

**LEGISLATIVE COUNCIL REGULAR MEETING
COUNCIL CHAMBERS, 3 PRIMROSE STREET, NEWTOWN, CT
WEDNESDAY, FEBRUARY 16, 2022**

MINUTES

PRESENT: Jeffrey Capeci, Phil Carroll, Angela Curi, Charles Gardner, Chris Gardner, Dan Honan, Lisa Kessler, Ryan Knapp, Michelle Embree Ku, Tom Long, Matthew Mihalcik

ABSENT: _William DeRosa

ALSO PRESENT: First Selectman Dan Rosenthal, Finance Director Bob Tait; 0 public, 0 press

CALL TO ORDER: Mr. Capeci called the meeting to order with the Pledge of Allegiance at 7:33 pm.

VOTER COMMENT: None

MINUTES: Mr. Charles Gardner moved to accept the minutes of the February 2, 2022 Legislative Council Regular Meeting. Seconded by Mr. Carroll. All in favor. Motion passes (11-0).

COMMUNICATIONS: Mr. Capeci invited Charter Revision Committee Chairman Andy Buzzi to come speak at the next Council meeting.

COMMITTEE REPORTS: *Ordinance Committee* – Mr. Knapp reported that they met yesterday and took up the charge brought upon by the Assessor regarding increasing the supplemental tax incentive for Veterans. The committee will do some research on how they can change the ordinance language so that the ordinance does not have to be amended each time the State changes the threshold amounts. That way it can be done by Council resolution instead of an ordinance which would require a public hearing.

FIRST SELECTMAN'S REPORT: First Selectman Dan Rosenthal spoke on yesterday's American Rescue Plan Committee meeting. They had a discussion with representatives from the Community Center on some of their requests and no action was taken. Covid cases continue to improve. Hospitalizations have dropped dramatically. The re-bids on the Hawley project are due back tomorrow. Last week, he had the annual call with an S&P advisor along with Mr. Tait and Director of Economic and Development Christal Preszler. The call lasted about one hour. He received our draft report back today and it was positively reaffirmed. He thanked Mr. Tait and Ms. Preszler for their efforts in preparing for the call.

OLD BUSINESS

Discussion and Possible Action

- Consideration of BOF Recommended Amendments to the 2021-2022 approved CIP:
 - \$420,000 library project added for roof, gutters, downspout and shutters replacements/upgrades/repair moved to 2021-22. To be funded by the library available fund balance reserved for capital improvements.
 - \$200,000 library project (unspent) in the current approved 2021-22 CIP amended to be used for HVAC comprehensive upgrades in 2022-23 (to be combined with 2022-23 \$350,000).

This has been tabled for a future meeting.

- Request by the Tax Collector for Approval to Assign Tax Liens for Property Located at 38 Hucko Trail

Mr. Charles Gardner moved to approve the request by the Tax Collector for Approval to Assign Tax Liens for Property Located at 38 Hucko Trail. Seconded by Mr. Knapp. All in favor. Motion passes (11-0).

Mr. Tait said he tabled this last time because he wanted to make sure that by combining this parcel with the adjacent property, it would not increase the value exponentially. It is currently an unbuildable parcel of vacant land. After speaking with the Assessor, it would only add just under \$3,000 in assessment because the parcel would only add excess acreage. The Land Use Deputy Director also agreed that it would not add much value once the process of taking over the liens is finalized. Mr. Tait determined this is the right course of action. *See attachment A.*

- Request by the Tax Collector for Approval to Assign Tax Liens for Property Located at 71 Maplewood Trail

Mr. Charles Gardner moved to approve the request by the Tax Collector for Approval to Assign Tax Liens for Property Located at 71 Maplewood Trail. Seconded by Mr. Knapp. All in favor. Motion passes (11-0). See attachment B.

NEW BUSINESS

Discussion and Possible Action

- Consideration and action on CIP items to be placed on the April 26th referendum

The First Selectman and Mr. Tait stated that in this fiscal year, we have about \$2 million in capacity to spend. These would be counted as year 2021-2022 authorizations and would not go towards items going to referendum because they would not be included in the cap. Mr. Tait is going to suggest in the budget process to the BOF, that instead of doing a mid-year budget amendment, that they incorporate adjusting fund balance in the budget. This would increase use of fund balance and transfer capital to non-recurring. This would not count against the cap. First Selectman Rosenthal added that there are two projects to be mindful of because of timing issues: one being the fire apparatus and the other for the High School turf field. He added that the appropriations have to be gross amounts. Anything over \$1.5 million must go to referendum. Anything that goes to referendum is not part of the cap. We also have to consider emergencies. The Fairfield Hills project has to go to referendum.

Mr. Knapp moved that we send the Fairfield Hills Building Remediation Demolition and Infrastructure for \$2 million, Edmond Town Hall Parking Lot Improvements for \$600,000; and the High School HVAC Equipment Replacements for \$850,000 to the April 26th referendum. Seconded by Ms. Ku.

The First Selectman feels that the amount for the Fairfield Hills project should be a much larger amount so that it covers a bulk of the project instead of going to referendum every year for smaller amounts. He agreed that \$7.5 million would be a better start. The project will be phased and the total amount will be at least double this cost in the end.

Mr. Knapp amended the motion by changing the amount for the Fairfield Hills Building Remediation Demolition and Infrastructure from \$2 million to \$7.5 million. All in favor. Motion passes (11-0).

The First Selectman stated that the reason the amount may shift is that we're still working with the State Office of Historical Preservation. He has mixed emotions on where we may land on receiving historical credits. He may decide to push this back by a year, but this amount will allow us to follow through with it. This is basically a demo plan. We have substantial environmental research on the buildings and a

large dollar investment that goes into them. He feels it's a matter of policy to demo them.

- Transfer \$40,000 from Contingency to Salt

Mr. Charles Gardner moved that we transfer \$40,000 from the Contingency Fund to Public Works for Salt. Seconded by Mr. Knapp. All in favor. Motion passes (11-0).

This would allow enough salt to have on hand for the remainder of the winter, plus hopefully enough to carry some over into next season. *See attachment C.*

VOTER COMMENT: None

ANNOUNCEMENTS: Mr. Knapp received a message from Mr. DeRosa earlier in the evening that he was having trouble joining tonight's meeting remotely.

ADJOURNMENT: There being no further business, Mr. Charles Gardner moved to adjourn the meeting at 8:41 pm. Seconded by Mr. Knapp. All in favor.

