

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

The Board of Selectmen held a regular meeting Monday, December 4, 2023. The meeting was held in the Council Chambers at the Newtown Municipal Center. First Selectman Capeci called the meeting to order at 7:30p.m. and opened the meeting with salute to the flag.

PRESENT: First Selectman A. Jeffrey Capeci, Selectman Michelle Embree Ku and Selectman Daniel Cruson.

ALSO PRESENT: Finance Director Robert Tait, Assessor Kathy Brown and five members of the public.

VOTER COMMENTS: Phil Carroll, 1 Fieldstone Drive, Newtown, offered congratulations to all selectmen and noted he wishes everything goes smoothly.

COMMUNICATIONS: First Selectman Capeci reported his first day as First Selectman included five hours in mediation. The contract is settled and will be on next BOS agenda. He also met with Chief Kullgren relative to a recent school threat; will be a meeting with a broader group tomorrow on the same topic.

FINANCE DIRECTORS REPORT: Mr. Tait presented his report (att.) relative to past, present and future financials and budget information.

NEW BUSINESS

Discussion and possible action:

1. **Appoint Board Member to act in lieu of absent or disabled First Selectman:** Selectman Ku move that Dan Cruson serve as acting First Selectman in the event of absence, the incapacity, or disability of Jeff Capeci, as First Selectman. Dan Cruson seconded. All in favor.
2. **Approval of 2024 Meeting Calendar:** Selectman Cruson moved to approve the 2024 Board of Selectmen meeting calendar as presented in a document from the First Selectman's office. (att.). Selectman Embree Ku seconded. All in favor.
3. **Resolution: \$100,000 for Motor Vehicle Tax Recovery Relating to Out of State License Plates:** Selectman Embree Ku moved the resolution: Whereas motor vehicle property taxes are lost when residents vehicles are erroneously licensed out of state; Therefore, be it resolved that an appropriation of \$100,000 for professional services to recover motor vehicle taxes be approved; Further be it resolved that the \$100,000 be funded from Capital and Non-recurring fund (att.). Selectman Cruson seconded. Tax Assessor Kathy Brown said it picks up vehicles from out of town. The company has a plate reader, making it easier. It is for in state and out of state and unregistered vehicles. There is an appeals process within the company. Each case will be different. There is a website that residents can use to provide explanation. The company charges 40%; we need to bring taxes to 100%. It's for bookkeeping; whatever is not used falls back to Capital Non-recurring. Selectman Cruson voiced concern the company will be at school drop off. There will be communication with the schools. All in favor.

RECURRING BUSINESS

Discussion and Possible Action:

1. **Appointments/Reappointments:** Selectman Cruson moved to appointments/reappointments of the individuals, as outlined in the document dated December 4, 2023 (att.), be made for the boards and commissions as listed, with the exception of Joe Kearney on the Board of Ethics, who will be considered at the next meeting. Selectman Embree Ku seconded. All in favor.

Rec'd. for Record 12-5-2023
Town Clerk of Newtown 12:00pm
Debbie Aurelie Halstead

Board of Selectmen
December 4, 2023

2. **Driveway Bond Release/Extension:** Selectman Embree Ku moved that driveway bonds, as recommended by the Town Engineer, and outline in the document dated December 4, 2023, be released, each in the amount of \$1,000 each. Selectman Cruson seconded. All in favor.
3. **Tax Refunds:** Selectman Cruson moved to approve Tax Refunds #3, dated December 4, 2023, in the amount of \$5,962.33 Selectman Embree Ku seconded. All in favor.

VOTER COMMENTS: none

ANNOUNCEMENTS: none.

ADJOURNMENT: Having no further business the regular Board of Selectmen meeting was adjourned at 7:55p.m.

Attachments: Finance Director Report; 2024 BOS Meeting Calendar; \$100K resolution re: MV license plates tax recovery; Appointments/Reappointments 12/4/23; Driveway Bond Releases 12/4/23

Respectfully submitted,
Susan Marcinek

At this time of the year I'm dealing with the town budget of the past, the budget of the present and the budget of the future (the scariest of them all).

Past – I have finished reviewing the draft financials (ending 06/30/2023). Just waiting for educations ok. Then we will have completed financial statements. These will be presented in January.

Present – continuing to monitor the present budget performance. I will have a six month report in early January. To date there is nothing significant to report on the expenditure side. On the revenue side the investment income account continues to exceed budget.

Future – the major department heads will submit their budget requests by December 15th. The First Selectman and I will review them between 12/26 and 01/05 with the departments and make adjustments accordingly. The proposed First Selectman's budget will be presented to the BOS on January 16th.

