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

The Board of Selectmen held a regular meeting Monday, May 15, 2017 in the Council Chamber of the Newtown Municipal Center, 3 Primrose Street, Newtown. First Selectman Llodra called the meeting to order at 7:00m.

PRESENT: First Selectman Llodra, Selectman William F.L. Rodgers, Selectman Herbert C. Rosenthal.

ALSO PRESENT: Finance Director Robert Tait, Town Attorney David Grogins, various members of the Legislative Council including Chair Mary Ann Jacob and Ryan Knapp, various members of the Board of Education, including Michelle Ku, Deputy Director for Economic & Community Development Christal Preszler, Fairfield Hills Authority Chair Ross Carley, Public Building & Site Chair Robert Mitchell, various members of the Community Center Advisory Committee and the Senior Center Advisory Committee, Director of Parks & Recreation Amy Mangold, ten members of the public and two members of the press.

ACCEPTANCE OF MINUTES: <u>Selectman Rodgers moved to accept the minutes of the 5/1/17 as presented.</u> Selectman Rosenthal seconded. All in favor.

VOTER COMMENTS: none.

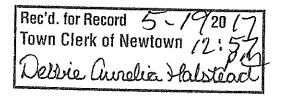
COMMUNCIATIONS: The organic program is up to 465 participants, making it the most successful municipal organic program in Western CT. First Selectman Llodra credited Arlene Miles, of the Department of Public Works, for all of her hard work with the program. The paramedic contract has been extended one year.

FINANCE DIRECTORS REPORT: Mr. Tait shared the Governors updated budget proposal, which would have a \$7 million impact on Newtown (att.)

NEW BUSINESS

Discussion and possible action:

1. Review the revised Charter requirements for special appropriations: First Selectman Llodra said this isn't a legal opinion platform. Selectman Rosenthal had five questions relative to special appropriation authority under the revised charter (att.). 1.) Is the date when a Special Appropriation is approved considered as the fiscal year for the appropriation for calculating the 1 mil maximum per Charter Section 6-35(a) or is it determined by the CIP Fiscal Year for the appropriation? Atty. Grogins said it depends, some items would be calculated for the purposes of the limitation in the subsequent fiscal year, subsequent to an approval. A CIP item, which was an expenditure of money in the future and was on the ballot for the purposes of appropriate authorization, might be counted in the subsequent year. He said this can be cleared up by an amendment to the present regulation by which the CIP is determined. The charter revision authorizes the Legislative Council to approve an appropriation of \$1.5 million or less with an overall limitation of 1 mil; anything over that amount would go to a referendum. First Selectman Llodra said that there has been no action by the Legislative Council on CIP items in the next fiscal year; that will take place after July 1. Legislative Council action thus far has all been within the same fiscal year. Ms. Jacob said the advice provided by the Town Attorney was under the assumption that the action would apply to 2017-18 items. 2.) Where in the Charter does the Legislative Council derive authority to send a special appropriation that is less than \$1.5 million directly to a referendum, prior to the Council having appropriated an aggregate of 1 mil (approx.. \$3 million) during a fiscal year per Section 6-35(e)? Atty. Grogins said there is an implication in the strategy by which items are presented to the public; there could



be smaller amounts with no room in the operating budget to authorize the expenditure. First Selectman Llodra said that in the CIP, for fiscal year 2018, the total number of projects is approximately \$5-6million, a number exceeding the Legislative Council authority. Ms. Jacob said that the entire 2017-18 CIP was reviewed, taking out everything over \$1.5 million that had to go to referendum, leaving them with an excess of 1 mil (or \$3 million), the town attorney was the consulted, as well as bond counsel, and the opinion was that the most appropriate approach was to send the most expensive items to referendum. First Selectman Llodra stated she hopes there is clarification, if the regulations get re-written, that state the appropriation for capital items occur in the year the project is expected to be executed. Ms. Jacob said the intention is to create a regulation that fills those gaps. Ms. Ku said that planning was needed based on state issues. She asked if the \$3 million appropriating ability will be reserved each year. Ms. Jacob said there is the potential of having more appropriations than I mil's worth. CIP items always wait until July to be appropriated. 3.) Does the Legislative Council have to vote to approve a Special Appropriation prior to voting to send said appropriation to a referendum per Section 6-35(g) (which states that "The Legislative Council shall recommend to a Town referendum all Special and Emergency Appropriations that equal or exceed the Legislative Council's authority")? Mr. Tait said the new charter was followed, as well as the bond counsel proceedings, the special appropriation went to the Board of Selectman, the Board of Finance and the Legislative Council, then a call to referendum. 4.) Does Section 6-35(d) require the Legislative Council to request a recommendation from the Board of Finance before it "acts' to initiate a Special Appropriation? Mr. Tait said the Legislative Council came up with the recommended list for the referendum and added the \$300,000 for the PD, which was added to the bond proceedings; it went through the entire process. Ms. Jacob believes the intent of the Charter Revision was to focus more on the Town Meeting than it was the chronology issue. Mr. Knapp recognized the role of ordinance and regulation to fill in detail. The code book is explicit in chapter 310. 310-8 deals with the town budget, specifically that if there is a project on the CIP for 2017-18 it cannot be considered for implementation in the 2016-17 budget. The code is very explicit in how much can be appropriated and when it can be appropriated. 5.) What does Section 6-35(a) mean when it defines a Special Appropriation as any appropriation of funds during a fiscal year that is "supplemental to a ... capital project"? All capital projects appropriations that are not funded in the operational budget are special appropriations. Ms. Ku (att.) questioned the difference between a special appropriation, an emergency appropriation and a capital improvement. Atty. Grogins said an appropriation is an authorization to spend money. Ms. Jacob said the Capital Improvement Plan (CIP) is a plan and as time gets closer appropriations are used to approve individual items in the plan. Emergency appropriations are very rarely used. If the Legislative Council doesn't have the authority to act then action goes to referendum. Ms. Ku asked if the Charter provides for a different process depending on the type of appropriation. First Selectman Llodra stated that any appropriation that is not in the annual budget is a special appropriation. Ms. Ku asked if an appropriation by the Legislative Council is an appropriation regardless if it goes to referendum or if it is part of the 1 mil. Atty. Grogins said once it goes to referendum it is not counted toward the 1 mil. Mr. Knapp asked about phased projects. First Selectman Llodra said that is worthy of an in depth conversation that will likely take place at the Council

2. Phase 2 of Canaan demo, foundation/slab removal: Ms. Preszler explained the Town used the prevetted state bid list for the original demolition. Three companies answered an RFP ranging from \$2.5 million to \$4.4 million. The two lower bidders were questioned further and ultimately AAIS, out of West Haven, were chosen. They were professional, available for discussion throughout the job and conscientious. Mr. Carley reported AAIS did grinding of material on site so there wasn't truck traffic; they preserved materials from within the building. Mr. Mitchell supplied documentation to back up his recommendation to continue the AAIS contract (att.). Within state contract the town has the right to negotiate, based on scope. Selectman Rodgers moved to authorize the First Selectman to proceed with Phase 2 of the contract with AAIS. Selectman Rosenthal seconded. All in favor.

