

**LEGISLATIVE COUNCIL REGULAR MEETING
COUNCIL CHAMBERS, 3 PRIMROSE STREET, NEWTOWN, CT
WEDNESDAY, SEPTEMBER 1, 2021**

MINUTES

PRESENT: Jordana Bloom, Alison Plante, Chris Smith, Phil Carroll, Ryan Knapp, Judit DeStefano, Paul Lundquist, Chris Eide, Cathy Reiss, Andy Clure, Dan Honan, Matthew Mihalcik

ALSO PRESENT: First Selectman Dan Rosenthal, Finance Director Bob Tait, Health Director Donna Culbert, six members of the public (three via Zoom), 0 press

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

VOTER COMMENT: None

MINUTES: Mr. Honan moved to accept the minutes of the August 18, 2021 Legislative Council Regular Meeting with the below amendment made. Seconded by Mr. Clure. All in favor. Motion passes (12-0). Under First Selectman's Report, it should read... *Ms. Reiss thanked the First Selectman for really looking at the data, listening to the experts, and leaving it up to the individual to make the decision on ~~vaccinating~~ masking.*

COMMUNICATIONS: The Council received about 46 emails regarding various issues, mostly in support of the mask mandate. *See attachment A.* Mr. Lundquist also shared a response from Andy Buzzi, Chair of the Charter Revision Commission, in response to a request from him for an update regarding progress on Charter Revision work. *See attachment B.*

COMMITTEE REPORTS: None

FIRST SELECTMAN'S REPORT: First Selectman Dan Rosenthal noted that everything in his report is covered within the agenda items.

OLD BUSINESS

Discussion and Possible Action

- 2020-2021 Year End Transfers and Re-Appropriations

Mr. Tait reviewed the 2020-2021 fiscal year end budget transfer request, one re-appropriation request and the year-end estimated undesignated fund balance. *See attachments C and D.* The first four pages represent transfers within a department. Page 5 represents a transfer from various accounts and the last page shows you where those accounts come from. We came up with \$927,000 from various accounts to be transferred to an account called "transfer out to capital non-recurring"; and a small amount to "transfer out to capital projects". We had a good amount left in the budget mainly due to Covid restrictions. Because of positive budget performance, we didn't spend much. The actual change in undesignated fund balance will be \$520,000 out of a budgeted \$1.7 million. We have the added flexibility during this year of another \$1.4 million. Mr. Knapp expressed some concern about the inflation occurring this year. Mr. Tait said most of our contracts are settled, plus medical self insurance funds, lumber and gasoline are going down. We have surplus monies in capital and non-recurring so we do have a cushion if need be. Mr. Lundquist questioned the large salaries from unfilled positions in some departments. Because they've been left vacant for so long, shouldn't that be considered a savings versus left as open positions. The First Selectman agreed with the thought.

Ms. DeStefano moved to approve the 2020-2021 year end transfers as presented by the Finance Director and to also allow the Finance Director to make any minor adjustments as needed. Seconded by Mr. Honan. All in favor. Motion passes (12-0).

Ms. DeStefano moved to approve the 2020-2021 year end re-appropriations as presented by the Finance Director and also to allow the Finance Director to make any minor adjustments as needed. Seconded by Mr. Clure. All in favor. Motion passes (12-0).

- Initiate the Process for Sale of 3 Main Street Pursuant to 8-10(a) of Town Charter

Mr. Lundquist explained that this motion is only to initiate the process for the sale of the property. First Selectman Rosenthal added that the Board of Selectmen have already proposed the sale and tonight the Council would be affirming the same. A sign would need to be posted on the property and advertised. One appraisal has already been done on the property, another to be done later in the process. We do intend to deed restrict the property so we can limit the future use of the property. There are many steps involved to ensure public notice and opportunity for involvement. Mr. Knapp brought up the fact that it is located in the Borough district. The First Selectman said for that reason we will take each step to make sure everything is looked at thoroughly.

Ms. DeStefano moved to initiate the process for sale of 3 Main Street pursuant to 8-10(a) of Town Charter. Seconded by Mr. Honan. All in favor. Motion passes (12-0).

- RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$500,000 FOR THE PLANNING, DESIGN, ENGINEERING, RECONSTRUCTION AND CONSTRUCTION OF TOWN ROADS AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2021-22 TO 2025-26) AND AUTHORIZING THE ISSUANCE OF \$500,000 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 approve the resolution providing for a special appropriation in the amount of \$500,000 for the planning, design, engineering, reconstruction and construction of town roads as authorized in the Capital Improvement Plan (2021-22 to 2025-26) and authorizing the issuance of \$500,000 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 full resolution. Seconded by Mr. Eide. All in favor. Motion passes (12-0). See attachment E.

- RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$8,000,000 FOR THE PLANNING, DESIGN, ENGINEERING AND INSTALLATION OF A VENTILATION SYSTEM AND HVAC RENOVATIONS AT HAWLEY SCHOOL AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2021-22 TO 2025-26) AND AUTHORIZING THE ISSUANCE OF \$8,000,000 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 the resolution providing for a special appropriation in the amount of \$8,000,000 for the planning, design, engineering and installation of a ventilation system and HVAC renovations at Hawley School as authorized in the Capital Improvement Plan (2021-22 to 2025-26) and authorizing the issuance of \$8,000,000 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 full reading of the resolution. Seconded by Mr. Knapp. Motion passes (12-0). See attachment F.

Mr. Lundquist clarified that the action being voted on is to send it to the voters.

- Send the Hawley School HVAC project for \$8,000,000 to referendum

Ms. DeStefano moved to send the Hawley School HVAC project for \$8,000,000 to referendum and that the Board of Selectmen be authorized and directed to call a referendum to be held on November 2, 2021 between the hours of 6:00 am – 8:00 pm for the purpose of a vote by the electors and qualified voters of the Town. Seconded by Ms. Reiss. All in favor. Motion passes (12-0).

- First Selectman's Emergency Resolution per Newtown Charter Section 2-110(c)

This is a discussion regarding an extension of the First Selectman's indoor mask mandate. *See attachment G.* First Selectman Rosenthal began by saying this was not a decision that he was happy to make. He explained that by Charter, he can issue an emergency order such as this, but the Council would have to allow for an extension after a period of five days. The CDC guidance was 10 cases per 100,000 of population per day. Up until two weeks ago, Newtown was below this guide. Last week, Newtown jumped higher and is currently classified by the state as a red zone. Along with guidance from Donna Culbert and Danbury Hospital, he opted to institute the mandate. He feels strongly that this should not be an open-ended declaration, but it will probably be something we will have to deal with long term. It is also important to get guidance as to when it can come off. If we see a two week decline, he sees no need to keep the mandate in place and he will lift it at that point. The Governor's emergency powers which gave rise to this order will expire on September 27th. Ms. Culbert continued the discussion by saying that she feels that as a community, we're doing very well in general, that we have an engaged and supportive community, but in the last few weeks, we have seen a rise in cases that come in. She said the data is not perfect and is not able to speak or follow up with every person. For the 30 cases that we get each week, there are about five that do not return her calls so she loses a little bit of data. A large number of cases were people traveling for work, vacation or visiting family, both in our country and outside our country. For the most part, we have been really effective at identifying where it came from because it is mostly travel related. She would not classify this as community spread. Now that we are approaching Fall and getting into school, it will start to drop as people travel less. Seeing our numbers hanging out at 30-32 new cases per week is concerning. We have gotten some feedback from the hospital. People that are hospitalized are doing much better all around than where we were a year ago. Now that we are all getting back to a normal routine, she feels confident that it'll get better - she is optimistic that there will be a drop off. Ms. Bloom asked for the percentage of how many of the weekly cases are vaccinated versus unvaccinated individuals. Ms. Culbert replied that about 30% of these new cases are from totally vaccinated individuals. Mr. Mihalcik asked what number of these cases are from people that work in Newtown but live elsewhere. Ms. Culbert said there is no formal process by the state of being notified, but she is sometimes made aware by an employer. She said we are still seeing plenty of household transmissions. At the beginning of August, we had about 60 cases in 38 households; and in the second half of August, it has risen to 62 cases in 46 households. She added that masks do work and they do help prevent the transmission of the virus. Ms. Reiss spoke that the data presented doesn't take into account that anyone has been vaccinated - it was created before vaccination was taken into account. She is concerned this would be spreading a false sense of fear and panic. She also asked how someone would compare Newtown at about a 75% vaccination rate versus Bridgeport with about a 47% vaccination rate – wouldn't it then spread faster, therefore, are we really in an emergency state and are we basing the decision on incorrect data. Ms. Culbert stated that although it is an outdated system, unfortunately it is the only system she has to work with right now. Seeing the number of cases right now and not being able to specifically pinpoint a lot of the cases with the potential to rise, she feels an obligation to do something. It is not our health department's intent to raise red flags but it is enough to warrant the decision to act on the information she has. The First Selectman agrees with Ms. Reiss in that the CDC should do something to revise their classification system. He follows the Governor a lot and in Connecticut, it shows that vaccines are working and hospitalizations are lower than in those states where vaccination rate is lower. He also agrees with Ms. Culbert in that things will go down soon. Mr. Clure thanked Ms. Culbert for all the hard work she has done and continues to do. He asked her how this

compares to this time last year. She said last summer things were quieter and she was a bit surprised to hear things going the way they are now given the high rate of vaccination we have now. Although, she wasn't so surprised after seeing how much people have been traveling. Mr. Eide said as you get community spread, you get increased virus replication and the risk of new variants comes up - is there an aspect of impact on the community as a whole and what the risk of mutation would be. Ms. Culbert said this is a very important consideration, and the longer it hangs around, the greater the likelihood to have it mutate. We can't look to eradicate it, but hopes people will not let it go farther than it has to. Mr. Knapp understands the concern but what buoys his confidence is how much lower case fatality rate is now. He feels the vaccine is the only thing that will get us out of this. His concern is that masking vaccinated individuals will discourage those unvaccinated from getting it. Ms. Culbert said that although Mr. Knapp makes a valid point, she thinks those in town that do not want to get the vaccine will not sway either way. We want to share the fact that those that are vaccinated, if they do get the virus, they will do really well. Mr. Knapp asked how this will work in places like restaurants now that capacity is not limited any longer. Ms. Culbert said that now that places are crowded again, there is really nothing we can do about it. People have to make thoughtful decisions about what they do. Mr. Knapp shared a New York Times graph that showed case rate going down. *See attachment H.* Ms. Culbert would like to see what happens in the next couple of weeks after school gets into session and after the long Labor Day weekend. She expects to see a ripple from that. We are seeing our most vulnerable getting their third dose and will more than likely see booster doses. It will not go away but it will likely be more manageable. The only thing we can do right now is to ask people to be more aware of their behavior and to wear a mask. Ms. Bloom asked what percentage of those cases are children versus unvaccinated. She feels that there's a whole population that we haven't spoken about in those that cannot get the vaccine yet. Ms. Culbert believes there's a lot of structure in the schools. Outside of the schools, we have tried to put provisions in place. Out of those 62 cases in the last two weeks of August, 17 of them were under 18 years of age, which is about 27%; and 19 of them were adults that were fully vaccinated. Ms. Bloom agrees that masking is the right thing to do for right now. Mr. Smith asked what would be our number for improvement in order to consider lifting this. First Selectman Rosenthal said that we would want to see a case decline over a period of two weeks and a dip below the CDC guidance. Mr. Lundquist noted that if the numbers go down, the First Selectman alone can end it. For purposes of the public, he thinks the Council should end it or reconsider it by October 1st. Mr. Mihalcik asked how the restaurants will deal with it in terms of social distancing - will they be able to keep an outdoor dining option available. The First Selectman said legislature passed an act that extended outdoor dining which supercedes the local zoning and we intent to work with local businesses to help. Ms. Reiss wanted to clarify that the only thing we'd be changing is for those that are vaccinated to wear masks indoors. She is concerned that this new mandate feels more restrictive now that all the other spacing requirements have been lifted. She also asked how this would compare to a typical flu season and whether a mandate could be put into place during a flu season. Ms. Culbert stated that although a mandate would not be issued for a typical flu season, she hopes that people will continue to be more mindful of staying home when feeling ill. Ms. Reiss continued to ask how the mandate will be enforced. The First Selectman said it will be as it was done before where a business will put up signs. Although the police are empowered to give a \$100 citation in the event of a violation, we had a lot of success with businesses enforcing it themselves. Mr. Carroll asked if there is any way to measure if there will be future variants. Ms. Culbert said that viruses always have a tendency to mutate. She does not know what will come next. Mr. Carroll is also concerned about the level of protection provided by the various masks available ranging from the N-95 to regular cloth masks. Ms. Culbert said all masks do provided some protection and shares his concern about people's fears. She hopes that people feel empowered to help their outcomes. Ms. DeStefano asked if shields would provide an alternative to protection if someone is in a public speaking position such as a teacher or pastor. Ms. Culbert has been told that a shield would not take the place of a mask. Ms. Reiss asked how we would measure whether an increase or decrease in cases is in fact the result of a mask mandate. Ms. Culbert stated that although it will be hard to measure, she believes that it contributes to improving levels. Mr. Knapp stated that since the beginning of the pandemic, there has been an increase in cases of anxiety, depression, suicide and overdoses. He thinks this is a concern if we prolong the fear that comes with the mask mandate.

Ms. DeStefano moved to affirm that a state of emergency does still exist and hereby extend the First Selectman's emergency resolution mandating the wearing of masks indoors per Newtown Charter Section 2-110(c) to be reconsidered in one month's time at the Legislative Council's October 6th meeting. Seconded by Ms. Plante. Motion passes (9-3).

As a business owner in town, Mr. Honan spoke on his experience with his customers and never had an issue with anyone not abiding and feels this is the right course of action. Mr. Knapp worries about how long this will go on for and we should be celebrating with how low the fatality rate currently is. He feels there are plenty of measures in place like voluntary mask wearing, getting vaccinated and business owners advocating themselves. For these reasons, he will not support this. Ms. DeStefano feels conflicted with this as well, but is confident that we will revisit it in one month. She concluded that it is a small sacrifice to make in terms of changes we need to see. Ms. Bloom said there are enough concerned citizens speaking up advocating for this and we need to trust the science. Mr. Carroll thanked the First Selectman and Ms. Culbert for their difficult work and support of this town. However, he will not support this for the simple fact of its fear factor and because of the unknown of how long this will go on for. Mr. Eide says this puts business owners in a tough situation where in theory, all unvaccinated people should be wearing masks indoors, but there is no way of knowing who is or who isn't vaccinated. Mr. Smith will support it because he likes that it includes everyone and doesn't single anyone out. Ms. Reiss shared an article about mask mandates based on her own research. *See attachment I.* She cannot support extending the mandate because it sends a message that we are going backwards. Mr. Lundquist stated that he is in full support of this temporary mandate based on tangible numbers showing cases rising here in Newtown. He is hopeful that it will last only a month or less. The First Selectman ended by thanking Ms. Culbert and the rest of the Health Department for all their hard work and dedication.

VOTER COMMENT: Prior Council member, Mr. Dan Wiedemann thanked the Council for the many years of working together and for everyone's hard work. He strongly supports Mr. Mihalcik taking his place and believes he will be very welcomed and a helpful member of the Council.

ANNOUNCEMENTS: Ms. Reiss felt that Mr. Lundquist's concluding comments regarding supporting the mandate were inappropriate. Mr. Lundquist did not intend for his comments to come off that way and apologized.

