

**LEGISLATIVE COUNCIL REGULAR MEETING  
COUNCIL CHAMBERS, 3 PRIMROSE STREET, NEWTOWN, CT  
WEDNESDAY, DECEMBER 15, 2021**

**MINUTES**

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

**ABSENT:** William DeRosa, Charles Gardner

**ALSO PRESENT:** First Selectman Dan Rosenthal, Finance Director Bob Tait; CH Booth Library Director Douglas Lord, Library Board of Trustees Members: President Michelle Brown, Treasurer Greg Branecky, Trustee David Schill and Trustee Amy Dent; 9 public, 0 press

**CALL TO ORDER:** Mr. Capeci called the meeting to order with the Pledge of Allegiance at 7:32 pm.

**VOTER COMMENT:** None

**MINUTES:** Mr. Knapp moved to accept the minutes of the November 17, 2021 Legislative Council Regular Meeting. Seconded by Mr. Carroll. All in favor. Motion passes (10-0).

Mr. Knapp moved to accept the minutes of the December 1, 2021 Legislative Council Regular Meeting with a correction to the date in the header to read December 1, 2021. Seconded by Mr. Honan. All in favor. Motion passes (10-0).

**COMMUNICATIONS:** Mr. Knapp shared his response to an email regarding the Charter Revision Committee. *See attachment A.*

**COMMITTEE REPORTS:** Mr. Capeci assembled the Council's sub-committees. *See attachment B.*

**FIRST SELECTMAN'S REPORT:** First Selectman Dan Rosenthal reported that he met with the BOF this week and has received a couple of volunteers for the previously discussed recycling committee and the American Rescue Plan group. Mr. Capeci will also get some names to the First Selectman of who from the Council will be included in those groups. Mr. Knapp asked the First Selectman if he had an update on the Zoom bombing of Congresswoman Jahana Hayes. The First Selectman has not received any new information and is unaware of where the investigation currently stands.

**OLD BUSINESS**

*Discussion and Possible Action*

- 2022-23 – 2026-27 CIP

Mr. Knapp shared his concerns on an increase in several new projects listed in year one related to the BOE on this new CIP. Mr. Tait noted that the recommendation by the BOF does not contain the \$2.5 million from ARP to decrease the bonding, so he is proposing a decrease of \$1 million to the Hawley bonding in year one. He shared a spreadsheet of the bonding forecast. *See attachment C.* There will be no bonding for Hawley in this year due to grants. Mr. Capeci asked what the urgency of putting these BOE projects in year one. The First Selectman said there is some urgency due to mechanical failures as

well as some efficiency to be gained. Ms. Ku understands that while you don't want to make a lot of changes in year one, she believes that the BOE looked at new information they had gathered from the Sustainable Energy Commission in relation to these projects which is what brought on many of these changes. Mr. Capeci asked how far along we are on the building inventory list and how this inventory may have helped to better plan for these HVAC upgrades. The First Selectman responded that the building inventory work is ongoing. He feels it is a good idea to bring the work group in to explain in detail. Mr. Knapp suggested that the increase in many of these projects may be a good fit for the ARP funds. The First Selectman agreed that it would be worth looking into. The discussion continued and Mr. Capeci suggested that they invite members of the BOE to the January 5<sup>th</sup> meeting to gain a better understanding of these increases. Ms. Ku asked if the building inventory work can eventually be used by the BOF and LC to help with Town planning. First Selectman Rosenthal replied that that is the end goal of their work. Mr. Knapp asked more about the ARP process. Mr. Tait explained that there will need to be some reporting to do in January and most of it will be done by auditors. Ms. Ku asked if the items of replacement of the fire apparatus, would it be something that can eventually be part of the capital and non-recurring fund. The First Selectman stated that the overall effort is that as we try to reduce our bonding - the idea is to repurpose what we would have been spending on debt service.

- 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).

Mr. Schill presented various quotes and information that the library has received regarding the roof from 6 different contractors. These quotes ranged in price from about \$470,000 to replace the entire roof with asphalt, to about \$80,000 for more minor repairs to the existing slate roof. They received varying opinions of the roof needing dire immediate remediation to being able to get another year or so out of the existing roof. It was a challenge to get contractors on board with the project due to the current slate material. The slate material comprises about 3,500 square feet of the total 20,000 square feet of the roof. Looking at it from a planning standpoint Mr. Knapp, questioned the expectation of timing of the project. Mr. Schill explained that there are several other issues that require attention at the library, but the roof needs to be addressed first as it is currently failing. He feels that if we have a mild winter, they could get away with waiting until the Spring to repair it. He added that keeping the slate material will make it an expensive investment. He also said the HVAC system will need to be addressed soon also. Mr. Schill mentioned that these items have been on the CIP for several years and have kept getting pushed off because they did not understand the magnitude of the roof damage at the time. Mr. Capeci asked if the current leaks have been contained. Mr. Schill said most of them are under control except for one in particular towards the front of the building on the third floor that remains an active leak. Mr. Lord made note that no materials including books or cultural artifacts are being compromised because of it. The staff moved everything from the immediate area. Mr. Knapp suggested that because this is a Town building, they can perhaps get members of Public Building and Site Committee to help with analyzing it. Ms. Ku feels they should get a more accurate detailed cost estimate before acting on it. Mr. Capeci asked the Library Board if they could get more information including detailed quotes in order to put this back on the January 19<sup>th</sup> meeting agenda for continued discussion. The First Selectman will reach out to Public Building and Site to inquire if they have anyone with roof expertise that can help. Mr. Honan asked whether the library was to use their fund balance, would it be a hardship on the library. Ms. Brown responded by saying that the library does not use or have any fund called a Capital

