

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

The Board of Selectmen held a special meeting Thursday, August 17, 2017 in the Council Chamber, Newtown Municipal Center, 3 Primrose Street, Newtown. First Selectman Llodra called the meeting to order at 7:30p.m.

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

ALSO PRESENT: Director of Planning George Benson, Deputy Director of Planning, Director of Parks & Recreation Amy Mangold, Town Attorney David Grogins, Board of Fire Commissioners Chairman Rob Manna, Matt Dobson, Ron Bolmer and 100+ members of the public.

ACCEPTANCE OF THE MINUTES: Selectman Rodgers moved to accept the minutes of the 6/20/17 meeting. Selectman Rosenthal seconded with the following amendments: item #6, page 2, Selectman Rosenthal stated under normal circumstances housing projects are not an appropriate target for the business incentive plan but was willing to pass along for further discussion. All in favor of the minutes as amended. Selectman Rodgers moved to accept the minutes of the 7/6/17 meeting. Selectman Rosenthal seconded. All in favor.

NEW BUSINESS

Discussion and possible action:

1. **Leaps of Faith application for license to use the Walnut Tree ball field:** Selectman Rodgers moved that the Board of the Selectman grant a temporary license to Leaps Of Faith to continue operations at the Walnut Tree Park provided it is with detailed frequency of events, committing to the attached schedule and continue through September 30 with provision for rain dates and conditional with automatic revocation if scope or duration is exceeded. Selectman Rosenthal seconded, noting it is the same general language as in the current license. All in favor.
2. **2016-2017 Fiscal Year End Budget Transfers:** Selectman Rodgers moved the Town of Newtown 2016-2017 Fiscal Year End Budget Transfer in the total amount of \$106,765, (individual line items identified in attached document). Selectman Rosenthal seconded. All in favor.
3. **Road and Drainage Work Agreement:** Selectman Rosenthal moved the release of the \$50,200 Maintenance Bond relative to the Road & Drainage Work Agreement, Beaver Dam Road, Beaver Dam Subdivision, Samaha, LLC. Selectman Rodgers seconded. All in favor.
4. **Maintenance Bond Release:** Selectman Rosenthal moved the release of the remaining portion of the Maintenance bond for Boulder Creek Road, Boulder Creek Subdivision in the amount of \$4,169.00. First Selectman Llodra seconded. Selectman Rodgers abstained. Motion passed.
5. **Maintenance Bond Release:** Selectman Rosenthal moved the Maintenance Bond release, Road & Drainage Work Agreement, Plaza South, Bryan Lane/Washbrook Road, T.P. Properties in the amount of \$4,060. Selectman Rodgers seconded. All in favor.
6. **Transfer:** Selectman Rosenthal moved the transfer of \$3,500 from Contingency to Other Expenditures – Hattertown (att.). First Selectman Llodra seconded. Selectman Rodgers abstained. Motion passed.
7. **Resolution:** Selectman Rodgers moved the resolution: RESOLUTION WITH RESPECT TO THE CLOSE-OUT OF VARIOUS CAPITAL PROJECTS AND REDUCING THE APPROPRIATIONS AND AUTHORIZED AND UNISSUED AMOUNTS FOR SUCH PROJECTS, noting the aggregate amount of \$553,253, and further moved the reading of the resolution in its entirety. Selectman Rosenthal seconded. All in favor.

Rec'd. for Record 8-18 2017
Town Clerk of Newtown 3:18 pm
Debbie Aurelia Halstead

