Hall Lane	1,050	Overlay	\$47,000
Hanover Road (Route 25 to #50)	3,800	Mill & Pave	\$208,000
High Rock Road	2,700	Overlay	\$97,000
Hoseye Coach Road	1,210	Pave	\$90,000
Hundred Acres Road	3,000	Reclaim & Pave	\$214,000
Lazy Brook Road	1,500	Drainage	\$100,000
Mt. Nebo Road (Ox Hill to Hattertown)	4,150	Drainage	\$177,000
Oak Ridge Road	3,150	Reclaim & Pave	\$270,000
Poverty Hollow Road (Hopewell to Town Line)	6,000	Mill & Pave	\$163,000
Taunton Hill Road (Taunton Lane to Saw Mill)	2,600	Drainage, Reclaim & Pave	\$247,000
Valley Field Road South	1,170	Reclaim & Pave	\$73,000
Walnut Tree Hill	3,025	Mill & Pave	\$90,000
Total LF	53,880	TOTAL	\$2,501,000
Total Miles	10.20		

CHIP SEAL

Meadowbrook Road	4,850		
Obtuse Road	5,871		
Parmalee Hill Road	8,250		
Walnut Hill Road (Old Green to Glen Road)	6,995		
Total LF	25,966		
Total Miles	4.92	TOTAL	\$259,000

PRIVATE ROAD - Town Material Share

Topside Lane	\$18,000		
Shady Rest	\$14,000		
Rowledge Pond	\$8,000	TOTAL	\$40,000

In House Paving/Patch Pave

Boggs Hill Road	3,000		
Old Town Road	515		
Sunnyview Terrace	1,300		
Total LF	4,815	TOTAL	\$200,000
Total Miles	0.91		
TOTAL Miles	16.03	TOTAL	\$3,000,000

CONTRACTUAL

Nunnawauk Road	3400	Drainage & Pave	\$205,000
Narragansett	2775	Pave	\$90,000
Total LF	6,175	TOTAL	\$295,000
Total Miles	1		

CARRY OVER

2018 Mile Hill South	1,750	Reclaim & Pave	\$116,000
2018 Mt. Nebo	1,550	Reclaim & Pave	\$114,000
2017 Crestwood	1,000	Pave	\$18,000
2017 Riverside Road	500	Pave	\$52,000
2017 Washington	1,470	Pave	\$80,000
Total LF	6,270	TOTAL	\$380,000
Total Miles	1		

AMENDMENT No. 2

This Amendment No. 2 ("Amendment") of the Operation, Maintenance and Management Services Agreement ("Agreement") is made by and between SUEZ Water Environmental Services Inc., with an address at 461 From Road, Suite 400, Paramus, New Jersey 07652 ("SUEZ") and the Town of Newtown, Connecticut, with its principal address at 3 Primrose Street, Newtown, Connecticut 06470 ("Town").

WITNESSETH:

WHEREAS, SUEZ and the Town are parties to an Agreement effective July 1, 2004, and an Amendment No. 1, effective July 1, 2014, in which SUEZ provides professional services for the Town's water and wastewater facilities; and

WHEREAS, the Agreement was originally by and between the Town and Aquarion Operating Services Inc., and then United Water Environmental Services Inc. ("United Water") subsequently acquired Aquarion Operating Services Inc. and took over operation services; and

WHEREAS, SUEZ is the successor in interest to United Water and took over operation services; and

WHEREAS, the Amendment No. 1 is set to expire on June 30, 2019; and

WHEREAS, the parties desire to renew the Agreement for an additional five (5) year term in accordance with Paragraph 9.1 of the Agreement; and

NOW, THEREFORE, in consideration of the mutual agreements herein contained the parties agree as follows:

- 1.) All references to "Aquarion Operating Services", "Aquarion", "United Water Environmental Services Inc." and "United Water" are hereby deleted and shall be replaced with "SUEZ Water Environmental Services Inc." and "SUEZ". This change shall be reflected in the Amended and restated Agreement, attached hereto.
- 2.) Section 9.1 "Term": The parties agree to extend the Agreement for an additional five (5) years effective on July 1, 2019 and to expire on June 30, 2024.
- 3.) The Base Compensation shall be adjusted on an annual basis in accordance with Section 6.2 of the Agreement.
- 4.) Except as specifically amended herein, the Agreement shall remain in full force and effect in accordance with its terms.
- 5.) This Amendment may be signed in any number of counterparts with the same effect as if the signatures thereto and hereto were upon the same instrument.
- 6.) This Amendment shall be governed by and construed and enforced in accordance with the laws of the State of Connecticut.

- 7.) From and after the date of this Amendment, all references in the Agreement to "this Agreement" or similar phrases shall be deemed to include the Agreement as amended by this Amendment unless the context specially indicates otherwise.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the date below written.

IN WITNESS WHEREOF, SUEZ, by its duty authorized officer, and the Town, by its Authorized official, have agreed that this Amendment shall be effective as of the date below written.

Town of Newtown, Connecticut

By: [Signature]

Name: DANIEL C. ROSENTHAL

Title: FIRST SELECTMAN

Date: 6-11-19

SUEZ Water Environmental Services Inc.

By: [Signature]

Name: Dominique Demessence

Title: President

Date: 5/14/2019

Water and Sewer Authority of the Town of Newtown

By: [Signature]

Name: Marianne Brown

Title: Chairman

Date: 5/9/19

TOWN OF NEWTOWN APPROPRIATION (BUDGET) TRANSFER REQUEST
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5/29/19

Account

Amount

FROM:	1-101-12-310-5220-0000SOCIAL SECURITY CONTRIBUTIONS	(12,000)	USE NEGATIVE AMOUNT
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USE NEGATIVE
AMOUNT

TO: 1-101-12-310-5230-0000RETIREMENT CONTRIBUTIONS

12,000

USE POSITIVE
AMOUNT

REASON:

Inter department transfer (police) to account for new defined contribution plans relating to new employees.

AUTHORIZATION:

date:

(1) DEPARTMENT HEAD

(2) FINANCE DIRECTOR

(3) SELECTMAN

(4) BOARD OF SELECTMEN

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