*Respectfully submitted,
Rina Quijano, Clerk*

**THESE MINUTES ARE SUBJECT TO APPROVAL BY THE LEGISLATIVE COUNCIL
AT THE NEXT MEETING.**


NEWTOWN MUNICIPAL CENTER
3 PRIMROSE STREET
NEWTOWN, CONNECTICUT 06470
TEL. (203) 270-4320
FAX (203) 270-4243



Donna L. Saputo
Tax Collector

TOWN OF NEWTOWN
OFFICE OF THE TAX COLLECTOR

TO: Legislative Council

FROM: Donna L. Saputo, Tax Collector 

DATE: January 5, 2022

RE: Lien sale from: Mr. Daniel Rosenblit
Property location: 38 Hucko Trail, Sandy Hook
MBL: 43-7-167, .46 acre (see attached)
Description: Vacant unbuildable
Assessment: 2,420
Appraised value: 3,450
Lien sale amount: \$2,910.34 – January 31, 2022 (see attached)
\$2,926.91 – February 28, 2022 (see attached)
2006 GL to 2019 GL

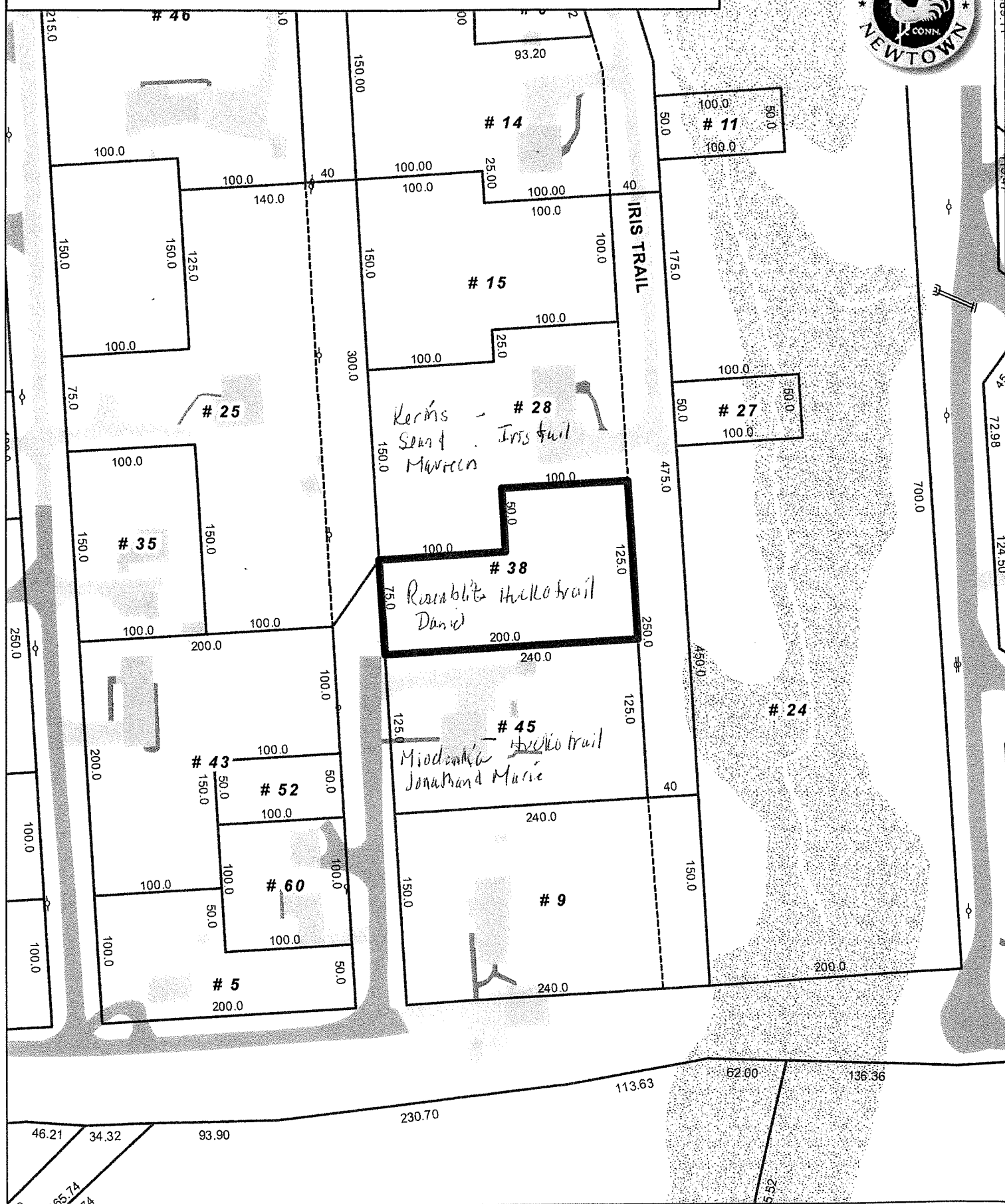
Per Connecticut State Statute, Sec. 12-195h (see attached), this is a request to assign the tax lien(s) for the above mentioned property to Jonathan & Marie Miodonka at 45 Hucko Trail in Sandy Hook. This is a common practice in the tax office to collect delinquent real estate taxes.

This is a little different situation because Jonathan & Marie Miodonka are the neighbors (verses a company) and they want this property. I believe this is the most cost-effective way to handle this situation, assign the tax lien(s) to them.

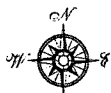
In an ongoing attempt to collect the debt, numerous demand notices, Connecticut State Statute, Sec. 12-155 (see attached), informing Mr. Rosenblit that failure to pay may result in the lien(s) being sold to a third party have been met with no response from Mr. Rosenblit.

Parcel: 43-7-167

Address: 38 HUCKO TRAIL



A horizontal scale bar with tick marks at 0, 25, 50, 75, and 100 feet. The bar is divided into four equal segments, each representing 25 feet.



**Disclaimer: This map is for informational purposes only.
All information is subject to verification by any user.
The Town of Newtown and its mapping contractors
assume no legal responsibility for the
information contained herein**

Map Produced Nov 2020

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CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)			
Element	Cd.	Ch.	Description	Element	Cd.	Ch.	Description
Model	00		Vacant				
				MIXED USE			
				Code	Description	Percentage	
				1320	Vacant Unbuildable *	100	
				COST/MARKET VALUATION			
				Adj. Base Rate: 0.00			
				Replace Cost 0			
				AYB			
				Dep Code			
				Remodel Rating			
				Year Remodeled			
				Dep %			
				Functional ObsInc			
				External ObsInc			
				Cost Trend Factor			
				Status			
				% Complete			
				Overall % Cond			
				Apprais Val			
				Dep % Ovr 0			
				Dep Ovr Comment 0			
				Misc Imp Ovr			
				Misc Imp Ovr Comment 0			
				Cost to Cure Ovr			
				Cost to Cure Ovr Comment 0			
OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)							
Code	Description	Sub	Sub Description	L/B Units	Unit Price	Yr	Gde Dp Rt Cnd %Cnd Apr Value
BUILDING SUB-AREA SUMMARY SECTION							
Code	Description	Living Area		Gross Area	Eff. Area	Unit Cost	Undeprac. Value
		TH. Gross Liv/Use Area:		0	0		