8. **Contract proposal – Newtown Emergency Telecommunicator & Police Clerical local (2015-2018):** Selectman Rodgers moved to authorize the First Selectman enter into an agreement between the Town of Newtown and the Newtown Emergency Telecommunicator & Police Clerical local. Selectman Rosenthal seconded. All in favor.
9. **Appointments/Reappointments/Vacancies/Openings:** Selectman Rodgers moved the appointment of Charles Gardner as an alternate member of the Zoning Board of Appeals to fill a vacancy to the next general election. Selectman Rosenthal seconded. All in favor. Selectman Rodgers moved the appointments to the Lake Lillinonah Authority Law Enforcement Personnel, Officer Kelsey Sullivan and Assistant Tommy Robbins and the re-appointment of Renate Adler to the Fairfield Hills Authority for a term to expire 7/31/20. Selectman Rosenthal seconded. All in favor.
10. **Driveway Bond Release/Extension:** Selectman Rodgers moved the driveway bond extension of Garvin Yu, 33 Hi Barlow Road, M12, B5, L7 to 2/28/18 and the driveway bond release for R. Mastroni Excavating, 4 Anthony Ridge, M25, B1, L3 in the amount of \$1,000 and the driveway bond release for Keith Aragi Construction, LLC, Hi Barlow Road, M12, B5, L8 in the amount of \$1,000. Selectman Rosenthal seconded. All in favor.
11. **Tax Refunds:** Selectman Rodgers moved the July 2017 Tax Refunds, No. 1, in the amount of \$15,839.06 and the August 2017 Tax Refunds, No. 2 in the amount of \$6,965.00. Selectman Rosenthal seconded. All in favor.

EXECUTIVE SESSION: Selectman Rodgers moved to enter executive session to discuss Legal Matters: Allstate a/s/o Jennifer Marlin subrogation claim; Hazel, Justin vs. McAnaspie, , Daniel Et Al; Joelle Devito vs. Canine Advocates of Newtown, Inc., Town of Newtown and Newtown Animal Control Center; Michael DeJoseph vs. Town of Newtown. Selectman Rosenthal seconded. All in favor. Executive session was entered into at 11:10pm and returned to regular session at 11:20 pm with the following motion:

Selectman Rosenthal moved that the Town of Newtown defend itself in the legal matters: Allstate a/s/o Jennifer Marlin subrogation claim; Hazel, Justin vs. McAnaspie, , Daniel Et Al; Joelle Devito vs. Canine Advocates of Newtown, Inc., Town of Newtown and Newtown Animal Control Center; Michael DeJoseph vs. Town of Newtown. Selectman Rosenthal seconded. All in favor.

ADJOURNMENT: Having no further business the special Board of Selectmen meeting was adjourned at 11:20p.m.

Susan Marcinek, clerk

Attachments: Leaps of Faith event schedule; 2016-2017 FY end budget transfers; \$3,500 transfer

LEAPS OF FAITH

AUGUST 2017

Date	Day of Week	Hours	Group
7/25/2017	Tuesday	9am-2pm	Newtown Reach
7/26/2017	Wednesday	9am-2pm	Fellowship Place
7/27/2017	Thursday	9am-2pm	Burke Rehab Hospital
7/28/2017	Friday	9am-2pm	Mount Sainai Rehab. Hosp.
8/1/2017	Tuesday	9am-2pm	Helen Hayes Rehab. Hosp.
8/2/2017	Wednesday	9am-2pm	Danbury
8/3/2017	Thursday	9am-2pm	Newtown Reach
8/4/2017	Friday	9am-2pm	TBI Center
8/7/2017	Monday	9am-2pm	Oak Hill
8/8/2017	Tuesday	9am-2pm	CHD Springfield
8/9/2017	Wednesday	9am-2pm	Newtown Reach & Blind Sports Org.
8/10/2017	Thursday	9am-2pm	Burke Rehab Hospital
8/11/2017	Friday	9am-2pm	Chapter 126
8/14/2017	Monday	9am-2pm	Butterflies with Voices
8/15/2017	Tuesday	9am-2pm	Newtown Reach
8/16/2017	Wednesday	9am-2pm	Sibling Splash
8/17/2017	Thursday	9am-2pm	Helen Hayes Rehab. Hosp.
8/18/2017	Friday	9am-2pm	Magee Rehab. Hosp.
8/21/2017	Monday	9am-2pm	CT Spinal Cord Inj. Assoc.
8/22/2017	Tuesday	9am-2pm	Adpt NY United Cerbral Palsy
8/23/2017	Wednesday	9am-2pm	Magee Rehab. Hosp.
8/24/2017	Thursday	9am-2pm	Burke Rehab Hospital
8/25/2017	Friday	9am-2pm	Mount Sainai Rehab. Hosp.
8/31/2017	Thursday	9am-2pm	Oak Hill
9/1/2017	Friday	9am-2pm	TBI Center
9/14/2017	Thursday	9am-2pm	CHD Springfield
open clinic			
7/29/2017	Saturday	8:30am-3pm	
8/12/2017	Saturday	8:30am-3pm	
8/26/2017	Saturday	8:30am-3pm	
closed clinic not on above list			
8/28/2017	Sunday		