Improvement Grant which is used in the financials – they do not receive any such grant from any agency. They fundraise the bulk of those funds. Donors expect those funds to go towards programs, bookshelves, etc. The library has a good faith understanding with their patrons that they will not use donor money on items like roof repairs. Ms. Brown continued by stating that the library total services return to the community was valued at over \$3.25 million and the per capita cost to Newtown's taxpayers was only \$48.52 which puts them below the state average. This is only 1% of the Town's appropriations. If they did not complete the amount of fundraising they do, along with the support of the Friends of the Library, they would need to ask for a minimum of \$200,000 annually to maintain the current expenses. Mr. Tait noted that the library's fund balance is a library fund and is created by their auditors. Mr. Branecky confirmed that all of it came from fundraising efforts. Ms. Ku shared some questions she asked the library board. *See attachment D.* Mr. Capeci asked the library board to come back with a breakdown of the fund balance depicting which are liquid and what is designated versus undesignated. Ms. Dent spoke on the Covid relief fund being used on salaries because the money that would have normally been used was spent on Covid related expenses such as PPE, air purifying systems, etc. They intend to use the money in their fund balance towards items on their wish list.

## **NEW BUSINESS**

### *Discussion and Possible Action*

- Acceptance of the Connecticut Cultural Fund Operating Support Grant (ETH)

Mr. Mihalcik moved to accept the Connecticut Cultural Fund Operating Support Grant for Edmond Town Hall. Seconded by Mr. Honan. All in favor. Motion passes (10-0).

The First Selectman explained that this is a grant that Edmond Town Hall applied for which would be allowed to be used for programming around the arts. The grant has not been officially issued yet but can range from \$5,000 to \$500,000. *See attachment E.*

- Settlement of Legal Claims – National Opioid Settlement

First Selectman Rosenthal explained that the prior BOS had initiated this case back in 2017, in which there was a class action suit against the Opioid manufacturers and distributors. It was brought upon in conjunction with other towns in CT. We had pro-bono representation on this. Consistent with our Charter, First Selectman Rosenthal brought it to the BOS and LC to settle it. Globally, the settlement can be up to tens of billions. However, it is unclear as to how much each municipality would get. It is currently in the phase where each town has to sign off on it. We would direct the funds to drug education. He feels it's a worthwhile cause and he credits his predecessor for getting us involved. We have to sign the document by the beginning of January in order to participate. Mr. Long asked if there are any local organizations that would benefit from this. The First Selectman replied that there are a number of local organizations that we could direct funding to including, but not limited to, Newtown Youth and Family Services, the Parent Connection and our Social Services department. *See attachment F and G.*

Mr. Knapp moved that we accept the proposed settlement of legal claims on the National Opioid Settlement and authorize our First Selectman Dan Rosenthal to sign the settlement on behalf of the Town. Seconded by Mr. Mihalcik. All in favor. Motion passes (10-0).

**VOTER COMMENT:** None

**ANNOUNCEMENTS:** Mr. Capeci is working on putting together the lists of names for the recycling and ARP committees. He will submit to the First Selectman as soon as possible and will inform Council members by the end of the week.

**ADJOURNMENT:** There being no further business, Mr. Honan moved to adjourn the meeting at 9:32 pm. Seconded by Mr. Chris Gardner. All in favor.

*Respectfully submitted,  
Rina Quijano, Clerk*

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

## *Attachment A*

From: Ryan Knapp <knapp.newtown@gmail.com>  
Date: Mon, Dec 13, 2021 at 5:25 PM  
Subject: Re: Form submission from: Contact the Legislative Council  
To: <ajb@ajblaw.com>  
Cc: Elias Petersen <elias.petersen@gmail.com>, Capeci and Family Jeff and Tanya <jeff@thecapecis.com>

Hello,

Thank you for reaching out on this topic. My comments below are my own and not on behalf of the entire Legislative Council of which I am a member. Many of these thoughts I have already shared on the record.

I have tremendous respect for the Board of Finance and everyone who has served there. However, over the last few years, namely since the decision to close or not close a school was made an election issue subject to party politics and the incentives around securing election victories, the Board of Finance has become, as certain partisan forces were always going to pull it towards, a political body which in many ways is redundant with the Legislative Council.

We heard this feedback from several other boards and commissions who do not understand why they have to go before two bodies who do essentially the same thing. It is an onerous process for our volunteers, Town employees and others like perspective business owners looking to invest in our community. We have also heard feedback from voters who do not understand the process, for example which body's public hearing they should speak at.

The Town Attorney has affirmed that the Legislative Council is the fiscal authority in Newtown, as it was ~20 years ago prior to the creation of our Board of Finance. In peer communities such as Southbury and Monroe our Council fills the same role as their Board of Finance, but is known as a Legislative Council because the power to create ordinances is vested in this body rather than in an executive body. In the context of other Town governments, our Board of Finance is a BOF in name only, and is really more of a Finance Advisory Board. With the added responsibilities, Newtown has a larger 12-member Council (and a smaller Board of Selectmen.) In my research I could find no other peer community that had a similar model with an intermediate step between the Executive body and Board of Education and their respective Fiscal Authority (notwithstanding some Town Meeting or RTM which are more alternatives to referendums.)

Consolidating authority as it was prior to the creating of the BOF as it exists now would simplify the process for the voters, making us more inline with our peers in Southbury and Monroe. I also believe it would clearly differentiate between bodies and their respective roles.

