

Board of Selectmen  
July 15, 2019

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

The Board of Selectmen held a regular meeting Monday, July 15, 2019, in the Council Chamber, Newtown Municipal Center, 3 Primrose Street, Newtown. First Selectman Rosenthal called the meeting to order at 7:30p.m.

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

**ALSO PRESENT:** Finance Director Robert Tait, Board of Fire Commissioner Chairman Patrick Reilly, Board of Fire Commissioner member Tim Whelan, one member of the public and two members of the press.

**VOTER COMMENTS:** none.

**ACCEPTANCE OF THE MINUTES:** Selectman Crick Owen moved to accept the minutes of the regular meeting of 06/24/19. Selectman Capeci seconded. All in favor. Mr. Tait will supply Selectman Capeci with a comparison of other towns relative to fund balance and bond rating.

**COMMUNICATIONS:** The Fairfield Hills Master Plan Review Committee unanimously voted to recommend housing as an approved use of the campus. Their recommendations will be presented at the August Board of Selectmen meeting. First Selectman Rosenthal would like to hold a September joint meeting with Planning & Zoning inviting potential developers and allowing public to submit questions. First Selectman Rosenthal spoke about the possibility of offering the Fire and EMT volunteer first responders a significant discount at the Community Center along with a smaller one for their family. This would be along the same line as the tax relief program with supervisor certification that the member has been active. It's becoming harder to get and retain volunteers and this is a value ad to the provided service.

**FINANCE DIRECTORS REPORT:** Mr. Tait reviewed the CIP calendar (att.). There will be no bonding in year five. The Legislative Council will vote on years 1-5; years 6-10 show additional planning.

**NEW BUSINESS**

**Discussion and possible action:**

**1. Transfer:** Selectman Crick Owen moved the \$8,770 transfer from Contingency to various Salaries, Wages and Social Security Accounts as reflected on the appropriation transfer request dated 7/15/19 (att.). Selectman Capeci seconded. All in favor.

**2. Resolution:** Selectman Crick Owen moved the Resolution: RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$575,000 FOR THE ACQUISITION AND REPLACEMENT OF VARIOUS FIRE APPARATUS AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2019-20 to 2023-24) AND AUTHORIZING THE ISSUANCE OF \$575,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE and further moved to waive the reading of the entire resolution (att.). Selectman Capeci seconded. Mr. Whelan noted they have been in contact with Four Guys manufacturer and plan to move forward with the purchase of a \$540,000 tanker. He hopes to capture \$20,000 for the sale of the old tanker. Three tankers were purchased a few years ago; the Hawleyville tanker was deferred due to budget restraints. The goal is to have everything that was wanted in the original specifications. The tanker is a four man cab. Hawleyville call volume has increased due to development, coverage of I-84 and mutual aid. Mr. Whelan said that more towns are going to custom trucks. It's more efficient to forgo a twenty year refurb of an engine or pump truck and instead replace at twenty-five years. All in favor.

Rec'd. for Record 7-16 2019  
Town Clerk of Newtown 3:30pm  
Debbie Aurelia Halstead

**3. Appointments/Reappointments/Vacancies/Openings:** The approval of the Lake Lillinonah Law Enforcement Personnel, Marine Officers and Lake Marine Assistants was tabled until the board receives a better understanding why the appointments are made at the town level; no officers are from town. The question will be posed to the Lake Lillinonah Authority members who represent Newtown. Selectman Crick Owen moved the appointment of Frank Caico, from an alternate member to a full board member of the Design Advisory Board for a term to expire 11/01/19. Selectman Capeci seconded. All in favor. First Selectman Rosenthal noted there are vacancies on the Hattertown Historic District, the Water and Sewer Authority as well as an alternate vacancy on the Design Advisory Board.

**4. Board of Finance proposed revisions to Capital Improvement Plan Policy:** This item is tabled until the next meeting to give the Selectmen more time to review and discuss. Mr. Tait noted some of the items the Board of Finance followed including a specific threshold of \$200,000, the change of proposed CIP schedule and kept a five year approval with years six thru ten for forward planning; debt service was mentioned as well as a process if there is a new First Selectman. It is easier to read.

**5. Driveway Bond Release/Extension:** Selectman Crick Owen moved to approve the driveway bond release for William Ainsworth, Lakeview Terrace, M51, B6, L8, in the amount of \$1,000. Selectman Capeci seconded. All in favor.

**6. Tax Refunds:** Selectman Capeci moved the July 15, 2019, 2019/20 Refund #1 in the amount of \$5,731.55. First Selectman Rosenthal seconded, Selectman Crick Owen abstained as there was a refund in her name. All in favor.