Town of Newtown

2016-17 Fiscal Year End Budget Transfer Request

Page 1 of 6

<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>	<u>Transfers</u>	
			<u>From</u>	<u>To</u>
Police	1-101-12-310-5220	Social Security Contributions	(2,332)	
Police	1-101-12-310-5230	Retirement Contributions		2,332
Outside Agencies	1-101-14-415-5820	Contributions to Outside Agencies	(1,911)	
Childrens Adventure Center	1-101-14-410-5230	Retirement Contributions		1,911
Parks & Recreation	1-101-16-550-5505	Contractual Services	(7,079)	
Parks & Recreation	1-101-16-550-5230	Retirement Contributions		7,079
Library	1-101-14-670-5210	Group Insurance	(857)	
Library	1-101-14-670-5230	Retirement Contributions		857

EXPLANATION:

The retirement contributions account accounts for contributions to the town and police pension plans and for the town's contribution to the defined contribution plan for new employees of various unions and management.

The overages are due to turnover and the resulting new employees joining the defined contribution plan. These amounts cannot be budgeted for because the turnover cannot be planned. The above does represent positions coming off the pension plans which reduces pension long term liabilities. These are the new positions affected:

Police	2
Childrens Adventure Center	1
Parks & Recreation	3
Library	1

Town of Newtown

2016-17 Fiscal Year End Budget Transfer Request

Page 2 of 6

<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>	<u>Transfers</u>	
			<u>From</u>	<u>To</u>
Social Services	1-101-11-110-5110	Salaries & Wages - Full Time	(1,154)	
Social Services	1-101-11-110-5210	Group Insurance		100
Social Services	1-101-11-110-5220	Social Security Contributions		1,054

EXPLANATION:

Short fall in social security contributions due to town share of VOCA grant social security not budgeted for.
Two positions are fully funded in the VOCA grant. There is a town share for their social security payments.
Short fall in group insurance due to increase in life insurance premium.
Amount available in salaries due to an open position.

<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>	<u>Transfers</u>	
			<u>From</u>	<u>To</u>
Technology	1-101-11-205-5445	Software/Hardware maintenance	(422)	
Technology	1-101-11-205-5580	Dues, Travel & Education		422

EXPLANATION:

Additional training was required for new employees. There were savings in the software/hardware maintenance account.

<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>	<u>Transfers</u>	
			<u>From</u>	<u>To</u>
Contingency	1-101-24-570-5899	Contingency	(5,000)	
Unemployment	1-101-11-240-5250	Unemployment Compensation		5,000

EXPLANATION:

June's unemployment compensation state bill comes in late August. Currently there is \$145 left in the account.
Last fiscal years June payment was \$2,084. The \$5,000 request is just to make sure the account does not go over.
2015-16 total cost for unemployment was \$33,656. So far this year (before the June payment) the total cost is \$24,855.

Town of Newtown

2016-17 Fiscal Year End Budget Transfer Request

Page 3 of 6

<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>	<u>Transfers</u>	
			<u>From</u>	<u>To</u>
Land Use	1-101-15-490-5350	Professional Services - Legal	(4,944)	
Selectmen	1-101-11-100-5350	Professional Services - Legal		4,944

EXPLANATION:

Selectmen legal fees account over due to increased activity compared to what was budgeted. This account is hard to budget for. Estimate is based on prior experience. 2015-16 total cost = \$213,328. 2016-17 total cost = \$204,944.

<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>	<u>Transfers</u>	
			<u>From</u>	<u>To</u>
Transfer Station	1-101-13-515-5210	Group Insurance	(88)	
Transfer Station	1-101-13-515-5290	Other Employee Benefits		12
Transfer Station	1-101-13-515-5430	Repair & Maintenance Services		76

EXPLANATION:

Amounts immaterial.