No Photo On Record

DELINQUENT STATEMENT

38 HUCKO TRAIL

MBL: 43-7-167

JANUARY 31, 2022

SCHEDULE A

Bill	Name	Unique ID	Tax	Int	Lien	Total
2019-01-0008446	ROSENBLIT DANIEL	573500	\$84.12	\$20.19	\$24.00	\$128.31
2018-01-0008446	ROSENBLIT DANIEL	573500	\$84.14	\$35.34	\$24.00	\$143.48
2017-01-0008446	ROSENBLIT DANIEL	573500	\$82.86	\$49.71	\$24.00	\$156.57
2016-01-0008446	ROSENBLIT DANIEL	573500	\$87.38	\$68.15	\$24.00	\$179.53
2015-01-0008446	ROSENBLIT DANIEL	573500	\$86.70	\$83.24	\$24.00	\$193.94
2014-01-0008446	ROSENBLIT DANIEL	573500	\$85.32	\$97.26	\$24.00	\$206.58
2013-01-0008446	ROSENBLIT DANIEL	573500	\$85.94	\$113.44	\$24.00	\$223.38
2012-01-0008416	ROSENBLIT DANIEL	573500	\$85.98	\$128.97	\$24.00	\$238.95
2011-01-0008389	ROSENBLIT DANIEL	573500	\$79.02	\$132.16	\$24.00	\$235.18
2010-01-0008389	ROSENBLIT DANIEL	573500	\$78.48	\$145.97	\$24.00	\$248.45
2009-01-0008389	ROSENBLIT DANIEL	573500	\$77.28	\$157.65	\$24.00	\$258.93
2008-01-0008391	ROSENBLIT DANIEL	573500	\$75.44	\$167.48	\$24.00	\$266.92
2007-01-0008412	ROSENBLIT DANIEL	573500	\$74.70	\$179.28	\$24.00	\$277.98
2006-01-0008414	ROSENBLIT DANIEL	573500	\$36.25	\$91.89	\$24.00	\$152.14
TOTAL	1		\$1,103.61	\$1,470.73	\$336.00	\$2,910.34
						\$2,910.34

DELINQUENT STATEMENT
38 HUCKO TRAIL
MBL: 43-7-167
FEBRUARY 28, 2022
SCHEDULE A

Bill	Name	Unique ID	Tax	Int	Lien	Total
2019-01-0008446	ROSENBLIT DANIEL	573500	\$84.12	\$21.45	\$24.00	\$129.57
2018-01-0008446	ROSENBLIT DANIEL	573500	\$84.14	\$36.60	\$24.00	\$144.74
2017-01-0008446	ROSENBLIT DANIEL	573500	\$82.86	\$50.96	\$24.00	\$157.82
2016-01-0008446	ROSENBLIT DANIEL	573500	\$87.38	\$69.47	\$24.00	\$180.85
2015-01-0008446	ROSENBLIT DANIEL	573500	\$86.70	\$84.54	\$24.00	\$195.24
2014-01-0008446	ROSENBLIT DANIEL	573500	\$85.32	\$98.54	\$24.00	\$207.86
2013-01-0008446	ROSENBLIT DANIEL	573500	\$85.94	\$114.73	\$24.00	\$224.67
2012-01-0008416	ROSENBLIT DANIEL	573500	\$85.98	\$130.26	\$24.00	\$240.24
2011-01-0008389	ROSENBLIT DANIEL	573500	\$79.02	\$133.34	\$24.00	\$236.36
2010-01-0008389	ROSENBLIT DANIEL	573500	\$78.48	\$147.15	\$24.00	\$249.63
2009-01-0008389	ROSENBLIT DANIEL	573500	\$77.28	\$158.81	\$24.00	\$260.09
2008-01-0008391	ROSENBLIT DANIEL	573500	\$75.44	\$168.61	\$24.00	\$268.05
2007-01-0008412	ROSENBLIT DANIEL	573500	\$74.70	\$180.40	\$24.00	\$279.10
2006-01-0008414	ROSENBLIT DANIEL	573500	\$36.25	\$92.44	\$24.00	\$152.69
TOTAL	1		\$1,103.61	\$1,487.30	\$336.00	\$2,926.91
						\$2,926.91

the amount lienied together with interest due thereon within the effective period of the lien as hereinbefore provided or; C. a final judgment shall be rendered in favor of the taxpayer or others claiming an interest in the personal property lienied determining that the tax is not owed, or that the lien is not valid. If the judgment shall determine that the tax is partially owed, then the officer who filed the notice of lien or the officer's successor shall within ten days of the rendition of the final judgment of the court file an amended tax lien for the actual amount of tax found to be due by the court, which amended lien shall be effective as to the revised amount of the lien as of the date of the filing of the original notice of tax lien, and said officer or said officer's successor at the time of the filing of the amended tax lien shall also file a discharge of the original tax lien.

(1971, P.A. 722, S. 7; P.A. 01-132, S. 162.)

History: P.A. 01-132 replaced reference to Sec. 42a-9-404 with Sec. 42a-9-513 and made technical changes for purposes of gender neutrality.

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Sec. 12-195h. Assignment of liens. Notice of assignment. Any municipality, by resolution of its legislative body, as defined in section 1-1, may assign, for consideration, any and all liens filed by the tax collector to secure unpaid taxes on real property as provided under the provisions of this chapter. The consideration received by the municipality shall be negotiated between the municipality and the assignee. The assignee or assignees of such liens shall have and possess the same powers and rights at law or in equity as such municipality and municipality's tax collector would have had if the lien had not been assigned with regard to the precedence and priority of such lien, the accrual of interest and the fees and expenses of collection and of preparing and recording the assignment. The assignee shall have the same rights to enforce such liens as any private party holding a lien on real property including, but not limited to, foreclosure and a suit on the debt. The assignee, or any subsequent assignee, shall provide written notice of an assignment, not later than thirty days after the date of such assignment, to any holder of a mortgage, on the real property that is the subject of the assignment, provided such holder is of record as of the date of such assignment. Such notice shall include information sufficient to identify (1) the property that is subject to the lien and in which the holder has an interest, (2) the name and addresses of the assignee, and (3) the amount of unpaid taxes, interest and fees being assigned relative to the subject property as of the date of the assignment.

(P.A. 93-434, S. 19, 20; P.A. 13-135, S. 16; 13-276, S. 40.)

History: P.A. 93-434 effective June 30, 1993; P.A. 13-135 added provisions re notice of assignment; P.A. 13-276 added provision re fees and expenses of preparing and recording the assignment and added provision re foreclosure and a suit on the debt.

Change in marital status affecting ownership is not by itself good cause to open foreclosure judgment based on change in circumstances. 52 CA 52. A municipal tax lien is more analogous to a transfer of debt than to a transfer of title and as such is not considered a "conveyance" under Sec. 47-10, and accordingly, more specific statutes, such as this section, governing tax liens, which do not require recordation, should take precedence over more general land transfer statutes, such as Sec. 47-10, which do require recordation, thus an assignee's failure to record the assignment of a tax lien does not deprive such assignee of standing to bring a foreclosure action. 196 CA 279. Amendment in 2013 adding "suit on the debt" does not affect situation where plaintiff or assignee acquired title to property

X by foreclosure because pursuant to Sec. 12-195 all of its claims, in whatever form those claims might take, were extinguished upon such acquisition. 196 CA 298.