I do not believe this fiscal authority should be divided between the Legislative Council and a Board of Finance. Firstly, there is no need to have an elected body to revise existing policies. It also creates the potential for conflict where one body compels the other to do something they may not agree with, such as a debt policy that conflicts with debt service in a budget plan. Having served on the Charge Committee of the past LC, preserving the Board of Finance or trying to find a way to validate keeping that body as an elected body was not the goal.

There is value in having an advisory financial body, however it should not be subject to the same political pressures as the Legislative Council is as an elected body. I believe to be objective, outside the pulls of partisan elections, and prioritize qualifications over electability, the body should be appointed.

The town should keep fiscal authority vested in one elected body answerable to the voters. Splitting this authority would only create more confusion. I also do not support an appointed body having fiscal authority.

Having served on a candidate's committee I have seen impeccably qualified and otherwise willing candidates dissuaded from running because they did not want to go through the rigors of an election. "Id love to serve, but Im not going through that headache [election process] to volunteer." We saw the nastiness of local elections manifest this past cycle to the point candidates withdrew from a forum. Individuals with financial expertise are in high demand. Dissuading otherwise qualified individuals deprives the Town of a larger talent pool and more qualified people who would add value through their service.

Newtown is a small town and elections are not always the best way of determining who is most qualified. For example, we do not elect our Public Building and Site Commission, rather we make appointments based on resumes with specialized qualifications. I have used this example in the past but if we were making an appointment based on who is the most qualified, Armel Kouassi, a Wharton MBA and high-level finance executive, would be on the BOF, however he was not well known in town and was not elected. Newtown is still a

small town and name recognition helps seat candidates, something candidates committees take into consideration. Elections also frequently break on turnout, which is commonly subject to outside influences. An advisory body would not be subject to these concerns as members of advisory boards are selected by public deliberation of elected officials rather than secret ballot of the general electorate.

I believe to attract the most qualified and capable individuals we should give them meaningful work beyond policies. There are other financial committees and high-quality talent on the Pension and Medical Self Insurance Boards, and perhaps that could be consolidated with the responsibilities of a Finance Advisory Board. I also envision this board working with other communities to see how they are dealing with similar issues, exploring shared services like a regional dispatch or a truck wash station, the changing economics of municipal recycling, researching emerging trends with the Connecticut Conference of Municipalities, and being thought leaders who can bring fresh ideas to Newtown in an objective, non-partisan way.

I may also add that I would like to see this body renamed something like the Finance Advisory Board to clarify their role and not confuse it with Boards of Finance in other Towns.

Thank you for all your work on the Charter Revision,

-Ryan Knapp

On Sat, Dec 11, 2021 at 2:44 PM Elias Petersen via Newtown CT <cmsmailer@civicplus.com> wrote:

Submitted on Saturday, December 11, 2021 - 2:44pm

Submitted by user: Anonymous

Submitted values are:

Your name: Elias Petersen

Your e-mail address: elias.petersen@gmail.com

Subject: Charter Revision Commission - Board of Finance Discussion

Message:

Good Morning All,

My name is Elias Petersen and I am one of the Charter Revision Committee members.

As you know, one of the charges given to the Charter Revision Commission is consideration of removing the Board of Finance from the town's charter. This includes by necessity all provisions in the charter referencing the Board of Finance's role in any review or process.

The Commission has been considering this charge over the last couple of months and has been considering a number of options.

In addition to simply eliminating the Board, the Commission has considered (i) whether, if the Board of Finance is not removed, whether it should be elected or appointed, and (ii) whether the Board of Finance should continue to have a role in budget matters or limit its purview to financial policy matters.

The Board has also considered whether to increase the authority of the Board of Finance to include additional scenarios in which the Legislative Council may only overrule a decision of the Board of Finance by a supermajority vote. The thought here being that as currently constructed the Board of Finance operates mostly in an advisory capacity, which many deem inappropriate for an elected body.

If you have a view on any of the above listed issues, I would appreciate you providing your thoughts in writing to our Chairman Andy Buzzi, at [ajb@ajblaw.com](mailto:ajb@ajblaw.com), prior to our next meeting on Wednesday, December 15th.

Thanks and Best Regards,  
Elias Petersen

## Education

Angela Curie  
William DeRosa  
Lisa Kessler  
Phil Carroll  
Michele Kue  
Dan Honan

## Finance and Administration

Matt Mihalcik  
Ryan Knapp  
Charlie Gardner  
Angela Curie  
Jeff Capeci  
Michele Kue

## Municipal Operations

Phil Carroll  
Lisa Kessler  
Matt Mihalcik  
Tom Long  
Chris Gardner  
Dan Honan