- 3. Roles and Responsibilities for Community Center and Senior Center design and construction: First Selectman Llodra shared a document on the roles and responsibilities relative to the Newtown Community Center (att.). Selectman Rodgers moved to appoint, as an Ad Hoc Committee, the Community Center Advisory Committee to include Bill Buchler, Andy Clure, Maureen Crick-Owen, Brian Hartgraves, Nicole Hockley, Carla Kron, Brian Liedlein, Amy Mangold, Kinga Walsh and David Wheeler and the Senior Center Advisory Committee to include Barbara Bloom, John Boccuzzi, LeReine Frampton, George Guidera and Anna Wiedemann. Selectman Rosenthal seconded. All in favor.
- 4. Policy Governing Use of Native Plants on Town Owned Properties: This topic was not discussed.
- 5. Resolution: Ms. Mangold was present to talk about this project. Selectman Rodgers moved the resolution: RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$550,000 FOR THE PLANNING, DESIGN AND CONSTRUCTION OF A NEW PARKING LOT AT TREADWELL PARK LOCATED IN THE TOWN OF NEWTOWN, CONNECTICUT AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PROGRAM (2016-17 TO 2020-2021, INCLUSIVE) AND AUTHORIZING THE ISSUANCE OF \$550,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (Att.) and further moved to waive the reading of the entire resolution. Selectman Rosenthal seconded. All in favor.
- 6. Appointments/Reappointments/Vacancies/Openings: none.
- 7. **Driveway Bond Release/Extension:** Selectman Rodgers moved the release of a driveway bond for Brian Corson, 102 Walnut Tree Hill Road, M42, B15, L5, in the amount of \$1,000 and for KASL, LLC, Robin Hill Road, M14, B2, L16, in the amount of \$1,000. Selectman Rosenthal seconded. All in favor.
- 8. Tax Refunds: Selectman Rosenthal moved the May 2017 refunds, no. 17, in the amount of \$9,966.85 Selectman Rodgers seconded. All in favor.

VOTER COMMENTS: none.

ANNOUNCEMENTS: There will be a special Board of Selectmen meeting on May 23. The architects and the construction manager will attend with final recommendations for space, programming and cost estimation.

ADJOURNMENT: Having no further business the regular Board of Selectmen meeting was adjourned at 9:08pm.

Susan Marcinek, clerk

Attachments: Governor updated budget proposal; H. Rosenthal questions; M. Ku questions; PBSC recommendation; roles & responsibilities document; resolution & minute excerpts

05/15/2017

Gov. Malloy: Updated Budget Proposal Designed to Provide Greater Fiscal Stability and Predictability

Revised Proposal Decreases General Fund Expenditures over the Prior Year's Appropriation

(HARTFORD, CT) – Governor Dannel P. Malloy today released **an updated Fiscal Year 2018-2019 biennial budget proposal**, which was designed to maintain the administration's goals of providing more fiscal stability and predictability for taxpayer, businesses, and local governments, while continuing bolster the state's efforts to grow the economy and create jobs.

With April tax receipts underperforming expectations, this proposal cuts General Fund expenditures an additional \$241 million and other funds by \$363 million in FY 2018, compared to the balanced budget proposal Governor Malloy submitted to the legislature in February. Notably, these reductions mark a General Fund expenditure decrease over the prior year's appropriation.

By reworking the budget proposal to reflect actual revenue receipts, the administration will ensure that it enters budget negotiations with legislative leaders with a working, balanced budget proposal.

"The state must live within its means. We cannot spend more than we take in. That's why, when revenue came in lower than expected in April, we went back to the table to redraft our budget proposal," Governor Malloy said. "This session, the best outcome we can achieve for the people of the state is to adopt a responsible, balanced budget that does not rely heavily on new or increased taxes."

The updated proposal is the result of constructive conversations with various constituencies. It also incorporates some proposals brought forth by the legislative caucuses.

Key provisions in the updated proposal include:

· Incorporation of constructive ideas

- Adds English Learners as a separate weighting factor in the school funding formula.
- Municipal share of TRB contributions are capped at \$400 million until such time that normal costs begin to exceed \$400 million.
- Implements ideas from the Republican proposal, such as the transfer of sales tax on motor vehicles to the Special Transportation Fund and a requirement that the Lottery Corporation reduce spending in order to provide more to the general fund.

Responsible management of long-term obligations

- o Maintains our commitment to fully funding the state's pension obligations.
- Finishes paying off the state's Economic Recovery Notes by the end of FY 2018.
- Puts the General Fund nearly \$30 million in surplus.

Municipal aid

Not for Newtown!!

- To maintain the large categories of municipal aid, smaller grant programs are eliminated.
- Maintains the Governor's commitment to increasing aid to urban areas that are facing grave fiscal challenges and increases oversight on how those dollars are spent.

Revenue

The bulk of the revenue changes come from three areas: curtailing the transfers to the MRSF and Pequot and Mohegan Fund; increasing the real estate conveyance tax on properties valued above \$800,000; and elimination of the sales tax exemption for non-prescription drugs.

State workforce

- Continues to call for \$700 million in savings in FY 2018 through a new agreement with SEBAC, or by other means if necessary.
- Makes some changes to the fringe benefit accounts based on actual experience in FY 2017 as the state experienced a large reduction in the state workforce in the past year.

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REVISED FY18

EStimates of Statutory Formula Grants for FY 2017, FY 2018, and FY 2019

PILOT: State-Owned Real Property)

PILOT: Colleges & Hospitals

Revised FY 19 2,738,066 30,661,694 2,865,506 Gov Rec Revised FY 18 2,738,066 30,661,694 2,865,506 Gov Rec Original FY 19 2,738,066 30,661,694 22,517 2,865,506 666 1,627,558 Gov Rec Original FY 18 2,738,066 30,661,694 2,865,506 1,627,558 22,517 666 810,890 3,826,085 419,820 40,688,189 4,710,585 1,529,519 2,520,682 89,321 44,716 FY 2017 Revised FY 19 55,815 388,529 2,659,340 309,997 1,294,698 3,593,790 6,172,271 Gov Rec Revised FY 18 55,815 2,659,340 6,676,327 0 0 309,997 1,294,698 3,593,790 388,529 6,172,271 Gov Rec Gov Rec Gov Rec Original FY 18 Original FY 19 55,815 513,352 389,125 5,676,327 17,736 309,997 35,848 5,901 2,659,340 337,954 10,555 55,741 12,821 12,339 388,529 17,654 ,294,698 3,593,790 547,350 14,238 24,273 5,172,271 10,860 55,815 35,848 389,125 513,352 309,997 2,659,340 337,954 10,555 17,736 5,901 ,294,698 14,238 24,273 388,529 5,676,327 55,741 3,593,790 12,821 12,339 17,654 547,350 3,581 6,172,271 46,210 477 113 24,449 368,911 555,314 192,354 195,096 820 2,998 7,331 7,131,699 2,224,822 ,785,473 3,276,462 6,013,572 733,247 127 295,665 194 560 153 FY 2017 Grantee **North Branford** New Hartford New Fairfield Marlborough New Canaan Middletown New Britain New London New Milford Manchester Middlefield New Haven Middlebury Naugatuck Mansfield Newington Montville Newtown Meriden Madison Milford Monroe Morris Lyme

