

**LEGISLATIVE COUNCIL REGULAR MEETING  
COUNCIL CHAMBERS, 3 PRIMROSE STREET, NEWTOWN, CT  
WEDNESDAY, OCTOBER 7, 2020**

**MINUTES**

**PRESENT:** Alison Plante, Chris Smith, Phil Carroll, Ryan Knapp, Paul Lundquist, Dan Wiedemann, Cathy Reiss, Dan Honan, Andy Clure (arrived 7:50 pm)

**PRESENT VIA TELECONFERENCE:** Jordana Bloom, Judit DeStefano, Chris Eide, Andy Clure (until 7:40 pm)

**ALSO PRESENT:** First Selectman Dan Rosenthal, Finance Director Bob Tait, 1 press

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

**VOTER COMMENT:** None

**MINUTES:** Mr. Honan moved to accept the minutes of the September 16, 2020 Legislative Council Regular Meeting. Seconded by Ms. Reiss. All in favor. Motion passes (12-0).

**COMMUNICATIONS:** Letter regarding the PURA ruling. *See attachment A.*

**COMMITTEE REPORTS:**  
Education Committee – None

Finance Committee – None

Municipal Operations Committee – Mr. Wiedemann briefly spoke on the Administrator's contract - they have come to an agreement but it has not been gratified by the BOE yet.

Ordinance Committee – None

**FIRST SELECTMAN'S REPORT:** First Selectman Dan Rosenthal reported that the storm cleanup has been completed. Crews have been out paving for the last 10 days or so. Most of the paving plan that was submitted to the BOS back in July will get done this season. Some of the drainage projects and chip seal will most likely be shifted to the Spring due to the weather.

We have had early success with the PURA investigation in where Newtown, Ridgefield, New Fairfield and Bethel filed a joint mission for immediate relief. PURA promptly issued the order on the deficiencies during the last storm is their commitment is to make safe operations, to the community liaison program, and finally their whole outage reporting and communications system. Basically, PURA's order was that all these things must be operational or they will face penalties. The liaisons will also need to hold meetings with every municipality in the state before the end of October.

Regarding the police project, we are down to final items like painting and final paving will be done this Friday. A private ribbon cutting is being planned for October 31<sup>st</sup>. The audience will be limited and immediately following will be a public open house. Some technology install is on target to be completed in early November.

Mr. Wiedemann asked if we qualified for a FEMA reimbursement on the last storm. The First Selectman responded that the region did qualify and he expects some reimbursement.

Mr. Carroll commented that he is very happy with how the drainage remediation was handled in his

neighborhood, as well as, how well the town's crew did with the storm cleanup.

## NEW BUSINESS

### *Discussion and Possible Action*

- RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$400,000 FOR THE BRIDGE REPLACEMENT PROGRAM AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2020-21 TO 2024-25) AND AUTHORIZING THE ISSUANCE OF \$400,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Ms. DeStefano moved to pass the resolution providing for a special appropriation in the amount of \$400,000 for the bridge replacement program as authorized in the capital improvement plan (2020-21 to 2024-25) and authorizing the issuance of \$400,000 bonds of the town to meet said special appropriation and pending the issuance thereof the making of temporary borrowings for such purpose. Seconded by Mr. Carroll. Mr. Clure abstained. Motion passes via roll call (11-0).

Ms. DeStefano further moved to waive the reading of the resolution. Seconded by Mr. Carroll. Mr. Clure abstained. Motion passes via roll call (11-0).

Mr. Lundquist explained that this is an item which is part of our regular schedule. Bridge replacement occurs every four years or so and it is time for this one to happen. *See attachments B and C.*

- RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$268,000 FOR THE PLANNING, DESIGN AND RENOVATION OF EDMOND TOWN HALL EXTERIOR AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2020-21 TO 2024-25) AND AUTHORIZING THE ISSUANCE OF \$268,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Ms. DeStefano moved to pass the resolution providing for a special appropriation in the amount of \$268,000 for the planning, design and renovation of Edmond Town Hall exterior as authorized in the capital improvement plan (2020-21 to 2024-25) and authorizing the issuance of \$268,000 bonds of the town to meet said special appropriation and pending the issuance thereof the making of temporary borrowings for such purpose and further moved to waive the reading of the resolution. Seconded by Mr. Carroll. Mr. Clure abstained. Motion passes via roll call (11-0).

