

Ryan Knapp, Chair  
Chris Smith, Vice Chair  
Judit DeStefano  
Chris Eide  
Jordana Bloom  
Cathy Reiss

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## TOWN OF NEWTOWN

### Minutes of the Legislative Ordinance Committee Meeting

The Ordinance Committee met on Thursday March 18th, 2021 remotely via Zoom. Mr. Knapp called the meeting to order at 7:30PM.

Present: Ms. Bloom, Ms. Reiss, Ms. DeStefano, Mr. Smith, Mr. Eide, Mr. Knapp, Mr. Lundquist, Community Center Committee Chair Kinga Walsh, Community Center Director Matt Ariniello and 29 members of the public.

Absent: None

#### Minutes:

Ms. Bloom moved to approved the minutes of December 18th, 2020, Mr. Edie seconded. All in favor (6-0)

#### PUBLIC COMMENT:

Richard Fisher, 46 Turkey Hill Rd, said that he is opposed to a town ordinance regarding open carry, feels it is inappropriate and is concerned the taxpayers will shoulder associated legal costs.

Kelly Goodridge, 8 Mount Pleasant Rd, Newtown spoke to the state permitting for the carry of firearms, and expressed concerns over 169 different towns passing inconsistent local laws as people travel across the state.

Andy Koehm, 5 Farm Brook Dr, Brookfield frequents Newtown. Stated the state runs the permitting process which includes background checks and safety training; feels state law should govern.

Dr. Walt Kupson, Middlebury CT, is opposed to a ban on open carry and is concerned about what could happen were there an accidental reveal of an otherwise concealed firearm. He spoke to pro second amendment demonstrators in Newtown and knows of no instances of conflict. He said the intent is to show the presence of a firearm does not mean violence.

Jeff Tang, Fairfield, CT, does business in Newtown and while he does not open carry, as a person of color worries about mistakes involving the police being called for misidentifications by concerned individuals, citing an example when the police were called to respond to a concern of an individual carrying a rifle in town which turned out only to be an umbrella mistakenly identified. He wears tools on his belt and does not wish to see them mistaken for a weapon prompting an unnecessary interaction with law enforcement.

Jim Kenny, Stamford, CT, is opposed to municipal regulation of open carry, stating that he feels a lot of people do the right thing. He received his permit two years ago and spoke to the state process. Said he understands why people do not like firearms, feeling concerns for safety and history, however for him it is about self protection and this casts responsible people with negative connotations of lawful gun owners. His views have changed over time with education on the subject and does not support making it harder on good people.

Holly Sullivan, Southbury CT, spends a lot of time in Newtown and has family in Newtown. She spoke to previous cases of ordinances in CT failing legal challenges on preemption grounds and suggested the committee look into an East Hartford case, then gave an example of a recent Colorado case that failed a preemption test.. She said there are many ways to carry based on the needs and limitations of the individual, including handicapped individuals who cannot access concealed firearms. There are many reasons to carry, often by the most vulnerable people she said.

Po Murray, 34 Charter Ridge Dr, Sandy Hook

Asked that she be notified of meetings in the future. She said The Newtown Action Alliance originally asked for a ban on any carry. Some states do not allow open carry at all. Other towns have passed ordinances that have gone unchallenged.

Danielle Garzan, 4 Daniels Hill Rd, Newtown, said it is a slippery slope limiting the constitutional rights, and believes we should work hard to protect the rights of others.

Oliver Augustin, 540 Winchester Ave, New Haven, understands why people would want this, but feels it only infringes on lawful gun owners.

Greg Kszyenski, Seymour, CT, works in Newtown and feels this should be a state issue, citing that other states mentioned prior have state laws, and the state permits individuals to carry as they see fit, respecting rights.

Lucas Jerra, Southington, is retired law enforcement as a former corrections officer who has been threatened, noted that while open carry is generally uncommon, he has a disability which limits how he carries.

Steve Goodwritch, 3 Longview Heights, Newtown, is against the town limiting where and how he can carry, which he feels is a state issue. He spoke to the classes, training and background checks required to become permitted to carry a firearm in Connecticut.

## **New Business**

### Consideration of an ordinance regarding the open carry of fire arms on Town property.

Mr. Knapp began the discussion with an overview of the ordinance process, which will involve several meetings. It begins with research, then discussions as we potentially draft language, which would then have to go through legal review prior to being sent to the Council.

Mr. Smith spoke to the narrow scope, that the committee is only looking at open carry on Town property. Suggested clarifying definitions such as open carry, fire arms and town property as under statute. Exemptions should be considered.

Ms. DeStefano said that appointing a point person is typical with ordinances. Suggested looking at other communities and legal actions.

Ms. Bloom expressed interest in leading on this ordinance.

Ms. Reiss wants to better understand the problem or issue the committee is solving, rather than creating a solution first, noting that she has not in her 32 years of living in Newtown seen an issue.

Mr. Edie framed the work as determining if it is legal, necessary and feasible.

Mr. Knapp noted that the purview of the Committee is the review and recommendation to the full Council, not necessarily language, perhaps no action.