ADJOURNMENT: There being no further business, Mr. Knapp moved to adjourn the meeting at 10:02 pm. Seconded by Mr. Eide. All in favor.

*Respectfully submitted,
Rina Quijano, Clerk*

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

Attachment A

Your name: Nancy Bocian

Your e-mail address: nbocian19@gmail.com

Subject: Mask Mandate

Dear Council Members:

I am writing to urge the legislative council to keep the mask mandate. We are living in unprecedented times which require us to respond in new and untested ways, especially as Delta spreads among us. But wearing a mask during such times is not a new response. Doctors and nurses have been wearing cloth masks for over century, and surgical masks since the 1960's. They are common sense, meant to protect the patient and the medical provider. Their use during a pandemic is absolutely logical, as they work to help keep all of us from getting sick. And I find it disheartening that a requirement to wear them has even come into question. This isn't about freedom. We don't have the freedom to drive drunk. We don't have the freedom to go to school without our vaccinations. We don't have the freedom to run red lights. Instead I believe from the bottom of my heart that we have the obligation to keep not just ourselves but our fellow citizens safe and well. Please, please follow not just the overwhelming, prevailing medical evidence, but the moral logic and keep the needed mandate in place.

Nancy Bocian

111 Currituck Road

Newtown, CT

203-470-9907

Your name: Alenda Calderbank

Your e-mail address: alendacinct@gmail.com

Subject: Support for mask ordinances

Greetings. I support the continuing mask mandate in Newtown. Wearing a mask is such a simple way to protect our community members from the health risks of the pandemic. I understand there is opposition expressed by a very vocal minority that appears to be coordinated. We must all work together to protect from the deadly virus.

Thank you.

Your name: Auerbach Rick

Your e-mail address: richardauerbach@charter.net

Subject: Masks and vaccines.

Dear members:

Listen to the “&=[#ing” doctors.

Save a life.

A child's life is in your hands.

They will die. It's a matter of time.

Will all due respect.

Hello Legislative Council,

Your agenda tonight includes “First Selectman's Emergency Resolution per Newtown Charter Section 2-110(c)”.

I wanted to express my gratitude to the First Selectman and Newtown Health Department for implementing the mask mandates noted in the Emergency Resolution. While I understand that some are uncomfortable with any mask requirements, the need for masks is dictated by science and public health safety. Common sense and over 100 years of medical practice shows us that a mask can stop the spread of airborne disease so the argument

should really always be over the statistical details which the Newtown Health Department and First Selectman make their decisions from.

I hope that you will not be confronted this evening by a large group of unmasked Newtowners who may come to express their opinions which might cause additional spread of Coronavirus (or any strain of flu or something that might be going around). With luck, those who disagree with the requirements, will still follow them when coming to comment.

No matter the size of the crowd, it is likely that it will be primarily people who are concerned rather than accepting of the mask requirements. Please realize that there is a likely "silent" majority of citizens in Newtown who continue to follow these guidelines and do not have a problem with them. That's what I see when I shop and travel around town.

--Keith Alexander

8 Fawnwood Road

Sandy Hook

[Please note, that while I am the Chair of the Board of Finance, my comments are my own as a citizen and voter in Newtown.]

Your name: Alex Villamil

Your e-mail address: prismhsptng@aol.com

Subject: Testimony Supporting HVAC project at Hawley School

September 1, 2021

To the Newtown Legislative Council

I write the following in support of the the HVAC project at the Hawley School. It is in my opinion long overdue. Given the progressive increase in heat that climate change has brought us, I can not imagine being a student or staff member in that building during the months of September or June. The oppressive heat does not lend itself to learning or productive working conditions.

Thank you for your time and your commitment to Newtown

Alex Villamil

11 Antler Pine Road

Sandy Hook

Your name: Alex Villamil

Your e-mail address: prismhsptng@aol.com

Subject: Testimony in support of the current mask mandate

September 1, 2021

To the Newtown Legislative Council

I strongly support the current mask mandate issued by our First Selectman. Given that COVID cases are on the rise in our state and that the threat of becoming a "breakthrough case" is potentially a reality to vaccinated individuals like myself. I think it is irresponsible not to take the threat seriously. If we have learned anything from the past year and a half, is that masks work. In order to protect one another, we need to do the conscientious and responsible act of dealing with the minor inconvenience of wearing a mask. That is unless we want to add to the 640,000 plus people who no longer have a choice in the matter.

Thank you for your time and your commitment to Newtown

Alex Villamil

11 Antler Pine Road

Sandy Hook

Hello Paul just wanted to write you a note about the mask mandate you'll be voting on this evening. I just wanted to join with my wife Geri, our son Christopher, who teaches at the high school, our daughter Lindsay, who has three children, who are not eligible to receive the vaccine, at Head of Meadow School. We support the continuation of the Mask mandate. With the Delta variant that is so easily transmissible. Please continue safe education here in Newtown by supporting the mask mandate.

Regards

Ross Carley

66 Currituck Road

Your name: Alex Villamil

Your e-mail address: prismhsptng@aol.com

Subject: Supporting an Ordinance Prohibiting Open Carry in Newtown

September 1, 2021

To the Newtown Legislative Council

Ordinance Committee

I am writing the following statement as a follow up to my verbal testimony given during the July 22, 2021 Ordinance Committee meeting in favor of creating an ordinance to prohibit open carry in our town. Thank you for your time and for the opportunity to make my case as to why such an ordinance should be drawn up. I am concerned that the loud contingent of pro open carry people who's rights they claim would be trampled on if such an ordinance was passed in our town, was made up of people not residing in Newtown. While I hope that their opinions are respectfully listened to, I trust that they will have no bearing on decisions that affect our community. As I stated on the 22nd, the second amendment rights of the anti ordinance contingent are not under attack by this proposed ordinance, no matter how often they voice that argument, it is wrong and it has no bearing on this ordinance. We are merely dealing with their ability to open carry in public places. This is not a Constitutional crisis but a minor encroachment on a practice that not only is incredibly insensitive to our gun violence survivors but also bears a significant intimidation factor to any individual who has to speak while staring at a weapon in plain sight. Given our town's tragic history - only eight years separated from the events of that horrible December day. It is shocking that such a demand should supersede the trauma experienced by members of our community. I think it is important that you weight the rights of those of our neighbors who actually suffered from the events of the Sandy Hook tragedy, above the wishes of those who don't take the sensitive nature and trauma that people in our town may be wrestling with into account. It is reprehensible not to do our utmost to protect those who lost a loved one in such a violent manner and are still dealing with the mental scars. What needs to be taken to heart is what affects gun violence survivors in our town, not the complaints of some individuals who find it somehow vital to openly carry their firearm regardless of the harm it may bring to one of our already traumatized survivors. Newtown should know better, we should be a safe place that never forgets and always supports our survivors.

Another aspect of open carry is that of its being inherently intimidating. For instance, the presence of a visible weapon while I or anyone is speaking in public, is a form of intimidation. If the open carry crowd are bringing the Constitution into this argument then I believe that a person openly displaying their firearm is clearly an infringement of my first amendment right to speak and express myself in public. I accept a person's second amendment right to bear arms as long as they are properly screened, taught, licensed and the weapons are properly stored or carried. Therefore, if I respect the right of a person to bear arms then they in turn should respect my right to free speech. When speaking in public, I have no idea what any particular individual's state of mind could be or the reason for having a weapon in plain sight, however - the implication is clear. If someone, who is not a trained police officer sat across from me while I spoke, I would think twice about what I was about to say. Speaking one's mind in public is not only a constitutional right that any decent democratic society should strongly endeavor to protect. Speaking one's mind in public should not become a life or death decision. The Legislative Council, made up of elected officials who deal with the public should understand better than most, that putting yourselves out there should not be hampered by any individual implying retribution whenever you

make a difficult public decision in front of them. Although the intimidation is not quantifiable it is brutally real and it applies to all of us in the community. During the July 22nd ordinance committee meeting, there was a young woman who stood up and spoke about how she whored her pistol out in the open, in public, to ward off would be attackers to protect her children. The example that she gave, is the epitome of intimidation. Again, I have no problem with her acting on her second amendment right but if this committee thinks that the open carry is not meant to intimidate - I respectfully, yet strongly beg to differ and urge you to carefully revisit that point after having someone openly admit in one of your meetings, that she uses the permissive status of open carry as a way to intimidate potential would be attackers.

The Sandy Hook tragedy is what uniquely separates our town from any other town in our state. While my experience of this terrible occurrence was on the periphery as friend and member of this community. There is never a moment that the tragedy comes to mind, especially during those December anniversaries, that I don't wish that I could have done something to take away the grief and pain from the kids and their families. What led me to support this ordinance is the courageous testimony of one of the Sandy Hook kids. My personal loss gives me the insight of a gun violence survivor. As I mentioned, on August of 2022 it will be 30 years since my older brother Carlos was gunned down by one of his employees. I wasn't there during his final moments, yet I experienced the aftermath. The loss of the person whom I looked up to the most, the guilt of not being there, the senselessness that my niece, four years old at the time and my nephew just nine months old would grow up without a father. No matter the length of time, whenever I think about it, I get emotionally put right back in that place as if it had happened just moments before. It is an incredibly dark, dark place that takes a lot of effort sometimes to pull myself out of. I was not physically there when my brother was gunned down so I can't come close to imagining what the Sandy Hook kids and their families went through. My experience, as painful as its been pales in comparison, their pain to me is unfathomable. As most of us know, when it comes to the tragedy of 2012, we are talking about kids that lived through the horror of their classmates and teachers being gunned down. Parents and families who lost their children and loved ones. The testimony of that young girl who lived through one of the most gruesome and violent experiences imaginable - showed that she was and is still clearly affected by it. Her brave testimony makes me wonder how many other survivors there are who can't speak in public that feel the same way. The trauma is not easy to quantify yet, it is very real. If the sight of a gun puts these kids or their family members back to December 14, 2012 then that is something that we should endeavor to prevent. How many of us in this community would have done anything to take away their pain, or at least save them from further infliction of it. Please remember, these individuals who carry weapons are not being told not to. The fact that the other side sees this as some sort of infringement on their rights, should have no bearing on this ordinance. What their argument boils down to is the fact that they don't want to be inconvenienced by having to conceal a weapon. They know that that argument is weak hence the threats of costly court expenses to force this town to submit to their fear tactics. This is Newtown, and this is a place where we tragically lost many loved ones. Among us there are still people whose wounds may be reopened by the sight of someone openly carrying a weapon - that is unacceptable. To me this is not an issue of government telling people what to do, this is an issue of local government taking care of its own. Through the proposed ordinance we can say to Sandy Hook survivors, we will always remember, we will always look out for you.

Thank you for your time and your commitment to Newtown

Alex Villamil

11 Antler Pine Road

Sandy Hook

Your name: Geraldine Carley

Your e-mail address: gecarley@gmail.com

Subject: Mask Mandate

Message: I would like to weigh in with my complete support of continuing the mask mandate in our schools. With students under 12 years old not able to be vaccinated it's a necessary protocol at this point. Breakthrough cases will continue as long as anti Vaxers potentially spread the virus among the vaccinated population, as we

are seeing on a daily basis. Thank you for your consideration on this important issue. And I thank you personally for keeping our grandchildren safe, as well as our son who teaches at NHS.

Your name: Lindsay Knauf

Your e-mail address: lindsay.knauf@gmail.com

Subject: Support for the Mask Mandate Remaining In Place

Hello, I just wanted to take a moment to offer my support for the mask mandate here in Newtown. As the delta variant continues to threaten our entire community, vaccinated and unvaccinated alike, I think it's important that we protect ourselves and each other. Thank you for thinking of our safety!

Lindsay Knauf

Poverty Hollow Rd.

Your name: Erin Masotta

Your e-mail address: erinmasotta@gmail.com

Subject: Hawley HVAC project

Dear Legislative Council members,

PLEASE vote yes to move the Hawley HVAC project to referendum. I recall hearing about the Hawley HVAC issues back when I first started attending Board of Education meetings when my son started kindergarten at Hawley School. He is now a sophomore at Newtown High School. Let's get this project done and fix our beautiful historic school correctly without further postponement! Thank you!

Erin Masotta

10 Grand Place

Your name: Heather Symes

Your e-mail address: hsymes82@gmail.com

Subject: Hawley

Hi- I wanted to let you know that I am in favor of sending the Hawley HVAC project to referendum. This is way overdue and it's only going to cost more money if it keeps on getting pushed back. We have two other schools that need HVAC as well. It is time to invest in our school buildings. Lets work on providing better air quality to our students and staff.

Thank you,

Heather Symes

6 Lake Rd, Newtown

Your name: Erin Nikitchyuk

Your e-mail address: nikitfamily@gmail.com

Subject: Mask Mandate - It's what we should be doing

Hello, I know from the first selectman's calls that there is a reluctance to impose a mask mandate even though Newtown is urging people to mask voluntarily.

I wanted to send a voice of support for the mandate. It's really not too much to ask to keep our community safe. It also won't be forever and it will possibly limit the amount of time we will need to mask. Other neighboring communities like Brookfield already have them in place.

I know there is a small chorus of very loud voices who are opposed. I wanted to contribute to the chorus of many softer voices who support doing what is responsible to mitigate the pandemic.

Erin Nikitchyuk

Sandy Hook, CT

Your name: Erin Masotta

Your e-mail address: erinmasotta@gmail.com

Subject: First Selectman's Emergency Resolution -- Mask Mandate

Dear Newtown Legislative Council members,

I wanted to take this opportunity to share my support of the mask mandate in Newtown. As a family with an unvaccinated child and the trajectory of the highly contagious delta variant impacting both the vaccinated and unvaccinated, I am in full support of the town mask mandate as an easy mitigation strategy to offer our community some added protection against the spread of Covid-19. If we are going to keep our kids in school and the adults at work in our businesses, we all need to work together to protect each other in every way we can. We need the mask mandate in place to encourage better mask use in our businesses and public buildings. Thank you for looking out for our community.

Erin Masotta

10 Grand Place

Your name: Nicole Powers

Your e-mail address: ytsekirby@yahoo.com

Subject: Mask mandate emergency order

Message: I'm a Newtown resident, and I support the First Selectman's emergency order on wearing masks indoors. It only makes sense since our rate of spread is increasing, and other nearby towns also have an indoor mask mandate. Please consider continuing the order.

Your name: Jaime Nielsen

Your e-mail address: jaimeknielsen@gmail.com

Subject: Town Mask Mandate

I'm writing in support of the continuing mask mandate in Newtown. Wearing a mask is such a simple ask, in the interest of public health. I'm honestly shocked and appalled that so many people are so selfish (and apparently have no sense of obligation to this community) to oppose a simple public health measure, particularly when a large sect of our community is not yet eligible to be vaccinated. The alleged rights to freedom of choice end when those rights impose a public health hazard on other members of this community.

Your name: Gary Fafard

Your e-mail address: gary@macfaf.com

Subject: Masking

Message: Wearing a mask is a small price to pay to ensure the safety of our fellow citizens. I support the mandate for wearing masks indoors.

Your name: James McInerney

Your e-mail address: jim@macfaf.com

Subject: Mask mandate

Message: I strongly support making masks indoors mandatory until the case rate is lower. This should not be a matter of popular opinion. The delta variant is dangerous and kids are vulnerable. Wearing a mask is a minor inconvenience at worst. I do wish people would stop being selfish about this.