Assignee succeeds only to the assignor municipality's enforcement right empowered by Sec. 12-181, and not to the municipality's other authorized collection methods. 45 CS 435.

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Sec. 12-153. Receipts for partial payments in cases of transfer. Whenever a partial payment is made on any tax account because of the transfer of title of part of any property represented by such account, the collector shall, if requested, indicate on such partial payment receipt the property on which such partial payment applies.

(1949 Rev., S. 1834; P.A. 13-276, S. 27.)

History: P.A. 13-276 eliminated provision re endorsement as required in Sec. 12-151.

See Sec. 12-150 re penalty for violation of provisions of this section.

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Sec. 12-154. Proceedings against collector for failure to pay taxes collected or to perform duties. If any collector of taxes fails to pay taxes collected within the time limited by law or by the community imposing such tax, any judge of the Superior Court, on application of the selectmen of the town or the committee of the municipal district imposing such tax, shall grant an execution against the estate of such collector, of the same form and to be levied in the same manner as executions in civil actions. If any collector of taxes fails to perform the duties of his appointment, any judge of the Superior Court, on written application of the selectmen of the town, the mayor and alderman of the city, the warden and burgesses of the borough or the committee of the municipal district which laid the taxes, after due notice and hearing, may remove him from office.

(1949 Rev., S. 1835; 1959, P.A. 28, S. 48; P.A. 74-183, S. 192, 291; P.A. 76-436, S. 168, 681; P.A. 81-410, S. 2; P.A. 13-276, S. 28.)

History: 1959 act placed authority to grant execution in circuit court judge rather than justice of the peace; P.A. 74-183 substituted court of common pleas for circuit court; P.A. 76-436 substituted superior court for court of common pleas, effective July 1, 1978; P.A. 81-410 deleted reference to execution against the body; P.A. 13-276 changed "collect and pay the same" to "pay taxes collected".

See Sec. 12-168 re indemnification of tax collector in the absence of negligence or wilful misconduct.

Collector in default committed to jail without trial. 65 C. 30. Town, not collector, owns money; presumption that checks accepted by him were cashed. 73 C. 95.

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Sec. 12-155. Demand and levy for the collection of taxes and water or sanitation charges. (a) If any person fails to pay any tax, or fails to pay any water or sanitation charges within thirty days after the due date, the collector or the collector's duly appointed agent shall make personal demand of such person therefor or leave written demand at such person's usual place of abode or deposit in some post office a written demand for such tax or such water or sanitation charges, postage prepaid, addressed to such person at such person's last-known place of residence unless, after making reasonable efforts, the assessor is unable to identify the owner or persons responsible. If such person is a corporation, limited partnership or other legal entity, such written demand may be sent to any person upon whom process may be served to initiate a civil action against such corporation, limited partnership or entity.

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(b) After demand has been made in the manner provided in subsection (a) of this section, the collector for the municipality, alone or jointly with the collector of any other municipality owed taxes by such person, may (1) levy for any unpaid tax or any unpaid water or sanitation charges on any goods and chattels of such person and post and sell such goods and chattels in the manner provided in case of executions, or (2) enforce by levy and sale any lien or warrant upon real estate for any unpaid tax or levy upon and sell such interest of such person in any real estate as exists at the date of the levy for such tax.

(c) For the purposes of this section, "water or sanitation charges" means (1) any rates or charges established pursuant to section 7-239, or (2) any charges imposed by a municipality for the collection and disposal of garbage, trash, rubbish, waste material and ashes.

(1949 Rev., S. 1836; 1967, P.A. 123, S. 1; P.A. 95-228, S. 2, 15; P.A. 07-95, S. 3; P.A. 13-276, S. 29; P.A. 15-156, S. 4.)

History: 1967 act deleted provision which had allowed imprisonment of tax offenders; P.A. 95-228 added provision authorizing notice to be sent to any person upon whom process may be served in the case of a corporation, limited partnership or other legal entity, effective July 6, 1995, and applicable to tax sale notices posted, filed or published on and after said date; P.A. 07-95 divided existing provisions into Subsecs. (a) and (b), added provisions re collection of water or sanitation charges and made technical changes therein and added Subsec. (c) defining "water or sanitation charges", effective July 1, 2007; P.A. 13-276 amended Subsec. (a) by adding provision re demand for payment of unpaid taxes unless, after making reasonable efforts, the assessor is unable to identify owner or responsible persons, and amended Subsec. (b) by permitting specified actions re unpaid taxes to be made by collector of municipality alone or jointly with collectors of other municipalities owed taxes; P.A. 15-156 amended Subsec. (b)(2) by adding "or warrant".

Demand necessary before levy, but not to make the tax due. 30 C. 395. Injunction will be granted against collection of taxes for imperative reasons only. 39 C. 401; 42 C. 30; 46 C. 243; 106 C. 227. One whose duty it is to pay a tax cannot purchase property on sale for the tax. 46 C. 513; 48 C. 395. Officer liable for imprisoning one to compel payment of an amount which includes illegal fees. 50 C. 78. Though action to foreclose lien is barred, warrant may be levied. 68 C. 293. Levy cannot be made on property in receiver's hands. 72 C. 63. Applies to poll taxes. 81 C. 369. Recovery of tax paid to avoid levy of warrant. 82 C. 266; 103 C. 263. Nature of proceedings under warrant. 86 C. 196. Under levy for one tax, property cannot be sold for other. 87 C. 142. Injunction to restrain sale under levy. Id., 229. Lien for other taxes than those levied on specific property does not arise till warrant is levied. 91 C. 336. Three statutory methods of collecting taxes are distinct, concomitant and cumulative. 106 C. 547. Tax collector not an insurer of collection of all taxes on list and surety not liable for uncollected taxes in absence of proof of negligence. 112 C. 318. Personal property assessed is not subject to lien prior to institution of proceedings to enforce collection. 121 C. 250.

Cited. 46 CA 721.

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Sec. 12-156. Sale of equity or particular estate under tax levy. Section 12-156 is repealed, effective July 6, 1995, and applicable to tax sale notices which are posted, filed or published on or after that date.

Donna Saputo

From: Drucker, Pamela <PDrucker@cohenandwolf.com> on behalf of Drucker, Pamela
Sent: Tuesday, November 23, 2021 4:00 PM
To: donna.saputo@newtown-ct.gov
Cc: Grogins, David L.
Subject: Assignment of Tax Liens
Attachments: ASSIGNMENT OF REAL PROPERTY TAX LIEN.pdf; ASSIGNMENT OF REAL PROPERTY TAX LIEN.pdf

Hi Donna:

Attached are two assignments from David Grogins.