**VOTER COMMENTS:** none.

**ANNOUNCEMENTS:** The ribbon cutting for the Community Center is July 19 at 10am. There will be tours and a ribbon cutting for the Senior Center as well.

**ADJOURNMENT:** Having no further business the regular Board of Selectmen meeting adjourned at 8:15p.m.

Att: CIP calendar; transfer; Resolution

Respectfully submitted,  
*Sue Marcinek, Clerk*

**Town of Newtown**  
**Board of Finance - Capital Improvement Plan Calendar**  
**CIP 2020-21 through 2024-25**

September 09, 2019	Board of Education presents 2020-21 / 2024-25 Capital Improvement Plan (CIP)
September 26, 2019	Board of Selectmen presents 2020-21 / 2024-25 Capital Improvement Plan (CIP)
Oct thru Nov, 2019	Board of Finance Reviews 2020-21 / 2024-25 Capital Improvement Plan (10/15 meeting; 10/24 meeting; special meeting on 10/31 if needed; 11/12 meeting)
November 12, 2019	Board of Finance completes recommended Capital Improvement Plan (CIP)
November 20, 2019	Board of Finance recommended CIP presented to the Legislative Council. (due by November 30).
January 2020	Legislative Council approves the Capital Improvement Plan (within 60 days from receipt of BOF)





# Robinson + Cole

GLENN A. SANTORO

280 Trumbull Street  
Hartford, CT 06103-3597  
Main (860) 275-8200  
Fax (860) 275-8299  
gsantoro@rc.com  
Direct (860) 275-8322

July 10, 2019

**VIA E-MAIL AND REGULAR MAIL**

Robert G. Tait  
Financial Director  
Town of Newtown  
3 Primrose Street  
Newtown, CT 06470

Re: Resolution Providing For A Special Appropriation In The Amount Of \$575,000 For The Acquisition And Replacement Of Various Fire Apparatus As Authorized In The Capital Improvement Plan (2019-20 To 2023-24) And Authorizing The Issuance Of \$575,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose

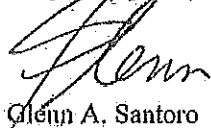
Dear Bob:

Enclosed please find the above-captioned resolution and a set of proceedings to be followed in connection with its adoption by the Town. Also, enclosed please find the letter signed by the First Selectman initiating the special appropriation.

By copy of this letter, I am requesting the Town Clerk to send me one (1) certified copy of all the proceedings as they appear in the Town record book.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



Glenn A. Santoro

Enclosures

cc: Daniel Rosenthal, First Selectman  
Debbie A. Halstead, Town Clerk  
David L. Grogins, Esq., Town Attorney  
Susan Marcinek

Newtown Municipal Center  
3 Primrose St., Newtown, CT 06470  
Tel. 203-270-4201  
Fax 203-270-4205



Daniel C. Rosenthal  
First Selectman  
Tel. 203-270-4202  
dan.rosenthal@newtown-ct.gov

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

June 11, 2019

Board of Selectmen  
3 Primrose Street  
Newtown, CT 06470

Dear Board of Selectmen:

I am requesting a special appropriation totaling \$575,000 to be financed by bonds for the following project as authorized in the capital improvement plan (CIP) 2019-20 to 2023-24:

A special appropriation in the amount of \$575,000 for the replacement of a 3000 gallon tanker.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Rosenthal", is written over the word "Sincerely,".

Daniel C. Rosenthal  
First Selectman

Excerpt for Minutes of Board of Selectmen Meeting  
held July 15, 2019

A meeting of the Board of Selectmen of the Town of Newtown was held in the Council Chamber of the Newtown Municipal Center on July 15, 2019, at 7:30 P.M. (E.T.).

\* \* \*

Members present and absent were as follows:

Present

Daniel C. Rosenthal  
Maureen Crick Owen  
Jeff Capeci

Absent

\* \* \*

Selectman Crick Owen introduced and read the following resolution:

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$575,000 For The Acquisition And Replacement Of Various Fire Apparatus As Authorized In The Capital Improvement Plan (2019-20 To 2023-24) And Authorizing The Issuance Of \$575,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", a copy of which is attached hereto, said special appropriation was initiated by the First Selectman in a letter to the Board of Selectmen dated June 11, 2019, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

Selectman Crick Owen moved that said resolution be adopted as introduced and read and the motion was seconded by Selectman Capeci. Upon roll call vote the ayes and nays were as follows:

AYES

Daniel C. Rosenthal  
Maureen Crick Owen  
Jeff Capeci

NAYS

First Selectman Rosenthal thereupon declared the motion carried and the resolution adopted.