Mr. Lundquist explained that this is a year one capital item in the CIP and we are generally aware of needed improvements on some aging infrastructure. *See attachments D and E.*

Mr. Wiedemann asked how this will be funded and wondered if this could just be paid out of pocket versus an appropriation. The First Selectman stated that that would involve amending the resolution and had Mr. Tait speak on the process. Mr. Tait replied that we could do it through this bonding resolution because it's a bond reduced by other sources of revenue. There are future plans for capital and recurring that we can do it through this bond. When we make future proposals, there will be some type of plan for that money.

- RESOLUTION PROVIDING FOR SPECIAL APPROPRIATION & ESTIMATED REVENUE (\$400,000) TO AMEND THE 2020-2021 BUDGET FOR BOE CORONAVIRUS EXPENDITURES

Ms. DeStefano moved to pass the resolution providing for special appropriation & estimated revenue (\$400,000) to amend the 2020-2021 budget for BOE coronavirus expenditures. Seconded by Mr. Honan.

Mr. Knapp moved the resolution providing for special appropriation and estimated revenue to amend the 2020-2021 budget by increasing estimated revenue in account 4700 "Use of Fund Balance" by \$400,000 and by increasing appropriations in account 860-5870 "Transfer Out to Capital and Non-recurring Fund" by \$400,000. The amount being transferred to the Capital and Non-recurring Fund is hereby designated for: \$400,000 for BOE coronavirus expenditures relating to facilities and other items (non-personnel expenses). Seconded by Mr. Wiedemann. All in favor. Motion passes (12-0).

Ms. DeStefano rescinded the original motion. Mr. Honan rescinded his original second.

Mr. Lundquist explained that this is a transfer from fund balance to capital and non-recurring which was proactively brought up by the BOS to go towards some of the known costs brought upon by the Coronavirus response like masks, face shields and dividers as well as facilities and personnel expenses. All of which totals more than \$400,000 but this will contribute towards that. The other funds will be mitigated by state relief funds and other identified savings in the BOE budget. *See attachment F.*

Mr. Wiedemann asked the First Selectman to explain the process. First Selectman said that it is because it is being designated for a specific purpose in capital and non-recurring, it requires a sign-off by Mr. Tait. The way the BOS landed at \$400,000 is that when the BOE had discussed this with the BOF, the list of expenses that they had was estimated. Some of what was in their list had already occurred such as facilities expenses, and so they felt \$400,000 was a good starting point. There is \$380,000 in a CARES grant – we do not have the money yet but do have a commitment letter – it basically allows us under accounting rules to spend. It also identified about \$245,000 in budget flexibility in their existing budget which would allow them roughly \$1 million in flexibility. Any eligible expense must be signed off by Mr. Tait. They committed to stay in touch with the Superintendent and BOE to see how the year unfolds and what their future needs may be. The BOE could submit a formal request but staying in touch and keeping communication open will suffice. With the amount that they have on the table now, he does not foresee this needing to happen again any time soon.

After reviewing the personnel expenses, Mr. Knapp asked for clarification on what the "certified staff" and "behavior interventionist" at Head O' Meadow were for and whether these items would be permanent positions to carry forward to future budgets. Mr. Lundquist stated that we do not know the answer exactly but the assumption is that these are much needed items. Mr. Knapp also asked in regards to next year, knowing that there is state statute around minimum budget requirements, would this be relative to what is voted on in the budget or is relative what we appropriate. Mr. Tait confirmed if there are Covid expenses that they can afford in their budget, we do not need to include it. The maximum budget increase to the whole town does not need to include Covid expenditures. What will happen accounting-wise is that Mr. Tait will be pulling out Covid expenditures from the BOE budget and applying them to capital and non-recurring so their budget will actually not change.