448,740

448,740

578,614

74,436

219

North Stonington

Norwalk

31,982

2,621

15,479

15,479 74,436 14,569 322,838 815,738

6,827

North Canaan North Haven 161,933

161,933

34,410

40,986

140,174

40,986

1,260

Plainfield Plainville

388

27,539

2,006

758,666

815,738

815,738

18,627 56,199

Old Saybrook

Orange

Oxford

Old Lyme

322,838 815,738 18,627 56,199

1,471,056

Mashantucket Pequot And Mohegan Fund Grant

Town Aid Road Grant

Grantee	FY 2017*	Gov Rec Original FY 18	Gov Rec Original FY 19	Gov Rec Revised FY 18	Gov Rec Revised FY 19	d FY 2017	Gov Rec Original FY 18	Gov Rec Original FY 19	Gov Rec	Gov Rec
Litchfield	12,058	17,970	17,970	0		383,652	2.		383,652	383,652
Lyme	2,506	8,286	8,286	0	0	180,020		180,020	180,020	180,020
Madison	12,848	19,020	19,020	0	0	313,305		313,305	313,305	313,305
Manchester	376,741	565,397	565,397	0	0	643,949	9 643,949	643,949	643,949	643,949
Mansfield	135,297	215,418	215,418	0	0	418,225	5 418,225	418,225	418,225	418,225
Marlborough	12,237	18,732	18,732	0	0	212,271	1 212,271	212,271	212,271	212,271
Meriden	571,253	857,313	857,313	0	0	665,434	4 665,434	665,434	665,434	665,434
Middlebury	10,376	15,886	15,886	0	0	222,973	3 222,973	222,973	222,973	222,973
Middlefield	11,442	17,261	17,261	0	0	197,378	8 197,378	197,378	197,378	197,378
Middletown	789,316	1,184,574	1,184,574	0	0	590,410		590,410	590,410	590,410
Milford	251,299	377,139	377,139	0	0	587,972	2 587,972	587,972	587,972	587,972
Monroe	21,992	33,847	33,847	0	0	352,449	352,449	352,449	352,449	352,449
Montville	628,630	997,846	997,846	0	0	326,817	326,817	326,817	326,817	326,817
Morris	7,296	11,150	11,150	0	0	177,587	177,587	177,587	177,587	177,587
Naugatuck	152,035	231,232	231,232	0	0	422,743	3 422,743	422,743	422,743	422,743
New Britain	1,447,702	2,172,652	2,172,652	0	0	766,612	766,612	766,612	766,612	766,612
New Canaan	5,910	8,816	8,816	0	0	331,606	331,606	331,606	331,606	331,606
New Fairfield	19,221	29,901	29,901	0	0	276,666	5 276,666	276,666	276,666	276,666
New Hartford	12,586	18,753	18,753	0	0	269,713	3 269,713	269,713	269,713	269,713
New Haven	3,824,319	5,753,352	5,753,352	0	0	1,245,504	1,245,504	1,245,504	1,245,504	1,245,504
New London	1,146,878	1,739,891	1,739,891	0	0	386,996	386,996	386,996	386,996	386,996
New Milford	50,634	74,366	74,366	0	0	556,759	556,759	556,759	556,759	556,759
Newington	163,797	745,693	745,693	С	C	415,637	1 415,634	415,634	415,634	415 634
Newtown	601,342	903,200	903,200	0	0	470,708	470,708	470,708	470,708	470,708
Nortolk	8,789	13,256	13,256	0	0	241,494	1 241,494	241,494	241,494	241,494
North Branford	27,744	40,346	40,346	0	0	280,778	380,778	280,778	280,778	280,778
North Canaan	14,471	20,843	20,843	0	0	187,983	187,983	187,983	187,983	187,983
North Haven	99,765	149,723	149,723	0	0	358,089	358,089	358,089	358,089	358,089
North Stonington	555,647	894,610	894,610	0	0	240,036	240,036	240,036	240,036	240,036
Norwalk	539,110	809,075	809,075	0	0	894,294	894,294	894,294	894,294	894,294
Norwich	1,262,122	1,965,986	1,965,986	0	0	497,815	497,815	497,815	497,815	497,815
Old Lyme	9,561	14,374	14,374	0	0	229,764	229,764	229,764	229,764	229,764
Old Saybrook	9,637	14,310	14,310	0	0	246,823	246,823	246,823	246,823	246,823
Orange	28,703	43,141	43,141	0	0	275,112	275,112	275,112	275,112	275,112
Oxford	16,756	25,447	25,447	0	0	274,559	274,559	274,559	274,559	274,559
Plainfield	80,868	121,937	121,937	0	0	288,831	288,831	288,831	288,831	288,831
Plainville	47,844	74,491	74,491	0	0	307,260	307,260	307,260	307,260	307,260

Adult Education

Local Capital Improvement (LOCIP)

Gov Rec Revised Gov Rec Revised 41,553 13,779 539,112 944,322 ,281,469 33,611 202,559 587,827 3,755 2,845 37,300 2,727,038 40,986 4,054 6,692 78,645 1,113,961 319,352 13,779 202,559 944,322 1,281,469 33,611 3,755 2,845 587,827 40,986 37,300 4,054 2,727,038 6,692 9,502 78,645 1,113,961 319,352 Original FY 19 41,553 13,779 202,559 587,827 3,755 2,845 944,322 1,281,469 33,611 2,727,038 37,300 6,692 1,113,961 40,986 4,054 9,502 78,645 319,352 Gov Rec Original FY 18 13,779 1,281,469 33,611 587,827 3,755 2,845 41,553 40,986 944,322 202,559 2,727,038 37,300 4,054 6,692 9,502 78,645 1,113,961 319,352 39,547 12,713 33,317 973,216 1,249,158 204,943 546,113 3,961 2,691 2,796,517 33,326 38,839 47,090 1,126,586 4,497 FY 2017 Revised FY 19 128,307 499,720 59,906 613,313 64,813 370,147 410,450 227,627 37,193 156,928 25,300 299,694 135,419 171,621 ,171,318 93,703 73,606 ,870,206 365,474 224,747 242,279 244,814 103,560 34,363 37,198 180,303 56,072 745,196 376,807 Gov Rec Revised FY 18 201,626 785,275 357,699 101,849 58,446 581,659 644,994 963,777 269,690 470,948 94,138 246,601 39,757 212,802 147,247 115,666 ,938,895 574,317 353,175 ,840,642 384,708 380,724 58,454 162,737 53,999 283,334 88,113 592,126 90,489 122,859 181,034 ,171,023 174,469 230,913 Original FY 19 128,307 499,720 227,627 59,906 613,313 64,813 37,193 370,147 410,450 156,928 25,300 299,694 135,419 73,606 171,621 1,171,318 93,703 365,474 224,747 1,870,206 244,814 242,279 103,560 34,363 180,303 56,072 745,196 376,807 57,584 78,183 146,945 115,203 Original FY 18 785,275 357,699 94,138 101,849 58,446 581,659 644,994 963,777 246,601 269,690 39,757 470,948 147,247 115,666 574,317 353,175 212,802 ,840,642 2,938,895 380,724 384,708 58,454 162,737 53,999 283,334 88,113 122,859 592,126 90,489 181,034 ,171,023 Gov Rec 0 FY 2017 Grantee North Stonington North Branford New Fairfield New Hartford Marlborough North Canaan New Canaan Middletown New London North Haven Old Saybrook Middlefield New Britain New Milford Manchester Middlebury New Haven Naugatuck Litchfield Mansfield Newington Montville Madison Meriden Newtown Old Lyme Plainfield Milford Monroe Norwalk Norwich Vortolk Orange Morris Lyme Oxford