Mr. Smith does not feel it is necessary to reiterate the Council meetings. Spoke to concerns across the country.

Mr. Knapp feels it will be important to speak to the Police Chief, as it will be him and his officers enforcing this.

Ms. Bloom feels the research should include other towns and national, and the research should be done before we make a decision.

Mr. Lundquist said this needs to be explored from the ground up. The Council has only decided more information is needed. He said this should be about Newtown, not national or other towns. Perhaps specific types of firearms. Must be specific about what the issue is.

Ms. Bloom suggested that what is going on at the state level should be part of the scope.

Ms. Reiss said there are multiple bills being considered that would supersede any ordinance here and is hesitant to act before that plays out.

Mr. Knapp thanked Ms. Bloom for offering to coordinate the research.

Ms. DeStefano would like to find out more on offered legal help.

## **Old Business**

### Formalization of a permanent Community Center Commission

Mr. Knapp invited Mr. Ariniello and Ms. Walsh to join the conversation.

Ms. Walsh spoke to the draft proposed by the committee.

Mr. Ariniello addressed the specific language around funding and special revenue account.

Mr. Knapp read through the draft.

Mr. Eide questioned the special revenue fund when the grant money is gone.

Ms. Walsh and Mr. Ariniello spoke to the self-sustaining goal and model.

Mr. Knapp questioned the financial process relative to what is outlined in the Charter. He also asked if language mentioned elsewhere such as the Special Revenue Account Resolution and the grant language needs to be restated or simply referenced.

Ms. Walsh spoke to the committee's concerns about specificity of language, donor intent, checks and balances and concerns that the fund always be used for its designated purpose.

Mr. Knapp agreed with those concerns, and feels they can be addressed within the traditional budget, appropriations, and CIP processes. He would like to talk with Dan Rosenthal and Bob Tait.

Ms. Walsh suggested a joint meeting.

#### Property taxation of certain 501(c) type organizations

Mr. Knapp discussed the initial request and the effort that has been undertaken to date. Narrowing the historic buildings statute was not an option according to the Town Attorney. He worked with a local member and others to explore options and look into what other Towns have done. Unfortunately, was unable to find a clear path forward without concerning second order effects.

Ms. DeStefano said that the committee wants to help but sees no path forward.

Mr. Smith spoke to the amount of research and effort taken.

Mr. Smith moved that the committee recommend the Council take no action related to the request. Ms. DeStefano seconded. All in favor (6-0)

#### First Responder's Property Tax Abatement

Mr. Knapp reviewed the abatement request and the numbers from the Finance Director. He spoke to where the Town is in the budget process and the timing. He supports doing something for the volunteers, and the group should discuss what is the correct number and if to phase it in to mitigate budget impacts.

Ms. Reiss and Ms. Bloom lamented not being able to do something for this budget year, even small, as a thank you gesture.

Ms. DeStefano shared their concerns but noted the timing with the budget.

Mr. Smith moved to adjourn the meeting at 10:00PM, Ms. Reiss seconded. All in favor

Respectfully Submitted,

Ryan W. Knapp  
Ordinance Committee Chairman

## **PROPOSED**

### **CCC Code Book Language**

**Created: February-March 2021**

**Forwarded to the Ordinance Sub-Committee for consideration: March 18, 2021**

### **Establishment**

The Town of Newtown hereby authorizes the establishment of a Community Center Commission, to consist of seven members to be appointed as hereinafter provided, and whose purpose and duties shall be as follows.

### **Purpose/Duties**

The purpose of the Newtown Community Center Commission is to collaborate with the Center's Director to advise, support, and oversee areas of the Center's operations. Specifically:

- To advise and support the Center's Director on areas related to membership, programming, rentals, capital improvement, fund raising, and marketing and strategic planning. All final staffing decisions to be approved by the First Selectmen,
- To oversee and approve the Community Center's annual and monthly budgets, capital expenditures, rate/fee changes, and use of the grant and revenue monies held in the Community Center Special Revenue Fund, to ensure the GE grant's original intent is followed. Capital expenditures include, but are not limited to, capital maintenance and improvements of the Center.

As a courtesy and out of respect for the Newtown Charter's process and full transparency to all residents, all Commission decisions will be sent to the BoS as well as other Newtown boards/committees/commissions as deemed appropriate (frequency to be determined).

### **Staff**

Based on the recommendation of the Community Center Director [CC Director] in collaboration with the Community Center Commission, the First Selectman shall have sole authority to employ such help as may be necessary to properly supervise, maintain, and develop those areas of the Center's programming, function, structures, and equipment, provided that the cost shall be kept within the funds available to the Center in the Community Center Special Revenue Fund.

### **Finances**

A.

Per the GE Grant documentation, the funds available to the Community Center Commission and the CC Director from gifts or bequests, dues, fees, charges and other revenue sources shall be placed in the custody of the Financial Director of the Town of Newtown, to be held, administered and disbursed by the Financial Director as part of, and through, the *Community Center Special Revenue Fund*, which account shall be separate and distinct from all other Town accounts.

B.