Future reports

- Budget
- Capital & non-recurring
- ARPA fund
- Financial statement presentation

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A. Jeffrey Capeci
First Selectman

TOWN OF NEWTOWN

OFFICE OF THE FIRST SELECTMAN

2024 Meeting Schedule

The Newtown **Board of Selectmen** will hold meetings at 7:30 pm in the Council Chamber at the Newtown Municipal Center, 3 Primrose Street, Newtown, CT as follows:

Tuesday	January 2
Tuesday	January 16 – budget
Thursday	January 18 – budget
Monday	January 22 – budget
Wednesday	January 24 – budget
Monday	January 29 – budget
Monday	February 5
Tuesday	February 20
Monday	March 4
Monday	March 18
Monday	April 1
Monday	April 15
Monday	May 6
Monday	May 20
Monday	June 3
Monday	June 17
Monday	July 1
Monday	July 15
Monday	August 5
Monday	August 19
Tuesday	September 3
Monday	September 16
Monday	October 7
Monday	October 21
Monday	November 4
Monday	November 18
Monday	December 2
Monday	December 16
Tuesday	January 6, 2025
Tuesday	January 21, 2025

Resolution to appropriate \$100,000 for motor vehicle tax recovery relating to out of state license plates residing in Newtown to be funded from the Capital & Non-recurring fund.

CAPITAL TAX RECOVERY

211 NEW BRITAIN ROAD, SUITE 208, KENSINGTON, CT 06037

T: 860-826-1100 • F: 866-256-8084

INFO@CAPITALTAXRECOVERY.COM

WWW.CAPITALTAXRECOVERY.COM

Our Process

Step 1: Meet with the Assessor

- We will meet with the Assessor to set expectations and discuss how the Town applies the relevant laws governing motor vehicle taxation.
- Obtain the motor vehicle grand lists from the Assessor.
- We upload the current motor vehicle grand list to our Automated License Plate Readers system (ALPR) and create a permit list.

Step 2: Deploy Investigators/Gather Data

- Deploy Investigators into the Town to gather data from the ALPR.
- When the ALPR scans a license plate not on the grand list, it flags that plate and creates a hit. A hit is a license plate not contained in the grand list. The ALPR system takes a picture of the license plate and vehicle, documents the date and time, and the address/GPS location of the vehicle (**see handout #1**).
- All hits are placed on an excel spreadsheet called a "hotlist." The hotlist is uploaded into the ALPR system.
- As we continue to scan, each time a plate on the hotlist is scanned, the system again flags the plate. Consecutive dates the plate was scanned are added to the hotlist so that we know how many times it was scanned and when.
- High motor vehicle concentration areas such as apartment buildings, condominiums, and multi-family rental unit areas will be scanned more frequently and will be a higher priority.
- We continually scan the entire Town for the duration of the contract, mainly at night and in the early morning, to identify as many vehicles as possible.
- We can set up at schools for student drop-offs and pick-ups.
- We will set up entrances and exits of apartment and condominium complexes posted as private. We can also request permission to enter the private property from the apartment complexes and condominiums that are posted.

Step 3: Obtain Vehicle Ownership

- Once a vehicle has been scanned on two or more occasions, the vehicle is placed "under review."
- We then conduct a motor vehicle registration search to determine the current owner.
- Being a licensed private investigator allows us to conduct motor vehicle searches for most states except a few.
- We have direct online access to New York DMV, allowing us to conduct registration searches for New York plates.

Step 4: Confirm Residency

- Once we obtain the owner information, we conduct a proprietary database "person search" for the registered owner of each vehicle.
- The database provides the person's current address and indicates the date the address was first reported, allowing us to include potential tax liability for previous tax years (see handouts #2-3).
- We also utilize various databases to confirm residency, including voter registration and utility records and have other investigative techniques to verify residence.

Step 5: Send 1st Letter of Correspondence/Public Relations

- Under the direction of the Town, we will prepare and mail the First Letter of Correspondence to all potential taxpayers informing them of their potential tax liability (see handout #4).
- The letter will include an assigned case number, explain why they received it, state the relevant motor vehicle tax law(s), and direct the potential taxpayer to our taxpayer web portal.
- Our web portal has a chatbot to answer general questions and again explains the process of disputing the claim should they wish to do so. The potential taxpayer can provide a written argument and supporting documents should they want to dispute the claim through the web portal.
- CTR will handle all communications with potential taxpayers. The CTR representative will answer general questions and explain current tax laws.
- Should the potential taxpayer contest the claim, we will review the provided dispute documents and compare them to our evidence.
- We can recommend that the Town accept or deny the dispute, or the Town can have sole discretion in making that determination.