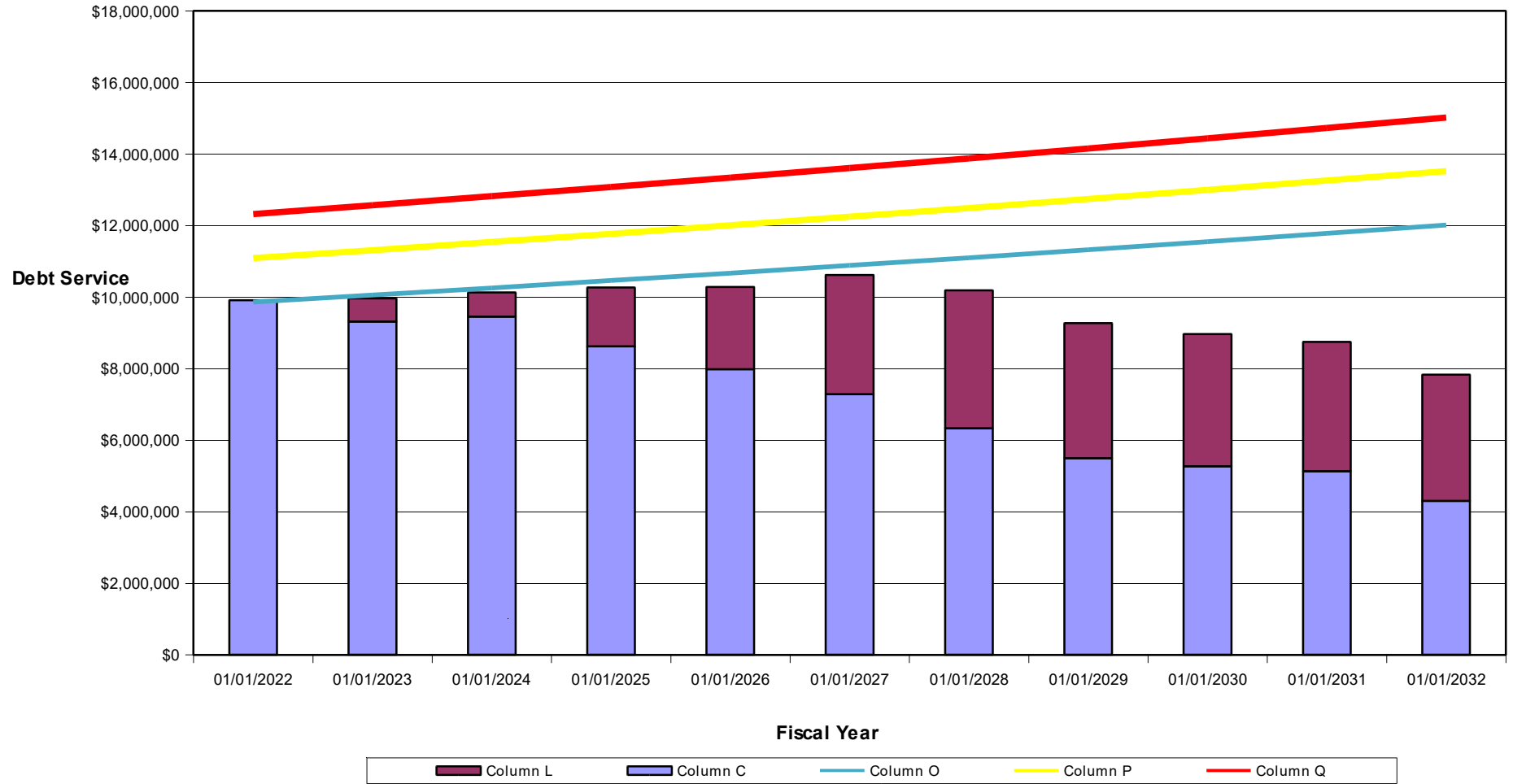
## Ordinance

William DeRosa  
Ryan Knapp  
Charlie Gardner  
Tom Long  
Jeff Capeci  
Chris Gardner





**TOWN OF NEWTOWN  
2022- 23 TO 2026-27 CIP EFFECT ON FUTURE DEBT SERVICE**



*Attachment D*

From: Michelle Embree Ku <michelleku.newtown@gmail.com>  
To: "jeff@thecapecis.com" <jeff@thecapecis.com>  
Sent: Monday, December 13, 2021, 04:28:00 PM EST  
Subject: Questions for Library

Hi Jeff. I would like to ask the library board and/or director some questions to help me understand their financial practices. Can you share these questions with them? I have no expectation that they will be able to answer prior to the meeting, but I wanted them to have the chance to consider responses for the meeting and prepare any information that could help in the response..

1. What has the Capital Improvement Grant been used for historically?
2. What is the source of funding for the Capital Improvement Grant?
3. If funding is from multiple sources, does the source influence how the money is spent?

Thank you,

Michelle

December 15, 2021

To the Legislative Council:

Thank you for the questions, received on December 14th. While we hope that the below information suffices to explain the fundraising balance situation, we look forward to meeting with you tonight, Wednesday, December 15<sup>th</sup>, to further explain 1.) the value of the library; and 2.) the need for the roof of this municipally-owned facility to be covered by the municipal capital improvement process.

We have answered these questions assuming that the funding that you refer to, and that which you term 'Capital Reserve Grant,' is referring to that portion listed in the library's audit under 'assets designated by the board for capital improvements.' The key term to this board is 'improvements,' not 'capital' because the bulk of those funds are fundraised and because the programmatic improvements under consideration have to do with small alterations to the facility and its equipment/assets that make it more useful to patrons.

The library does not have any accounts labelled 'capital improvement grant' nor does it receive a capital improvement grant from any agency. For a brief discussion of CIP reimbursements, please refer to the end of this document.

**1.) What has this funding been used for historically?**

A: Funding that is in excess of the municipal budget addresses gaps and overages. This covers all budgetary areas including operations like programming, books, technology, and e-content as well as the many occupancy issues plaguing the building.

As in many towns in Fairfield County, Newtown's public library operates with a considerable budget gap - in our case this is 15-17% per year – between what the library needs and what the municipality provides. Municipalities base library services with such a gap in order to assess the strength of community support and to encourage individual contributions. The community support in Newtown is strong enough so that we can generally match the budget gap.

For example, over the course of the past five years, the costs for the facility's heat is over the budgeted amount by \$5K (that's 7%), while equipment costs are at 207% of the budgeted amount totaling \$10K. Supply costs are at 124% (or \$6.6K) of the budgeted amount, technology was short \$10K; adult programming was over by \$6K, and contractual operations are over by \$31K. Finally, occupancy-maintenance is \$144,000 -- 152% -- over the budgeted amount.