Kindly contact David with any questions.

Pam

Pamela Drucker | Paralegal to Neil R. Marcus and David L. Grogins | **Cohen and Wolf, P.C.**
158 Deer Hill Avenue | Danbury, CT 06810 | P: 203.792-2771 x571 | F: 203.791-8149
pdrucker@cohenandwolf.com | www.cohenandwolf.com

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Example.

ASSIGNMENT OF REAL PROPERTY TAX LIENS

KNOW BY ALL THESE PRESENTS, this Assignment is made this ____ day of November, 2021 from the Town of Newtown, having a mailing address of 3 Primrose Street, Newtown Connecticut 06470 ("Assignor") to Jonathan and Marie Miodonka of 38 Hucko Trail, Sandy Hook, Connecticut 06482 ("Assignee").

For the sum of \$2,893.81 and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, Assignor hereby grants, bargains, sells, conveys, assigns, transfers, delivers and sets over unto Assignee an undivided one hundred percent (100%) interest of its right, title and interest in and to those certain Tax Liens, more particularly described in the attached Schedule A. This Assignment is made together with the underlying indebtedness secured by said Tax Liens. Such indebtedness includes unpaid taxes, interest thereon and fees as the same may be permitted by statute.

By acceptance of the Assignment, Assignee agrees to assume all of the rights, obligations, powers and duties of the Assignor with respect to the precedence and priority of the Tax Liens, and accrual of interest, the charges, fees and expenses of collection, and the Assignee shall have all the rights to enforce such Tax Liens, as the same are set forth in Section 12-195h of the Connecticut General Statutes, as amended.

Assignor hereby warrants and represents it is the owner and holder of the Tax Liens assigned hereby by virtue of recorded tax liens by the Town of Newtown, by Assignments recorded on the Newtown Land Records. This Assignment shall inure to the benefit of the Assignor, the Assignee and its respective successors and assigns.

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Except as expressly set forth above, this Assignment is without representation or warranty and is without recourse against the Assignor.

IN WITNESS WHEREOF, the Assignor has caused the Assignment to be duly executed and delivered as of the _____ day of November, 2021.

Witnessed:

ASSIGNOR:

TOWN OF NEWTOWN

BY: _____
Daniel Rosenthal, First Selectman

STATE OF CONNECTICUT:

: Newtown

COUNTY OF FAIRFIELD :

On the _____ day of November, 2021, before me, the undersigned, a notary public in and for said state, personally appeared Daniel Rosenthal, First Selectman of the Town of Newtown, personally known to me or provided to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public
My Commission Expires:

NEWTOWN MUNICIPAL CENTER
3 PRIMROSE STREET
NEWTOWN, CONNECTICUT 06470
TEL. (203) 270-4320
FAX (203) 270-4243



Donna L. Saputo
Tax Collector

TOWN OF NEWTOWN
OFFICE OF THE TAX COLLECTOR

TO: Legislative Council

FROM: Donna L. Saputo, Tax Collector *APL*

DATE: January 5, 2022

RE: Lien sale from: Mr. Daniel Rosenblit
Property location: 71 Maplewood Trail, Sandy Hook
MBL: 43-8-101, .55 acre (see attached)
Description: Vacant unbuildable
Assessment: 2,890
Appraised value: 4,130
Lien sale amount: \$3,411.66 – January 31, 2022 (see attached)
\$3,431.47 – February 28, 2022 (see attached)
2006 GL to 2019 GL

Per Connecticut State Statute, Sec. 12-195h (see attached), this is a request to assign the tax lien(s) for the above mentioned property to Mr. Alexander Dachenhausen at 45 Maplewood Trail in Sandy Hook. This is a common practice in the tax office to collect delinquent real estate taxes.

This is a little different situation because Mr. Dachenhausen is the neighbor (verses a company) and he wants this property. I believe this is the most cost-effective way to handle this situation, assign the tax lien(s) to Mr. Dachenhausen.

In an ongoing attempt to collect the debt, numerous demand notices, Connecticut State Statute, Sec. 12-155 (see attached), informing Mr. Rosenblit that failure to pay may result in the lien(s) being sold to a third party have been met with no response from Mr. Rosenblit.



TOWN OF NEWTOWN, CT
GIS GEOGRAPHIC INFORMATION SYSTEMS

Data shown on this map were derived from a variety of sources at different scales. This is not a survey and no field verification was performed. This map shall not be used for the transfer of property. Please review the Town of Newtown access policy if you have any questions. By viewing, copying, or otherwise using this map you agree to follow the terms of use. If you feel that you cannot follow this policy contact the GIS Technician for the Town of Newtown.

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(2 of 13)

Print Date: 11/03/2021 08:51

State Use: 1300

CURRENT OWNER ROSENBLIT DANIEL		TOPO.		UTILITIES		STRT./ROAD		LOCATION		CURRENT ASSESSMENT Description Code Appraised Value Assessed Value		6097 NEWTOWN, CT	
14 COOLIDGE ROAD										5-1		2,890	
WEST HARTFORD, CT 06117										4,130			
Additional Owners:										2,890			
Other ID: 43 8 101		SUPPLEMENTAL DATA		send CB Ltr						2,890			
Dev Lot				Take Photo						2,890			
Survey Maps				Listed S						2,890			
Survey Maps				Section						2,890			
Zoning										2,890			
Census										2,890			
GIS ID: 00576600		ASSOC PID#								2,890			
RECORD OF OWNERSHIP		BK-VOL/PAGE		SALE DATE		Q/U		V/I		SALE PRICE		V.C.	
ROSENBLIT DANIEL		971/ 976		09/01/2010		U		I		0		31	
ROSENBLIT JACK L CO TR & ELLEN CO TR		0883/0413		07/13/2006		Q		V		0		00	
EXEMPTIONS		Amount		Description		Number		Comm. Int.		Total:		2,890	
Year		Type		Code		Amount		Comm. Int.		Total:		2,890	
NBHD/SUB		NBHD Name		Street Index Name		Tracing		Batch		Total:		2,890	
0002/A		Sandy Hook								Total:		2,890	
30 of 13		NOTES								Total:		2,890	
APPRaised VALUE SUMMARY		Appraised Bldg. Value (Card)		0						Total:		2,890	
		Appraised XF (B) Value (Bldg)		0						Total:		2,890	
		Appraised OB (L) Value (Bldg)		0						Total:		2,890	
		Appraised Land Value (Bldg)		4,130						Total:		2,890	
		Special Land Value		0						Total:		2,890	
		Total Appraised Parcel Value		4,130						Total:		2,890	
		Valuation Method:		C						Total:		2,890	
		Adjustment:		0						Total:		2,890	
		Net Total Appraised Parcel Value		4,130						Total:		2,890	
VISIT/CHANGE HISTORY		Date		Type		IS		ID		Cd		Purpose/Result	
07/31/2017		PH		20		Field Review		PH		20		Field Review	
06/17/2016		TZ		99		Vacant Land - Inspected		TZ		99		Vacant Land - Inspected	
LAND LINE VALUATION SECTION		Unit Price		Units		Acres		Disc		Factor		ST.	
10,000.00		0.55 AC		0.55 AC		1.0000		0		1.0000		1.00 080 0.75	
Zone D		Front		Depth		Zone R-1		R-1		R-1		R-1	
Use Description		Vacant Unbuildable		Vacant Unbuildable		Vacant Unbuildable		Vacant Unbuildable		Vacant Unbuildable		Vacant Unbuildable	
S Adj		Spec Use		Spec Calc		S Adj		Spec Use		Spec Calc		S Adj	
1.00		1.00		1.00		1.00		1.00		1.00		1.00	
Land Value		Land Value		Land Value		Land Value		Land Value		Land Value		Land Value	
4,130		4,130		4,130		4,130		4,130		4,130		4,130	
Total Card Land Units:		0.55 AC		Parcel Total Land Area:		0.55 AC		Total Land Value:		4,130		4,130	