228,244

Plainville

122,075

122,075

Education Cost Sharing

Special Education

4 447 500	Oliginat I Io	Original FY 19	Revised FY 18	Revised FY 19		Original FY 18	Original FY 19	Revised FY 18	Revised FY 19
1,440,390	0	0	0	ī	0	456,151	456,151	0	0
63,069	28,000	28,000	28,000	28,000	0	72,299	72,299	0	0
446,496	0	0	0	i.	0	807,883	807,883	0	0
34,440,424	32,860,318	32,860,318	32,103,562	32,103,562	0	10,025,415	10,025,415	11,288,866	11,288,866
9,947,410	6,224,056	6,224,056	5,640,398	5,640,398	0	2,918,758	2,918,758	3,601,566	3,601,566
3,154,015	1,849,972	1,849,972	1,284,242	1,284,242	0	759,408	759,408	527,922	527,922
60,258,395	50,848,590	50,848,590	53,222,565	53,222,565	0	14,414,021	14,414,021	18,175,673	18,175,673
855,086	121,400	121,400	121,400	121,400	0	986,640	986,640	0	0
2,099,315	1,210,484	1,210,484	902,570	902,570	0	570,311	570,311	178,173	178,173
19,515,825	20,443,378	20,443,378	19,593,166	19,593,166	0	9,157,073	9,157,073	10,254,971	10,254,971
10,849,101	0	0	0		0	3,992,091	3,992,091	0	0
6,394,518	1,090,703	1,090,703	0		0	1,530,266	1,530,266	0	0
12,589,621	10,063,726	10,063,726	9,639,497	9,639,497	0	3,577,810	3,577,810	4,176,500	4,176,500
102,178	31,500	31,500	31,500	31,500	0	121,728	121,728	0	0
30,280,380	25,693,053	25,693,053	25,997,984	25,997,984	0	6,256,840	6,256,840	7,690,472	7,690,472
86,195,269	86,837,819	86,837,819	94,994,875	94,994,875	0	23,602,045	23,602,045	30,449,251	30,449,251
339,590	0	0	0		0	116,734	116,734	0	0
4,338,569	543,196	543,196	0	3	0.	1,236,958	1,236,958	0	0
3,113,169	1,692,298	1,692,298	1,162,837	1,162,837	0	1,036,112	1,036,112	619,143	619,143
154,301,977	119,477,930	119,477,930	128,015,365	128,015,365	0	33,072,932	33,072,932	42,121,972	42,121,972
25,806,077	24,203,252	24,203,252	26,608,457	26,608,457	0	8,449,310	8,449,310	10,799,032	10,799,032
11,832,806	4,557,577	4,557,577	2,126,347	2,126,347	0	3,112,774	3,112,774	891,544	891,544
12,983,806	10,162,029	10,162,029	8,349,789	8,349,789	0	3,879,121	3,879,121	3,588,893	3,588,893
4,893,944	889,696	969,688	0	ar.	0	2,408,508	2,408,508	0	0
25,815	4,200	4,200	4,200	4,200	0	120,198	120,198	49,681	49,681
8,076,776	4,048,325	4,048,325	3,132,834	3,132,834	0	1,849,955	1,849,955	1,516,083	1,516,083
2,044,243	825,291	825,291	636,684	636,684	0	518,290	518,290	454,597	454,597
3,842,088	861,329	861,329	0	•	0	2,512,815	2,512,815	453,317	453,317
2,834,470	1,143,072	1,143,072	725,303	725,303	0	488,177	488,177	256,530	256,530
11,243,340	11,952,439	11,952,439	13,129,410	13,129,410	0	5,842,488	5,842,488	0	0
36,209,664	33,601,078	33,601,078	35,709,259	35,709,259	0	12,179,222	12,179,222	15,194,844	15,194,844
247,462	104,700	104,700	104,700	104,700	0	266,180	266,180	0	0
122,907	0	0	0	r.	0	367,081	367,081	0	0
1,509,226	51,688	51,688	51,688	51,688	0	926,199	926,199	0	0
4,528,763	465,490	465,490	0	•	0	1,240,490	1,240,490	0	0
15,364,444	11,209,478	11,209,478	11,050,395	11,050,395	0	3,930,446	3,930,446	4,831,895	4,831,895
10,272,197	8,217,871	8,217,871	7,506,306	7,506,306	0	3,149,215	3,149,215	3,422,657	3,422,657

Estimates of Statutory Formula Grants for FY 2017, FY 2018, and FY 2019

Grants for Municipal Projects

MRSF: Municipal Revenue Sharing Grant

Grantee	FY 2017	Gov Rec Original FY 18	Gov Rec Original FY 19	Gov Rec Revised FY 18	Gov Rec Revised FY 19	FY 2017	Gov Rec Original FY 18	Gov Rec Original FY 19	Gov Rec Revised FY 18	Gov Rec Revised FY 19
Litchfield	3,432	0	0	0	0	169,828	244,464	244,464	0	0
Lyme	0	0	0	0	0	21,862	31,470	31,470	0	0 0
Madison	6,795	0	0	0	0	372,897	536,777	536,777	0	0 0
Manchester	1,072,449	0	0	0	0	1,972,491	1,971,540	1,971,540	0	0
Mansfield	6,841	0	0	0	0	525,280	756,128	756,128	0	0
Marlborough	7,313	0	0	0	0	131,065	188,665	188,665	0	0
Meriden	893,641	0	0	0	0	1,315,347	1,893,412	1,893,412	0	0
Middlebury	84,264	0	0	0	0	154,299	222,109	222,109	0	0
Middlefield	248,652	0	0	0	0	91,372	131,529	131,529	0	0
Middletown	1,987,145	0	0	0	0	964,657	1,388,602	1,388,602	0	0
Milford	1,344,868	0	0	0	0	1,880,830	2,707,412	2,707,412	0	0
Monroe	179,106	0	0	0	0	404,221	581,867	581,867	0	0
Montville	528,644	0	0	0	0	401,756	578,318	578,318	0	0
Morris	3,528	0	0	0	0	28,110	40,463	40,463	0	0
Naugatuck	341,656	0	0	0	0	2,405,660	2,251,980	2,251,980	0	0
New Britain	1,383,881	0	0	0	0	5,781,991	3,131,893	3,131,893	0	0
New Canaan	200	0	0	0	0	168,106	241,985	241,985	0	0
New Fairfield	1,149	0	0	0	0	288,278	414,970	414,970	0	0
New Hartford	139,174	0	0	0	0	140,338	202,014	202,014	0	0
New Haven	1,369,123	0	0	0	0	2,118,290	5,114,863	5,114,863	0	0
New London	33,169	0	0	0	0	750,249	917,228	917,228	0	0
New Milford	674,203	0	0	0	0	565,898	814,597	814,597	0	0
Newington	917,869	0	0	0	0	651,000	937,100	937,100	0	0
Newtown	235,371	0	0	0	0	572,949	824,747	824,747	0)	0
Norfolk	7,207	0	0	0	0	20,141	78,993	78,993	Þ	0
North Branford	301,074	0	0	0	0	292,517	421,072	421,072	0	0
North Canaan	359,719	0	0	0	0	66,052	95,081	95,081	0	0
North Haven	1,445,730	0	0	0	0	487,882	702,295	702,295	0	0
North Stonington	0	0	0	0	0	107,832	155,222	155,222	0	0
Norwalk	402,915	0	0	0	0	3,401,590	4,896,511	4,896,511	0	0
Norwich	187,132	0	0	0	0	1,309,943	1,362,971	1,362,971	0	0
Old Lyme	1,888	0	0	0	0	79,946	115,080	115,080	0	0
Old Saybrook	46,717	0	0	0	0	101,527	146,146	146,146	0	0
Orange	104,962	0	0	0	0	284,365	409,337	409,337	0	0
Oxford	84,313	0	0	0	0	171,492	246,859	246,859	0	0
Plainfield	144,803	0	0	0	0	310,350	446,742	446,742	0	0
Plainville	541,936	0	0	0	0	363,176	522,783	522,783	0	0

Estimates of Statutory Formula Grants for FY 2017, FY 2018, and FY 2019

Additional Payment in Lieu of Taxes

MRSF: Moto

MRSF: Motor Vehicle Property Tax Grants

Grantee	FY 2017	Original FY 18	Original FY 19	FY 18 FY 19	FY 19	FY 2017	Original FY 18	Original FY 19	Revised FY 18	Gov Rec Revised FY 19
Litchfield	13,303	13,907	13,907	0	0	0	0	0	0	0
Lyme	0	0	0	0	0	0	0	0	0	0
Madison	0	0	0	0	0	0	0	0	0	0
Manchester	0	0	0	0	0	0	3,094,791	3,094,791	0	0
Mansfield	2,516,331	2,630,447	2,630,447	0	0	0	0	0	0	0
Marlborough	0	0	0	0	0	0	0	0	0	0
Meriden	248,303	259,564	259,564	0	0	0	1,245,477	1,245,477	0	0
Middlebury	0	0	0	0	0	0	0	0	0	0
Middlefield	0	0	0	0	0	0	71,730	71,730	0	0
Middletown	695,770	727,324	727,324	0	0	0	1,593,535	1,593,535	0	0
Milford	0	0	0	0	0	0	0	0	0	0
Monroe	0	0	0	0	0	0	0	0	0	0
Montville	25,080	26,217	26,217	0	0	0	0	0	0	0
Morris	0	0	0	0	0	0	0	0	0	0
Naugatuck	0	0	0	0	0	0	2,379,896	2,379,896	0 .	0
New Britain	1,995,060	2,085,537	2,085,537	0	0	0	5,108,889	5,108,889	0	0
New Canaan	0	0	0	0	0	0	0	0	0	0
New Fairfield	0	0	0	0	0	0	0	0	0	0
New Hartford	0	0	0	0	0	0	0	0	0	0
New Haven	14,584,940	15,246,372	15,246,372	0	0	0	4,278,601	4,278,601	0	0
New London	1,297,919	1,356,780	1,356,780	0	0	0	678,319	678,319	0	0
New Milford	0	0	0	0	0	0			0	0
Newington	169,211	176,884	176,884	0	0	0	668,057	668,057	0	0
Newtown	0	0	0	0	0	0	335,300	335,300	0	0
Norfolk	0	0	0	0	0	0	0 .	0	0	0
North Branford	0	0	0	0	0	0	0	0	0	0
North Canaan	4,203	4,393	4,393	0	0	0	0	0	0	0
North Haven	0	0	0	0	0	0	0	0	0	0
North Stonington	0	0	0	0	0	0	0	0	0	0
Norwalk	0	0	0	0	0	0	0	0	0	0
Norwich	248,588	259,862	259,862	0	0	0	1,534,355	1,534,355	0	0
Old Lyme	0	0	0	0	0	0	0	0	0	0
Old Saybrook	0	0	0	0	0	0	0	0	0	0
Orange	0	0	0	0	0	0	0	0	0	0
Oxford	0	0	0	0	0	0	0	0	0	0
Plainfield	15,417	16,116	16,116	0	0	0	0	0	0	0
Plainville	0	0	0	0	0	0	0	0	0	0