**2.) What is the source of the funding?**

A: Designated a 501(c)(3) in 1974, the library has dozens of sources of income.

The foremost of these is funding from the municipality itself. Beginning in the late 1980's the library has seen significant support of its operating budget provided by the town. We are very grateful for this support and work hard to maintain a high return on that investment. We hope you agree.

Other restricted income comes from grant-making institutions to which we apply for programmatic grants. Income also comes from endowments, bequests, and investments. There is a reimbursement for certain loan services from the state of Connecticut.

As you know, the library spends time and effort on private fundraising to specifically address the fund gap. On an annual basis this includes a physical mail appeal and the Newtown Turkey Trot; both these fundraisers underscore the importance of the library's ability to raise private funds. There are also special fundraisers that have been conducted for particular needs, such as the Library Fashion Show that seeded the effort that became the CHBmakers makerspace.

The library also accepts donations for bricks on sidewalk areas and for masks and mugs, participates in Amazon Smile, and participates in other national and local fundraising efforts like #LibraryGivingDay, #GivingTuesday, and Fairfield County Giving Day. We hold pet contests, sell baked goods, and partner with local shops to raise funds (e.g., Stop & Shop bags). Running a complex organization like the library requires creative solutions to address the annual budget gap and to which we apply much energy. It takes a variety of efforts to keep the library running.

As I hope you know, the Friends of the C.H. Booth Library is a separate organization which has been magnificent in their restricted support and recognition of the library as the essential community-serving agency that it is. Their underwriting of educational programs for children, art lectures, library materials that support learning, technology initiatives, databases, and digital content is essential to operations and comes in the form of a restricted grant. The Friends explicitly do not underwrite capital expenditures.

With efforts big, small, and everywhere in between the library achieves an amazing return on investment and provides services and addresses the needs of Newtown. With such strong private support, the library's per capita cost to Newtown taxpayers in 2019-2020 was \$48.52 (less than a dollar a week) - ranking 13<sup>th</sup> of 23 libraries in Fairfield County and *below* state average.

This per-capita tax figure represents only 1.09% of the town's appropriations as a percentage of total municipal revenues. It also ranks us 10<sup>th</sup> of 15 in our District Reference Group (DRG) and 8% *lower than* the average in that DRG.

In total, the services that the library returned to the community (circulating materials, programs, computer use, WiFi, technology, databases) for FY 2020-2021 was valued at over **\$3.25 million**.

In the same way that the library needs the assistance of the community so that we can help build a healthy future for Newtown, the community needs the library to save taxpayer money. Because of the fundraising efforts that we make, the programs and services that the library delivers comes at an especially low price to Newtown's taxpayers.

### **3.) If the funding is from multiple sources, does that impact how it is spent?**

A: Yes, absolutely. A decent portion of the fundraising balance is not liquid (e.g., tied up in investments), has been encumbered with pre-payment of expenses (e.g., digital content or contractual agreements), or is outright restricted – particularly those endowed or granted monies that must be spent on particular program areas (e.g., medical literacy outreach, IMLS arpa grant, Words on Wheels, etc).

Similarly, funds raised by our fundraising events are solicited with this statement: “[t]he library uses donations to fund programs, buy materials, and expand services.”

We are very careful, as 30+ years of finding-free audits attest, to spend all funding appropriately, cautiously, transparently, and with sound judgment.

### **Consideration of CIP**

If, with these questions, the Council is referring to Capital Improvement Plan (CIP) funding, the library has had some success with projects.

Past CIP projects have included upgrades to the aging HVAC system to keep it functioning while we develop a plan to replace it, and a new rear door more useful to people with limited mobility. The library is committed to working to provide Newtowners with the library they deserve and support.

**TOWN OF NEWTOWN  
FINANCIAL IMPACT STATEMENT  
(Per Town Charter 6-35(b), 6-40 & 7-25)**

REQUESTING DEPARTMENT EDMOND TOWN HALL

PROJECT: CONNECTICUT CULTURAL FUND OPERATING SUPPORT GRANT

PROPOSED APPROPRIATION AMOUNT: MINIMUM GRANT AWARD = \$5,000 (MAX = \$550k)

**PROPOSED FUNDING:**

BONDING	\$	-
GRANT		XXX
LOCAL MATCH		NONE
OTHER	\$	-
CONTINGENCY	\$	-
IN KIND	\$	-
	\$	-

**ANNUAL FINANCIAL IMPACT ON OPERATING BUDGET (GENERAL FUND):**

List any financial impact your request will have on the Town's annual operating budget.  
Attach spreadsheet(s) showing your calculation of the estimated impact.

EXPENDITURE CATEGORY:	**FOR BRACKETS USE NEGATIVE SIGN BEFORE NUMBER**	(POSITIVE IMPACT) / NEGATIVE IMPACT	Attachment #
SALARIES & BENEFITS		***	
PROFESSIONAL SERVICES			
CONTRACTED SERVICES			
REPAIRS & MAINTENANCE			
UTILITIES			
OTHER			
DEBT SERVICE (average)	\$	-	
TOTAL IMPACT ON EXPENDITURES	\$	-	

REVENUE CATEGORY:		POSITIVE IMPACT / (NEGATIVE IMPACT)	Attachment #
PROPERTY TAXES			
CHARGES FOR SERVICES (FEES)			
OTHER			
TOTAL IMPACT ON REVENUES	\$	-	

TOTAL FINANCIAL IMPACT ON OPERATING BUDGET	\$	-
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**EQUIVALENT MILL RATE OF TOTAL IMPACT**

(using current year's information)

0.0000 mills

**COMMENTS:**

NO IMPACT ON THE BUDGET. THE GRANT ASSISTS CULTURAL ORGANIZATIONS AS THEY RECOVER FROM THE GLOBAL PANDEMIC AND WORK TO BECOME MORE ACCESSIBLE AND SUSTAINABLE.