State Use: 1300
Print Date: 11/03

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DELINQUENT STATEMENT
71 MAPLEWOOD TRAIL
MBL: 43-8-101
JANUARY 31, 2022
SCHEDULE A

Bill	Name	Unique ID	Tax	Int	Lien	Total
2019-01-0008447	ROSENBLIT DANIEL	576600	\$100.46	\$24.11	\$24.00	\$148.57
2018-01-0008447	ROSENBLIT DANIEL	576600	\$100.50	\$42.21	\$24.00	\$166.71
2017-01-0008447	ROSENBLIT DANIEL	576600	\$98.96	\$59.37	\$24.00	\$182.33
2016-01-0008447	ROSENBLIT DANIEL	576600	\$104.32	\$81.37	\$24.00	\$209.69
2015-01-0008447	ROSENBLIT DANIEL	576600	\$103.50	\$99.36	\$24.00	\$226.86
2014-01-0008447	ROSENBLIT DANIEL	576600	\$101.86	\$116.12	\$24.00	\$241.98
2013-01-0008447	ROSENBLIT DANIEL	576600	\$102.60	\$135.43	\$24.00	\$262.03
2012-01-0008417	ROSENBLIT DANIEL	576600	\$102.64	\$153.96	\$24.00	\$280.60
2011-01-0008386	ROSENBLIT DANIEL	576600	\$94.48	\$158.02	\$24.00	\$276.50
2010-01-0008386	ROSENBLIT DANIEL	576600	\$93.82	\$174.50	\$24.00	\$292.32
2009-01-0008386	ROSENBLIT DANIEL	576600	\$92.40	\$188.50	\$24.00	\$304.90
2008-01-0008388	ROSENBLIT DANIEL	576600	\$90.22	\$200.28	\$24.00	\$314.50
2007-01-0008410	ROSENBLIT DANIEL	576600	\$89.32	\$214.36	\$24.00	\$327.68
2006-01-0008412	ROSENBLIT DANIEL	576600	\$43.28	\$109.71	\$24.00	\$176.99
TOTAL	1		\$1,318.36	\$1,757.30	\$336.00	\$3,411.66
						\$3,411.66

DELINQUENT STATEMENT
71 MAPLEWOOD TRAIL
MBL: 43-8-101
FEBRUARY 28, 2022
SCHEDULE A

Bill	Name	Unique ID	Tax	Int	Lien	Total
2019-01-0008447	ROSENBLIT DANIEL	576600	\$100.46	\$25.62	\$24.00	\$150.08
2018-01-0008447	ROSENBLIT DANIEL	576600	\$100.50	\$43.72	\$24.00	\$168.22
2017-01-0008447	ROSENBLIT DANIEL	576600	\$98.96	\$60.86	\$24.00	\$183.82
2016-01-0008447	ROSENBLIT DANIEL	576600	\$104.32	\$82.93	\$24.00	\$211.25
2015-01-0008447	ROSENBLIT DANIEL	576600	\$103.50	\$100.92	\$24.00	\$228.42
2014-01-0008447	ROSENBLIT DANIEL	576600	\$101.86	\$117.65	\$24.00	\$243.51
2013-01-0008447	ROSENBLIT DANIEL	576600	\$102.60	\$136.97	\$24.00	\$263.57
2012-01-0008417	ROSENBLIT DANIEL	576600	\$102.64	\$155.50	\$24.00	\$282.14
2011-01-0008386	ROSENBLIT DANIEL	576600	\$94.48	\$159.44	\$24.00	\$277.92
2010-01-0008386	ROSENBLIT DANIEL	576600	\$93.82	\$175.92	\$24.00	\$293.74
2009-01-0008386	ROSENBLIT DANIEL	576600	\$92.40	\$189.88	\$24.00	\$306.28
2008-01-0008388	ROSENBLIT DANIEL	576600	\$90.22	\$201.64	\$24.00	\$315.86
2007-01-0008410	ROSENBLIT DANIEL	576600	\$89.32	\$215.70	\$24.00	\$329.02
2006-01-0008412	ROSENBLIT DANIEL	576600	\$43.28	\$110.36	\$24.00	\$177.64
TOTAL	1		\$1,318.36	\$1,777.11	\$336.00	\$3,431.47
						\$3,431.47

Donna Saputo

From: Drucker, Pamela <PDrucker@cohenandwolf.com> on behalf of Drucker, Pamela
Sent: Tuesday, November 23, 2021 4:00 PM
To: donna.saputo@newtown-ct.gov
Cc: Grogins, David L.
Subject: Assignment of Tax Liens
Attachments: ASSIGNMENT OF REAL PROPERTY TAX LIEN.pdf; ASSIGNMENT OF REAL PROPERTY TAX LIEN.pdf

Hi Donna:

Attached are two assignments from David Grogins.

Kindly contact David with any questions.

Pam

Pamela Drucker | Paralegal to Neil R. Marcus and David L. Grogins | Cohen and Wolf, P.C.
158 Deer Hill Avenue | Danbury, CT 06810 | P: 203.792-2771 x571 | F: 203.791-8149
pdrucker@cohenandwolf.com | www.cohenandwolf.com

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Example

ASSIGNMENT OF REAL PROPERTY TAX LIENS

KNOW BY ALL THESE PRESENTS, this Assignment is made this ____ day of November, 2021 from the Town of Newtown, having a mailing address of 3 Primrose Street, Newtown Connecticut 06470 ("Assignor") to Alexander Dachenhausen of 45 Maple Trail, Sandy Hook, Connecticut 06482 ("Assignee").

For the sum of \$3,476.00 and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, Assignor hereby grants, bargains, sells, conveys, assigns, transfers, delivers and sets over unto Assignee an undivided one hundred percent (100%) interest of its right, title and interest in and to those certain Tax Liens, more particularly described in the attached Schedule A. This Assignment is made together with the underlying indebtedness secured by said Tax Liens. Such indebtedness includes unpaid taxes, interest thereon and fees as the same may be permitted by statute.