<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>	<u>Transfers</u>	
			<u>From</u>	<u>To</u>
Public Building Maintenance	1-101-13-650-5622	Energy - Electricity	(3,988)	
Public Building Maintenance	1-101-13-650-5411	Water/Sewerage		3,916
Public Building Maintenance	1-101-13-650-5749	Capital		72

EXPLANATION:

Water/Sewerage under budgeted; offset by savings in electricity

Town of Newtown

2016-17 Fiscal Year End Budget Transfer Request

Page 4 of 6

<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>	<u>Transfers</u>	
			<u>From</u>	<u>To</u>
Selectmen	1-101-11-100-5800	Other Expenditures	(5,000)	
District Contributions	1-101-11-730-5803	Other Expenditures - SHOP	(7,000)	
Sustainable Energy Commission	1-101-11-755-5800	Other Expenditures	(1,000)	
Contingency	1-101-24-570-5899	Contingency	(3,750)	
Capital Non-Recurring	1-101-25-860-5870	Transfer Out - Capital Non-Recurring		16,750

EXPLANATION:

Selectmen \$5,000 relates to the approved transfer request from contingency for the banner system (cost to be shared with the Borough). This project has not started yet. It is requested that the amount be transferred to the capital non-recurring fund to be used for the banner project.

There is a \$7,000 balance in the district contributions to SHOP account. It is requested that this amount be transferred to the capital non-recurring fund for future SHOP streetscape projects.

There is a \$1,000 balance in the sustainable energy account and a \$3,750 balance in a prior year sustainable energy account (was carried forward). It is requested that this total amount (\$4,750) be transferred to the capital non-recurring fund for future sustainable energy projects. The \$3,750 amount is shown to be coming out of the contingency account instead of the prior year sustainable energy account. This is done for accounting purposes (it is easier done).

Town of Newtown

2016-17 Fiscal Year End Budget Transfer Request

Page 5 of 6

<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>	<u>Transfers</u>	
			<u>From</u>	<u>To</u>
Fire	1-101-12-320-5436	Truck Repair	(20,000)	
Fire	1-101-12-320-5624	Energy - Oil	(15,000)	
Fire	1-101-12-320-5749	Capital	(15,000)	
Capital Non-Recurring	1-101-25-860-5870	Transfer Out - Capital Non-Recurring		50,000

EXPLANATION:

It is requested that savings in truck repair, oil and capital be transferred to the capital non-recurring fund to act as a contingency in the event the planned fire apparatus trade-in(s) do not bring the required money to offset the new fire apparatus purchase cost (funded by bonds).

Bonding has been authorized from the 2015-16 and 2016-17 CIP's in the amount of \$1,550,000. \$400,000 was authorized in the capital non-recurring fund, bringing the total appropriation to \$1,950,000 for the replacement of various fire apparatus. The replaced fire apparatus were scheduled to be traded in or sold to offset the total cost. This request creates a cushion just in case the replaced apparatus does not bring in what was hoped (from a market estimate).
The replaced fire apparatus cannot be sold until the new fire apparatus are operational. It takes at least a year to get delivery of the new fire apparatus.

<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>	<u>Transfers</u>	
			<u>From</u>	<u>To</u>
Fire	1-101-12-320-5412	Hydrants		
Fire	1-101-12-320-5622	Energy - Electricity	(9,215)	9,215

EXPLANATION:

Electricity was underestimated (as it was in the prior year). Hydrants were overestimated.

GRANT TOTAL 2016-17 FISCAL YEAR END BUDGET TRANSFER REQUESTS

AS A RESULT OF OVERAGES

AS A RESULT OF TRANSFER REQUESTS TO CAP NON-REC

Transfers	
<u>From</u>	<u>To</u>
(40,015)	40,015
(66,750)	66,750
(106,765)	106,765

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

AFTER 335 DAYS >>>>(1), (2), (3), (5) & (6) ANY AMOUNT FROM CONTINGENCY>>>> ALL SIGN OFF