Your name: Catherine Newell

Your e-mail address: catherinesymes@aol.com

Subject: Mask Mandate

Message: As a Registered Nurse and supporter of evidence based science of basic infection control I support the mask mandate not inly in the community but in schools for ALL. My family includes those all that are vaccinated as they are above the age for vaccination and those that are not due to being under the age for vaccination at this time. Masks are to protect others AND yourself. Wearing a mask outwardly says "I care." This community cares about one another and nothing says that more than wearing a mask to protect others especially those that are not yet vaccinated due to age.

Your name: Abby Hill

Your e-mail address: 99achiever@gmail.com

Subject: Please keep the mask mandate in place

Message: As a mother to three children and a Newtown business owner I urge you to keep the mask mandate in place for the safety of our students and our most vulnerable citizens.

Your name: Karyn Holden

Your e-mail address: kholden@landdesigns.com

Subject: Support of Mask Mandate

Hello, I wanted to write to you to show my support of a mask mandate in Newtown. While I was happy to hear that approximately 75% of Newtown residents are vaccinated, I am concerned that COVID numbers have recently spiked and that the Delta variant continues to threaten our entire community. My family has spent the last year and a half taking this pandemic very seriously and doing everything to protect the safety of our family and our Newtown community. I hope that you will continue to support the safety and health of all Newtowners and the surrounding community. Thank you.

Your name: Chris Breault

Your e-mail address: itsbroyo@gmail.com

Subject: First Selectman's Emergency Resolution

To the members of the Newtown Legislative Council,

I am writing to express my support for the mask mandate that you'll be acting on tomorrow night. I trust that you all recognize the seriousness of the current situation, the increased risk of infection due to the Delta variant, and the potential for endangering Newtown residents.

After spending more than a year as a teacher wearing a mask for a full working day and seeing students do the same, I am confident in our collective ability to consider what is best for our community, doing a small thing that can help prevent suffering.

If you have any questions or would like to understand how important I believe the mask mandate is, please feel welcome to contact me.

Sincerely,

Chris Breault

13 Washington Avenue

Your name: Kirsten Bazuro

Your e-mail address: bazuros@aol.com

Subject: Mask Mandate vote on 9/1/21

Dear Legislative Council Members,

It has come to my attention that the First Selectman's mask mandate is only valid for 5 days and that the Legislative Council needs to vote on the mandate to continue it.

I would like to encourage the Council to vote in favor of the mandate. With the uptick in cases, even in vaccinated individuals amid the new(er) Delta variant, universal masking is necessary, particularly indoors in order to curb the spread.

I strongly support this mandate, as many of us in Newtown do. Unfortunately I think the minority is rather vocal in expressing their displeasure in being told what to do, even if it is for the greater good. Please consider following science and what the experts including our own local Health Board has recommended and keep the mask mandate in place in order to encourage mask usage and make our town safer for all residents.

Regards,
Kirsten Bazuro
3 Miya Lane
Sandy Hook

Your name: Eric Wittmann
Your e-mail address: eric.wittmann@gmail.com
Subject: Newtown mask mandate

Hello! I understand there is a vote on a mask mandate for Newtown soon. I want to voice my support for the mandate. I'm certain you are mostly hearing from people who are opposed, because those in favor are (I'm sure) simply not as vocal.

In any case, yesterday August 30 the number of new covid cases in the US was 280,403. The 7-day average is 160,000. These are startling numbers, worse than our numbers in November of last year. Given that the delta variant is more contagious and also more dangerous to kids, it seems prudent for everyone to wear a mask to protect themselves and (more to the point) those around them. Clearly people will NOT do that without a mandate. Please consider voting in favor of a town mask mandate.

Your name: Eugene Ruvere
Your e-mail address: eruvere@hotmail.com
Subject: Universal Masks

Message: Hi! Please go for universal masks in our town now! We really need to do everything we can to stem the tide and this should help a ton. We have a chance to keep this under control. Let's do it!

Your name: Susan Kassirer
Your e-mail address: suejkassirer@gmail.com
Subject: Mask Mandate

Dear Legislative Council Members:

It has been brought to my attention that the First Selectman's recent mask mandate for the prevention of the spread of the deadly Covid virus is on the agenda for tomorrow's Legislative Council meeting.

I find it alarming that this common-sense measure even needs to be on an agenda. Why, given the severe illness and death toll of this virus, would such a necessary, simple, and low-cost course of action even be up for debate? It saddens me profoundly that even in our town of well-educated citizens (who I assume have learned basic science), there are actually some here in Newtown who don't want to take this simple measure to protect both themselves and their neighbors. This is simply a matter of public health and safety.

Need I say that I fully support Dan Rosenthal's mask mandate? Of course I do.

Sincerely,
Susan Kassirer
Still Hill Road
Sandy Hook

Your name: Leah Kirshner

Your e-mail address: leahsterry@hotmail.com

Subject: Mask mandate

Message: I am writing to express my support of the mask mandate in Newtown. I am a local pediatrician, mom of 4 and new business owner here in Newtown. We started mandating mask in our new bakery at the beginning of August, it is the best choice for the safety of our employees and customers. As a mom, my children will be masked at school at all times. My first priority is their safety and their education, which needs to stay in person. My youngest has special needs and can not learn remotely. Masking is the best choice to keep the kids in person, especially since the CDC has allowed for kids 3-6 feet from a positive case to stay in person. Lastly and most importantly I am a physician, it is my job to keep people healthy. Masking is the easiest way to keep people safe. Please follow CDC guidelines which calls for masking indoors regardless of vaccine status. Please vote yes for mask mandates.

Your name: Rebecca Miller

Your e-mail address: rebecca.miller594@gmail.com

Subject: Mask Mandate in Newtown - Yes! Yes! Yes!

Message: Hello- ahead of tomorrow's meeting, I wanted to send along a message of support for a mask mandate here in Newtown. This variant is unforgiving and does not care whether you are vaccinated or not, but as a vaccinated citizen I feel masks are a critical step in reducing the spread. Thank you for keeping our community safe! Thank you, Rebecca Miller

Your name: Jim Arena

Your e-mail address: jim@arena-family.net

Subject: In support of the indoor mask mandate

I would like to express my support of mandatory mask wearing indoors. Here's how I look at things:

- Delta variant is highly contagious and cases in our community are rising
- Vaccinated people can spread the virus, even if they are asymptomatic
- Children under 12 are not yet eligible for vaccination
- Masks are most effective when worn universally by all

The primary function of masks is to protect others (outward protection). Masks can also provide some inward protection to the wearer, but they are far from perfect. In an indoor setting, it is very important that anyone who is infected (and may not know it) is wearing a mask. I look at it sort of like second-hand smoke. We have banned smoking in most indoor settings because it impacts not just the smoker, but also those around them. A person infected with COVID has a much higher chance of infecting those around them if they unmasked. Since we cannot reliably know who is infected and who is not, it follows that all should wear masks when gathering indoors.

Thank you for looking out for the health and safety of our community during this unprecedented time.

Sincerely,

Jim Arena

5 Pinnacle Drive, Newtown

Your name: Gaylyn Ruvère

Your e-mail address: gaylynk@hotmail.com

Subject: Pro Universal Mask Mandate

I'm writing in support of a universal mask mandate for public spaces in Newtown. The Delta variant is at least twice as contagious as past variants that swept through our wonderful town, and the rate of new cases is rising

despite many of our neighbors stepping up to get vaccinated.

As a resident with young children in Newtown schools, who are too young to be vaccinated, I implore you to do all in your power to keep prevalence down in our community to help our children stay safe and keep schools open. That starts with a universal mask mandate.

Masks work. Universal masking works magnitudes better.

Your name: Kimberly O'Connor

Your e-mail address: kbshellman@gmail.com

Subject: Mask mandate SUPPORT

Hello, As a concerned citizen for my unvaccinated toddlers and those who are immunocompromised, I am in full support of continuing an indoor mask mandate. Please help keep our community safe and keep the indoor mask mandate!

Thank you.

Your name: Pamela Stone-Shaw

Your e-mail address: pstoneshaw@gmail.com

Subject: Mask Mandate

I am writing to express my support for the mask mandate. I hope the Legislative Council will take the appropriate action and extend it. The Delta variant is spreading rapidly and it is of utmost important we do everything we can to limit the spread and the chance of mutation. At this point masks are the one sure way to keep infection numbers down. Please help keep Newtown residents safe. Thank you.

Pamela Stone-Shaw

Your name: Kara Leake

Your e-mail address: karaaleake@gmail.com

Subject: Mask mandate

Message: Hello, I was informed of the vote for the mask mandate in Newtown. I am in extreme favor of the mask mandate. As a mom of two young kids, who are not eligible for the vaccine, I only feel comfortable bringing them in places when people are masked. It is only right to protect all of the citizens of Newtown, especially those who cannot get the vaccine. Thank you for your time.

Your name: Kathryn Zaharek

Your e-mail address: kzaharek@gmail.com

Subject: Masks

Message: I support the mask mandate while the variants continue to spread and numbers of infected go up. This is an effective means to help protect all of our citizens - vaccinated and unvaccinated of all ages. My hope is that if we work together, we can get through this faster and get back to normal. Your leadership and consideration of the safety of our town is appreciated. Thank you for all that you do.

Your name: Karen Wojtowicz

Your e-mail address: kkwoj@icloud.com

Subject: Keep the Mask Mandate in Place

Please keep the mask mandate in place in Newtown. I teach 3 and 4 year-olds in Newtown. We can only protect them if we wear masks until there is a vaccine for them.

Please keep our Newtown children safe.

Karen Wojtowicz

Your name: Robin Lynch

Your e-mail address: robinprn7@gmail.com

Subject: Mask-Up,

We went into this summer with great hopes. We had 3 effective vaccines, and people in our state were getting vaccinated. Great! But, we don't have vaccines for all kids. Why not? Because kids are a vulnerable population, in the scientific community we study adults first. Remember that term vulnerable. Last fall, 2020, we were in a bad place. We had extraordinary death and suffering of friends and family. We had no vaccines, schools were closed, or operating on a reduced capacity schedule, and kids were "working" (my toddler) along side their parents.

We protected our kids last year because they were vulnerable. They still are. We still do not have a vaccine for all children and no vaccine that stops the spread of a worse new Delta variant that is impacting children at a high rate. It amounts to experimentation when you send kids to school in this new landscape, with a new strain of disease. Why in the world would any parent who loves and wants to protect their child not want to at least arm them with the best options we have—masking and distancing? 2 non-invasive yet effective options (masking and distancing) so our most vulnerable can go back to learn and develop socially with their peers. Masking should not be political. If it is truly about the kids...shouldn't us parents show our children we made the choice not to conduct unscientifically supported experiments on our most VULNERABLE?

We will get there in time. We will be able to unmask, but it will take time. We are still learning, the virus is mutating, and people have serious vaccine hesitancy ranging from natural questioning of new treatments all the way to fearing microchips because of widespread mis-information brainwashing.

We are fighting about this today because we didn't implement strict lockdowns with a national strategic response in coordination with the WHO and other nations.

Lets not fight about masks. The kids are resilient. If they can handle being stuck at home for a year WITH US, they will get over this and grow to understand the reasons.

#maskup

-Love you all,

Robin Lynch, MSN, RN

Your name: Laura Main

Your e-mail address: laurafmain@gmail.com

Subject: Mask Mandate

Dear Legislative Council Members,

I am writing to ask that you support Dan Rosenthal in continuing the mask mandate. While it is unfortunate that we are once again in this predicament, it is critical that Newtown remains vigilant for the safety of all members of our community and beyond. This simple measure can save lives. Given the uncertainty of the Delta variant and what is to come after that, it is a way for us as citizens to do our part to protect others. That is leadership.

Thank you,

Laura Main

42 The Old Road

Newtown, CT

Your name: Clinton DePaolo

Your e-mail address: clintdepaolo@gmail.com

Subject: Mask mandate

Message: I am writing to voice my full support of any and all mask mandates. As a scientist who has been working through the thick of the pandemic I can confirm the efficacy of face masks to mitigate disease transmission. Face masks are non-invasive and extremely effective. The requirement of face masks, particularly indoors, is key (along with vaccination) to mitigating the spread of covid-19. While the reality of eliminating

covid-19 from our community may be passed, we can still decrease its impact through the use of masks. Masks mandates are important pieces of governance that allow public health security for all. No individual knows the vaccination or health status of another person while in public. Mandating masks ensures that despite not knowing anyone else's health status there can be comfort and security while operating in our community. Please use logic, facts, and reasoning when upholding/supporting mask mandates.

Your name: Edward Nickerson Randall

Your e-mail address: edwardnrandall@icloud.com

Subject: Mask mandate

Message: I support the mask mandate for Newtown. A mask mandate isn't about freedom; it's about caring for each other. It's been my anecdotal observation that the same people who oppose masks also tend to be unvaccinated. They're putting everyone at risk. Since we can't tell by looking who is vaccinated, we need to get everyone masked. We need to protect ourselves; let's go ahead and protect each other. Please support the mask mandate.

Your name: Betsy Litt

Your e-mail address: betsylitt@gmail.com

Subject: Mask mandate

Please support the mask mandate for Newtown. With the Delta variant, cases in Newtown and throughout the country are increasing. Many of the people who are opposed to wearing masks are the same people who are opposed to getting vaccinated; they are putting children under 12, who can't yet get vaccinated, and vulnerable adults and elderly, at risk. A mask mandate will help keep all of us safe from this terrible disease.

Thank you.

Your name: Heather Symes

Your e-mail address: hsymes82@gmail.com

Subject: Mask Mandate

Hello, I wanted to write to you to let you know that I am in support of the mask mandate in Newtown. It is something simple that everyone can do to help spread Covid-19. Children under 12 are still not eligible for the vaccine. I think it's our job as a community to protect the spread. I'd like to know if businesses are supposed to put up signs that masks are now required. I was at big y today and there were several people without masks, and there were no signs stating they are required.

Thank you,

Heather Symes

Your name: Joan Plouffe

Your e-mail address: joanplouffe@gmail.com

Subject: Mask mandate

Dear LC members,

I am very much in favor of the mask mandate, especially with school now in session. Please keep the mandate in place. Thank you.

Your name: Cara Reilly

Your e-mail address: creilly@iwpnews.com

Subject: Mask Mandate

I am writing to express support for extending First Selectman Dan Rosenthal's emergency order requiring masking in indoor public spaces including businesses, offices, and other venues in response to an increase in COVID-19 cases. As you are aware, we, as a world, have been down a tough road in the past year and a half with the spread of the unforgiving Coronavirus. Members of our community and our own town offices are suffering from long-haul effects that are life-altering. Others have lost loved ones. While I could cite numerous studies that indicate that mask-wearing mitigates the spread of COVID-19, those who are opposed to wearing masks will likely dismiss them in favor of personal rights. However, public safety requires that EVERYONE's right to be safe is protected and, on occasion, requires government intervention. I encourage you to intervene and extend our First Selectman's order.

If we are wrong about the mitigating effects of masks (which I don't believe we are) and enforce their use, then the worst thing that happens is we are all slightly uncomfortable for a little while longer when we shop, dine, and interact in Newtown. If we are right and we do not enforce mask use, the worst thing that will happen is increased viral spread which will cause more inconvenience, possible long-haul effects, and even death for community members. As the decision-making body for Newtown, your constituents' lives depend on you voting in favor of mandating masks.