Ms. Reiss asked for clarification from Mr. Tait on whether we are actually amending the budget or not. Mr. Tait stated that, in fact, we are amending the budget – we are increasing the revenue account (use of fund balance) and on the expenditures side, increasing an expenditures account (transfer out to capital and non-recurring fund). Once this is approved, he will do a transfer, but is not an amendment that we will need to worry about next year.

## **OLD BUSINESS**

### *Discussion Only*

- Discussion of Board of Education Non-Lapsing Account

Mr. Lundquist provided an update on the matter – we are still awaiting the completion of a formal opinion from Town Council to clarify what, if any, roll the Legislative Council will have in funding the BOE's non-lapsing account. We can later determine whether that roll by the Council should change. Once that's in place, we can then have a reason to discuss some policies. As part of this, the BOE did share some of their policy language but they're also in the process of updating a regulation which has not been adopted yet. This discussion will continue in the future.

**VOTER COMMENT:** None

**ANNOUNCEMENTS:** Mr. Smith noted that the Newtown Cultural Arts Commission created artwork on the residential doors by the Victory Garden at Fairfield Hills and recommended all to go see them.

Mr. Wiedemann and the Council formally congratulated Mr. Eide on the recent birth of his son.

**ADJOURNMENT:** There being no further business, Mr. Wiedemann moved to adjourn the meeting at 8:14 pm. Seconded by Mr. Smith. 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: Ball, David A. <DBall@cohenandwolf.com>  
Date: Wed, Sep 23, 2020 at 2:18 PM  
Subject: PURA Ruling on Motion for Emergency Relief  
To: Rudy Marconi <selectman@ridgefieldct.org>, Dan Rosenthal <dan.rosenthal@newtown-ct.gov>, Pat Del Monaco (pdelmonaco@newfairfield.org) <pdelmonaco@newfairfield.org>, Matthew S. Knickerbocker <KnickerbockerM@bethel-ct.gov>  
Cc: Buchsbaum, Jason A. <JBuchsbaum@cohenandwolf.com>

All—

This afternoon, PURA issued the attached ruling in response to our Motion for Immediate and Emergency Relief. As you will read, this is an excellent ruling and PURA largely granted our motion. To summarize the ruling:

PURA directed both Eversource and UI to deploy Make Safe Crews in accordance with the Annex protocol that we identified in our motion. While PURA did not deviate from the existing protocol by ordering Make Safe Crews to be deployed prior to the next weather event, I read this order as PURA having zero tolerance for any future violation of the Make Safe Crew protocol.

PURA directed the EDCs to implement their outage reporting systems as intended in their Emergency Response Plans.

PURA directed the EDCs to implement their Community Liaison programs in accordance with their Emergency Response Plans. In addition, PURA directed the EDCs to have their designated town liaison communicate with every town emergency response manager prior to any storm. In addition, as we had requested, PURA directed the EDCs to hold a meeting with each town, the EDC liaison, and at least one member of its operations personnel. This meeting is ordered to take place no later than October 16, 2020.

I don't think we could have expected a better response from PURA. If the EDCs fail to follow these any of these orders in the future, I am confident that PURA will issue sanctions immediately.

In addition, in the ruling PURA has encouraged all municipalities to submit evidence in this docket of the EDCs' violations of performance standards and ERPs relating to Isaias. In the CCM meeting on October 7th, I think this should be a primary discussion topic.

Finally, PURA has requested that municipalities file petitions for relief with PURA if the EDCs fail to meet their performance standards or ERPs following any future storms.

I am happy to discuss this ruling further with any of you, but I think you should feel very good about this result. And you should feel free to publicize it in your towns.

