

**LEGISLATIVE COUNCIL REGULAR MEETING
COUNCIL CHAMBERS, 3 PRIMROSE STREET, NEWTOWN, CT
WEDNESDAY, AUGUST 19, 2020**

MINUTES

PRESENT VIA TELECONFERENCE: Jordana Bloom, Alison Plante, Chris Smith, Ryan Knapp, Judit DeStefano, Paul Lundquist, Chris Eide, Dan Wiedemann, Cathy Reiss, Dan Honan, Andy Clure

ABSENT: Phil Carroll

ALSO PRESENT: First Selectman Dan Rosenthal, Chairman of Newtown Board of Fire Commissioners Patrick Reilly, 3 public, 1 press.

CALL TO ORDER: Mr. Lundquist called the meeting to order with the Pledge of Allegiance at 7:34 pm.

VOTER COMMENT: None

MINUTES: Mr. Honan moved to accept the minutes of the August 12, 2020 Legislative Council Special Meeting. Seconded by Mr. Wiedemann. Ms. DeStefano abstained. Motion passes (10-1).

COMMUNICATIONS: None

COMMITTEE REPORTS:

Education Committee – None

Finance Committee – Mr. Eide spoke on the last meeting of the Finance Committee. They submitted a draft of the revised capital improvements plan policy for the BOF. They will meet again in 2 weeks with a red-lined version of the fund balance policy. They then can look at any recommended changes from the BOF or the CIP policy which will then get passed along to the Council.

Municipal Operations Committee – None

Ordinance Committee – None

FIRST SELECTMAN'S REPORT: First Selectman Dan Rosenthal reported on Monday night's BOS meeting and how they moved forward a year end transfer. There was roughly \$730,000 leftover from the municipal budget on the spending side, of that, some is being amended in this year's budget. The gross transfer to capital and non-recurring was \$603,000. Of that, \$60,000 was designated to technology and upgrades to the Council Chambers; and \$13,000 designated for sealing sidewalks in Sandy Hook. The unrestricted transfer to capital and non-recurring was about \$530,000. The only designation made to that was to offset bonding and also for potential storm costs which will be addressed in the budget. Relevant to the year-end transfer, from a revenue standpoint, any excess revenues will be allowed to go over to fund balance; and on expenditures side, will go to capital and non-recurring.

On August 20th, there will be a walk-through of the new police facility at 3:30 pm if anyone would like to join.

Mr. Wiedemann asked if we've met the criteria for any FEMA reimbursements from storm damage. The First Selectman noted that Rob Sibley is actively working on putting numbers together, but is unclear at this time. Mr. Lundquist asked to clarify some of the costs involved. The First Selectman stated that direct costs at the moment were overtime related. We will soon begin the storm debris pickup process and he believes it'll be manageable to handle with our existing staff and should not have to sub-contract any of the clean up work.

OLD BUSINESS

Discussion and Possible Action

- **Discussion of potential referendum question to consider allowing housing within existing buildings at the Fairfield Hills campus as part of Fairfield Hills Master Plan Review Committee recommendation**

Mr. Lundquist reviewed the revised wording suggestions brought upon from previous discussions. *See attachment A.* There has been discussion surrounding use of the words “commercial development proposal” versus “commercial renovation proposal.” There was some agreement that “commercial development” was the more general and commonly understood phrasing of that, while using the term “renovation” may imply something specific that would make people think that there is restoration or locking into the current buildings' style that isn't necessary. He pointed out that there is a new variation #1 that removes the phrase “...provided any given proposals specify...” After some brief discussion, First Selectman Rosenthal suggested using variation #1 but striking out the first usage of the word “renovation” which would help to satisfy some of the points being brought up.

Ms. DeStefano moved to add the following local question to the ballot on November 3rd: *Should the town of Newtown consider commercial proposals at the Fairfield Hills campus that include a housing component, provided that a housing component would be limited to no more than two of the existing buildings, and that the renovation is consistent with the architectural vision for the property?* Seconded by Mr. Honan. Motion passes (10-1).

NEW BUSINESS

Discussion and Possible Action

- **Update to Tax Abatement Ordinance for Volunteer Fire, Ambulance and Underwater Rescue Personnel**

Mr. Lundquist explained that this is an existing tax abatement ordinance that is in place and there are some proposed changes to it that are staged. There is one level of abatement which lasts until June 2021 and then changes after that period. These caps are coming from the State level. We need to formalize the process through Ordinance Committee. Additionally there are changes to each of the progressive steps depending on the number of years of volunteer service in place. Chairman of Newtown Board of Fire Commissioners Patrick Reilly shared his original email to Mr. Knapp. *See attachment B.* Mr. Reilly shared that the Board discovered that the state had increased the max from \$1,000 to \$1,500 amount until June 2021 and from there goes up to \$2,000. Current ordinance indicates that it provides some benefit to firefighters, ambulance and NUSAR volunteers, as well as, helps to retain these volunteers. They are proposing to change these maximum amounts of 7 years or more of service to \$1,500 until June 2021 and would then go to the state max of \$2,000. They've also proposed adding a rung that says if you're a member in good standing for 2 years, you would get a \$250 tax abatement per year. Newtown Ambulance and NUSAR are in favor of this change. It interests those folks that have spent many years volunteering their service. Mr. Lundquist concluded that we are in a good standing to forward this to the Ordinance Committee.