Respectfully,
Cara Reilly

Your name: Kristen Alesevich

Your e-mail address: kalesevich@gmail.com

Subject: Please authorize the mask mandate

Message: I am writing in favor of the mask mandate. Dan obviously did not come to this decision lightly, and it is the right thing for Newtown.

Your name: Julie Troy

Your e-mail address: julie.troy@att.net

Subject: Mask mandate

Message: I want to affirm my support for the continuing mask mandate in Newtown. All surrounding towns instituted this well before Newtown. Wearing a mask is such a simple thing. I am appalled that people are so selfish (and apparently have no sense of obligation to this community) to oppose a simple public health measure. The alleged rights to freedom of choice end when those rights impose a public health hazard on other members of this community.

Your name: Gwynne Wittmann

Your e-mail address: gwynne.wittmann@gmail.com

Subject: In support of the mask mandate

Message: I just wanted to take a moment to offer my support for the mask mandate here in Newtown. As the delta variant continues to threaten our entire community, vaccinated and unvaccinated alike, I think it's important that we protect ourselves and each other. Thank you for thinking of our safety!

Attachment B

From: Andrew Buzzi Jr <ajb@ajblaw.com>
Date: Fri, Aug 27, 2021 at 10:01 AM
Subject: RE: CRC Update for LC, please
To: Paul Lundquist <plundquist.newtown@gmail.com>

Paul:

In response to your request, I offer the following update for the Council on the progress of the Charter Revision Commission:

1. Commission members continue to address each charge at the regularly scheduled meetings with vigorous discussion of our research and reference to the numerous individuals who have shared important perspectives on many of the charges.
2. It became evident that the depth of our discussions and the serious nature of the charges warranted additional analysis and discussion which could not be completed in time for the fall ballot.
3. Commission members persist in raising important questions and receiving input from key individuals in support of a rationale and reasoned approach to resolving each charge.
4. With that in mind, the Commission is aiming to have a document to the Council after the first of the year.
5. Given the statutory threshold of voter participation to enact Charter revisions and the voter turnout history at referendums, it appears the wisest course is to place the revision questions on the ballot for November, 2022.

If you have any questions, or wish to discuss this further, please do not hesitate to contact me.

Andrew

Andrew Buzzi Jr, Chairman
2021 Charter Revision Commission
Newtown, Connecticut

Town of Newtown 2020-21 Fiscal Year End Budget Transfer Request						PAGE 1 OF 6
				Transfers		
<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>		<u>From</u>	<u>To</u>	
Tax Collector	101-11-140-0000-5115	Salaries - Part Time		1,000		
Tax Collector	101-11-140-0000-5110	Salaries - Regular			1,000	
				1,000	1,000	
EXPLANATION:						
Inter-departmental transfer. Employee received a \$1,000 bonus for passing a certification course.						
\$1,000 bonus is past practice. Amount available in part time account due to open position.						
				Transfers		
<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>		<u>From</u>	<u>To</u>	
Information Tech	101-11-205-0000-5611	Office supplies		105		
Information Tech	101-11-205-0000-5301	Fees & Professional Services			105	
				105	105	
EXPLANATION:						
Inter-departmental transfer.						
				Transfers		
<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>		<u>From</u>	<u>To</u>	
Senior Services	101-14-220-0000-5800	Other Expenditures		1,118		
Senior Services	101-14-220-0000-5110	Salaries - Regular			436	
Senior Services	101-14-220-0000-5115	Salaries - Part Time			652	
Senior Services	101-14-220-0000-5230	Retirement Contributions			30	
				1,118	1,118	
EXPLANATION:						
Inter-departmental transfer.						
				Transfers		
<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>		<u>From</u>	<u>To</u>	
Police	101-12-310-0000-5117	Salaries - Seasonal		19,625		
Police	101-12-310-0000-5230	Retirement Contributions			19,298	
Police	101-12-310-0000-5742	Police - Vehicles			327	
				19,625	19,625	
EXPLANATION:						
Inter-departmental transfer. Additional amount needed for retirement contributions due to new staff on the defined contribution plan. Amount available in crossing guard account due to covid savings.						

**Town of Newtown
2020-21 Fiscal Year End Budget Transfer Request**

<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>	<u>From</u>	<u>To</u>
Fire	101-12-320-0000-5310	Professional Services	1,000	
Fire	101-12-320-0000-5412	Fire Hydrands	2,500	
Fire	101-12-320-0000-5430	Repair & Maintenance	1,000	
Fire	101-12-320-0000-5435	Radio & Pager Service	2,500	
Fire	101-12-320-0000-5623	Bottled Gas	1,860	
Fire	101-12-320-0000-5290	Other Employee Benefits		920
Fire	101-12-320-0000-5436	Truck Repair		6,600
Fire	101-12-320-0000-5580	Dues, Travel & Education		1,100
Fire	101-12-320-0000-5621	Natural Gas		85
Fire	101-12-320-0000-5745	Fire Equipment		155
			8,860	8,860
EXPLANATION:				
Inter-departmental transfer. Typical rebalancing of Fire Commission accounts.				
			Transfers	
<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>	<u>From</u>	<u>To</u>
Animal Control	101-12-340-0000-5580	Due, Travel & Education	140	
Animal Control	101-12-340-0000-5330	Professional services		140
			140	140
EXPLANATION:				
Inter-departmental transfer.				
			Transfers	
<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>	<u>From</u>	<u>To</u>
Building Official	101-12-460-0000-5580	Due, Travel & Education	314	
Building Official	101-12-460-0000-5230	Retirement Contributions		136
Building Official	101-12-460-0000-5611	Office Supplies		178
			314	178
EXPLANATION:				
Inter-departmental transfer.				

**Town of Newtown
2020-21 Fiscal Year End Budget Transfer Request**

				Transfers	
<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>		<u>From</u>	<u>To</u>
Land Use	101-15-490-0000-5580	Due, Travel & Education		75	
Land Use	101-15-490-0000-5230	Retirement Contributions			75
	EXPLANATION:			75	75
	Inter-departmental transfer.				
				Transfers	
<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>		<u>From</u>	<u>To</u>
PW - Highway	101-13-500-0000-5625	Energy - Gasoline		17,200	
PW - Highway	101-13-500-0000-5130	Salaries & Wages - Overtime			1,900
PW - Highway	101-13-500-0000-5652	Drainage Materials			300
PW - Highway	101-13-500-0000-5653	Road Patching Materials			15,000
				17,200	17,200
	EXPLANATION:				
	Inter-departmental transfer.				
				Transfers	
<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>		<u>From</u>	<u>To</u>
PW - Transfer Station	101-13-515-0000-5110	Salaries & Wages - Regular		5,610	
PW - Transfer Station	101-13-515-0000-5610	General Supplies			10
PW - Transfer Station	101-13-515-0000-5505	Contractual services			5,600
				5,610	5,610
	EXPLANATION:				
	Inter-departmental transfer.				
				Transfers	
<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>		<u>From</u>	<u>To</u>
PW - Building Maintenance	101-13-650-0000-5622	Energy - Electricity		14,000	
PW - Building Maintenance	101-13-650-0000-5430	Repair & Maintenance Services			3,500
PW - Building Maintenance	101-13-650-0000-5615	General Maintenance Supplies			10,500
				14,000	14,000
	EXPLANATION:				
	Inter-departmental transfer.				

Town of Newtown 2020-21 Fiscal Year End Budget Transfer Request										PAGE 4 OF 6	
										Transfers	
<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>		<u>From</u>			<u>To</u>				
Parks & Recreation	101-16-550-0014-5117	Salaries - Seasonal		7,840							
Parks & Recreation	101-16-550-0000-5130	Salaries & Wages - Overtime					1,300				
Parks & Recreation	101-16-550-0000-5580	Dues, travel & education					170				
Parks & Recreation	101-16-550-0000-5614	Pool supplies					970				
Parks & Recreation	101-16-550-0000-5615	General maintenance supplies					5,400				
				7,840			7,840				
EXPLANATION:											
Inter-departmental transfer.											
										Transfers	
<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>		<u>From</u>			<u>To</u>				
Debt Service	101-18-580-0000-5861	Bond Interest		234,129							
Debt Service	101-18-580-0000-5860	Bond Principal					234,129				
				234,129			234,129				
EXPLANATION:											
Inter-departmental transfer. Difference caused by refunding of bonds.											
										Transfers	
<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>		<u>From</u>			<u>To</u>				
Contingency	101-24-570-0000-5899	Contingency		4,778							
Library	101-14-670-0000-5230	Retirement Contributions					945				
Children's Adv Ctr	101-14-410-0000-5230	Retirement Contributions					1,233				
Communications	101-12-300-0000-5442	Rental of Equipment					2,600				
				4,778			4,778				
EXPLANATION:											
Additional amounts needed in retirement contributions due to new employees entering the defined contribution plan.											

Town of Newtown 2020-21 Fiscal Year End Budget Transfer Request									
									PAGE 5 OF 6
						Transfers			
Department	Account Number	Account Name		From	To				
Various Departments	-----See Attached-----			927,000					
Other Financing Uses	101-25-860-0000-5870	Capital & Non-recurring Transfer Out			916,625		***		
Other Financing Uses	101-25-890-0000-5870	Transfer Out - Cap Proj			10,375		*****		
				927,000	927,000				
***	Designated for:								
		Contribution to Newtown Lions Club for handicapped playground at Dickensons Park		90,000					
		Fix street lighting at municipal campus due to lightning strike		25,000					
	Undesignated			801,625					
					916,625		***		
*****	To close out south main street sidewalk project (amount in approved bonding resolution)								
	<u>EXPLANATION:</u>								
	Amounts available due to COVID restrictions and unfilled positions.								

<u>Department</u>	<u>Account Number</u>	<u>Account Name</u>					<u>Amount to be Re-appropriated to 2021-22</u>
Economic Development	101-11-740-0000-5301	Prof. Svs.					22,208
	EXPLANATION:						
	RFP for 6 Commerce Rd survey & Economic Development websit will carry into						
	next fiscal year.						
			TOTAL RE-APPROPRIATIONS				22,208

2020 - 21 VARIOUS DEPARTMENT TRANSFERS TO TRANSFER OUT -:

ACCOUNT		DEPT	Transfer	Sub-total
SALARIES - REGULAR				
101-11-150-0000	5110	PURCHASING	1,700	
101-11-170-0000	5110	TOWN CLERK	8,000	
101-11-190-0000	5110	ASSESSOR	34,000	
101-12-300-0000	5110	ECC	3,500	
101-12-310-0000	5110	POLICE	32,000	
101-12-340-0000	5110	ANIMAL CONTROL	15,000	
101-12-460-0000	5110	BUILDING OFFICIAL	23,000	
101-15-490-0000	5110	LAND USE	11,000	
101-13-500-0000	5110	HIGHWAY	108,000	
101-13-515-0000	5110	TRANSFER STA	85,000	
101-16-550-0000	5110	P & R	47,000	
101-13-650-0000	5110	BLDG MAINT	1,000	369,200
SALARIES - PART TIME				
101-11-140-0000	5115	TAX COLL	7,000	
101-11-180-0000	5115	REGISTRARS	4,800	
101-12-320-0000	5115	FIRE	1,000	
101-16-550-0000	5115	P & R	16,000	28,800
SALARIES - SEASONAL				
101-11-140-0000	5117	TAX COLL	3,600	
101-16-550-0010	5117	P & R	18,000	
101-16-550-0011	5117	P & R	8,000	
101-16-550-0012	5117	P & R	15,000	
101-16-550-0013	5117	P & R	6,000	
101-16-550-0014	5117	P & R	39,000	89,600
SALARIES - OVERTIME				
101-11-190-0000	5130	ASSESSOR	2,000	
101-12-300-0000	5130	ECC	5,000	
101-12-310-0000	5130	POLICE	15,000	
101-13-510-0000	5130	WINTER MAINT	29,000	
101-13-515-0000	5130	TRANSFER STA	11,000	
101-13-650-0000	5130	BLDG MAINT	9,000	71,000
SOCIAL SEC CONTRIBUTIONS				
101-11-140-0000	5220	TAX COLL	2,000	
101-11-190-0000	5220	ASSESSOR	3,000	
101-11-200-0000	5220	FINANCE	2,000	
101-12-310-0000	5220	POLICE	15,000	
101-12-460-0000	5220	BUILDING OFFICIAL	2,000	
101-13-500-0000	5220	HIGHWAY	5,000	
101-13-510-0000	5220	WINTER MAINT	3,000	
101-13-515-0000	5220	TRANSFER STA	8,000	
101-16-550-0000	5220	P & R	12,000	52,000
RETIREMENT CONTRIBUTIONS				
101-11-190-0000	5230	ASSESSOR	3,000	
101-12-300-0000	5230	ECC	3,200	
101-14-370-0000	5230	HEALTH DIST	6,000	
101-13-650-0000	5230	BLDG MAINT	1,000	13,200
UNEMPLOYMENT				
101-11-240-0000	5250	UNEMPLOYMENT	7,800	7,800

ACCOUNT		DEPT	Transfer	Sub-total
OTHER EMPL BENEFITS				
101-12-310-0000	5290	POLICE	3,000	
101-12-320-0000	5290	FIRE	8,000	
101-12-340-0000	5290	ANIMAL CONTROL	2,000	
101-13-500-0000	5290	HIGHWAY	2,000	
101-13-515-0000	5290	TRANSFER STA	5,000	20,000
FEES & PROF SERVICES				
101-11-740-0000	5301	ECONOMIC DEV	3,000	3,000
PROF SVS - LEGAL				
101-11-100-0000	5350	SELECTMEN	14,000	14,000
WATER / SEWER				
101-13-650-0000	5411	BLDG MAINT	5,000	5,000
REPAIR & MAINTENANCE SERV				
101-13-500-0000	5430	HIGHWAY	5,000	5,000
RENTAL OF EQUIPMENT				
101-12-300-0000	5442	ECC	5,000	5,000
COPIER LEASING				
101-11-105-0000	5443	SELECT OTHER	8,000	8,000
SOFTWARE/HARDWARE MAINT F				
101-11-205-0000	5445	TECH	3,000	3,000
CONTRACTUAL SERVICES				
101-12-330-0000	5505	EMERG MGT	3,000	
101-13-650-0000	5505	BLDG MAINT	4,000	
101-15-490-0000	5505	LAND USE	3,000	
101-16-550-0000	5505	P & R	4,000	14,000
INSURANCE, OTHER THAN EMP				
101-11-350-0000	5520	INSURANCE	1,000	
101-14-442-0000	5520	NEWTOWN PARADE	1,400	2,400
PRINTING,BINDING & MICROF				
101-15-490-0000	5550	LAND USE	5,000	5,000
DUES, TRAVEL & EDUCATION				
101-11-110-0000	5580	SOCIAL SVS	2,000	
101-11-200-0000	5580	FINANCE	2,000	
101-12-310-0000	5580	POLICE	2,000	6,000
MEETING CLERKS				
101-11-105-0000	5590	SELECTMEN - OTHER	3,000	3,000
ENERGY - ELECTRICITY				
101-13-650-0000	5622	BLDG MAINT	30,000	30,000
ENERGY - OIL/NATURAL GAS				
101-13-650-0000	5624	BLDG MAINT	16,000	16,000
ENERGY - GASOLINE/DIESAL				
101-13-500-0000	5625	HIGHWAY	20,000	20,000
STREET LIGHTS				
101-13-500-0000	5626	HIGHWAY	7,000	7,000
TREATED SALT				
101-13-510-0000	5661	WINTER MAINT	32,000	32,000
OTHER EXPENDITURES				
101-11-180-0000	5800	REGISTRARS	3,000	
101-14-220-0000	5800	SENIOR SVS	5,000	
101-11-280-0000	5800	PROF ORG	7,000	15,000
CONTINGENCY				
101-24-570-0000	5899	CONTINGENCY	82,000	82,000
			927,000	927,000



GLENN A. SANTORO

280 Trumbull Street
Hartford, CT 06103-3597
Main (860) 275-8200
Fax (860) 275-8299
gsantoro@rc.com
Direct (860) 275-8322

July 28, 2021

VIA E-MAIL

Robert G. Tait
Financial Director
Town of Newtown
3 Primrose Street
Newtown, CT 06470

Re: Resolution Providing For A Special Appropriation In The Amount Of \$8,000,000 For The Planning, Design, Engineering And Installation Of A Ventilation System And HVAC Renovations At Hawley School As Authorized In The Capital Improvement Plan (2021-22 To 2025-26) And Authorizing The Issuance Of \$8,000,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose

Resolution Providing For A Special Appropriation In The Amount Of \$500,000 For The Planning, Design, Engineering, Reconstruction And Construction Of Town Roads As Authorized In The Capital Improvement Plan (2021-22 To 2025-26) And Authorizing The Issuance Of \$500,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose

Dear Bob:

Enclosed please find the above-captioned resolutions (the “Bond Resolutions”) and a set of corresponding proceedings, for each, to be followed in connection with their adoption by the Town.