David

David A. Ball | Principal | Cohen and Wolf, P.C.  
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# STATE OF CONNECTICUT

## PUBLIC UTILITIES REGULATORY AUTHORITY

September 23, 2020  
In reply, please refer to:  
Docket No. 20-08-03  
Motion No. 25

David A. Ball, Esq.  
Jason A. Buchsbaum, Esq.  
Marc J. Herman, Esq.  
Cohen and Wolf, P.C.  
1115 Broad Street  
Bridgeport, CT 06604

Re: Docket No. 20-08-03 – Investigation into Electric Distribution Companies' Preparation for and Response to Tropical Storm Isaias

Dear Attorneys Ball, Buchsbaum, and Herman:

The Public Utilities Regulatory Authority (Authority or PURA) acknowledges receipt of a motion by the Towns of Ridgefield, Newtown, and New Fairfield (Towns) for immediate emergency relief against The Connecticut Light and Power Company d/b/a Eversource Energy (Eversource). The Towns<sup>1</sup> request the Authority to order Eversource to undertake the following measures:

- 1) Deploy a Make Safe Crew to each Connecticut municipality prior to any significant weather event;
- 2) Properly implement the Community Liaison program by providing each of the Towns with accurate, timely, and consistent information during and after significant weather events, including, without limitation, any delays to estimated restoration times. Prior to the next storm event, Community Liaisons must be required to meet with each of the Towns, together with a member of Eversource's operations personnel, to plan for effective and accurate communications within Eversource and to the Towns; and
- 3) Implement its outage reporting systems, including IVR, so that when the next storm occurs Connecticut residents are able to report outages directly, and provide timely and accurate outage and restoration information to the public.

Motion No. 25, pp. 10.

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<sup>1</sup> By letters dated September 15, 2020, Town of Roxbury letter dated September 16, 2020, Town Of Bethel letter dated September 21, 2020, and Town of Kent letter dated September 15, 2020, the following municipalities responded to Motion No. 25 requesting similar emergency relief orders from the Authority: Danbury, Ridgefield, Newtown, New Fairfield, Cornwall, Litchfield, Roxbury, Barkhamsted, Cheshire, Litchfield, Middlebury, and Roxbury, Oxford, Bethel, and Kent (Municipalities).

The Towns make this request because they argue that Eversource will otherwise not fulfill its obligations to the public. Id., p. 3. The Towns argue that this is a heightened risk Connecticut residents should not bear while hurricane season is underway. Id.

The safe and reliable delivery of electricity is the fundamental charge of the state's electric distribution companies (EDCs), Eversource and the United Illuminating Company (UI). As such, the Authority agrees that Connecticut municipalities and residents should not be put at heightened risk or electricity outages, particularly during hurricane season, and directs the EDCs to take the actions herein.

### **Authority Direction to EDCs**

The Authority hereby directs **both** Eversource and UI to deploy Make Safe crews to each municipality in accordance with the protocol that has been established by the State of Connecticut's Emergency Support Function 12 (ESF-12) All Hazards Energy and Utilities Annex (Annex). The Annex states that the roles and responsibilities of the EDCs with regard to the Make Safe Protocol are to:

Designate a Make Safe Crew or representative to each municipality (after the municipality has opened its [emergency operations center]) that has requested a Make Safe Task Force or Strike Team and has declared a state of emergency, and inform the municipal [emergency management director] and [emergency operations center] of the assignment, in accordance with attached Make Safe/Blocked Roads protocol.

Annex, p. 20.

The Authority expects the EDC's plant in service to operate as intended, including all outage reporting systems. Accordingly, the Authority directs the EDCs to implement its outage reporting systems so that they facilitate the outage and restoration communications protocols described in the EDCs' ERPs. These protocols include providing updated and accurate outage and restoration information to customers and community officials.

The Authority directs the EDCs to implement their Public/Community Liaison organizations with all municipalities in their respective service territories in accordance with their approved emergency response plans (ERPs). In addition, the Authority directs the EDCs to have designated town liaisons communicate with each town emergency response manager prior to any storm. At least one meeting must be held no later than October 16, 2020 between an EDC town liaison and a member of the operations personnel and each town and municipality in its service territory.<sup>2</sup> The Authority also directs the EDCs to implement their Public/Community Liaison organizations in accordance with their approved ERPs during activation of its incident response activities.

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<sup>2</sup> At the request of a municipality this deadline may be extended.