PREPARED BY:



DATE: 12/4/2021

# Grant Application

External  
Inbox

**ETH Finance** <finance@edmondtownhall.org>

Fri, Nov  
12, 12:04  
PM

to Susan.Marcinek, Bob, ETH, Jen, Betsy

Hello Susan,

Please note that the Edmond Town Hall submitted an application for the Connecticut Cultural Fund Operating Support Grant on 11/12/21. The grant provides general operating support for organizations that offer arts and humanities based programming. Grant awards will be calculated based on the applicant's annual operating expenses and revenues for the period of 7/1/18-6/30/23

Thank you,  
Lauren

Lauren DiMartino  
Finance  
Edmond Town Hall - Board of Managers Office  
45 Main Street  
Newtown, CT 06470

Phone: 203-270-4285 x5  
Fax: 203-270-4287

There is no impact on the Town budget by accepting the grant. The link describes the grant.

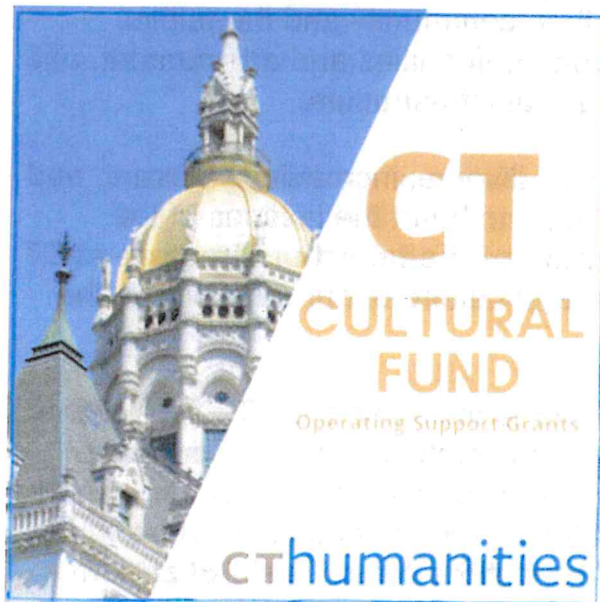
<https://cthumanities.org/ct-humanities-announces-ct-cultural-fund-operating-support-grants-to-provide-16m-to-cultural-sector/>

Thank you,  
Lauren

# CT Humanities Announces CT Cultural Fund Operating Support Grants, to Provide \$16M to Cultural Sector



October 6, 2021 • Features & News, Grants



IMMEDIATE RELEASE  
October 6, 2021

CONTACT  
AIMEE COTTON BOGUSH  
abogush@cthumanities.org  
860-937-6648

**CT Humanities Announces CT Cultural Fund Operating Support Grants, to Provide \$16M to Cultural Sector**



CT Humanities (CTH) announces the opening of the CT Cultural Fund Operating Support Grants line which will provide \$16M in funding to eligible museums and cultural, humanities, and arts organizations in the state. The CT Cultural Fund Operating Support Grants line is part of \$30.7M of support allocated to CTH over the next two years by Governor Ned Lamont and the CT General Assembly: up to \$20 million in FY 2022 and up to \$10.7 million in FY 2023.

The CT Cultural Fund Operating Support Grants will assist organizations as they recover from the global pandemic and work to become more accessible and sustainable.

Following the success of the CARES Act grants and the Summer at the Museums Program, CTH continues their partnership with the Connecticut Office of the Arts, Department of Economic and Community Development, to support non-profit arts and humanities organizations that continue to suffer from the effects of the pandemic. These operating support grants will assist organizations to maintain and grow their ability to serve their community and the public, connect K-12 teachers and students to strong humanities and arts content, and improve their information technology and digital infrastructure.

“To continue on our path to becoming a more diverse, increasingly vibrant, and once-again thriving cultural sector, we will take to heart the lessons of the pandemic,” **explains Lew Wallace, chairman of the board of directors at CT Humanities.** “Equitable access to the arts and culture of our state will be the foremost driving force in our mission.”

“The continued collaboration between CT Humanities and the CT Office of the Arts helps us to finally envision the totality of the state’s arts and humanities organizations. This will not only better serve the cultural sector, but it will ensure the richest cultural experiences for all residents. Our communities thrive when arts organizations, museums and cultural institutions thrive,” **said Elizabeth Shapiro, Director of Arts, Preservation & Museums for the state.**

Many organizations that were not eligible for previous relief funding such as Shuttered Venue Operator or Save Our Stages Grants will be able to access CT Cultural Fund Operating Support Grants. **Kathleen Maher, executive director at Bridgeport’s Barnum Museum, describes** the fund as “a lifeline to this industry sector.” **Maher noted,** “This is an enormous relief. I, for one, am enormously grateful for the unyielding effort to make this funding equitable for everybody.”

Eligible organizations include Connecticut museums and 501c3 non-profit, municipal, or CT-based tribal nation organizations that provide cultural,

humanities, and arts-based projects and activities for the public (i.e., museums, historic houses, historical societies, arts organizations, cultural centers, and other organizations that offer activities like exhibitions, performances, arts classes, public programs, or walking tours to the public). Award amounts will be determined based upon an organization's operating expenses, revenues, and deficits for the current fiscal year and preceding three fiscal years. The minimum grant award amount will be \$5,000 and the maximum award amount will be \$500,000. Applications will be accepted through 11:59 pm on Monday, November 15, 2021. Award notifications will be made by the week of December 20, 2021. More information and application guidelines can be found at [CTHumanities.org/ct-cultural-fund-operating-support-grants](https://CTHumanities.org/ct-cultural-fund-operating-support-grants).