The procedure for the vote on the Bond Resolutions pursuant to Town Charter and the Connecticut General Statutes, is as follows:

1. The First Selectman, with the approval of the Board of Selectmen, initiates the process or a request for a Special Appropriation may be initiated by the Legislative Council.
2. As in the normal course, and in accordance with Section 6-35(b) and (d) of the Town Charter, the Board of Selectmen adopts the Bond Resolutions, then the Board of Finance submits a recommendation to adopt the Bond Resolutions to the Legislative Council. *See generally* the adoption timelines attached as Schedule A.
3. In connection with the Hawley School renovations project, the Legislative Council adopts the resolution and also adopts a resolution providing for submission to the voters, in conjunction with the general election on November 2, 2021.

Robinson+Cole

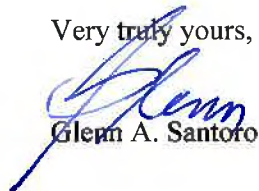
Robert G. Tait
July 28, 2021
Page 2

4. In connection with the Hawley School renovations project, the Board of Selectmen adopts a resolution providing for the notice and warning of the referendum on November 2, 2021.
5. Per Connecticut General Statutes Section 9-370, all local action taken to submit the Hawley School renovations project resolution to a vote on November 2, 2021 must be completed at least sixty (60) days prior to the election date, i.e. by **September 2, 2021**.
6. Per Connecticut General Statutes Section 9-369a, the Town Clerk must file a certificate regarding the local question to be voted upon for the Hawley School renovations project (a form thereof is enclosed) with the Secretary of the State at least forty-five (45) days prior to the election, i.e. by **September 17, 2021**.
7. In connection with the Hawley School renovations project, the election is warned in the usual manner, including the notice of referendum on the local question, absentee ballots are made available, results of vote reported, and all other matters regarding the holding of the election are conducted in the usual manner.

By copy of this letter, I am requesting the Town Clerk to send one certified copy of all of the proceedings as they shall appear in the Town Record Books.

Please feel free to call me if you have any questions or comments on the enclosed.

Very truly yours,



Glenn A. Santoro

Enclosures

cc: Daniel Rosenthal, First Selectman
Debbie A. Halstead, Town Clerk
David L. Grogins, Esq., Town Attorney
Susan Marcinek

**SCHEDULE A
TOWN OF NEWTOWN
Bond Resolution Adoption Timeline**

\$500,000 Capital Road Program (2021-22 to 2025-26 CIP)

<p>Request for Special or Emergency Appropriation <i>Section 6-35 (b) of Town Charter</i></p>	<p>A request may be initiated by (i) the First Selectman with the approval of the Board of Selectmen or (ii) by the Legislative Council</p> <p>The request shall include an estimate of the funds required, the reasons therefore, and a proposed method of financing</p> <p>The Finance Director shall prepare a Financial Impact Statement for requests for Special Appropriations</p>
<p>Board of Selectmen Meeting <i>According to custom or practice.</i> <i>Section 6-35(d) of Town Charter</i></p>	<p>Board of Selectmen meets to adopt bond resolution and vote on the 8-24 referral to the Planning and Zoning Commission (“P&Z”)</p> <p>Letter of Board of Selectman to Legislative Council to request recommendation of the Board of Finance</p> <p>Letter of Legislative Council to Board of Finance requesting recommendation of Board of Finance; recommendation to be provided within 90 days of request, however, additional 90 days may be granted</p>
<p>Board of Finance Meeting <i>According to custom or practice</i> <i>Section 6-35(h) of Town Charter</i></p>	<p>Board of Finance meets to recommend to the Legislative Council adoption of the resolution</p> <p>Letter of Board of Finance to Legislative Council with such recommendation</p>
<p>Legislative Council Meeting <i>Section 6-35(e) of Town Charter</i></p>	<p>Legislative Council meets to adopt resolution</p>
<p>Planning and Zoning Commission Meeting C.G.S. § 8-24</p>	<p>P&Z meets to review and approve the proposals for the Capital Road Program, and approves such proposals</p>

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$500,000 FOR THE PLANNING, DESIGN, ENGINEERING, RECONSTRUCTION AND CONSTRUCTION OF TOWN ROADS AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2021-22 TO 2025-26) AND AUTHORIZING THE ISSUANCE OF \$500,000 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 \$500,000 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, reconstruction and construction of Town roads, including, but not limited to, pavement, curbs, drainage, grinding and overlay, micropaving, chipsealing and cracksealing, and other road improvements, all pursuant to the Capital Road Program as authorized in the Capital Improvement Plan (2021-22 to 2025-26), and for administrative, financing, legal and costs of issuance related thereto (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, \$500,000 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 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 or other 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, certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the 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. The notes 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 or his designee is hereby 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 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, 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.

Newtown Municipal Center
3 Primrose St., Newtown, CT 06470
Tel. 203-270-4201
Fax 203-270-4205



Daniel C. Rosenthal
First Selectman
Tel. 203-270-4202
dan.rosenthal@newtown-ct.gov

TOWN OF NEWTOWN
OFFICE OF THE FIRST SELECTMAN

August 16, 2021

Board of Selectmen
3 Primrose Street
Newtown, CT 06470

Dear Board of Selectmen:

I am requesting a special appropriation in the amount of \$500,000 be financed by bonds for the following project as authorized in the capital improvement plan (CIP) 2021-2022 to 2025-2026.

- A special appropriation in the amount of \$500,000 for the planning, design, engineering, reconstruction and construction of Town Roads.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Rosenthal', is written over the printed name and title.

Daniel C. Rosenthal
First Selectman

DCR/sm

Newtown Municipal Center
3 Primrose St., Newtown, CT 06470
Tel. 203-270-4201
Fax 203-270-4205



Daniel C. Rosenthal
First Selectman
Tel. 203-270-4202
dan.rosenthal@newtown-ct.gov

TOWN OF NEWTOWN
OFFICE OF THE FIRST SELECTMAN

August 17, 2021

To the Legislative Council

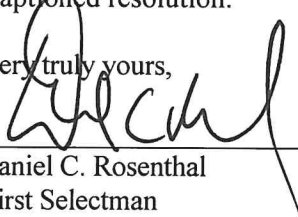
Members of the Council:

At a meeting of the Board of Selectmen held August 16, 2021, the following resolution was adopted:

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$500,000 For The Planning, Design, Engineering, Reconstruction And Construction Of Town Roads As Authorized In The Capital Improvement Plan (2021-22 To 2025-26) And Authorizing The Issuance Of \$500,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", a copy of which is attached hereto, is hereby adopted and recommended to the Legislative Council for consideration and action, said special appropriation was initiated by the First Selectman in a letter dated August 16, 2021, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

The Board of Selectmen hereby requests that the Legislative Council request that the Board of Finance provide a recommendation on the above-captioned resolution.

Very truly yours,



Daniel C. Rosenthal
First Selectman



**TOWN OF NEWTOWN
LEGISLATIVE COUNCIL**

September 1, 2021

To the Board of Finance

Members of the Board:

At a meeting of the Board of Selectmen held August 16, 2021, the following resolution was adopted:

RESOLVED: That the resolution entitled “Resolution Providing For A Special Appropriation In The Amount Of \$500,000 For The Planning, Design, Engineering, Reconstruction And Construction Of Town Roads As Authorized In The Capital Improvement Plan (2021-22 To 2025-26) And Authorizing The Issuance Of \$500,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, a copy of which is attached hereto, is hereby adopted and recommended to the Legislative Council for consideration and action, said special appropriation having been requested by the First Selectman in a letter to the Board of Selectmen dated August 16, 2021, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

The Legislative Council hereby requests the recommendation of the Board of Finance on the above-captioned resolution.

Very truly yours,

Clerk of the
Legislative Council

NEWTOWN MUNICIPAL CENTER
3 PRIMROSE STREET
NEWTOWN, CT 06470



Keith Alexander, Chairman
Sandy T. Roussas, Vice Chairman
Chris Gardner
John Madzula II, Esquire
Ned J Simpson

www.newtown-ct.gov

Robert Tait, Finance Director

**TOWN OF NEWTOWN
BOARD OF FINANCE**

To the Legislative Council
August 26, 2021

Members of the Council:

At a meeting of the Board of Finance held August 26, 2021, the following resolution was approved and recommended for adoption:

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$500,000 For The Planning, Design, Engineering, Reconstruction And Construction Of Town Roads As Authorized In The Capital Improvement Plan (2021-22 To 2025-26) And Authorizing The Issuance Of \$500,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", a copy of which is attached hereto, is hereby adopted and recommended to the Legislative Council for consideration and action, said special appropriation was initiated by the First Selectman in a August 16, 2021, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Keith Alexander".

Keith Alexander
Chairman
Board of Finance

Item for Agenda of
Meeting of Legislative Council

1. To consider and act upon the resolution entitled:

“Resolution Providing For A Special Appropriation In The Amount Of \$500,000 For The Planning, Design, Engineering, Reconstruction And Construction Of Town Roads As Authorized In The Capital Improvement Plan (2021-22 To 2025-26) And Authorizing The Issuance Of \$500,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, a copy of which is attached hereto, said special appropriation was initiated by the First Selectman in a letter dated August 16, 2021, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

Excerpt for Minutes of Meeting
of Legislative Council
to be held September 1, 2021

A meeting of the Legislative Council of the Town of Newtown was held in the Newtown Municipal Center Council Chambers on September 1, 2021, at 7:30 o'clock P.M. (E.T.).

* * *

Members present and absent were as follows:

<u>Present</u>		<u>Absent</u>
Paul Lundquist	Judit DeStefano	N/A
Jordana Bloom	Chris Eide	
Alison Plante	Matthew Mihalcik	
Chris Smith	Dan Honan	
Phil Carroll	Cathy Reiss	
Ryan Knapp	Andy Clure	

* * *

Councilperson Judit DeStefano introduced and read the following resolution:

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$500,000 FOR THE PLANNING, DESIGN, ENGINEERING, RECONSTRUCTION AND CONSTRUCTION OF TOWN ROADS AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2021-22 TO 2025-26) AND AUTHORIZING THE ISSUANCE OF \$500,000 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 \$500,000 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, reconstruction and construction of Town roads, including, but not limited to, pavement, curbs, drainage, grinding and overlay, micropaving, chipsealing and cracksealing, and other road improvements, all pursuant to the Capital Road Program as authorized in the Capital Improvement Plan (2021-22 to 2025-26), and for administrative, financing, legal and costs of issuance related thereto (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, \$500,000 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 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 or other 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, certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the 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. The notes 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 or his designee is hereby 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 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, 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.

RESOLVED: That the resolution entitled “Resolution Providing For A Special Appropriation In The Amount Of \$500,000 For The Planning, Design, Engineering, Reconstruction And Construction Of Town Roads As Authorized In The Capital Improvement Plan (2021-22 To 2025-26) And Authorizing The Issuance Of \$500,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, a copy of which is attached hereto, is hereby adopted, said special appropriation was initiated by the First Selectman in a letter dated August 16, 2021, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

Councilperson Judit DeStefano moved that said resolution be adopted as introduced and read and the motion was seconded by Councilperson Chris Eide. Upon roll call vote the ayes and nays were as follows:

AYES

Paul Lundquist	Judit DeStefano
Jordana Bloom	Chris Eide
Alison Plante	Matthew Mihalcik
Chris Smith	Dan Honan
Phil Carroll	Cathy Reiss
Ryan Knapp	Andy Clure

NAYS

N/A

Councilperson Paul Lundquist thereupon declared the motion carried and the resolution adopted.



GLENN A. SANTORO

280 Trumbull Street
Hartford, CT 06103-3597
Main (860) 275-8200
Fax (860) 275-8299
gsantoro@rc.com
Direct (860) 275-8322

July 28, 2021

VIA E-MAIL

Robert G. Tait
Financial Director
Town of Newtown
3 Primrose Street
Newtown, CT 06470

Re: Resolution Providing For A Special Appropriation In The Amount Of \$8,000,000 For The Planning, Design, Engineering And Installation Of A Ventilation System And HVAC Renovations At Hawley School As Authorized In The Capital Improvement Plan (2021-22 To 2025-26) And Authorizing The Issuance Of \$8,000,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose

Resolution Providing For A Special Appropriation In The Amount Of \$500,000 For The Planning, Design, Engineering, Reconstruction And Construction Of Town Roads As Authorized In The Capital Improvement Plan (2021-22 To 2025-26) And Authorizing The Issuance Of \$500,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose

Dear Bob:

Enclosed please find the above-captioned resolutions (the “Bond Resolutions”) and a set of corresponding proceedings, for each, to be followed in connection with their adoption by the Town.

The procedure for the vote on the Bond Resolutions pursuant to Town Charter and the Connecticut General Statutes, is as follows:

1. The First Selectman, with the approval of the Board of Selectmen, initiates the process or a request for a Special Appropriation may be initiated by the Legislative Council.
2. As in the normal course, and in accordance with Section 6-35(b) and (d) of the Town Charter, the Board of Selectmen adopts the Bond Resolutions, then the Board of Finance submits a recommendation to adopt the Bond Resolutions to the Legislative Council. *See generally* the adoption timelines attached as Schedule A.
3. In connection with the Hawley School renovations project, the Legislative Council adopts the resolution and also adopts a resolution providing for submission to the voters, in conjunction with the general election on November 2, 2021.