\* \* \*



RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$575,000 FOR THE ACQUISITION AND REPLACEMENT OF VARIOUS FIRE APPARATUS AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2019-20 to 2023-24) AND AUTHORIZING THE ISSUANCE OF \$575,000 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 \$575,000 is a special appropriation made pursuant to Chapter 6, Section 6-35 of the Town Charter of the Town of Newtown (the "Town") for the acquisition and replacement of fire apparatus, including, but not limited to a the Hawleyville tanker, as authorized in the Capital Improvement Plan (2019-20 to 2023-24) 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 thereof.

Section 2. To meet said appropriation, \$575,000 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 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 First Selectman is authorized in the name and on behalf of the Town to apply for and accept any and all Federal and State loans and/or grants-in-aid of the Project and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith, to contract in the name of the Town with engineers, contractors and others.

Section 6. 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 Issuer 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 7. 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 8. 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  
FINANCIAL IMPACT STATEMENT  
(Per Town Charter 6-35(b) & 7-25)**

REQUESTING DEPARTMENT FIRE COMMISSION

PROJECT: FIRE APPARATUS REPLACEMENT - HAWLEYVILLE TANKER

PROPOSED APPROPRIATION AMOUNT: \$ 575,000

PROPOSED FUNDING:	
BONDING	\$ 575,000
GRANT	\$ -
OTHER	\$ -
	<u>\$ 575,000</u>

**ANNUAL FINANCIAL IMPACT ON OPERATING BUDGET (GENERAL FUND):**

List any financial impact your request will have on the Town's annual operating budget.  
Attach spreadsheet(s) showing your calculation of the estimated impact.

EXPENDITURE CATEGORY:	**FOR BRACKETS USE NEGATIVE SIGN BEFORE NUMBER**	(POSITIVE IMPACT) / NEGATIVE IMPACT	Attachment #
SALARIES & BENEFITS		***	
PROFESSIONAL SERVICES			
CONTRACTED SERVICES			
REPAIRS & MAINTENANCE		(5,000)	
UTILITIES			
OTHER			
DEBT SERVICE (1st year)		\$ 45,000	
TOTAL IMPACT ON EXPENDITURES		<u>\$ 40,000</u>	

REVENUE CATEGORY:	POSITIVE IMPACT / (NEGATIVE IMPACT)	Attachment #
PROPERTY TAXES		
CHARGES FOR SERVICES (FEES)		
OTHER		
TOTAL IMPACT ON REVENUES	<u>\$ -</u>	

TOTAL FINANCIAL IMPACT ON OPERATING BUDGET \$ 40,000

EQUIVALENT MILL RATE OF TOTAL IMPACT 0.0130 mills  
(using current year's information)

**COMMENTS:**

New Pierce custom 3000 gallon tanker to replace a 1988 custom 3000 gallon tanker, this tanker has reached its useful life cycle. The older truck design no longer meets National Fire Standards. Many parts are discontinued and the ones that are available are very expensive, maintenance and repair costs will save an estimated \$5,000 to \$7,000 per year.

PREPARED BY: Ras LA

DATE: 6/11/2019

TO: BOF, LC

Newtown Municipal Center  
3 Primrose Street  
Newtown, Connecticut 06470  
Tel. (203) 270-4201  
Fax (203) 270-4205  
[first.selectman@newtown-ct.gov](mailto:first.selectman@newtown-ct.gov)  
[www.newtown-ct.gov](http://www.newtown-ct.gov)



Daniel C. Rosenthal  
First Selectman

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

July 15, 2019

To the Board of Finance

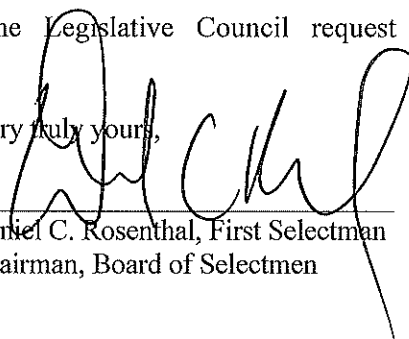
Members of the Council:

At a meeting of the Board of Selectmen held July 15, 2019, the following resolution was adopted:

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$575,000 For The Acquisition And Replacement Of Various Fire Apparatus As Authorized In The Capital Improvement Plan (2019-20 To 2023-24) And Authorizing The Issuance Of \$575,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", a copy of which is attached hereto, is hereby adopted and recommended to the Legislative Council for consideration and action, said special appropriation was initiated by the First Selectman in a letter to the Board of Selectmen dated June 11, 2019, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

The Board of Selectmen hereby requests that the Legislative Council request Board of Finance recommendation on the above captioned resolution.

Very truly yours,

  
\_\_\_\_\_  
Daniel C. Rosenthal, First Selectman  
Chairman, Board of Selectmen