Disbursements for operating expenses from the *Community Center Special Revenue Fund* shall be made on order of the Community Center Director only, upon collaboration with the Commission, in accordance with the terms of the specific gifts or bequests, which make up said fund. Capital expense disbursements great than \$500 shall be made on order of the majority approval of the Community Center Commission.

C.

With proper documentation, all checks drawn on the *Community Center Special Revenue Fund* shall be signed by the First Selectman and by the Financial Director of the Town of Newtown. The funds referred to herein are for the exclusive use of the Community Center (administered through the Center's Director in collaboration with the Community Center Commission) and shall not be used by the Town of Newtown for any purpose other than as authorized by the Community Center Commission and the Center's Director and, where applicable, within the guidelines of the donation/gift.

#### Budgets

A.

The Community Center Commission shall review and approve the Director's proposed budget that includes CC department head requests. As a courtesy to the Charter and annual Town budget process, if requested, the Director and Commission Chair will present the budget to the Board of Selectmen and any other Town commission/board that so requests it understanding that budget line-item changes are under the purview of the Commission and the Director only and/or Selectmen.

B. Dues, Fees, and Charges

The Community Center Commission in collaboration with the CC Director will establish all dues, fees and charges related to member and non-member usage of the facility and all its parts.

### C. Special Revenue Fund

All monies generated through gifts or bequests, dues, fees, charges and other revenue sources will be placed into the *Community Center Special Revenue Fund* only. No funds are to be placed into or transferred into the Newtown General Fund.

### FONCC

Friends of Newtown Community Center (a 501©3) will work with the Commission and CC Director to fundraise for areas deemed appropriate and/or necessary. As needed, funds from the FONCC account will be transferred into the *Community Center Special Revenue Fund* and dispersed as approved by FONCC, the Commission and the CC Director.

### Rules and Regulations

The Community Center Commission in collaboration with the CC Director will establish all rules they deem necessary for governing the Center and will update as necessary.

### Commission Members

A.

The Commission shall consist of seven members who shall be appointed by the First Selectmen of the Town of Newtown with the approval of the Board of Selectmen and who shall serve without compensation.

B.

The initial members of said Commission shall be appointed for the following terms: two members to service until XXX, two members to serve until Y, two members to serve until Z, and one member to service until AA; thereafter, the successive terms of members shall be for a period of four years.

C.

The Board of Selectmen may remove any member for cause and shall fill all vacancies.

D.

The Commission shall elect a Chairman and Co-Chair from its membership, and shall adopt rules of procedure for its meetings not contrary to the terms of this article.

DRAFT

## TOWN OF NEWTOWN

## EMERGENCY VOLUNTEER ABATEMENTS (fire, ambulance, NUSAR)

## REAL ESTATE

Years of service completed <u>in good standing</u>	# of eligible volunteers <u>on current list</u>	<u>Tax abatement</u>		<u>Total cost</u>		<u>Additional cost</u>
		<u>Existing</u>	<u>Proposed</u>	<u>Existing</u>	<u>Proposed</u>	
2	?	\$ -	\$ 250	\$ -	?	
3	0	\$ 250	\$ 500	\$ -	\$ -	
4	2	\$ 440	\$ 750	\$ 880	\$ 1,500	
5	3	\$ 675	\$ 1,200	\$ 2,025	\$ 3,600	
6	7	\$ 860	\$ 1,600	\$ 6,020	\$ 11,200	
7 +	100	\$ 1,000	\$ 2,000	\$ 100,000	\$ 200,000	
a	1			\$ 454	\$ 454	
	<u>113</u>			<u>\$ 109,379</u>	<u>\$ 216,754</u>	\$ 107,375

a - partial abatement

## MOTOR VEHICLE (no real estate to off set)

same as above	27	--most do not reach abatement--	\$ 13,765	b	
<u>AVERAGE MOTOR VEHICLE TAX BILL ABATEMENT =</u>			\$ 509.81		

b - change in abatement amount will not effect motor vehicle bill abatements.





Ryan Knapp &lt;knapp.newtown@gmail.com&gt;

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**Form submission from: Contact the Legislative Council**

1 message

**Andrew Koehm via Newtown CT** <cmsmailer@civicplus.com>

Thu, Mar 18, 2021 at 4:21 PM

Reply-To: Andrew Koehm &lt;apk4545@charter.net&gt;

To: rknapp &lt;Knapp.Newtown@gmail.com&gt;

Submitted on Thursday, March 18, 2021 - 5:21pm

Submitted by user: Anonymous

Submitted values are:

Your name: Andrew Koehm

Your e-mail address: [apk4545@charter.net](mailto:apk4545@charter.net)

Subject: I am opposed to a ban on open firearm carry in Newtown.

Message: The open carry ban is being promoted by an anti-gun group, Newtown Action Alliance. Firearms laws in the CT are regulated by State law NOT local ordinances and this should remain so. This proposal will negatively impact all CT residents working, shopping or traveling through Newtown. I attended the Starbucks event on August 9, 2013 and there were zero issues. It was NOT sponsored by CCDL. Starbucks voluntarily closed early that day. It was a peaceful non event. Newtown Action Alliance is seeking to create controversy in a community that deserves peace. Please don't let that happen. Thank you.