Robinson+Cole

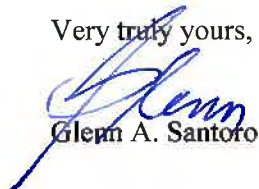
Robert G. Tait
July 28, 2021
Page 2

4. In connection with the Hawley School renovations project, the Board of Selectmen adopts a resolution providing for the notice and warning of the referendum on November 2, 2021.
5. Per Connecticut General Statutes Section 9-370, all local action taken to submit the Hawley School renovations project resolution to a vote on November 2, 2021 must be completed at least sixty (60) days prior to the election date, i.e. by **September 2, 2021**.
6. Per Connecticut General Statutes Section 9-369a, the Town Clerk must file a certificate regarding the local question to be voted upon for the Hawley School renovations project (a form thereof is enclosed) with the Secretary of the State at least forty-five (45) days prior to the election, i.e. by **September 17, 2021**.
7. In connection with the Hawley School renovations project, the election is warned in the usual manner, including the notice of referendum on the local question, absentee ballots are made available, results of vote reported, and all other matters regarding the holding of the election are conducted in the usual manner.

By copy of this letter, I am requesting the Town Clerk to send one certified copy of all of the proceedings as they shall appear in the Town Record Books.

Please feel free to call me if you have any questions or comments on the enclosed.

Very truly yours,



Glenn A. Santoro

Enclosures

cc: Daniel Rosenthal, First Selectman
Debbie A. Halstead, Town Clerk
David L. Grogins, Esq., Town Attorney
Susan Marcinek

**SCHEDULE A
TOWN OF NEWTOWN
Bond Resolution Adoption Timeline**

\$8,000,000 Ventilation and HVAC Renovations at Hawley School (2021-22 to 2025-2026)

<p>Request for Special or Emergency Appropriation <i>Sec 6-35(b) of Town Charter</i></p>	<p>A request may be initiated by (i) the First Selectman with the approval of the Board of Selectmen or (ii) by the Legislative Council</p> <p>The First Selectman shall request in writing an estimate of the funds required, reason for request, and method of financing</p> <p>Finance Director shall prepare a Financial Impact Statement for requests for Special Appropriations</p>
<p>Board of Selectmen Meeting <i>According to custom or practice.</i> <i>Sec 6-35(d) of Town Charter</i></p>	<p>Board of Selectmen meets to adopt bond resolution and vote on the 8-24 referral to the Planning and Zoning Commission (“P&Z”)</p> <p>Letter of Board of Selectman to Legislative Council to request recommendation of the Board of Finance</p> <p>Letter of Legislative Council to Board of Finance requesting recommendation of Board of Finance; recommendation to be provided within 90 days of request, however, additional 90 days may be granted</p>
<p>Board of Finance Meeting <i>According to custom or practice.</i> <i>Sec 6-35(h) of Town Charter</i></p>	<p>Board of Finance meets to recommend adoption of the resolution</p> <p>Letter of Board of Finance to Legislative Council recommending adoption of resolution</p>
<p>Legislative Council Meeting <i>Sec 6-20(e), 6-26(a), 6-35(e) and (g) of Town Charter</i></p> <p><i>Section 6-35(e) and (g) of Town Charter: Legislative Council shall have the power to make Special and Emergency Appropriations not to exceed \$1,500,000 for any one purpose during a fiscal year. Said amount shall be cumulative during the fiscal year as to all appropriations related to said purpose. The total of Special and Emergency Appropriations made by the Legislative Council for all purposes during a fiscal year shall not exceed an amount equal to one mil on the most recently completed Grand List. If the amount exceeds the power of the Council, the council directs and authorizes the Board of Selectmen to call a referendum</i></p>	<p>Legislation Council meets to adopt resolution, sets date for referendum to be held on November 2, 2021</p> <p>Letter of Legislative Council to Board of Selectmen directing the Board to call the referendum</p>

Board of Selectmen Meeting¹ <i>According to custom or practice.</i>	Board of Selectmen meets to adopt a resolution that provides for the notice and warning of the referendum on November 2, 2021
<i>Note re: local action, above:</i>	
C.G.S. § 9-370 C.G.S. § 9-369a	All local action taken to submit the resolution to a vote on November 2, 2021 must be completed by September 2, 2021 Town Clerk must file a certificate regarding the local questions to be voted upon with the Connecticut Secretary of the State by September 17, 2021
Publication of Notice <i>Secs. 1-25(b), 3-25(g), and 6-25(a) of Town Charter</i>	Warning of Referendum shall be published at least five (5) days prior to the Referendum (not including date of Referendum, i.e. <u>publication must be dated on or before October 27, 2021</u>).
Referendum – November 2, 2021 <i>According to custom or practice.</i>	Town Referendum shall be held for adoption of the Special Appropriation
Certification of Results	Town Clerk certifies results of Referendum
Planning and Zoning Commission Meeting C.G.S. § 8-24	P&Z meets to review the proposal for the planning, design, engineering, and installation of a ventilation system and HVAC renovations at Hawley school, and approves such proposal

¹ Note: this action can be taken at the August 16, 2021 Board of Selectmen meeting.

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$8,000,000 FOR THE PLANNING, DESIGN, ENGINEERING AND INSTALLATION OF A VENTILATION SYSTEM AND HVAC RENOVATIONS AT HAWLEY SCHOOL AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2021-22 TO 2025-26) AND AUTHORIZING THE ISSUANCE OF \$8,000,000 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 \$8,000,000 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 and installation of a ventilation system and HVAC renovations at Hawley School, all as authorized in the Capital Improvement Plan (2021-22 to 2025-26), and for administrative, financing, legal and costs of issuance related thereto (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, \$8,000,000 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 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 or other 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, certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the 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. The notes 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 or his designee is hereby 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 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, 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 Town electors and persons qualified to vote at a duly warned referendum pursuant to Section 6-35 of the Town Charter.

Newtown Municipal Center
3 Primrose St., Newtown, CT 06470
Tel. 203-270-4201
Fax 203-270-4205



Daniel C. Rosenthal
First Selectman
Tel. 203-270-4202
dan.rosenthal@newtown-ct.gov

TOWN OF NEWTOWN
OFFICE OF THE FIRST SELECTMAN

August 16, 2021

Board of Selectmen
3 Primrose Street
Newtown, CT 06470

Dear Board of Selectmen:

I am requesting a special appropriation in the amount of \$8,000,000 be financed by bonds for the following project as authorized in the capital improvement plan (CIP) 2021-2022 to 2025-2026.

- A special appropriation in the amount of \$8,000,000 for the planning, design, engineering and installation of a ventilation system and HVAC renovations at Hawley School.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Rosenthal", written over a white background.

Daniel C. Rosenthal
First Selectman

DCR/sm

Newtown Municipal Center
3 Primrose St., Newtown, CT 06470
Tel. 203-270-4201
Fax 203-270-4205



Daniel C. Rosenthal
First Selectman
Tel. 203-270-4202
dan.rosenthal@newtown-ct.gov

TOWN OF NEWTOWN
OFFICE OF THE FIRST SELECTMAN

August 17, 2021

To the Legislative Council

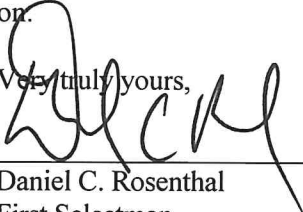
Members of the Council:

At a meeting of the Board of Selectmen held August 16, 2021, the following resolution was adopted:

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$8,000,000 For The Planning, Design, Engineering And Installation Of A Ventilation System And HVAC Renovations At Hawley School As Authorized In The Capital Improvement Plan (2021-22 To 2025-26) And Authorizing The Issuance Of \$8,000,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", a copy of which is attached hereto, said special appropriation was initiated by the First Selectman in a letter dated August 16, 2021, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

The Board of Selectmen hereby requests that the Legislative Council request the Board of Finance's recommendation on the above-captioned resolution.

Very truly yours,



Daniel C. Rosenthal
First Selectman



**TOWN OF NEWTOWN
LEGISLATIVE COUNCIL**

September 1, 2021

To the Board of Finance

Members of the Board:

At a meeting of the Board of Selectmen held August 16, 2021, the following resolution was adopted:

RESOLVED: That the resolution entitled “Resolution Providing For A Special Appropriation In The Amount Of \$8,000,000 For The Planning, Design, Engineering And Installation Of A Ventilation System And HVAC Renovations At Hawley School As Authorized In The Capital Improvement Plan (2021-22 To 2025-26) And Authorizing The Issuance Of \$8,000,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, a copy of which is attached hereto, said special appropriation was requested in a letter dated August 16, 2021 from the Board of Selectmen, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

The Legislative Council hereby requests the recommendation of the Board of Finance on the above-captioned resolution.

Very truly yours,

Clerk of the
Legislative Council

NEWTOWN MUNICIPAL CENTER
3 PRIMROSE STREET
NEWTOWN, CT 06470



Keith Alexander, Chairman
Sandy T. Roussas, Vice Chairman
Chris Gardner
John Madzula II, Esquire
Ned J Simpson

www.newtown-ct.gov

Robert Tait, Finance Director

**TOWN OF NEWTOWN
BOARD OF FINANCE**

To the Legislative Council
August 26, 2021

Members of the Council:

At a meeting of the Board of Finance held August 26, 2021, the following resolution was approved and recommended for adoption:

RESOLVED: That the resolution entitled: "Resolution Providing For A Special Appropriation In The Amount Of \$8,000,000 For The Planning, Design, Engineering And Installation Of A Ventilation System And HVAC Renovations At Hawley School As Authorized In The Capital Improvement Plan (2021-22 To 2025-26) And Authorizing The Issuance Of \$8,000,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", a copy of which is attached hereto, is hereby adopted and recommended to the Legislative Council for consideration and action, said special appropriation was requested in a letter dated August 16, 2021 of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Keith Alexander", is written over a light blue horizontal line.

Keith Alexander
Chairman
Board of Finance

Item for Agenda of
Meeting of Legislative Council

1. To authorize and direct the Board of Selectmen to call a Referendum and consider and act upon the resolution entitled:

“Resolution Providing For A Special Appropriation In The Amount Of \$8,000,000 For The Planning, Design, Engineering And Installation Of A Ventilation System And HVAC Renovations At Hawley School As Authorized In The Capital Improvement Plan (2021-22 To 2025-26) And Authorizing The Issuance Of \$8,000,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, a copy of which is attached hereto, said special appropriation was requested in a letter dated August 16, 2021 from the Board of Selectmen, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

Excerpt for Minutes of Meeting
of Legislative Council
to be held September 1, 2021

A meeting of the Legislative Council of the Town of Newtown was held in the Newtown Municipal Center Council Chambers on September 1, 2021, at 7:30 o'clock P.M. (E.T.).

* * *

Members present and absent were as follows:

<u>Present</u>		<u>Absent</u>
Paul Lundquist	Judit DeStefano	N/A
Jordana Bloom	Chris Eide	
Alison Plante	Matthew Mihalcik	
Chris Smith	Dan Honan	
Phil Carroll	Cathy Reiss	
Ryan Knapp	Andy Clure	

* * *

Councilperson Judit DeStefano introduced the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$8,000,000 For The Planning, Design, Engineering And Installation Of A Ventilation System And HVAC Renovations At Hawley School As Authorized In The Capital Improvement Plan (2021-22 To 2025-26) And Authorizing The Issuance Of \$8,000,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", a copy of which is attached hereto, said special appropriation was requested in a letter dated August 16, 2021 from the Board of Selectmen, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

A motion was made by Councilperson Judit DeStefano, seconded by Councilperson Cathy Reiss, that the Board of Selectmen be authorized and directed to call a Referendum to be held on November 2, 2021, between the hours of 6:00 A.M. and 8:00 P.M. (E.T.) for the purpose of a vote by the electors and qualified voters of the Town for the approval or disapproval of the following question: "Shall the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$8,000,000 For The Planning, Design, Engineering And Installation Of A Ventilation System And HVAC Renovations At Hawley School As Authorized In The Capital Improvement Plan (2021-22 To 2025-26) And Authorizing The Issuance Of \$8,000,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose" be approved?"

Upon roll call vote the ayes and nays were as follows:

<u>AYES</u>		<u>NAYS</u>
Paul Lundquist	Judit DeStefano	N/A
Jordana Bloom	Chris Eide	
Alison Plante	Matthew Mihalcik	
Chris Smith	Dan Honan	
Phil Carroll	Cathy Reiss	
Ryan Knapp	Andy Clure	

Councilperson Paul Lundquist thereupon declared the motion carried.



**TOWN OF NEWTOWN
LEGISLATIVE COUNCIL**

September 1, 2021

To the Board of Selectmen

Members of the Board:

At a meeting of the Legislative Council held September 1, 2021, a motion was adopted to authorize and direct the Board of Selectmen to call a Referendum to be held at on November 2, 2021, between the hours of 6:00 A.M. and 8:00 P.M. (E.T.) for the purpose of a vote by the electors and qualified voters of the Town for the approval or disapproval of the following question:

“Shall the resolution entitled “Resolution Providing For A Special Appropriation In The Amount Of \$8,000,000 For The Planning, Design, Engineering And Installation Of A Ventilation System And HVAC Renovations At Hawley School As Authorized In The Capital Improvement Plan (2021-22 To 2025-26) And Authorizing The Issuance Of \$8,000,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose” be approved?”

Very truly yours,

Clerk of the
Legislative Council

TOWN OF NEWTOWN
NOTICE OF REFERENDUM

Pursuant to Chapters 90 and 152 of the General Statutes of Connecticut, Revision of 1958, as amended (the "General Statutes"), and Section 6-35(g) of the Charter of the Town of Newtown (the "Town"), notice is hereby given to the electors and persons qualified to vote in the Town that a Referendum will be held in conjunction with the general election to be held on Tuesday, November 2, 2021, between the hours of 6:00 A.M. and 8:00 P.M. (E.T.) for the purpose of voting on the following question:

1. "Shall the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$8,000,000 For The Planning, Design, Engineering And Installation Of A Ventilation System And HVAC Renovations At Hawley School As Authorized In The Capital Improvement Plan (2021-22 To 2025-26) And Authorizing The Issuance Of \$8,000,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose" be approved?"

The form of the ballot label on the voting machine shall read as follows:

"Shall the \$8,000,000 special appropriation and \$8,000,000 bond authorization for the
Hawley – Ventilation and HVAC renovation project be approved?"

YES _____ NO _____

The vote will be by voting machine. Those in favor of the resolution referred to in the question shall fill in the oval under the word "YES" under such question. Those not in favor of the resolution referred to in the question shall fill in the oval under the word "NO" under such question. Absentee ballots will be available at the office of the Town Clerk as provided by law.

Electors of the Town and qualified voters are entitled to vote. A qualified voter is any citizen of the United States of the age of 18 years or more who, jointly or severally, is liable to the Town for taxes assessed against him or her of not less than \$1,000 on the last completed grand list of the Town, or who would be so liable if not entitled to an exemption under subdivision (17), (19), (22), (25) or (26) of Section 12-81 of the General Statutes.

The polls will be open during the hours between 6:00 A.M. until 8:00 P.M. (E.T.). Electors entitled to vote as aforesaid will cast their votes at Newtown Middle School, 11 Queen Street, Newtown, CT; Reed Intermediate School, 3 Trades Lanes, Newtown, CT; and Head O' Meadow School, 94 Boggs Hill Road, Newtown, CT.

Qualified voters will be entitled to cast their votes at Newtown Middle School, 11 Queen Street, Newtown, CT; Reed Intermediate School, 3 Trades Lanes, Newtown, CT; and Head O' Meadow School, 94 Boggs Hill Road, Newtown, CT

The voting will take place pursuant to the provisions of the General Statutes, as amended, and the votes will be cast and canvassed and the results determined and certified as nearly as may be in accordance with the laws governing the election of Town officials.

The full text of the proposed resolution is on file open to public inspection at the office of the Town Clerk.