MRSF: Urban Stabilization Grants

TOTAL Statutory Formula Aid

Grantee	FY 2017	Gov Rec Original FY 18	Gov Rec Original FY 19	Gov Rec Revised FY 18	Gov Rec Revised FY 19	FY 2017	Gov Rec Original FY 18	Gov Rec Original FY 19	Gov Rec Revised FY 18	Gov Rec Revised FY 19
Litchfield	0	0	0	0	0	2,054,591	1,323,433	1.268.785	590.942	536 294
Lyme	0	0	0	0	0	270,457	378,286	361,109	255 257	238,080
Madison	0	0	0	0	0	1,528,193	2,275,236	2,201,917	522.432	449,113
Manchester	0	0	0	0	0	40,503,515	51,099,149	50,813,594	45,460,764	45, 175, 209
Mansfield	0	0	0	0	0	20,681,083	20,197,058	20,066,986	16,694,215	16.564.143
Marlborough	0	0	0	0	0	3,516,901	3,140,922	3,106,690	2,118,573	2,084,341
Meriden	0	0	0	2,672,337	2,672,337	66,293,738	72,401,907	72,051,443	76,954,105	76,603,641
Middlebury	0	0	0	0	0	1,326,998	1,706,704	1,669,668	446,222	409,186
Middlefield	0	0	0	0	0	2,648,192	2,263,040	2,241,787	1,336,567	1,315,314
Middletown	0	0	0	0	0	31,843,188	42,345,429	42,133,917	37,699,080	37,487,568
Milford	0	0	0	0	0	15,568,533	8,689,115	8,454,571	1,274,519	1,039,975
Monroe	0	0	0	0	0	7,365,045	3,860,067	3,770,394	612,829	523,156
Montville	0	0	0	0	0	16,319,338	17,168,733	17,070,664	15,740,813	15,642,744
Morris	0	0	0	0	0	319,519	436,423	421,966	248,844	234,387
Naugatuck	0	0	0	1,437,450	1,437,450	33,810,415	37,964,992	37,793,738	36,222,156	36,050,902
New Britain	0	0	0	4,246,375	4,246,375	103,913,772	129,727,706	129,058,382	136,479,372	135,810,048
New Canaan	0	0	0	0	0	852,811	936,249	858,866	544,442	467,059
New Fairfield	0	0	0	0	0	4,927,972	2,665,514	2,611,970	427,668	374,124
New Hartford	0	0	0	0	0	3,677,671	3,349,740	3,307,680	2,170,204	2,128,144
New Haven	0	0	0	6,018,606	6,018,606	226,942,430	226,689,452	225,620,763	219,901,345	218,832,656
New London	0	0	0	1,342,823	1,342,823	35,554,124	42,674,089	42,465,246	44,079,621	43,870,778
New Milford	0	0	0	0	0	13,803,141	9,527,888	9,399,460	3,968,811	3,840,383
Newington	0	0	0	0	0	17,429,828	19,011,197	18,871,303	12,776,324	12,636,430
Newtown	0	0	0	0	0	7,512,058	6,844,279	6,705,834	855,486	717,041
Norfolk	0	0	0	0	0	421,057	535,562	514,306	354,069	332,813
North Branford	0	0	0	0	0	9,025,980	6,849,513	6,790,336	5,134,152	5,074,975
North Canaan	0	0	0	0	0	2,683,497	1,721,358	1,701,722	1,333,263	1,313,627
North Haven	0	0	0	0	0	6,822,012	5,397,453	5,294,422	1,101,432	998,401
North Stonington	0	0	0	0	0	3,746,165	3,033,301	3,001,260	1,319,484	1,287,443
Norwalk	0	0	0	765,550	765,550	18,062,640	25,967,313	25,541,486	16,038,922	15,613,095
Norwich	0	0	0	1,926,794	1,926,794	41,409,935	53,128,506	52,913,187	55,055,928	54,840,609
Old Lyme	0	0	0	0	0	570,774	866,754	833,849	424,953	392,048
Old Saybrook	0	0	0	0	0	532,330	958,070	913,394	374,334	329,658
Orange	0	0	0	0	0	2,354,335	2,055,582	1,989,751	507,834	442,003
Oxford	0	0	0	0	0	5,240,840	2,568,882	2,505,438	450,423	386,979
Plainfield	0	0	0	0	0	16,348,286	16,390,569	16,306,601	16,548,140	16,464,172
Plainville	0	0	0	0	0	11,655,544	12,632,249	12,549,251	11,586,542	11,503,544