## Steps for Municipalities

### *Tropical Storm Isaias*

The Authority recognizes that the direct experience of the municipalities with the response and restoration activities of the EDCs related to Tropical Storm Isaias will assist the Authority in this investigation. The Authority encourages the municipalities to submit into this proceeding any evidence showing that either Eversource or UI did not meet storm performance standards or did not follow emergency response plans during Tropical Storm Isaias.

### *Future Storms*

If a municipality finds that an EDC is not responsive to any future requests it makes in regards to emergency preparedness coordination directly with the EDC or through the ESF-12 process, the Authority requests that the municipality inform the Authority through a petition (a new docket application) detailing the EDC's non-adherence to its ERP or other emergency preparedness requirements.

If a municipality believes an EDC has caused harm to the municipality due to failure to adhere to emergency response standards or its ERP in any event subsequent to Tropical Storm Isaias, the Authority likewise directs the municipality to submit a petition detailing the harm caused with sufficient documentation for the Authority to investigate. In this manner, the Authority may review the matter outside of this docket.

Sincerely,

PUBLIC UTILITIES REGULATORY AUTHORITY

A handwritten signature in black ink, appearing to read 'Jeffrey R. Gaudiosi', written in a cursive style.

Jeffrey R. Gaudiosi, Esq.  
Executive Secretary

cc: Service List



RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$400,000 FOR THE BRIDGE REPLACEMENT PROGRAM AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2020-21 TO 2024-25) AND AUTHORIZING THE ISSUANCE OF \$400,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

RESOLVED:

Section 1. The sum of \$400,000 is a special appropriation made pursuant to Chapter 6, Section 6-35 of the Town Charter of the Town of Newtown (the "Town") for the planning, design, engineering, construction and replacement of bridges in the Town, pursuant to the Town's Bridge Replacement Program, all as authorized in the Capital Improvement Plan (2020-21 to 2024-25), and for administrative, financing, legal and costs of issuance related thereto (collectively, the "Project"), said appropriation to be inclusive of any and all State, Federal or other grants-in-aid thereof.

Section 2. To meet said appropriation, \$400,000 bonds of the Town, or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the maximum maturity permitted by the General Statutes of the State of Connecticut, Revision of 1958, as amended from time to time (the "Connecticut General Statutes"). The bonds may be issued in one or more series as determined by the Financial Director, and the amount of bonds of each series to be issued shall be fixed by the Financial Director, in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amount of State and Federal grants-in-aid of the Project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of the bonds outstanding at the time of the issuance thereof, and to pay for the costs of issuance of such bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the First Selectman and the Financial Director, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, Connecticut. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds including approval of the rate or rates of interest shall be determined by the First Selectman and the Financial Director, in accordance with the Connecticut General Statutes.

Section 3. Said bonds shall be sold by the First Selectman and the Financial Director in a competitive offering and the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. To the extent required by the Charter of the Town of Newtown, bids shall be solicited from at least three lending institutions. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds.

Section 4. The First Selectman and the Financial Director are authorized to make temporary

borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the First Selectman and the Financial Director, have the seal of the Town affixed, be payable at a bank or trust company designated by the First Selectman, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, Connecticut, and be certified by a bank or trust company designated by the First Selectman pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The First Selectman is authorized in the name and on behalf of the Town to apply for and accept any and all Federal and State loans and/or grants-in-aid of the Project and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith, to contract in the name of the Town with engineers, contractors and others.

Section 6. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this resolution in the maximum amount and for the Project with the proceeds of bonds or bond anticipation notes or other obligations ("Tax-Exempt Obligations") authorized to be issued by the Town. The Tax-Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Financial Director or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of Tax-Exempt Obligations, and to amend this declaration.

Section 7. The First Selectman and the Financial Director are hereby authorized, in the name and on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The First Selectman is hereby authorized, in the name and on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution.

Section 9. This resolution shall become effective upon its approval by the Legislative Council of the Town in accordance with Chapter 6, Section 6-35 of the Town Charter.