Dated at Newtown, Connecticut, this _____ day of _____, 2021.

Town Clerk

Published in _____
on _____, 2021.

Received for Record
this _____ day of
_____, 2021.

Town Clerk

Clerk

Newtown Municipal Center
3 Primrose St., Newtown, CT 06470
Tel. 203-270-4201
Fax 203-270-4205



Daniel C. Rosenthal
First Selectman
Tel. 203-270-4202
dan.rosenthal@newtown-ct.gov

TOWN OF NEWTOWN
OFFICE OF THE FIRST SELECTMAN

BY ORDER OF THE FIRST SELECTMAN:

Resolved: I, Daniel Rosenthal, First Selectman of the Town of Newtown, Connecticut, hereby declare that a State of Emergency exists in the Town of Newtown as a result of the Covid-19 Pandemic;

Further resolved, that in accordance with Section 28-8a of the Connecticut General Statutes and Section 2-110(c) of the Newtown Charter, and in accordance with the provision of the Governor's Executive Order No. 13A, I hereby ORDER that in all indoor public spaces, indoor public venues, indoor gathering places, and spaces, areas and locations in the Town of Newtown where such gatherings occur or may occur, including but not limited to businesses, offices and other public accommodations, persons not exempt under said Executive Order Sec. 1.a. are required to wear proper mask coverings whether or not vaccinated.

Enforcement of this ORDER shall be pursuant to Connecticut General Statute and local law as applicable under COVID and emergency issuance and regulation. This ORDER will stand until repealed or superseded by Order of the First Selectman or the Governor of the State of Connecticut.

Daniel C. Rosenthal
First Selectman

August 30, 2021





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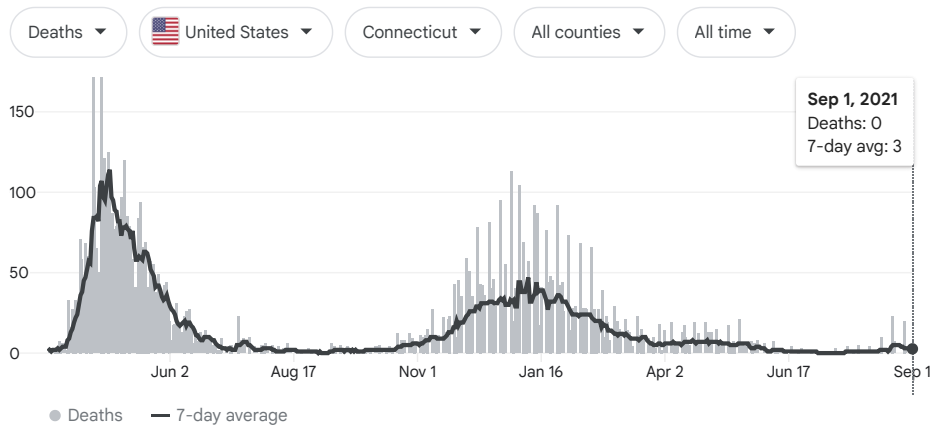
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Total United States Connecticut

Cases

374K

+712

Deaths

8,358

Location

Cases ↓

Deaths

Fairfield County

106K

2,218

+127

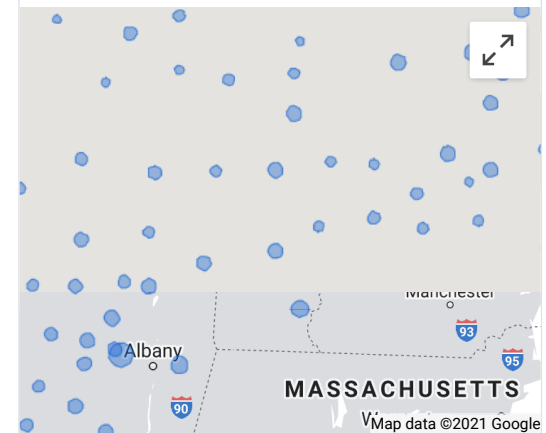


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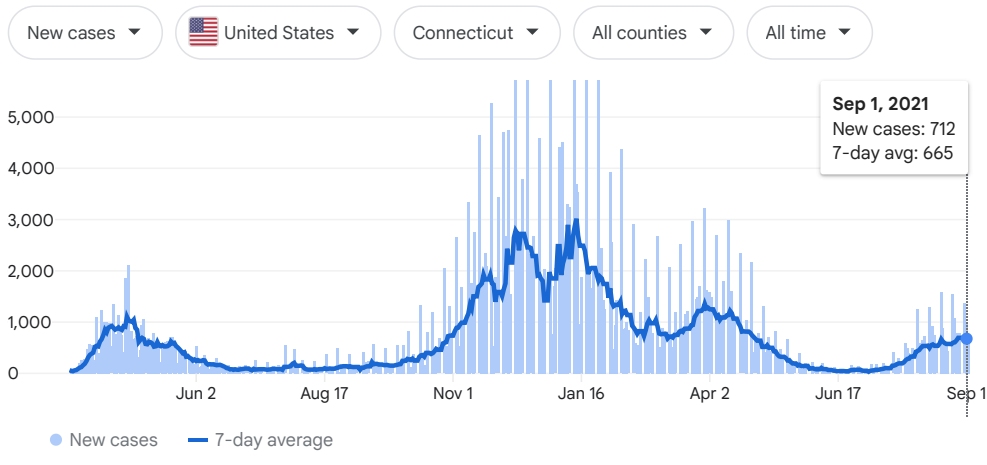
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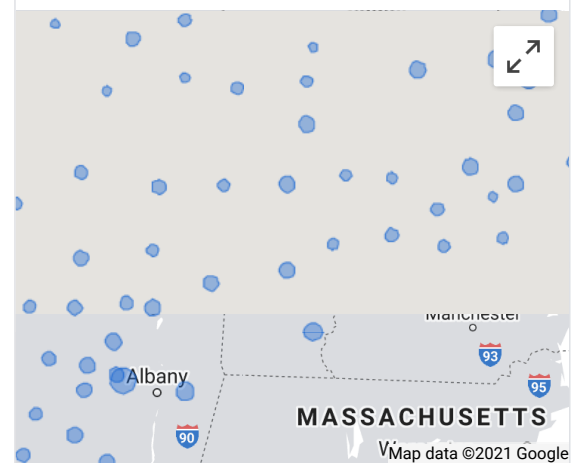
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8,358

United States

Total cases

Deaths



Mask mandate and use efficacy for COVID-19 containment in US States

Damian D. Guerra^{1*}, Daniel J. Guerra²

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²Authentic Biochemistry, VerEvMed, Clarkston, Washington, United States of America

ABSTRACT

Background: COVID-19 pandemic mitigation requires evidence-based strategies. Because COVID-19 can spread via respired droplets, most US states mandated mask use in public settings. Randomized control trials have not clearly demonstrated mask efficacy against respiratory viruses, and observational studies conflict on whether mask use predicts lower infection rates. We hypothesized that statewide mask mandates and mask use were associated with lower COVID-19 case growth rates in the United States.

Methods: We calculated total COVID-19 case growth and mask use for the continental United States with data from the Centers for Disease Control and Prevention and Institute for Health Metrics and Evaluation. We estimated post-mask mandate case growth in non-mandate states using median issuance dates of neighboring states with mandates.

Results: Earlier mask mandates were not associated with lower total cases or lower maximum growth rates. Earlier mandates were weakly associated with lower minimum COVID-19 growth rates. Mask use predicted lower minimum but not lower maximum growth rates. Growth rates and total growth were comparable between US states in the first and last mask use quintiles during the Fall-Winter wave. These observations persisted for both natural logarithmic and fold growth models and when adjusting for differences in US state population density.

Conclusions: We did not observe association between mask mandates or use and reduced COVID-19 spread in US states. COVID-19 mitigation requires further research and use of existing efficacious strategies, most notably vaccination.

Keywords: COVID-19, SARS-CoV-2, face covering, medical mask, mask mandate, nonpharmaceutical intervention

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Introduction

The COVID-19 pandemic has increased mortality and induced socioeconomic upheaval worldwide [1]. Evidence-based containment strategies are warranted, given that age, obesity, cardiovascular disease, and diabetes are common comorbidities associated with severe COVID-19 symptoms [e.g., pneumonia, blood clots, cytokine storm], hospitalization, and death [2, 3]. Respirated droplets and aerosols containing SARS-CoV-2 are intuitive modes of community transmission [4]. To reduce viral spread, governments have issued mandates to wear medical masks or cloth face coverings in public settings. From April to December 2020, 40 States of the United States issued mask mandates. Mask mandates have limited precedent, making efficacy unclear. Our first objective was to evaluate the efficacy of mask mandates in attenuating COVID-19 growth in US states.

Prior studies have conflicted on whether masks reduce COVID-19 spread. For USS Theodore Roosevelt crew, mask use was lower among COVID-19 cases compared with non-infected [56% vs. 81%] [5]. There were no infections for 48% of universally masked patrons exposed to COVID-19 positive hair stylists [6], but PCR tests were not obtained for the other 52% of patrons [6], and first wave COVID-19 hospitalizations were no higher in public schools [high density with minimal masking] than elsewhere in Sweden [7]. A randomized controlled trial [RCT] of Danish volunteers found no protective benefit of medical masks against COVID-19 infection [8]. In RCTs before COVID-19, viral infections were not lower in Vietnamese clinicians who wore cloth or medical masks than in the control arm [9], and N-95 respirators [but not medical masks] protected Beijing clinicians from bacterial and viral diseases compared to no masks [10]. Mask compliance in RCTs is not always clear [11]. Mask use was 10% and 33% for Beijing households with and without intrahousehold COVID-19 case growth, respectively [12]. This suggests greater mask use may reduce COVID-19 spread. Our

second objective was to assess if mask use predicts lower COVID-19 case growth.

We assessed if mask mandates and compliance in US States predict statewide COVID-19 growth during the second and third infection waves [1 June 2020-1 March 2021]. Controlling for infection wave timing with logarithmic and linear relative growth models, we found limited association between COVID-19 case growth and mask mandates or mask use before 1 October 2020, and no association during the subsequent and largest third wave. These findings do not support the hypothesis that statewide mandates and enhanced mask use slow COVID-19 spread. Pharmaceutical interventions [including recently available COVID-19 vaccines] provide alternative, evidence-based strategies to minimize COVID-19 related morbidity and mortality.

Materials and methods

Data Sources and Terms

We obtained total [confirmed and probable] COVID-19 cases up to 6 March 2021 for the 49 continental US states, normalized per 100,000 residents, from the Centers for Disease Control and Prevention [CDC] [13]. To reduce reporting lag effects, we used 7-day simple moving means [e.g., the 7-day simple moving mean of cases on 31 March is the mean of daily cases between 28 March and 3 April]. Hawaii was excluded because COVID-19 growth patterns deviated from those of continental US states. Confirmed and probable cases are defined by the Council of State and Territorial Epidemiologists. Confirmed cases require PCR amplification of SARS-CoV-2 RNA from patient specimens. Probable cases require one of the following: clinical and epidemiologic evidence, clinical or epidemiologic evidence supported by SARS-CoV-2 antigen detection in respiratory specimens, or vital records listing COVID-19 as contributing to death. Total PCR tests for each state were obtained from Worldometers on 25 May 2021 [14].

Mask mandates are statewide emergency executive public health orders requiring nose and mouth coverings in public settings in more

than 50% of counties within a state [15, 16]. We assigned US states to one of five quintiles based on when mandates went into effect [effective dates]: 18 April-16 May 2020 [Q1], 29 May-3 July 2020 [Q2], 8 July-27 July 2020 [Q3], 1 Aug-9 Dec 2020 [Q4], or no statewide mandate as of 6 March 2021 [Q5]. Effective dates were obtained from US state executive and health departments and press releases [available upon request].

We assessed mask use with the University of Washington Institute for Health Metrics and Evaluation [IHME] COVID-19 model site [17], which estimates daily compliance from Premise, the Facebook Global Symptom Survey [University of Maryland], the Kaiser Family Foundation, and the YouGov Behavior Tracker Survey. Mask use is the percentage of people who always wear masks in public settings. We assigned US states to mask quintiles based on the mean percent mask use from 1 Jun-1 Oct 2020 [Summer] or from 1 Oct 2020-1 Mar 2021 [Fall-Winter].

To assess geographic differences, we assigned each US state to one of five regions: Northeast [Connecticut, Delaware, Massachusetts, Maryland, Maine, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont]; Midwest [Illinois, Indiana, Iowa, Kentucky, Kansas, Michigan, Minnesota, Missouri, Ohio, West Virginia, Wisconsin]; Mountains-Plains [Colorado, Idaho, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Utah, Wyoming]; South [Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia]; and Pacific [Alaska, Arizona, California, Nevada, Oregon, Washington].

Growth Rate Calculation

COVID-19 growth has been modeled logarithmically [15, 18, 19] and linearly [19, 20]. Therefore, we calculated COVID-19 case growth for each US state by measuring percent natural logarithmic [Ln Growth] and percent linear [Fold Growth] relative growth rates:

$$\text{Ln Growth} = 100 * \ln \frac{C_t}{C_{t-1}}$$

$$\text{Fold Growth} = 100 * \left[-1 + \frac{C_t}{C_{t-20}} \right]$$

Where C_t , C_{t-1} , and C_{t-20} are total normalized cases on a day, the prior day, and 20 days prior, respectively. We determined adjusted population density by calculating the weighted mean of each state's urban [U] and rural [R] population density using the following formulas:

$$\text{Urban Density [U]} = u_1p_1 + u_2p_2 + u_3p_3$$

$$\text{Mean Rural Density [R]} = \frac{\text{State Population} * [1-F]}{\text{State Area} - a_1 + a_2 + a_3}$$

For the three most populous urban regions in each US state, we obtained urban population density [u ; people/square mile in an urban area], urban land area [a ; size of urban area in square miles], and population proportion [p ; fraction of combined urban population] via 2010 US Census Bureau estimates [21]. For some states, two rather than three urban regions were used. The proportion of urban [F] and rural [1-F] population of each state was similarly obtained [21]. We thus calculated adjusted population density of each state as:

$$\text{Adjusted Population Density [APD]} = UF + R[1 - F]$$

To assess association between population density and growth rates, we multiplied Fold Growth by the inverse of normalized APD:

$$\text{Adj. Fold Growth} = \text{Fold Growth} * \left(\frac{\text{Mean APD of all US States}}{\text{State APD}} \right)$$

We defined minima and maxima [extrema] as the lowest and highest growth rates between the end of the Summer wave and the height of the Fall-Winter wave. Ln Growth extrema comprised 20-day windows when Ln Growth rates were lowest or highest:

$$\text{Ln Growth extremum} = \max/\min_{\substack{20 \text{ Jul } 2020 \\ \leq t \leq 1 \text{ Mar } 2021}} \frac{\sum_{t=1}^{t=20} \text{Ln Growth on Day } t}{20}$$

Fold Growth extrema similarly comprise the lowest and highest Fold Growth:

$$\text{Fold Growth extremum} = \max/\min_{\substack{20 \text{ Jul } 2020 \\ \leq t \leq 1 \text{ Mar } 2021}} \text{Fold Growth [t-20, t]}$$

For each state, surges are differences between maxima and minima [relative growth rate increase], masks at extrema are the 20-day mean mask use at minima and maxima, and Δ Masks is the percent change in mask use between maxima and minima.

