

**LEGISLATIVE COUNCIL REGULAR MEETING
COUNCIL CHAMBERS, 3 PRIMROSE STREET, NEWTOWN, CT
WEDNESDAY, NOVEMBER 1, 2023**

MINUTES

PRESENT: Jeff Capeci, Michelle Embree Ku, Tom Long, Chris Gardner, Phil Carrol, Dan Honan, Derek Pisani, Ryan Knapp, Charles Gardner, Lisa Kessler, Matthew Mihalcik, William DeRosa

ALSO PRESENT: Finance Director Bob Tait, First Selectman Dan Rosenthal, BOE Director of Facilities John Barlow, Director of Land Use Rob Sibley, Town Attorney Jason Buchsbaum and 50 members of the public

CALL TO ORDER: Mr. Capeci called the meeting to order with the Pledge of Allegiance at 7:30 pm.

VOTER COMMENT: Bill Manfradonia, Monitor Hill Road – The ARP Committee, BOS and BOF have all have unanimously passed this on to the LC. They are working with P&R to locate a place for the courts. Pickleball is the fastest growing sport because it is easy to learn and ranges from teens to seniors. The current court at FFH is not a court, it is a parking lot. Newtown is behind surrounding towns. The ARP funds will help them to start the process of getting grants and moving forward.

Pete Didomizzio, 212 Brushy Hill Road – He has been a resident for over 25 years. They have had family issues and the community bond that you have with pickleball has been a godsend. It brings people together. They have never bonded with so many people in town until the last year when they started playing pickleball. It is a social aspect and makes the town better.

Howard Becker, 15 Brookside Court – When he first moved here he questioned why since there were no pickleball courts. He would drive back to Rockland to play. Now he plays in Newtown.

MINUTES: Charles Gardner moved to approve the minutes of the October 18, 2023 meeting. Matt Mihalcik seconded, all in favor.

COMMUNICATIONS: Jeff Capeci received emails concerning the Transfer Station (att.).

COMMITTEE REPORTS: None

FIRST SELECTMAN'S REPORT: First Selectman Rosenthal reported that the Emergency Communication System is finally switched over to digital from analog. Three sights have been added to system to clear up dead zones.

NEW BUSINESS

American Rescue Plan Appropriation, Pickleball – Charles Gardner moved to approve a resolution providing for an appropriation totaling \$100,000 for a contribution to a pickleball court (8) project listed in the 2024-25 to 2028 -29 proposed CIP (for \$350,000). To be funded, in part, from the American Rescue Plan (ARP) grant. Dan Honan seconded, all in favor.

Non-Lapsing fund appropriation of \$71, 313.40 for the purchase of 2023 Ford F350 Supercab truck with utility boxes and plow attachments – Charles Gardner moved to approve the BOE Non-Lapsing fund appropriation of \$71,313.40 for the purchase of a 2023 Ford F350 Supercab truck with utility boxes and plow attachment. Dan Honan seconded. Tom Long said his understanding is that non-lapsing funds shall be used for educational purposes and a truck is capital. John Barlow explained the truck is a replacement for the BOE electrician and is also used to plow parking lots. The current truck is a 2006 with 146,000 miles and the transmission will likely not make it through the first snowstorm. If a PO is made tomorrow, they could see the truck in a month. The truck would normally be in the BOE operational budget. First Selectman Rosenthal explained that as far as the educational concern, everything the maintenance department does affects the education. Motion passes 9 yes (Carrol, Capeci, DeRosa, Embree Ku, Gardner(Chris), Gardner(Charles), Honan, Knapp, Mihalcik) to 3 no (Pisani, Kessler, Long) .

Transfer Station – Jeff Capeci explained he was at the Transfer Station Saturday and spoke with residents and employees and everything was running smoothly. Fred Hurley explained that the major difference between the two Saturdays was because the upper loop wasn't finished the first week. The changes that did get made proved successful with no delays. He also explained that the original plan was adjusted because of the metal pile causing damage to the loader tires and they had to change the area for solar composting facility. The other thing that created a problem, the area that Construction and Demo and Bulky Waste had a wall with no foundation. Last Saturday morning they added open top garbage, CD and Bulky. That help divert those that are only doing trash. The other change made was the first week the glass container and the food scraps was on the opposite side crossing traffic. They moved that to the smaller containers near the compactors. Another reason for the changes was to pursue those not paying their renewal fee. Camera upgrades will assist when we need the Police to be involved. They are also trying to build in flexibility for the future should there be mandates coming for glass and food scraps. A concern about people crossing traffic was mentioned. Fred Hurley responded that they are going to be putting in cross walks from office to the waste oil shed as well as one in the recycling area.