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

REQUESTING DEPARTMENT PUBLIC WORKS

PROJECT: BRIDGE REPLACEMENT PROGRAM

PROPOSED APPROPRIATION AMOUNT: \$ 400,000

PROPOSED FUNDING:

BONDING	\$	400,000
GRANT	\$	-
OTHER	\$	-
	<u>\$</u>	<u>400,000</u>

**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 (1st year)			
<b>TOTAL IMPACT ON EXPENDITURES</b>		<u>\$ -</u>	

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

**TOTAL FINANCIAL IMPACT ON OPERATING BUDGET** \$ -

**EQUIVALENT MILL RATE OF TOTAL IMPACT** 0.0000 mills

(using current year's information)

**COMMENTS:**

ANNUAL BOND PRINCIPAL AND INTEREST AMOUNT = \$30,000

PREPARED BY: 

DATE: 9/17/2020

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$268,000 FOR THE PLANNING, DESIGN AND RENOVATION OF EDMOND TOWN HALL EXTERIOR AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2020-21 TO 2024-25) AND AUTHORIZING THE ISSUANCE OF \$268,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

RESOLVED:

Section 1. The sum of \$268,000 is a special appropriation made pursuant to Chapter 6, Section 6-35 of the Town Charter of the Town of Newtown (the "Town") for the planning, design and renovation of the exterior of Edmond Town Hall, including, but not limited to, drainage repairs, roof repairs or replacement, brick repointing, stone work repairs, replacement doors and exterior lighting, all pursuant to the Edmond Town Hall Exterior Renovations as authorized in the Capital Improvement Plan (2020-21 to 2024-25), and for administrative, financing, legal and costs of issuance related thereto (collectively, the "Project"), said appropriation to be inclusive of any and all State, Federal or other grants-in-aid thereof.

Section 2. To meet said appropriation, \$268,000 bonds of the Town, or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the maximum maturity permitted by the General Statutes of the State of Connecticut, Revision of 1958, as amended from time to time (the "Connecticut General Statutes"). The bonds may be issued in one or more series as determined by the Financial Director, and the amount of bonds of each series to be issued shall be fixed by the Financial Director, in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amount of State and Federal grants-in-aid of the Project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of the bonds outstanding at the time of the issuance thereof, and to pay for the costs of issuance of such bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the First Selectman and the Financial Director, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, Connecticut. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds including approval of the rate or rates of interest shall be determined by the First Selectman and the Financial Director, in accordance with the Connecticut General Statutes.

Section 3. Said bonds shall be sold by the First Selectman and the Financial Director in a competitive offering and the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. To the extent required by the Charter of the Town of Newtown, bids shall be solicited from at least three lending institutions. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds.

Section 4. The First Selectman and the Financial Director are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings

shall be signed by the First Selectman and the Financial Director, have the seal of the Town affixed, be payable at a bank or trust company designated by the First Selectman, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, and be certified by a bank or trust company designated by the First Selectman pursuant to Section 7-373 of the Connecticut General Statutes. They shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The First Selectman is authorized in the name and on behalf of the Town to apply for and accept any and all Federal and State loans and/or any grants-in-aid of the Project and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith, to contract in the name of the Town with engineers, contractors and others.

Section 6. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and any time after the date of passage of this resolution in the maximum amount and for the Project with the proceeds of bonds or bond anticipation notes or other obligations ("Tax-Exempt Obligations") authorized to be issued by the Town. The Tax-Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Financial Director or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of Tax-Exempt Obligations, and to amend this declaration.

Section 7. The First Selectman and the Financial Director are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The First Selectman is hereby authorized, on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution.

Section 9. This resolution shall become effective upon its approval by the Legislative Council of the Town in accordance with Chapter 6, Section 6-35 of the Town Charter.