"Connecticut is demonstrating its commitment to our cultural sector, and we will work tirelessly with our partners to strengthen and sustain our arts and cultural organizations and to connect our residents and visitors to these places that make our state such a wonderful place to live, work, and experience," adds **Dr. Jason Mancini, executive director at CT Humanities**.

CTH, in collaboration with the CT Office of the Arts, the CT League of History Organizations, the CT Arts Alliance, and the state's Designated Regional Service Organizations will be conducting information sessions about the CT Cultural Fund Operating Support grants. The latest details can be found at [CTHumanities.org/ct-cultural-fund-operating-support-grants](https://CTHumanities.org/ct-cultural-fund-operating-support-grants).

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*Connecticut Humanities (CTH) is an independent, nonprofit affiliate of the National Endowment for the Humanities. CTH connects people to the humanities through grants, partnerships, and collaborative programs. CTH projects, administration, and program development are supported by state and federal matching funds, community foundations and gifts from private sources. Learn more by visiting [cthumanities.org](https://cthumanities.org).*

*The Connecticut Office of the Arts (COA) is the state agency charged with fostering the health of Connecticut's creative economy. Part of the state's Department of Economic and Community Development, the COA is funded by the State of Connecticut as well as the National Endowment for the Arts.*

## Executive Summary [Subject to ongoing corrections and updates]

Nationwide settlements have been reached to resolve all Opioids litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors: McKesson, Cardinal Health and AmerisourceBergen (“Distributors”), and manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson (collectively, “J&J”). These settlements will provide substantial funds to states and subdivisions for abatement of the Opioids epidemic across the country and will impose transformative changes in the way the settling defendants conduct their business.

If the proposed settlements are fully adopted by states and subdivisions nationwide:

- The Distributors will pay a maximum of \$21 billion over 18 years, while J&J will pay a maximum of \$5 billion over no more than nine years, with approximately \$22.8 billion in settlement proceeds payable to state and local subdivisions.<sup>[1]</sup> Of the funds going directly to participating states and subdivisions, at least 85% must be used for abatement of the Opioid Epidemic, with the overwhelming bulk of the proceeds restricted to funding future abatement efforts by state and local governments.
- The Distributors will make an initial deposit of funds into escrow by the end of September 2021, with additional deposits by J&J and the Distributors in early Summer of 2022.
- Funds can begin to flow to states and local governments as early as April 2022, depending on when a settling State meets certain requirements. The J&J agreement also offers opportunities for significant acceleration of payments if states and subdivisions meet specified participation levels.
- The settlements will allow for a broad range of approved abatement uses by state and local governments. Developed in consultation with the nation’s leading public health experts, the list of pre-approved uses includes a wide range of intervention, treatment, education, and recovery services so that state and local governments can decide what will best serve their communities. It is anticipated that entire communities will benefit from the effects of the opioid-remediation efforts funded by the settlements and the injunctive relief the settlements provide.
- In addition to billions of dollars for abatement, the agreements also provide for injunctive relief that requires important changes to the Distributors’ and J&J’s conduct to better protect our nation’s health and welfare. This reform package includes the creation of a groundbreaking clearinghouse through which the Distributors will be required to account not only for their own shipments, but also the shipments of the other distributors, in order to detect, stop, and report suspicious Opioids orders. In addition, J&J (which ceased marketing Opioids in 2015 and ceased selling Opioids in 2020) will not market or sell any Opioid products in the next ten years and has agreed to cease lobbying concerning prescription opioids for ten years. J&J also has agreed to make the clinical trial data for its discontinued Opioids available for medical research.
- Less than 10% of the settlement proceeds will be earmarked to compensate private lawyers who have been prosecuting Opioids cases on behalf of state and local

governments for several years and have incurred substantial out of pocket costs. Compensation will occur through an application procedure overseen by court-appointed arbiters. An additional sum is provided to settling States that did not hire outside counsel, to use towards furthering the abatement goal and to defray their investigation and litigation costs.

These are not class action “opt out” settlements. Instead, these settlements require that a critical mass of both state and local governments “opt in” over the next six months. The extent of this participation will determine whether the settlement agreements take effect. The Distributors and J&J on the one hand, and the states and subdivisions on the other, each have options to walk away if they are not satisfied with levels of participation. Participation levels also affect how much money settling parties will receive because about half of the abatement funds are in the form of “incentive payments” and certain other settlement provisions also provide incentives for higher levels of participation. Put simply, the greater the level of participation, the more funds will ultimately be paid out for abatement.

The Tribes, the Distributors, and J&J are also working toward resolution of Tribal Opioids claims through mediations under the auspices of the MDL court.

The agreements with the Distributors and J&J are the culmination of almost three years of intense negotiations among representatives of the State Attorneys General, the court-appointed Plaintiffs’ Executive Committee and Negotiation Committee comprised of lawyers in the National Prescription Opiate MDL who represent subdivisions, and counsel to the Distributors and J&J, facilitated by Judge Dan Polster (who oversees the federal MDL litigation) and by the Special Masters appointed by the MDL Court.

The agreements, if adopted, will not settle or release any claims brought by private parties, including private individuals, private hospitals, or private third-party payers.