Less: Reimbursement from Towns for Teachers' Retirement

Local Property Tax Revenue on Hospital Real Property

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Grantee	FY 2017	Gov Rec Original FY 18	Gov Rec Original FY 19	Gov Rec Revised FY 18	Gov Rec Revised FY 19	FY 2017 Go	Gov Rec Original FY 18	Gov Rec Goriginal FY 19	Gov Rec Revised FY 18	Gov Rec Revised FY 19
Litchfield	0	(900,232)	(956,480)	(883,353)	(883,353)	0	0	0	0	0
Lyme	0	(288,526)	(297,903)	(283,116)	(283,116)	0	0	0	0	0
Madison	0	(2,602,739)	(2,687,329)	(2,553,938)	(2,553,938)	0	0	0	0	0
Manchester	0	(5,081,279)	(5,246,421)	(4,986,004)	(4,986,004)	0	2,842,338	2,842,338	0	0
Mansfield	0	(1,662,704)	(1,716,741)	(1,631,528)	(1,631,528)	0	39,027	39,027	39,027	39,027
Marlborough	0	(840,959)	(868,290)	(825,190)	(825,190)	0	0	0	0	0
Meriden	0	(5,842,301)	(6,032,176)	(5,732,757)	(5,732,757)	0	3,977,791	3,977,791	3,977,791	3,977,791
Middlebury	0	(1,029,867)	(1,063,337)	(1,010,556)	(1,010,556)	0	0	0	0	0
Middlefield	0	(551,370)	(569,289)	(541,032)	(541,032)	0	0	0	0	0
Middletown	0	(3,683,211)	(3,802,916)	(3,614,150)	(3,614,150)	0	6,930,771	6,930,771	6,930,771	6,930,771
Milford	0	(5,581,054)	(5,762,438)	(5,476,408)	(5,476,408)	0	1,471,823	1,471,823	1,471,823	1,471,823
Monroe	0	(3,017,406)	(3,115,472)	(2,960,829)	(2,960,829)	0	0	0	0	0
Montville	0	(2,039,532)	(2,105,817)	(2,001,290)	(2,001,290)	0	0	0	0	0
Morris	0	(281,468)	(290,615)	(276,190)	(276,190)	0	0	0	0	0
Naugatuck	0	(3,173,613)	(3,276,755)	(3,114,107)	(3,114,107)	0	0	0	0	0
New Britain	0	(7,512,822)	(7,756,989)	(7,371,955)	(7,371,955)	0	10,635,326	10,635,326	10,635,326	10,635,326
New Canaan	0	(4,198,553)	(4,335,006)	(4,119,829)	(4,119,829)	0	649,204	649,204	649,204	649,204
New Fairfield	0	(2,069,310)	(2,136,562)	(2,030,510)	(2,030,510)	0	0	0	0	0
New Hartford	0	(801,726)	(827,782)	(786,694)	(786,694)	0	0	0	0	0
New Haven	0	(14,966,054)	(15, 452, 451)	(14,685,438)	(14,685,438)	0	33,773,690	33,773,690	33,773,690	33,773,690
New London	0	(2,188,925)	(2,260,065)	(2,147,882)	(2,147,882)	0	5,646,215	5,646,215	5,646,215	5,646,215
New Milford	0	(3,088,270)	(3,188,639)	(3,030,364)	(3,030,364)	0	753,848	753,848	753,848	753,848
Newington	С	(3.457.889)	(3.570.271)	(3.393.053)	(3.393.053)	0	2,140,262	2,140,262	2,140,262	2,140,262
Newtown	0	(3,917,100)	(4,044,406)	(3,843,654)	(3,843,654)	0	0	0	0	0
Norrolk	D	(152,352)	(505,761)	(149,495)	(149,495)	0	0	0	0	0
North Branford	0	(1,473,670)	(1,521,564)	(1,446,038)	(1,446,038)	0	0	0	0	0
North Canaan	0	(417,493)	(431,062)	(409,665)	(409,665)	0	0	0	0	0
North Haven	0	(2,494,713)	(2,575,792)	(2,447,937)	(2,447,937)	0	331,392	331,392	331,392	331,392
North Stonington	0	(641,730)	(662,587)	(629,698)	(629,698)	0	0	0	0	0
Norwalk	0	(9,215,371)	(9,514,871)	(9,042,581)	(9,042,581)	0	9,931,560	9,931,560	9,931,560	9,931,560
Norwich	0	(3,331,735)	(3,440,017)	(3,269,265)	(3,269,265)	0	3,846,382	3,846,382	3,846,382	3,846,382
Old Lyme	0	(1,062,442)	(1,096,971)	(1,042,521)	(1,042,521)	0	0	0	0	0
Old Saybrook	0	(1,271,219)	(1,312,533)	(1,247,383)	(1,247,383)	0	0	0	0	0
Orange	0	(1,997,989)	(2,062,923)	(1,960,526)	(1,960,526)	0	0	0	0	0
Oxford	0	(1,330,435)	(1,373,674)	(1,305,489)	(1,305,489)	0	0	0	0	0
Plainfield	0	(1,589,753)	(1,641,420)	(1,559,944)	(1,559,944)	0	135,871	135,871	135,871	135,871
Plainville	0	(1,927,428)	(1,990,069)	(1,891,288)	(1,891,288)	0	0	0	0	0

Cumulative TOTAL

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Gov Rec Revised FY 19	(347,059)	(45,036)	(2,104,825)	40,189,204	14,971,643	1,259,150	74,848,674	(601,370)	774,283	40,804,189	(2,964,610)	(2,437,672)	13,641,454	(41,803)	32,936,795	139,073,418	(3,003,566)	(1,656,385)	1,341,451	237,920,908	47,369,111	1,563,866	11 383 639	(3,126,613)	115,501	3,628,937	903,962	(1,118,144)	657,746	16,502,074	55,417,727	(650,472)	(917,725)	(1,518,523)	(918,510)	15,040,098	9,612,256
Gov Rec Revised FY 18	(292,411)	(27,859)	(2,031,506)	40,474,759	15,101,715	1,293,382	75,199,138	(564,334)	795,536	41,015,701	(2,730,066)	(2,347,999)	13,739,523	(27,346)	33,108,049	139,742,742	(2,926,183)	(1,602,841)	1,383,511	238,989,597	47,577,954	1,692,294	11, 523, 533	(2,988,168)	204,373	3,688,114	923,598	(1,015,113)	689,787	16,927,901	55,633,046	(617,567)	(873,049)	(1,452,692)	(855,066)	15,124,066	9,695,254
Gov Rec Original FY 19	339,295	63,206	(485,412)	48,409,511	18,389,272	2,238,400	69,997,058	606,331	1,672,497	45,261,772	4,163,956	654,923	14,964,847	131,351	34,516,983	131,936,719	(2,826,936)	475,408	2,479,898	243,942,002	45,851,396	6,964,669	17,441,295	2,661,428	500,765	5,268,772	1,270,660	3,050,022	2,338,674	25,958,175	53,319,552	(263,122)	(399,139)	(73,173)	1,131,764	14,801,052	10,559,181
Gov Rec Original FY 18	423,201	89,760	(327,503)	48,860,208	18,573,381	2,299,963	70,537,397	676,838	1,711,670	45,592,989	4,579,885	842,662	15,129,201	154,956	34,791,380	132,850,210	(2,613,099)	596,205	2,548,014	245,497,088	46,131,379	7,193,466	17.693.570	2,927,179	565,210	5,375,843	1,303,865	3,234,131	2,391,571	26,683,501	53,643,153	(195,688)	(313,149)	57,593	1,238,447	14,936,687	10,704,821
FY 2017	2,054,591	270,457	1,528,193	40,503,515	20,681,083	3,516,901	66,293,738	1,326,998	2,648,192	31,843,188	15,568,533	7,365,045	16,319,338	319,519	33,810,415	103,913,772	852,811	4,927,972	3,677,671	226,942,430	35,554,124	13,803,141	17.479.878	7,512,058	421,037	9,025,980	2,683,497	6,822,012	3,746,165	18,062,640	41,409,935	570,774	532,330	2,354,335	5,240,840	16,348,286	11,655,544
Grantee	Litchfield	Lyme	Madison	Manchester	Mansfield	Marlborough	Meriden	Middlebury	Middlefield	Middletown	Milford	Monroe	Montville	Morris	Naugatuck	New Britain	New Canaan	New Fairfield	New Hartford	New Haven	New London	New Milford	Newington	Newtown	Norrotk	North Branford	North Canaan	North Haven	North Stonington	Norwalk	Norwich	Old Lyme	Old Saybrook	Orange	Oxford	Plainfield	Plainville

**Also Elderly Tax Relief - Circuit Breaker is not funded. Newtown has budgeted \$107,000 from the State.



Fwd: Special Appropriation authority under revised Charter

Pat Llodra <pat.llodra@newtown-ct.gov>
To: Sue Marcinek <susan.marcinek@newtown-ct.gov>

Thu, Apr 27, 2017 at 2:36 PM

for the BoS file for May 15

----- Forwarded message -----

From: Herb Rosenthal herb.rosenthal@newtown-ct.gov

Date: Thu, Apr 27, 2017 at 1:23 PM

Subject: Special Appropriation authority under revised Charter

To: Pat Llodra <pat.llodra@newtown-ct.gov>, "Rodgers, Will" <SugrBrk@aol.com>, dgrogins@cohenandwolf.com

Good Afternoon Pat, Will and David,

Based upon my reading of our revised Town Charter and concerns that otherr have expressed to me, I have some concerns regarding the Special Appropriation process and authority that I would like to have clarified per my request for a Board of Selectmen's meeting agenda item.

The following are some of the issues:

- 1) Is the date when a Special Appropriation is approved considered as the fiscal year for the appropriation for calculating the 1 mil maximum per Charter Section 6-35 (a) or is it determined by the CIP Fiscal Year for the appropriation?
- 2) Where in the Charter does the Legislative Council derive authority to send a special appropriation that is less than \$1,500,000 directly to a referendum, prior to the Council having appropriated an aggregate of 1 mil (approximately \$3,000,000) during a fiscal year per Section 6-35 (e).
- 3) Does the Legislative Council have to vote to approve a Special Appropriation prior to voting to send said appropriation to a referendum per Section 6-35(g) (which states that "The Legislative Council shall recommend to a Town referendum all Special and Emergency Appropriations that **equal** or **exceed** the Legislative Council's authority")?
- 4) Does Section 6-35(d) require the Legislative Council to request a recommendation from the Board of Finance before it "acts" to initiate a Special Appropriation?
- 5) What does Section 6-35(a) mean when it defines a Special Appropriation as any appropriation of funds during a fiscal year that is "supplemental to a ... capital project"? I understand the part that defines them as supplemental to the Annual Budget appropriation, but I thought that all appropriations for capital projects that are not funded in the annual operating budget are Special Appropriations?