By acceptance of the Assignment, Assignee agrees to assume all of the rights, obligations, powers and duties of the Assignor with respect to the precedence and priority of the Tax Liens, and accrual of interest, the charges, fees and expenses of collection, and the Assignee shall have all the rights to enforce such Tax Liens, as the same are set forth in Section 12-195h of the Connecticut General Statutes, as amended.

Assignor hereby warrants and represents it is the owner and holder of the Tax Liens assigned hereby by virtue of recorded tax liens by the Town of Newtown, by Assignments recorded on the Newtown Land Records. This Assignment shall inure to the benefit of the Assignor, the Assignee and its respective successors and assigns.

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Except as expressly set forth above, this Assignment is without representation or warranty and is without recourse against the Assignor.

IN WITNESS WHEREOF, the Assignor has caused the Assignment to be duly executed and delivered as of the _____ day of November, 2021.

Witnessed:

ASSIGNOR:

TOWN OF NEWTOWN

BY: _____
Daniel Rosenthal, First Selectman

STATE OF CONNECTICUT:

: Newtown

COUNTY OF FAIRFIELD:

On the _____ day of November, 2021, before me, the undersigned, a notary public in and for said state, personally appeared Daniel Rosenthal, First Selectman of the Town of Newtown, personally known to me or provided to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public
My Commission Expires:

the amount liened together with interest due thereon within the effective period of the lien as hereinbefore provided or; C. a final judgment shall be rendered in favor of the taxpayer or others claiming an interest in the personal property liened determining that the tax is not owed, or that the lien is not valid. If the judgment shall determine that the tax is partially owed, then the officer who filed the notice of lien or the officer's successor shall within ten days of the rendition of the final judgment of the court file an amended tax lien for the actual amount of tax found to be due by the court, which amended lien shall be effective as to the revised amount of the lien as of the date of the filing of the original notice of tax lien, and said officer or said officer's successor at the time of the filing of the amended tax lien shall also file a discharge of the original tax lien.

(1971, P.A. 722, S. 7; P.A. 01-132, S. 162.)

History: P.A. 01-132 replaced reference to Sec. 42a-9-404 with Sec. 42a-9-513 and made technical changes for purposes of gender neutrality.

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* Sec. 12-195h. Assignment of liens. Notice of assignment. Any municipality, by resolution of its legislative body, as defined in section 1-1, may assign, for consideration, any and all liens filed by the tax collector to secure unpaid taxes on real property as provided under the provisions of this chapter. The consideration received by the municipality shall be negotiated between the municipality and the assignee. The assignee or assignees of such liens shall have and possess the same powers and rights at law or in equity as such municipality and municipality's tax collector would have had if the lien had not been assigned with regard to the precedence and priority of such lien, the accrual of interest and the fees and expenses of collection and of preparing and recording the assignment. The assignee shall have the same rights to enforce such liens as any private party holding a lien on real property including, but not limited to, foreclosure and a suit on the debt. The assignee, or any subsequent assignee, shall provide written notice of an assignment, not later than thirty days after the date of such assignment, to any holder of a mortgage, on the real property that is the subject of the assignment, provided such holder is of record as of the date of such assignment. Such notice shall include information sufficient to identify (1) the property that is subject to the lien and in which the holder has an interest, (2) the name and addresses of the assignee, and (3) the amount of unpaid taxes, interest and fees being assigned relative to the subject property as of the date of the assignment.

(P.A. 93-434, S. 19, 20; P.A. 13-135, S. 16; 13-276, S. 40.)

History: P.A. 93-434 effective June 30, 1993; P.A. 13-135 added provisions re notice of assignment; P.A. 13-276 added provision re fees and expenses of preparing and recording the assignment and added provision re foreclosure and a suit on the debt.

Change in marital status affecting ownership is not by itself good cause to open foreclosure judgment based on change in circumstances. 52 CA 52. A municipal tax lien is more analogous to a transfer of debt than to a transfer of title and as such is not considered a "conveyance" under Sec. 47-10, and accordingly, more specific statutes, such as this section, governing tax liens, which do not require recordation, should take precedence over more general land transfer statutes, such as Sec. 47-10, which do require recordation, thus an assignee's failure to record the assignment of a tax lien does not deprive such assignee of standing to bring a foreclosure action. 196 CA 279. Amendment in 2013 adding "suit on the debt" does not affect situation where plaintiff or assignee acquired title to property

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by foreclosure because pursuant to Sec. 12-195 all of its claims, in whatever form those claims might take, were extinguished upon such acquisition. 196 CA 298.

Assignee succeeds only to the assignor municipality's enforcement right empowered by Sec. 12-181, and not to the municipality's other authorized collection methods. 45 CS 435.

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Sec. 12-153. Receipts for partial payments in cases of transfer. Whenever a partial payment is made on any tax account because of the transfer of title of part of any property represented by such account, the collector shall, if requested, indicate on such partial payment receipt the property on which such partial payment applies.

(1949 Rev., S. 1834; P.A. 13-276, S. 27.)

History: P.A. 13-276 eliminated provision re endorsement as required in Sec. 12-151.

See Sec. 12-150 re penalty for violation of provisions of this section.

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Sec. 12-154. Proceedings against collector for failure to pay taxes collected or to perform duties. If any collector of taxes fails to pay taxes collected within the time limited by law or by the community imposing such tax, any judge of the Superior Court, on application of the selectmen of the town or the committee of the municipal district imposing such tax, shall grant an execution against the estate of such collector, of the same form and to be levied in the same manner as executions in civil actions. If any collector of taxes fails to perform the duties of his appointment, any judge of the Superior Court, on written application of the selectmen of the town, the mayor and alderman of the city, the warden and burgesses of the borough or the committee of the municipal district which laid the taxes, after due notice and hearing, may remove him from office.

(1949 Rev., S. 1835; 1959, P.A. 28, S. 48; P.A. 74-183, S. 192, 291; P.A. 76-436, S. 168, 681; P.A. 81-410, S. 2; P.A. 13-276, S. 28.)

History: 1959 act placed authority to grant execution in circuit court judge rather than justice of the peace; P.A. 74-183 substituted court of common pleas for circuit court; P.A. 76-436 substituted superior court for court of common pleas, effective July 1, 1978; P.A. 81-410 deleted reference to execution against the body; P.A. 13-276 changed "collect and pay the same" to "pay taxes collected".

See Sec. 12-168 re indemnification of tax collector in the absence of negligence or wilful misconduct.

Collector in default committed to jail without trial. 65 C. 30. Town, not collector, owns money; presumption that checks accepted by him were cashed. 73 C. 95.