[1] West Virginia previously settled with the Distributors in an unrelated settlement. A portion of the Distributors’ settlement funds (\$491 million) is treated as a credit toward potential settlements with West Virginia subdivisions and with Tribes. For J&J’s agreement, a portion of the settlement funds (\$270 million) is treated as a credit for Oklahoma (which obtained a trial verdict against J&J), the Tribes, and other litigation cost for non-participating entities.

**Subdivision Janssen Settlement Participation Form**

Governmental Entity: Town of Newtown	State: CT
Authorized Official: Daniel C. Rosenthal	
Address 1: 3 Primrose Street	
Address 2:	
City, State, Zip: Newtown, CT 06470	
Phone: 203-270-4201	
Email: first.selectman@newtown-ct.gov	

The governmental entity identified above ("Governmental Entity"), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated July 21, 2021 ("Janssen Settlement"), and acting through the undersigned authorized official, hereby elects to participate in the Janssen Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Janssen Settlement, understands that all terms in this Election and Release have the meanings defined therein, and agrees that by this Election, the Governmental Entity elects to participate in the Janssen Settlement and become a Participating Subdivision as provided therein.
2. The Governmental Entity's election to participate is specifically conditioned on participation by 95% or more of the Litigating Subdivisions in Connecticut. Should less than 95% of the Litigating Subdivisions in Connecticut participate, this election shall be deemed void and no claims shall be released.
3. The Governmental Entity shall, within 14 days of the Reference Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed.
4. The Governmental Entity agrees to the terms of the Janssen Settlement pertaining to Subdivisions as defined therein.
5. By agreeing to the terms of the Janssen Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
6. The Governmental Entity agrees to use any monies it receives through the Janssen Settlement solely for the purposes provided therein.
7. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the Janssen Settlement.
8. The Governmental Entity has the right to enforce the Janssen Settlement as provided therein.



9. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Janssen Settlement, including but not limited to all provisions of Section IV (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Janssen Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Janssen Settlement shall be a complete bar to any Released Claim.
10. In connection with the releases provided for in the Janssen Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

**General Release; extent.** A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Janssen Settlement.

11. Nothing herein is intended to modify in any way the terms of the Janssen Settlement, to which Governmental Entity hereby agrees. To the extent this Election and Release is interpreted differently from the Janssen Settlement in any respect, the Janssen Settlement controls.
12. This Participation Form is conditioned on the Governmental Entity identified above entering into an agreement with the State of Connecticut (the "State") concerning the allocation of opioid settlements with the State (an "Allocation Agreement"). The effective date of this Participation Form shall be the date on which the State and the Governmental Entity identified above enter into an Allocation Agreement. In the event that the State does

not enter into an Allocation Agreement with the Governmental Entity identified above,  
this Participation Form shall be null and void.

I have all necessary power and authorization to execute this Election and Release on behalf of  
the Governmental Entity.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

### **Subdivision Distributor Settlement Participation Form**

Governmental Entity:	Town of Newtown	State: CT
Authorized Official:	Daniel C. Rosenthal	
Address 1:	3 Primrose Street	
Address 2:		
City, State, Zip:	Newtown, CT 06470	
Phone:	203-270-4201	
Email:	first.selectman@newtown-ct.gov	

The governmental entity identified above ("*Governmental Entity*"), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated July, 2021 ("*Distributor Settlement*"), and acting through the undersigned authorized official, hereby elects to participate in the Distributor Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Distributor Settlement, understands that all terms in this Participation Form have the meanings defined therein, and agrees that by signing this Participation Form, the Governmental Entity elects to participate in the Distributor Settlement and become a Participating Subdivision as provided therein.
2. The Governmental Entity's election to participate is specifically conditioned on participation by 95% or more of the Litigating Subdivisions in Connecticut. Should less than 95% of the Litigating Subdivisions in Connecticut participate, this election shall be deemed void and no claims shall be released.
3. The Governmental Entity shall, within 14 days of the Reference Date and prior to the filing of the Consent Judgment, secure the dismissal with prejudice of any Released Claims that it has filed.
4. The Governmental Entity agrees to the terms of the Distributor Settlement pertaining to Subdivisions as defined therein.
5. By agreeing to the terms of the Distributor Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
6. The Governmental Entity agrees to use any monies it receives through the Distributor Settlement solely for the purposes provided therein.
7. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to the court's role as provided in, and for resolving disputes to the extent provided in, the Distributor Settlement. The Governmental Entity likewise agrees to arbitrate before the National



Arbitration Panel as provided in, and for resolving disputes to the extent otherwise provided in, the Distributor Settlement.

8. The Governmental Entity has the right to enforce the Distributor Settlement as provided therein.
9. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Distributor Settlement, including, but not limited to, all provisions of Part XI, and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Distributor Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Distributor Settlement shall be a complete bar to any Released Claim.
10. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in the Distributor Settlement.
11. In connection with the releases provided for in the Distributor Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

**General Release; extent.** A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release, and that if known by him or her would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and

which, if known, would materially affect the Governmental Entities' decision to participate in the Distributor Settlement.

12. Nothing herein is intended to modify in any way the terms of the Distributor Settlement, to which Governmental Entity hereby agrees. To the extent this Participation Form is interpreted differently from the Distributor Settlement in any respect, the Distributor Settlement controls.
13. This Participation Form is conditioned on the Governmental Entity identified above entering into an agreement with the State of Connecticut (the "State") concerning the allocation of opioid settlements with the State (an "Allocation Agreement"). The effective date of this Participation Form shall be the date on which the State and the Governmental Entity identified above enter into an Allocation Agreement. In the event that the State does not enter into an Allocation Agreement with the Governmental Entity identified above, this Participation Form shall be null and void.

I have all necessary power and authorization to execute this Participation Form on behalf of the Governmental Entity.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_