I think that these issues need to be clarified before future Special Appropriations are entertained.

Thank you, Herb

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

(203) 270-4201 - Office (203) 270-4206 - FAX

May 1, 2017

Newtown Board of Selectman 3 Primrose St. Newtown, CT 06470

Dear Mrs. Llodra, Mr. Rodgers and Mr. Rosenthal,

We are all thankful that the referendum items passed last week's test. As you know, because of the uncertainty of the state budget, Newtown is still left open to circumstances which could require Special Appropriations to be made. In looking at these scenarios, I am left wondering if, by sending lower cost Capital Improvement Projects (CIP) to referendum, the Legislative Council's authority has been unintentionally limited more than required by the Charter. Specifically:

Why are any CIP items that are under \$1.5M going to referendum? And why is the Legislative Council limiting itself to \$3M in appropriations for CIP items?

If my understanding of the Town Charter is correct, CIP items up to \$1.5M should be approved or rejected by the Legislative Council, regardless of the cumulative amount of the items.

Specifically, the language of the Charter indicates the following:

Special Appropriations are separate from CIP items:

6-35 (a) A "Special Appropriation" is any appropriation of additional funds made during a fiscal year that is supplemental to an adopted **Town Budget** or capital project. An "Emergency Appropriation" is an appropriation required for an unforeseen or extraordinary event or threat to public health, safety, or welfare. The Board of Finance shall make a recommendation regarding a proposed **Special Appropriation**, but such a recommendation is not required for an **Emergency Appropriation**.

Section 6-20(e), "Preparation of the Proposed Town Budget by the Legislative Council," refers to individual CIP projects:

6-20 (e) If the Legislative Council approves a project in the Capital Improvement Plan for appropriation and funding for an amount that exceeds the Legislative Council's authority, as established in Subsection 6-35(e), the Legislative Council shall use its best

efforts to have the appropriation for the project added to the ballot for the Annual Town Budget Referendum.

Section 6-35(e), which is referenced in 6-20(e), limits the appropriation for any one purpose. The section goes on to describe a cumulative amount for a fiscal year, but this cumulative amount appears to be specific to Special and Emergency Appropriations, and does not include CIP items:

6-35 (e) The Legislative Council shall have the power to make **Special** and **Emergency Appropriations**, in an amount not in excess of \$1,500,000 for any one purpose during a fiscal year. Said amount shall be cumulative during the fiscal year as to all appropriations related to said purpose. The total of **Special** and **Emergency Appropriations** made by the Legislative Council for all purposes during a fiscal year shall not exceed an amount equal to one mil on the most recently completed Grand List.

Contrary to 6-35(e), by including CIP items as part of the Legislative Council's cumulative annual limit of one mil for appropriations, the Legislative Council's ability to make Special Appropriations or Emergency Appropriations is essentially hobbled. The annual CIP spending alone is consistently much more than one mil. Under the current practice, the Legislative Council will be left having to choose between using its authority to appropriate money for CIP items or maintaining its ability to deal with financial challenges such as the one we see from the State this year.

I hope that you will review our process for sending items to referendum to determine if it is consistent with the intent of the Charter.

Thank you for your consideration,

Michelle

Michelle

Michelle Embree Ku 28 Platts Hill Rd. Newtown, CT 06470

May 11, 2017

Newtown Board of Selectman 3 Primrose St. Newtown, CT 06470

Dear Mrs. Llodra, Mr. Rodgers and Mr. Rosenthal, *

Thank you for the opportunity to add to the conversation about the enactment of the Charter.

My understanding is that there is not yet a regulation, as outlined in Section 5-10(b) of the Charter, to direct the Capital Improvement Plan (CIP) process. I hope that the recent CIP process - because it occurred without the benefit of the Board of Finance having discussions and making a recommendation to the Legislative Council for a regulation - can be put aside and that the process can be examined anew, without the pressure of an imminent referendum.

I understand that CIP items are appropriations and subject to statute and Charter. I don't think that precludes CIP items from having a different process from Special Appropriations, Emergency Appropriations or Budget Appropriations, though. As I read it, the Charter defines CIP appropriations as being different from other appropriations and provides a different process.

In addition to the questions I outlined in a letter dated May 1, 2017, I ask the following:

- 1. What is the legal definition of "appropriation"?
- 2. Can a Charter legally provide for different processes depending on the type of appropriation?
- 3. If so, does our Charter provide for different processes dependent on the type of appropriation? Specifically, why does Section 6-35(a) define Special Appropriations, Town Budget and Emergency Appropriations as being distinct from CIP items? Why does 6-20(e) refer to singular CIP projects (and not make mention of cumulative CIP items)? And why doesn't 6-35(e) mention CIP projects as being included in the cumulative one mil limit to the Legislative Council's authority? (for more detailed explanation, please see my letter dated May 1, 2017)
- 4. Does Section 6-20(e) direct the Legislative Council to appropriate up to its authority (one mil), as established in subsection 6-35(e), **BEFORE** placing items on a referendum? That is, if the Legislative Council has not yet reached its one mil authority, can it place items on the referendum to "reserve" its authority?

5. Section 6-20(e) of the Charter indicates that if a project in the Capital Improvement Plan calls for an appropriation for an amount that exceeds the Legislative Council's authority, the project shall be added to the ballot for the Annual Town Budget Referendum.

AND Section 25-3(c) "When an appropriation of the proposed Town Budget is approved by referendum vote, the action is final and not subject to additional referenda. Similarly if one or both appropriations of the budget fail, Subsection 6-25(b) shall be repeated until both appropriations are approved by referendum vote."

Does Section 25-3(c) allow for CIP appropriations, which fail in a first pass budget referendum, to be revised/included in any subsequent budget referenda?

- 6. This seems self-evident, but wanting to make no assumptions and to clarify, given that the Legislative Council appropriates money for CIP projects that are over \$1.5M before sending them to referendum, do those that are passed by referendum count toward the cumulative limit of one mil? That is, is an appropriation by the Legislative Council an appropriation, regardless of whether it goes to referendum?
- 7. If a small project comes up, such as cemetery cleanup for \$1,380 or \$15,765 from Sandy Hook Donations, in the middle of the year and the LC had already reached its appropriating authority limit, would these relatively small items be sent to referendum?
- 8. Of note: the language about appropriations for property acquisition is similar to the language about the CIP appropriations process in that it references 6-35(e) for a per project limit without any mention of a cumulative limit:

8-05(e) "As provided in Subsection 6-35(e), if the real property proposed to be acquired requires an appropriation of \$1,500,000 or more, said Acquisition shall require approval of a referendum."

It is unfortunate that a more clear process for the approval of capital improvement projects was not defined earlier. The predicament of having to postpone CIP items to the end of the year in order for the Legislative Council to "reserve" appropriating authority for unforeseen events seems cumbersome, yet if this year's process is followed, it will be an annual occurrence, because the CIP generally represents a value equivalent to almost four mils, and it would be imprudent to use the one mil cumulative appropriating authority before the year plays out. Putting aside this year's process, I think that there is good reason, based on the Charter, to exclude CIP items that are under \$1.5M from the Legislative Council's cumulative appropriating authority, and I hope that this will be open to discussion.