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Sec. 12-155. Demand and levy for the collection of taxes and water or sanitation charges. (a) If any person fails to pay any tax, or fails to pay any water or sanitation charges within thirty days after the due date, the collector or the collector's duly appointed agent shall make personal demand of such person therefor or leave written demand at such person's usual place of abode or deposit in some post office a written demand for such tax or such water or sanitation charges, postage prepaid, addressed to such person at such person's last-known place of residence unless, after making reasonable efforts, the assessor is unable to identify the owner or persons responsible. If such person is a corporation, limited partnership or other legal entity, such written demand may be sent to any person upon whom process may be served to initiate a civil action against such corporation, limited partnership or entity.

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X (b) After demand has been made in the manner provided in subsection (a) of this section, the collector for the municipality, alone or jointly with the collector of any other municipality owed taxes by such person, may (1) levy for any unpaid tax or any unpaid water or sanitation charges on any goods and chattels of such person and post and sell such goods and chattels in the manner provided in case of executions, or (2) enforce by levy and sale any lien or warrant upon real estate for any unpaid tax or levy upon and sell such interest of such person in any real estate as exists at the date of the levy for such tax.

(c) For the purposes of this section, "water or sanitation charges" means (1) any rates or charges established pursuant to section 7-239, or (2) any charges imposed by a municipality for the collection and disposal of garbage, trash, rubbish, waste material and ashes.

(1949 Rev., S. 1836; 1967, P.A. 123, S. 1; P.A. 95-228, S. 2, 15; P.A. 07-95, S. 3; P.A. 13-276, S. 29; P.A. 15-156, S. 4.)

History: 1967 act deleted provision which had allowed imprisonment of tax offenders; P.A. 95-228 added provision authorizing notice to be sent to any person upon whom process may be served in the case of a corporation, limited partnership or other legal entity, effective July 6, 1995, and applicable to tax sale notices posted, filed or published on and after said date; P.A. 07-95 divided existing provisions into Subsecs. (a) and (b), added provisions re collection of water or sanitation charges and made technical changes therein and added Subsec. (c) defining "water or sanitation charges", effective July 1, 2007; P.A. 13-276 amended Subsec. (a) by adding provision re demand for payment of unpaid taxes unless, after making reasonable efforts, the assessor is unable to identify owner or responsible persons, and amended Subsec. (b) by permitting specified actions re unpaid taxes to be made by collector of municipality alone or jointly with collectors of other municipalities owed taxes; P.A. 15-156 amended Subsec. (b)(2) by adding "or warrant".

Demand necessary before levy, but not to make the tax due. 30 C. 395. Injunction will be granted against collection of taxes for imperative reasons only. 39 C. 401; 42 C. 30; 46 C. 243; 106 C. 227. One whose duty it is to pay a tax cannot purchase property on sale for the tax. 46 C. 513; 48 C. 395. Officer liable for imprisoning one to compel payment of an amount which includes illegal fees. 50 C. 78. Though action to foreclose lien is barred, warrant may be levied. 68 C. 293. Levy cannot be made on property in receiver's hands. 72 C. 63. Applies to poll taxes. 81 C. 369. Recovery of tax paid to avoid levy of warrant. 82 C. 266; 103 C. 263. Nature of proceedings under warrant. 86 C. 196. Under levy for one tax, property cannot be sold for other. 87 C. 142. Injunction to restrain sale under levy. Id., 229. Lien for other taxes than those levied on specific property does not arise till warrant is levied. 91 C. 336. Three statutory methods of collecting taxes are distinct, concomitant and cumulative. 106 C. 547. Tax collector not an insurer of collection of all taxes on list and surety not liable for uncollected taxes in absence of proof of negligence. 112 C. 318. Personal property assessed is not subject to lien prior to institution of proceedings to enforce collection. 121 C. 250.

Cited. 46 CA 721.

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Sec. 12-156. Sale of equity or particular estate under tax levy. Section 12-156 is repealed, effective July 6, 1995, and applicable to tax sale notices which are posted, filed or published on or after that date.

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TOWN OF NEWTOWN APPROPRIATION (BUDGET) TRANSFER REQUEST

FISCAL YEAR

2021 - 2022

DEPARTMENT

Public Works

DATE

2/1/22

FROM:

Account

101245700000-5899CONTINGENCY

Amount

(40,000)

USE NEGATIVE
AMOUNT

TO:

101135100000-5661SALT

40,000

USE POSITIVE
AMOUNT

REASON:

see attached

AUTHORIZATION:

date:

(1) DEPARTMENT HEAD

(2) FINANCE DIRECTOR

(3) SELECTMAN

(4) BOARD OF SELECTMEN

(5) BOARD OF FINANCE

(6) LEGISLATIVE COUNCIL

AUTHORIZATION SIGN OFF

FIRST 335 DAYS

>>>>WITH IN A DEPT.>>>>LESS THAN \$50,000>>>> (1), (2) & (3) SIGNS OFF; MORE THAN \$50,000>>>> (1), (2), (3) & (5)
>>>>ONE DEPT TO ANOTHER>>>>LESS THAN \$200,000>>>>ALL EXCEPT (6); MORE THAN \$200,000>>>>ALL SIGN OFF

AFTER 335 DAYS

>>>>(1), (2), (3), (5) & (6)

ANY AMOUNT FROM CONTINGENCY>>>> ALL SIGN OFF

Attached email
[Signature]
[Signature]

2/1/22

2-1-22



Robert Tait <robert.tait@newtown-ct.gov>

Winter Maintenance Transfer Request

1 message

Fred Hurley <fred.hurley@newtown-ct.gov>

Tue, Feb 1, 2022 at 2:11 PM

To: Robert Tait <robert.tait@newtown-ct.gov>, Dan Rosenthal <dan.rosenthal@newtown-ct.gov>

As of Tuesday, February 1st, the Winter Maintenance accounts are at the current status:

Overtime: Of a budgeted amount of \$180,000, \$117,068 or 65% of the line item has been expended. The remaining \$60,000 is equivalent to approximately 1,200 hours of overtime. This balance could cover 7 or 8 small events or 2 larger events all dependent on whether the storms fall during regular weekdays or at night and on weekends.

Sand: Of the budgeted amount of \$60,608, which provides 3,038 tons of sand approximately 2,217 tons equivalent to \$44,232 or 73% of the budgeted line item has been expended. In addition to budgeted purchases, we had approximately 400 tons of sand on hand left from previous years. When added to the purchased quantities, our expended utilization rate drops to 64%..

Salt: The original budgeted amount of \$185,766 was projected to provide 2,959 tons of salt. After the budget was finalized, salt prices increased appreciably and only 2,565 tons was funded leaving a shortfall of 394 tons from the 5 year average. Fortunately, we had approximately 900 tons of salt on hand from previous years. Total available tonnage is 3,465 tons. We have utilized 2,659 tons or 77%. We are requesting an additional \$40,000 or approximately 550 tons of salt funding. This additional appropriation will drop our utilization rate to 66% and keep it more in line with our overtime and sand utilization rates..

After the transfer request, our utilization rates at this time would be 65% for overtime, 64% for sand and 66% for treated salt.

Respectfully requested by
Fred Hurley
Director of Public Works