Step 6: Provide Assessment Data

- After the allowed time to dispute the claim (timeframe at the Town's discretion) or when the disputed claim is denied, and the case is closed, we will provide the Town with the necessary data to prepare tax bills. The data will be in a format consistent with the Town's necessity for upload.

CTR's Shared Network Folder for the Town:

- We provide the Town with a shared folder allowing access to all case folders in which the potential taxpayer was sent the 1st letter of correspondence.
- All case folders will contain the vehicle registration information, address information, ALPR evidence, 1st letter of correspondence, and potential taxpayer communications.

Why our Solutions Work for You:

- There are no upfront costs to the Town. CTR will be only compensated when the Town collects taxes, fees, and interest.
- We conserve your resources; we increase your tax base.
- We simplified the communication process with potential new taxpayers regarding disputes. Our website allows easy upload of written arguments and supporting documents, and a chatbot is available 24/7 to answer general questions.

BOARD OF SELECTMEN – December 4, 2023

APPOINTMENT

Lake Zoar Authority

(R) Anthony Fischetti, 22 Underhill Road, SH to fill a vacancy to expire 01/06/25

Parks & Recreation

(U) Adam Angerami, 16 Old Castel Drive 01/06/24-01/06/26

~~(R) Paul Gibbons, 6 Bridge End Farm Lane, SH 01/06/24-01/06/26~~

REAPPOINTMENTS

Board of Ethics

(U) Reginald Heard, 15 Monitor Hill Road 01/06/24-06/07/28

~~(R) Joseph Kearney, 9 Daniels Hill Road 01/06/24-01/06/28~~

Commission on Aging

(U) Claire Theune, 102 Haley Lane 01/06/24-01/06/27

(D) LeReine Frampton, 6 Pebble Road 01/06/24-01/06/27

(U) Xaio Han, 6 Driftway Drive 01/06/24-01/06/27

(R) Stephen Riccitelli, (alt.) 32 Button Shop Road 01/06/24-01/06/26

Community Center Commission

(R) Fred Taylor, 8 White Oak Farm Road., 12/31/23 – 12/31/27

Conservation

(D) Mark Lurie, 131 Hanover Road 12/31/23 – 12/31/27

(D) William Drew, 27 Old Farm Hill Road 12/31/23 – 12/31/27

Cultural Arts Commission

(D) Laura Lerman, 55 Main Street 01/06/24-01/06/27

(U) Roger Connor, Jr., 23 Hilldale Drive, SH 01/06/24-01/06/27

Economic Development Commission

(D) Francis Pennarola, 17 Webster Place 01/06/24-01/06/27

(R) David Cervero, 12 Overlook Knoll Road 01/06/24-01/06/27

Employee Medical Benefits Board

(U) Donna VanWaalwijk, 16 Concord Ridge Road 01/06/24-01/06/27

Inland Wetlands

(U) Michael McCabe, 5 Far Horizon Drive, SH 01/06/24-01/06/28

Parks & Recreation

(D) Warren Spencer, 8 Grand Place 01/06/24-01/06/26

Pension

(R) Ellen Whalen, 65 Main Street 01/06/24-01/06/26

(D) Charles Farfaglia, 42 Horseshoe Ridge Road 01/06/24-01/06/26

(U) John DiNoto, 1 Orchard Lane 01/06/24-01/06/26

Sustainable Energy

(R) George Brown, 155A Boggs Hill Road 01/06/24 – 01/06/27

(U) Nicolas Lombardo, 21 Pine Street, SH 01/06/24 – 01/06/27

BOARD OF SELECTMEN MEETING – Dec. 4, 2023

DRIVEWAY BONDS

Releases:

Prestigious Homes, LLC 1 Maranello Drive M33, B5, L18.7, Dev. Lot 7	\$1,000.00
Prestigious Homes, LLC 8 Maranello Drive M33, B5, L18.4, Dev. Lot 4	\$1,000.00
Prestigious Homes, LLC 5 Holmes Farm Road M32, B1, L3, Dev. Lot 13	\$1,000.00
John Paul Salley 107 Huntingtown Road M35, B7, L15	\$1,000.00
Franca Group, LLC 17C Butterfield Road M4, B3, L27	\$1,000.00
Premiere Home Development 3 Vona Way M2, B3, L18, Dev. Lot. 18	\$1,000.00