Thank you for your consideration,

Michelle

Michelle (representing my own opinion only)

3) 270-4311



TOWN OF NEWTOWN

PUBLIC BUILDING AND SITE COMMISSION

Newtown Community Center and Senior Center

May 4, 2017

A Board of Selectman meeting was held on April 26, 2017. At this meeting, it was approved that a portion of the current Fairfield Hills Authority demolition funds allocated for the Canaan House demolition could be used to complete the demolition of the remaining foundations, subsurface utilities, etc. This is required for the construction of the new Community Center and Senior Center. PBSC passed a motion to include this work and the funding source as part of our May 4, 2017 meeting.

We are recommending that the demolition contractor who performed that previous demolition be retained by the town to complete the subsurface demotion and removals, rather than develop a new invitation to bid through the public bidding process. This process will save 60 to 90 days in the project timeline. AAIS is a certified demolition contractor under the State Contract agreements.

AAIS was selected through the standard Town process. Three firms from the State list were requested to submit bids on the project. Companies were interviewed and the selection of AAIS was made based on a high level of confidence that the project would be completed with all conditions related to timing, expertise and cost. AAIS performed very well and we see no reason to go through the entire process over again.

We recommend that we approve and select AAIS as the demolition contractor and negotiate a new fee with them to complete the demolition of Canaan House.

AAIS (previous demolition contractor for Canaan House Site)

- Previous contractor performed very well
- Previous contractor is familiar with working on this site and with the Town
- Previous contractor has extensive knowledge of existing conditions
- No bidding period required
- Town should be able to negotiate a direct change order (verify with town attorney)
- Contract can be a simple change order if still open to current contract

• QA (Architect)

- Will provide building footprint size (they already have it with Schematic Design)
- Will provide location of building on site (C&W will over excavate as necessary)

Newtown Community Center and Senior Center May 4, 2017 Page 2 of 2

C&W (Construction Manager)

- Will coordinate building layout onsite
- Will oversee excavation for town
- Will ensure demo is properly coordinated with future planning
- Will advise the town if any issues arise during demolition that would affect current design
- Will coordinate locations of excess fill on site
- Will coordinate any site protection (fences, silt fence, tanks, etc. with demo and future project.

Additional benefits

- Demo of existing foundation as soon as possible will provide invaluable information about sub-surface conditions and possible water table issues. This will allow extremely accurate pricing if dewatering is necessary and will help save project allowance costs
- Helps show town residents that the project is moving forward quickly
- Gets project visible and helps to mitigate design discussions

If you plan to attend this meeting and require assisted hearing devices, please contact the Office of the First Selectman (203) 270-4201 at least forty-eight (48) hours prior to the meeting.

Newtown Community Center – Roles and Responsibilities

PB&S: Public Building and Site (Robert Mitchell, commission project lead)

FS and BoS: First Selectman and Board of Selectmen (Pat Llodra, finance director Bob Tait)

QA: Quisenberry Arcari - Architects

CW: Caldwell Walsh - Construction Manager

AC: Advisory Committees (community center and senior center)

Phase I - Pre - Construction

Programming and Schematic Design

AE/CM Develop a preliminary project budget and confirm space allocation and size against initial construction estimates.

AC Provide input to the Design Team's work in helping to align the project to the overall program scope and cost parameters including Aquatics, Interior Programmable Space, and Programmatic site development. Provide input on space specific needs, along with Park and Rec, FONS.

Design Development through Construction Documents

PB&S Guide and monitor the Design Team's work in developing the design and construction documents.

AC Provide input on specific design features related to space use and programming within project scope and cost.

PB&S/ FS/BoS Assist in value management for design documents.

FS/PB&S Represent the Town's interests throughout the development of the project and facilitate communications between all owner vendors, consultants, and boards and commissions.

Bidding and GMP

FS/PB&S Assist with CM bid process, coordinating site access, and providing required owner representation during the bid period.

QA/FS/CW Participate in scope review meetings post bid, and advise on budget impacts and any value management required.

AC Provide input and help establish priorities, as requested, regarding necessary value management, value engineering.

CW Present final GMP to the PB&S and solicit approval.

FS/BoS Revise CM contract for approved GMP. Finalize contract.

Scheduling, Budgeting, Reporting

CW Update the overall project schedule, adding new tasks as required as the project timeline evolves.

PB&S/FS Maintain and update project budget throughout the pre and construction process.

AC Provide periodic and on-going reporting to the community as to project schedule and general status. Benchmark significant events, activities (ground breaking, ribbon-cutting....).

Phase 2 - Construction and Close-Out

Construction Administration

Construction administration is the domain of the architects, the construction management firm, and Public Building and Site Commission, in concert with the Board of Selectmen and the Director of Finance.

PB&S/FS Integrate the CM's construction schedule into the overall project schedule.

PB&S/FS Track construction progress against project schedule and project budget, including tracking of all payment requisitions and change requests.

CM/PB&S /FS Provide on-going value management as necessary.

AC Provide periodic and on-going reporting to the community as to project schedule and general status. Benchmark significant events, activities (ground breaking, ribbon-cutting....).

AC Develop and execute a marketing campaign for successful launch of the new facility.

AC Provide input, along with Parks and Recreation and FONS, on plans for management and operation of the center, including recommendations regarding staffing levels, staff roles and responsibilities, and structure for general facility oversight and supervision.

Construction Closeout

QA/PB&S Coordinate commissioning services, as necessary

QA/PB&S Manage voice and Data coordination installation services for integration with Newtown IT requirements.

QA/PB&S Assist with the transfer of owner manuals and all warranties to the Town of Newtown. Ensure Training requirements are met.

CW Record Certificate of Occupancy and approvals.

CW/QA Provide final project cost accounting to the PB&S and the Town of Newtown Finance Department.

Phase 3 – FFE and Technology Procurement

Programming, Selection and Specification:

(Contingent upon funding allocation/budget)

AC/QA Compile, seeking input from P&R and FONS, a list of recommended furniture and equipment items required for the project.

AC/QA Develop with input from P&R a project budget for furniture and equipment (consult with town IT and other affected departments).

AC/QA Provide with input from P&R alternate selections for furniture and equipment – review with PB&S.

PB&S/AC /FD/QA Review bid results and award recommendations.

AC/PB&S Assist (along with P&R, IT and other affected departments) in the scheduling, delivery and installation of furniture and equipment.

Bill Buchler Andy Clure Maureen Crick-Owen Brian Hartgraves Nicole Hockley Carla Kron Brian Liedlein Amy Mangold Kinga Walsh David Wheeler Senior Center Advisory Committee (also members of Commission on Aging) Barbara Bloom John Boccuzzi Lereine Frampton George Guidera Anna Wiedemann

Community Center Advisory Committee

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$550,000 FOR THE PLANNING, DESIGN AND CONSTRUCTION OF A NEW PARKING LOT AT TREADWELL PARK LOCATED IN THE TOWN OF NEWTOWN, CONNECTICUT AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PROGRAM (2016-17 TO 2020-2021, INCLUSIVE) AND AUTHORIZING THE ISSUANCE OF \$550,000 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 \$550,000 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 planning, design and construction of a new parking lot at Treadwell Park, as authorized in the Capital Improvement Program (2016-17 to 2020-21, inclusive), and for engineers' fees, 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, \$550,000 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.

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, Connecticut, 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 hereby 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 Town 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.

Excerpt for Minutes of Board of Selectmen Meeting held May 15, 2017

A meeting of the Board of Selectmen of the Town of Newtown was held in the Council Chamber of the Newtown Municipal Center on May 15, 2017 at 7:30P.M.

* * *

Members present and absent were as follows:

<u>Present</u> <u>Absent</u>

E. Patricia Llodra William F.L. Rodgers Herbert C. Rosenthal

•

First Selectman Llodra introduced and read the following resolution:

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$550,000 For The Planning, Design And Construction Of A New Parking Lot At Treadwell Park Located In The Town Of Newtown, Connecticut As Authorized In The Capital Improvement Program (2016-17 To 2020-2021, Inclusive) And Authorizing The Issuance Of \$550,000 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 dated April 13, 2017, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter;

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

<u>AYES</u> <u>NAYS</u>

E. Patricia Llodra William F.L. Rodgers Herbert C. Rosenthal