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

REQUESTING DEPARTMENT EDMOND TOWN HALL BOARD OF MANAGERS

PROJECT: EDMOND TOWN HALL EXTERIOR RENOVATIONS

PROPOSED APPROPRIATION AMOUNT: \$ 268,000

PROPOSED FUNDING:

BONDING	\$	268,000
GRANT	\$	-
OTHER	\$	-
	\$	<u>268,000</u>

**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 (1st year)		_____	_____
TOTAL IMPACT ON EXPENDITURES		<u>\$ -</u>	_____

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

TOTAL FINANCIAL IMPACT ON OPERATING BUDGET \$ -

EQUIVALENT MILL RATE OF TOTAL IMPACT 0.0000 mills  
(using current year's information)

**COMMENTS:**

BOND PRINCIPAL AND INTEREST ANNUAL PAYMENT = \$20,000

PREPARED BY: 

DATE: 9/17/2020

**Resolution providing for special appropriation & estimated revenue to amend the 2020-2021 budget:**

By increasing estimated revenue in account 4700 - Use of Fund Balance by \$ 400,000  
By increasing appropriations in account 860-5870 - Transfer Out to Capital & Non-recurring Fund by \$ 400,000

The amount being transferred to the Capital & Non-recurring Fund is hereby designated for:

- \$400,000 for BOE coronavirus expenditures relating to facilities & other items (non-personnel expenses)

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Current funding available for BOE coronavirus expenditures:

• Coronavirus relief funds (state)	380,000
• Identified savings in current BOE budget	245,000
• Use of fund balance (once approved)	<u>400,000</u>
Total	1,025,000

Estimated BOE coronavirus costs (see attached):

• Personnel expenses	652,000
• Facilities expenses	427,000
• Other items (tech; masks; face shields; dividers; etc.)	<u>436,000</u>
Total	1,515,000

Facilities expenses and other items are for the most part immediate expenses. The current funding available of \$1,025,000 is sufficient to cover these immediate expenses. Personnel expenses happen over the course of the fiscal year. BOE coronavirus expenditures and the resulting anticipated budget overages will be reviewed mid budget year resulting in a phase II use of fund balance (resolution).

**DRAFT****Personnel Expenses**

Nurses - increase 7 hour day to 8 hours		\$	97,500
.8 Nurse addition		\$	49,800
Additional Building Substitutes		\$	117,000
Behavior Interventionist HOM		\$	20,000
Additional Para hours - Kdg, reading & math		\$	17,124
Bus monitors, 6 hrs. per day for 10 days		\$	50,300
Custodians, additional bathroom cleaning		\$	225,634
Certified Staff 1.0 HOM, 0.2 HS Sped	1.20	\$	74,353

**Sub Total Personnel Costs****\$ 651,711****Facilities Expenses**

Tables	300	\$ 116.25	\$	34,875
Desk shields, students, offices, café			\$	144,878
Tents for HS additional eating space	5	\$ 8,770	\$	43,850
Storage containers			\$	14,940
HVAC Higher rated filters			\$	16,051
Ventilation Purge Programming (all schools)			\$	25,840
Air Purifiers			\$	46,446
PPE Hand sanitizer			\$	100,000

**Sub Total Facilities Costs****\$ 426,880****Other Items**

Distance Learning Technology items			\$	382,698
Disposable Face masks			\$	8,200
Face shields	745	\$ 2.79	\$	2,079
Thermometers	10	\$ 134	\$	1,340
Office Dividers			\$	41,932

**Sub Total Other Costs****\$ 436,249****Total Potential Estimated Additional Costs****\$ 1,514,840**

*Note: This list represents expenses that we are currently experiencing or expect to incur in the upcoming school. There may also be other expenses necessary that we are unaware of now. Some of these expenses may be reimbursed under the FEMA grant (75%) the Town is applying for, and some under the Coronavirus Relief Fund.*



District	Coronavirus Relief Funds						Total CRF Allocation
	Personnel Related Supports				Non-Personnel Related Supports		
	Student Academic	Cleaning/PPE/Supports	Health/Safety	Transportation	Cleaning/PPE/Health/Safety	Transportation	
Newtown School District	0	0	0	0	380,841	0	380,841

Source: State of Connecticut

Transportation Savings (2 less school days)	\$32,154
Professional Development Savings	\$35,000
Special Education Transportation credit	\$145,313
Security Personnel 2 less days	\$5,574
Paraprofessionals 1 less day	\$15,300
Bus Fuel 1 less day 3 months	\$12,000
<b>Total Additional Potential Available Funding</b>	<b>\$245,341</b>