Voter Comment – None

Executive Session - Charles Gardner moved go into executive session at 8:46pm to discuss strategy and negotiations relative to tax liens for 2 Button Shop Road. He also invited Director of Land Use Rob Sibley and Town Attorney Jason Buschbaum to attend. Chris Gardner seconded all in favor. Executive session ended at 8:56pm. After executive session ended, Tom Long moved to authorize the First Selectman to negotiate and execute tax lien assignment agreement for 2 Buttonshop Road. Matt Mihalcik seconded, all in favor.

Announcements - None

Having no further business, the meeting was adjourned at 8:28pm.

*Respectfully submitted,
Arlene Miles, Clerk*

Attachment: Correspondence, ARP Pickleball resolution, BOE Non-Lapsing request



Arlene Miles <arlene.miles@newtown-ct.gov>

Fw: Form submission from: Contact the Newtown Legislative Council

1 message

Jeffrey Capeci <Jeff@thecapecis.com>

Wed, Nov 1, 2023 at 6:38 PM

Reply-To: Jeffrey Capeci <Jeff@thecapecis.com>

To: Arlene Miles <arlene.miles@newtown-ct.gov>

For tonight's minutes.

Jeff

----- Forwarded Message -----

From: Ken freeston via Newtown CT <cmsmailer@civicplus.com>

To: jcapeci <jeff@thecapecis.com>

Sent: Tuesday, October 31, 2023 at 05:32:17 PM EDT

Subject: Form submission from: Contact the Newtown Legislative Council

Submitted on Tuesday, October 31, 2023 - 5:32pm

Submitted by anonymous user: 69.131.21.27

Submitted values are:

Your name: Ken freeston

Your e-mail address: ken@kenfreeston.com

Subject: New transfer station plan

Message: First, I want to thank Fred Hurley for his decades of service to us all. I also commend him for his leadership in the redesign of the traffic flow. For my first attempt I will go at an off peak time for a trial run. From a zoom in review of the new traffic flow, I see that we are all in the same line unless you have metal or leaves. If possible, that may need to be reviewed, which I am confident Fred will do, and I accept and support his leadership.

The results of this submission may be viewed at:

<https://www.newtown-ct.gov/node/86983/submission/172221>



Arlene Miles <arlene.miles@newtown-ct.gov>

Fw: Form submission from: Contact the Newtown Legislative Council

1 message

Jeffrey Capeci <Jeff@thecapecis.com>
Reply-To: Jeffrey Capeci <Jeff@thecapecis.com>
To: Arlene Miles <arlene.miles@newtown-ct.gov>

Wed, Nov 1, 2023 at 6:38 PM

For tonight's minutes.

Jeff

----- Forwarded Message -----

From: Cliff Gilbert via Newtown CT <cmsmailer@civicplus.com>

To: jcapeci <jeff@thecapecis.com>

Sent: Tuesday, October 31, 2023 at 11:35:31 PM EDT

Subject: Form submission from: Contact the Newtown Legislative Council

Submitted on Tuesday, October 31, 2023 - 11:35pm

Submitted by anonymous user: 66.189.73.92

Submitted values are:

Your name: Cliff Gilbert

Your e-mail address: cliffordmgilbert@gmail.com

Subject: Transfer station feedback

Message:

Hello

My concern is with how you can no longer back a pick up truck to the trash dumpster. I have large barrels which allow me to only have to bring my garbage every other week. However you cannot get close to be able to toss larger bags from the bed of the truck into the container. I don't see why those bins were eliminated for waste and left just for metal. I recommend they bring those back for just garbage.