Mr. Wiedemann moved to refer this to the Ordinance Committee. Seconded by Ms. Reiss. All in favor. Motion passes (11-0).

Mr. Reilly confirmed for Mr. DeStefano that the state statute stipulates that it is only the max dollar amount. The existing ordinance starts at 3 years, but this proposal would begin at 2 years to try and entice some younger volunteers to stay.

Ms. Reiss asked for clarification on whether the state only allows “up to” these limits. Mr. Reilly confirmed that is correct.

First Selectman Rosenthal is supportive of this proposal. Having seen the amount of training that is required to volunteer for these organizations also adds another hurdle to getting volunteers and this will add a level of encouragement to entice people to join.

- **Authorization for First Selectman to pursue Newtown's interests in PURA investigation**

Ms. DeStefano moved to authorize the First Selectman to pursue Newtown's interests in the PURA investigation. Seconded by Ms. Reiss. All in favor. Motion passes (11-0).

First Selectman Rosenthal stated that after the Council showed interest in pursuing this, he felt this was a powerful way to send a message in that we are trying to speak for our constituents on this. Basically the PURA investigation was announced within a day or two following the storm. Ridgefield and New Fairfield, having had a similar experience with Eversource on number of outages and damage from the storm, we agreed to join together to file a brief with Attorneys Cohen and Wolfe. We will have a master agreement with Cohen and Wolfe which will then get split 3 ways, which will help keep costs down. The outcome of the whole process could be fines or a mandate or a combination of both. He believes the investigation will ultimately bear some fruit given the town's experience. This storm was very different compared to other past storms as far as how Eversource managed it. Ms. Reiss mentioned that some energy suppliers in New Jersey are allowing residents to apply for rebates towards spoiled food - could we mention if something like this can be done. The First Selectman stated that something like this can certainly be brought up, but that this could take upwards of a year or more to resolve, so any relief will come but not anytime soon. Mr. Lundquist was curious to learn more of what is the incremental benefit of 3 towns doing this. First Selectman Rosenthal stated that if we do not participate, we will not be lending our voice for our residents and our experience. This is not a lawsuit and we are not seeking specific damages – it is just making our case and the more people that share their case in how things transpired, we can hopefully get Eversource to change their ways. It is the First Selectman's hope that the result is for them to at least get hit with a mandate to bring resources in ahead of an impending storm. A mandate would provide for a stronger case to have them forced to comply. Should they get hit with a fine instead, the problem with that is Eversource could just eat the fine and miss a restoration deadline much easier. It only makes sense to partner with communities to amplify our voice, while getting help and guidance from the Council. Mr. Lundquist believes adding some volume to our regional voice definitely has a benefit. Mr. Wiedemann asked if this is the right forum to hire outside council instead of putting together a delegation to handle it through Hartford. Are we really gaining anything by spending the money to go through council? The First Selectman replied that in our case, we are actually being made part of the investigation instead of becoming an interested party in the State. In speaking with the First Selectman of Ridgefield, Rudy Marconi, this is the way to go. Mr. Clure asked if we had the ability to hire our own tree and electrical crews to get back up quicker. The First Selectman stated the problem with that is lack of knowledge on how to approach something like that and that, by statute, we're not allowed to touch power lines without Eversource being present. Mr. Smith commented that if we could build in a financial incentive for these companies, they may respond quicker that way. Mr. Eide noted that we pay one of the highest utility rates in the nation, and there are municipalities that run their own power grid and do not need to rely on Eversource - could this be included in the scope of this investigation, or is it more to increase regulation. The First Selectman reiterated that this investigation is purely on their response to the August 4th storm damage. It is hard to predict what will happen and he is sure conversations on this resolution will be brought up, but this investigation is squarely about the storm and this would be a separate conversation.

VOTER COMMENT: None

ANNOUNCEMENTS: None

ADJOURNMENT: There being no further business, Ms. Bloom moved to adjourn the meeting at 8:34 pm.

Seconded by Ms. DeStefano. All in favor.

*Respectfully submitted,
Rina Quijano, Clerk*

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

DRAFT
8/19/20 rev

LOCAL QUESTION WORDING FOR REFERENDUM:

REVISED / PROPOSED:

Should the town of Newtown consider commercial development proposals at the Fairfield Hills campus that include a housing component, provided that any given proposals specify a housing component would be limited to no more than two of the existing buildings, and that development is consistent with the architectural vision for the property?

Yes

No

VARIATION 1:

Should the town of Newtown consider commercial **renovation** proposals at the Fairfield Hills campus that include a housing component, provided that a housing component would be limited to no more than two of the existing buildings, and that the **renovation** is consistent with the architectural vision for the property?