The results of this submission may be viewed at:

<https://www.newtown-ct.gov/node/86983/submission/172231>

A resolution providing for an appropriation totaling \$100,000 for a contribution to a pickleball court (8) project listed in the 2024-25 to 2028-29 proposed CIP (for \$350,000). To be funded, in part, from the American Rescue Plan (ARP) grant.

\$100,000 requested appropriation was recommended by the ARP Working Group on 10/10/2023.

The ARP Working Group is comprised of the following:

Board of Selectmen

- Ed Schierloh *

Board of Finance

- Sandy Roussas *
- Erica Sullivan

Legislative Council

- Charles Gardner *
- Matthew Mihalcik *
- Michelle Ku *

Ex-officio

- First Selectman, Dan Rosenthal *

Present *

American Rescue Plan Working Group
Council Chambers, Newtown Municipal Center
3 Primrose St Newtown Ct
Monday October 10th, 2023

Minutes

Present: Ed Schierloh, Matthew Mihalcik, Sandy Roussas, Charles Gardner & Michele Ku

Absent: Erica Sullivan

Also Present: First Selectman Dan Rosenthal, Newtown Pickleball Association representatives (Jan Brown, Bruce Goulart & Bill Manfredonia)

Call to Order: Dan Rosenthal called the meeting at 6:33 pm

Vote Comments: None

Approval of Minutes: None

Old Business:

Discussion and Possible action

1. Pickleball

- a. The proposed CIP plan had \$650,000 for pickleball though Mr Rosenthal paired it down to \$350,000. He contacted Southbury who just installed courts. They did so for about \$40,000 per court, the court being a post-tension concrete court which is ideal. He add a \$50,000 contingency to account for any cost increases in the coming years. He moved the project from year 4 to year 2. He felt that if it was in year 4 it there wouldn't be as much excitement for the Pickleball Assoc to be able to fundraise and we wouldn't be able to use ARP funds. Mr Manfredonia said that P&R has committed to putting \$5000 towards a feasibility study for the courts. Mr Manfredonia said that they intend to apply for a STEAP grant with the assistance of the Town. There have been other towns award STEAP grants for pickleball courts. Ms Roussas asked about the difference of the amounts. Mr Rosenthal said that he doesn't know where the \$650,000 number came from, Mr Rosenthal did his research and he thinks that \$350,000 is more realistic also assuming there is some kind work from Public Works. Mr Gardner asked about the number of courts. Mr Manfredonia and Mr Rosenthal said that the goal is 8 courts. Ms Ku asked is Fairfield Hills Authority has been consulted on the location of the courts on the campus. Mr Manfredonia said yes they have been and the idea is to make sure they wouldn't inhibit any commercial development at FH in the future. **Charlie Gardner moved that we make a recommendation to the Board of Selectman to start the appropriation process to commit \$100,000 of ARP funds towards the Pickleball project. Seconded by Sandy Roussas. All in Favor (5-0), motion passes)**

Voter Comments: None

Adjournment: Ed Schierloh moved to adjourn the meeting at 7:07 pm. Seconded by Sandy Roussas, All in favor.

Respectfully submitted,

Matthew Mihalcik

**These minutes are subject to approval by the American Rescue Plan Working Group
at the next meeting**

**NEWTOWN PUBLIC SCHOOLS
BUSINESS OFFICE**

MEMORANDUM

DATE: October 16, 2023
TO: Board of Finance
FROM: Tanja Vadas, Director of Business, Christopher Melillo, Superintendent
SUBJECT: Truck Replacement

On September 20, 2023 the Legislative Council approved the BOE request for unexpended funds of \$184,274 from the 2022-2023 Board of Education Budget to be deposited in the BOE Non-lapsing account with \$100,000 going to special education and the balance to go into capital non-recurring.

On October 3, 2023 the Board of Education passed the following motion:
Move that the Board of Education approved the purchase of a replacement truck from Gengras Ford in the amount of \$71,313.40 to be taken from the Non-lapsing account.

We respectfully request an appropriation of \$71,313.40 for the purchase of a 2023 Ford F350 Supercab truck with utility boxes and plow attachments. This truck will replace our 2008 GMC 3500 truck which is now unsafe for driving due to the age and condition of the truck.

We ask that the Board of Finance include this action in its next agenda. Thank you for your continued support.

Please contact me should you have any questions.

Tanja Vadas