[REMOVED "ANY GIVEN PROPOSALS SPECIFY"]

VARIATION 2:

Should the town of Newtown consider commercial ~~restoration~~ **development** proposals at the Fairfield Hills campus that include a housing component, provided that a housing component would be limited to no more than two of the existing buildings?

[NO STATEMENT RE "CONSISTENT WITH THE VISION FOR THE PROPERTY"]

ORIGINAL:

Should the Town of Newtown consider commercial **development** proposals at the Fairfield Hills campus that include a housing component, provided that any given proposal is for no more than two existing buildings and that development is consistent with the **vision** for the property?

Should the town of Newtown consider commercial **renovation** proposals at the Fairfield Hills campus that include a housing component, provided that **a housing component** would be limited to no more than two of the existing buildings, and that the **renovation** is consistent with the architectural vision for the property?

Points:

1) It's more succinct than the one last proposed:

Should the town of Newtown consider commercial development proposals at the Fairfield Hills campus that include a housing component, provided that **any given proposals specify a housing component** would be limited to no more than two of the existing buildings and that development is consistent with the architectural vision for the property?

2) I'm still of the belief that to begin with the term "development proposals" makes people think right off the bat--a development. We're going to tear down two existing buildings and make a housing development, which is exactly not what we're asking.

I know Chris had a problem with the word, but according to Merriam-Webster, the definition of renovation is: "to restore to a former better state (as by cleaning, repairing, or rebuilding)." Merriam-Webster provides this example, "It's an old factory that has been renovated as office space."

2) Especially if using the word "renovation," I think the phrase about "architectural vision" is superfluous. However, others seemed to think it was important, so I could go either way.

Since Dan R. got called away during our discussion last week, I would like to hear from him whether the word "renovation" has any negative/confusing connotations to describe the work proposed based on his discussions with developers.

Thanks,
Cathy

Potential Revisions to Newtown Fire, Ambulance, NUSAR Tax Abatement Ordinance

Submitted on Monday, July 27, 2020 - 9:03pm
Submitted by anonymous user: 173.245.52.195
Submitted values are:

Your Name: : Patrick Reilly
Your e-mail address: patreillybofc@gmail.com
Subject: Newtown Fire, Ambulance, NUSAR Tax Abatement Ordinance
Message:

Dear Mr. Knapp, The Newtown Board of Fire Commissioners has voted in favor of proposing a change to the current ordinance regarding Tax Abatement. The state updated and approved the statute in July 2019 to increase the max to \$1,500 until June 2021 and then starting in June 2021 the proposed max is \$2,000.

The proposed change to the ordinance is for the max dollar amount for 7 or more years of service to be \$1,500 until June 2021, and then \$2,000 for June 2021 forward. In addition, we are proposing to change the progressive brackets to the below.

Propose change to existing ordinance:

Years of Service completed	Tax Abatement Amount per year
2	\$250
3	\$500
4	\$750
5	\$1,000
6	\$1,300
7 or more	\$1,500
June 2021	
2	\$250
3	\$500
4	\$750
5	\$1,200
6	\$1,600
7 or more	\$2,000

The remainder of the wording of the current ordinance will remain the same. We feel as the ordinance was originally intended the tax relief will help retain volunteers for a longer period of time.

I am not completely sure of the process to get an ordinance changed so any advice would be appreciated. Below is the State Statute

Thank you
Patrick Reilly
Chairman Newtown Board of Fire Commissioners

Substitute House Bill No. 5125

Public Act No. 19-36

AN ACT INCREASING THE PROPERTY TAX ABATEMENT FOR CERTAIN FIRST RESPONDERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 12-81w of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2019):

The legislative body of any municipality may establish, by ordinance, a program to provide property tax relief for a non-salaried local emergency management director, any individual who volunteers his or her services as a

firefighter, fire police officer, as defined in subsection (a) of section 7-308, emergency medical technician, paramedic, civil preparedness staff, active member of a volunteer canine search and rescue team, as defined in section 5-249, active member of a volunteer underwater search and rescue team, or ambulance driver in the municipality, or any individual who is a retired volunteer firefighter, fire police officer or emergency medical technician and has completed at least twenty-five years of service as a volunteer firefighter, fire police officer or emergency medical technician in the municipality. Such tax relief may provide either (1) (A) for the period commencing July 1, 2019, and ending June 30, 2021, an abatement of up to one thousand five hundred dollars in property taxes due for any fiscal year, and (B) on and after July 1, 2021, an Substitute House Bill No. 5125 Public Act No. 19-36 2 of 2 abatement of up to two thousand dollars in property taxes due for any fiscal year, or (2) an exemption applicable to the assessed value of real or personal property up to an amount equal to the quotient of one million dollars divided by the mill rate, in effect at the time of assessment, expressed as a whole number of dollars per one thousand dollars of assessed value. Any ordinance may authorize interlocal agreements for the purpose of providing property tax relief to such volunteers who live in one municipality but volunteer or volunteered their services in another municipality.

Approved June 28, 2019