To assess association between mandates and growth rates in the 48 contiguous states [excluding Alaska and Hawaii], we determined Ln, Fold, and Adj. Fold Growth between 1 March 2021 [C_{301}] and the mandate effective date [C_M] for US states in mandate quintiles 1-3:

$$\text{Post-Mandate Ln Growth} = 100 * \ln \frac{C_{301}}{C_M}$$

$$\text{Post-Mandate Fold Growth} = 100 * [-1 + \frac{C_{301}}{C_M}]$$

For states in quintiles 4-5, *modeled effective dates* are medians of actual dates among bordering states of mandate quintiles 1-3. For example, the modeled effective date of Tennessee [10 July] is the median of effective dates of Arkansas [20 July], Alabama [16 July], Kentucky [10 July], North Carolina [26 June], and Virginia [29 May].

For each state, Summer 2020 [1 June-1 Oct] and Fall-Winter 2020-21 [1 Oct-1 Mar] mask use is mean mask use between these dates. Cases on 1 June or 1 Oct were the 20-day mean total normalized cases on these two dates. We likewise defined Summer and Fall-Winter case growth using Ln and Fold Growth formulas:

$$\text{Summer Ln Growth} = \ln \frac{C_{1001}}{C_{601}}$$

$$\text{Summer Fold Growth} = 100 * [-1 + \frac{C_{1001}}{C_{601}}]$$

$$\text{Fall-Winter Ln Growth} = \ln \frac{C_{301}}{C_{1001}}$$

$$\text{Fall-Winter Fold Growth} = 100 * [-1 + \frac{C_{301}}{C_{1001}}]$$

Where c_{601} , c_{1001} , and c_{301} are total normalized cases on 1 June 2020, 1 October 2020, and 1 March 2021, respectively.

Statistics

We used Prism 9.2 [GraphPad; San Diego, CA] to construct figures and perform null hypothesis significance tests, for which the significance threshold was $p < \alpha = 0.05$ [**Worksheet D in S1 Table**]. Error bars denote standard deviations, 95% confidence intervals, or interquartile ranges as indicated in figure legends. We performed D'Agostino-Pearson tests to assess normality of residuals.

To evaluate mask mandate and use efficacy among categories [mandate effective date or mask use quintiles], we performed ordinary one-

way ANOVA with Tukey posttests. For non-normal data, we performed Kruskal-Wallis with Dunn posttests. For two sample comparisons [e.g., **Fig. 3G, J**], we conducted two-tailed t tests or Mann-Whitney tests for normal and non-normal data, respectively.

This decision tree conforms with recommended practices for datasets of $N > 5$ [22].

For interval variable associations, we performed ordinary least squares [OLS]-simple linear regression with null hypotheses of zero slope. Infectious disease research has employed OLS previously [23, 24], with linear and ln-linear models reported in recent COVID-19 studies [25, 26]. For the Summer wave, Northeast states were excluded because they deviated from other states with respect to total cases and growth covariation. We used weighted least squares [WLS] for heteroscedastic data, as determined by the GraphPad Prism Test for Homoscedasticity. Regardless of statistical significance, R^2 values denote coefficients of determination for lines of best fit with unconstrained slopes.

Results

COVID-19 growth rates vary with time

With the aim of reducing COVID-19 case growth, 40 US states enacted mask mandates in 2020. We wondered if mask mandate timing affected COVID-19 growth patterns. To identify patterns of COVID-19 growth, we graphed natural logarithmic [Ln] Growth of COVID-19 in US states as a function of time [**Worksheet A in S1 Table**]. We observed six phases of COVID-19 growth up to 6 March 2021: first wave [before May 2020], Spring minimum [May-June 2020], Summer wave maximum [June-August 2020], post-Summer minimum [August-October 2020], Fall-Winter wave maximum [October-January 2020], and third minimum [March 2021] [**Fig. 1A and S1 Fig**]. Hawaii growth patterns deviated from those of continental US states and was thus excluded from further analysis. Regardless of mask mandate effective date quintile, Ln growth patterns were comparable for all continental US states, and there was no association between normalized total cases and PCR tests [**S1 Fig**].

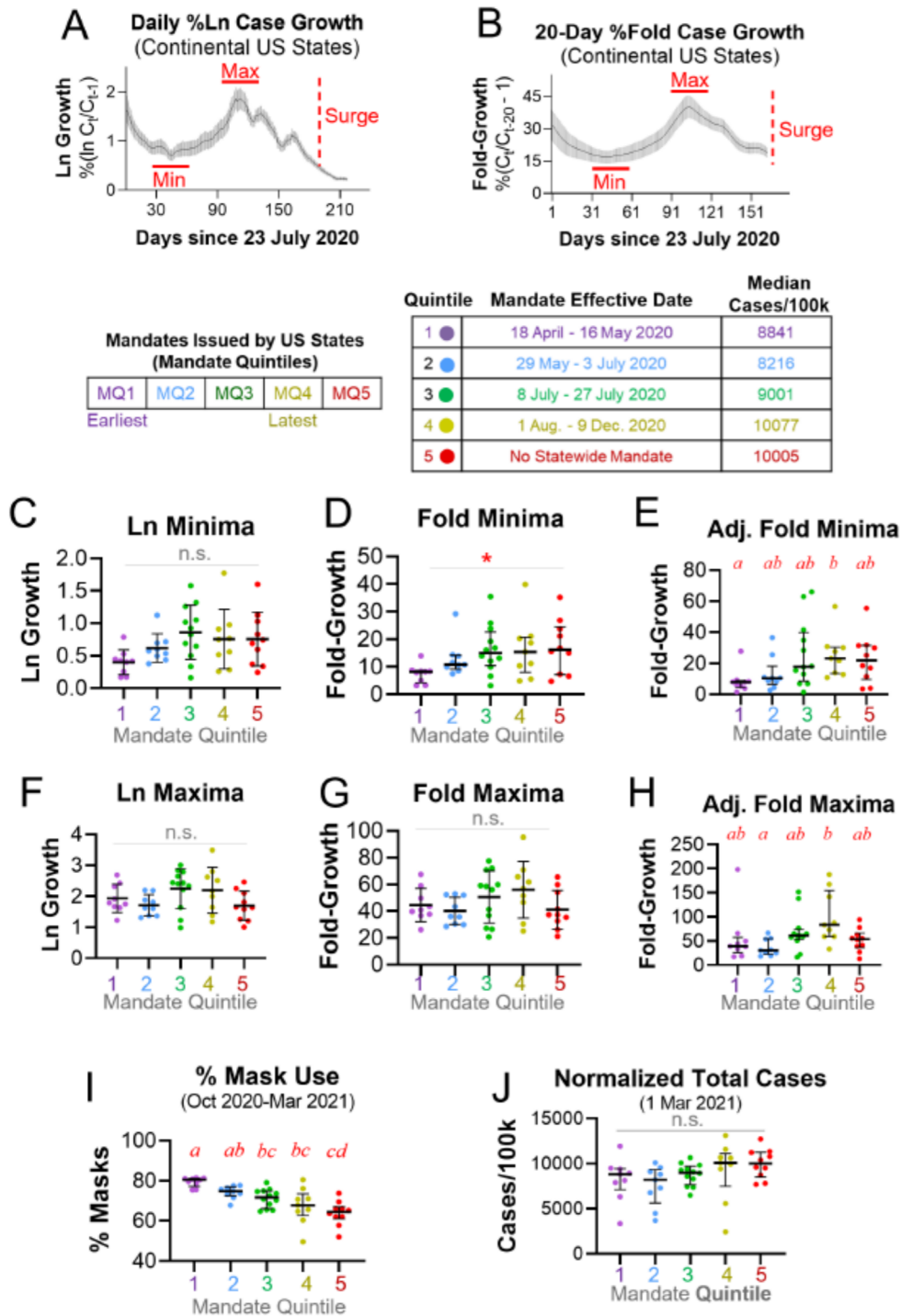
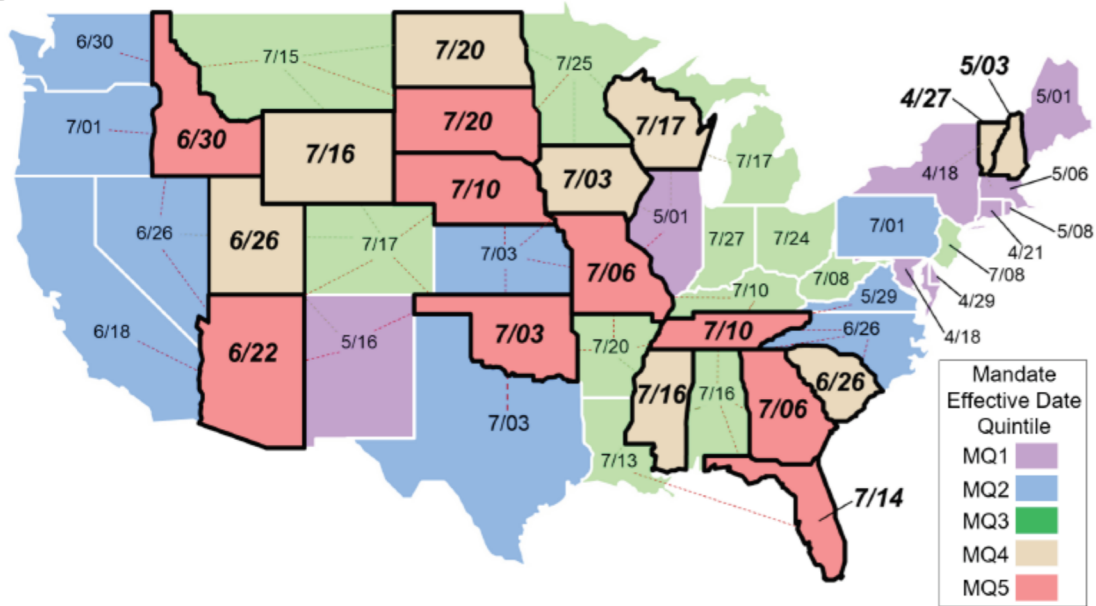


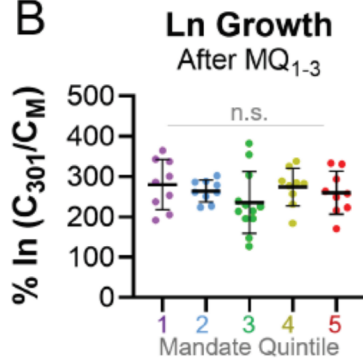
Fig 1. Earlier mask mandates are not consistently associated with lower COVID-19 growth rates in continental US States. A-B. Natural logarithmic [A] and Fold [B] COVID-19 growth in continental US states. Red horizontal lines denote growth rate minima [Min] and maxima [Max] between Summer and Fall-Winter waves. Surge: growth rate increase between Min and Max. C. Ln minima were not associated with the time quintile of a state’s mandate effective date [MQ]. D. Fold minima trended lower in MQ1 than MQs 3 and 5. E. Adjusted Fold minima were lower in MQ1 than MQ4 and indistinguishable for all other pairwise comparisons. F-G. Ln [F] and Fold [G] maxima were not associated with mandate effective date time quintiles. H. Adjusted Fold maxima were lower in MQ2 than MQ4 and indistinguishable for all other pairwise comparisons. I. States with earlier mask mandates exhibited greater mask use between Oct. 2020 and March 2021. J. Cases per 100,000 by 1 March 2021 were not associated with mandate effective date time quintiles. Different letters denote $p < 0.05$ by Tukey tests after one-way ANOVA [C, F, G] or all pairwise comparison Dunn tests after Kruskal-Wallis [D, E, H-J]. *: $p < 0.05$ by Kruskal-Wallis. n.s.: not significant. Error bars: 95% confidence intervals [A-B], standard deviations [C, F, G], and interquartile ranges [D, E, H-J].

A

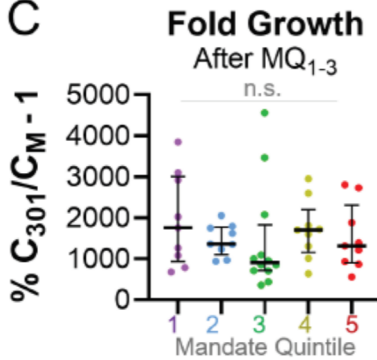


C_M : Cases on effective (MQ₁₋₃) or modeled effective (MQ₄₋₅) mandate day.

B



C



D

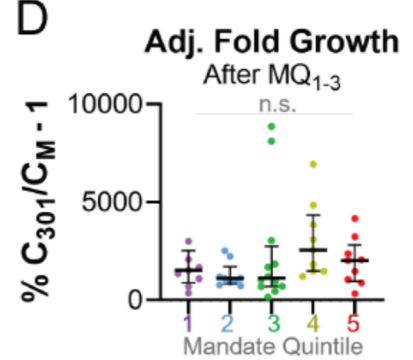


Fig 2. Earlier mask mandates are not associated with lower post-mandate COVID-19 growth rates in contiguous US states. A. Effective and modeled effective [bold, italicized] dates in 2020 for mask mandates in contiguous US states. State colors denote effective date time quintiles. Modeled dates of MQ4-5 states [late or no actual mandates] are medians of effective dates among bordering states of MQ1-3 [earlier mandates]. Dashed lines denote MQ1-3 states that border a given MQ4-5 state. B-D. Between actual or modeled mandate effective dates and 1 March 2021, Ln Growth [B], Fold Growth [C], and population density-adjusted Fold Growth [D] were not associated with mandate effective date time quintiles. n.s.: not significant by one-way ANOVA [B] or Kruskal-Wallis [C-D]. Error bars: standard deviations [B] and interquartile ranges [C-D].

Earlier mask mandates are not consistently associated with COVID-19 growth rates in US states

A recent study reported time-enhanced negative association between mask mandates and Ln Growth of COVID-19 [15], but simple Fold-Growth [an alternative COVID-19 metric [19, 20] may be preferred for post-exponential, linear pandemic spread. PCR testing for COVID-19 was limited

before Summer 2020 [27]. Thus, to determine if US states with earlier mask mandates exhibited less COVID-19 spread, we examined both Ln Growth and Fold Growth at the post-Summer wave minimum and the Fall-Winter wave maximum [Fig 1A-B]—periods of low and high transmission, respectively. We assigned US states to one of five quintiles [MQ1-5], with MQ1 including states with the earliest mandates, MQ4

the latest mandates, and MQ5 states without mandates. Ln minima [$p=0.07$; **Fig. 1C**] and Fold minima [$p=0.047$; **Fig. 1D**] trended lower for earlier mandates. Fold minima was 3-fold higher in MQ4 than MQ1 after adjusting for population density [$p=0.04$], but all other pairwise comparisons were not significant [**Fig. 1E**]. This suggested that mask mandate duration was a weak predictor of lower minimum growth. Ln maxima [$p=0.23$; **Fig. 1F**] and Fold maxima [$p=0.19$; **Fig. 1G**] did not differ among quintiles. Adjusting for population density, Fold maxima were 2.8-fold higher in MQ4 than MQ2 [$p=0.01$], but MQ1, 3, and 5 were indistinguishable [**Fig. 1H**], suggesting mask mandate duration was not associated with lower maximum growth. Likewise, surges [growth rate increases from minima to maxima] were MQ-independent for Ln [$p=0.08$] and Fold [$p=0.13$] models, and only MQ2 and MQ4 exhibited significantly different Fold surges with population density adjustment [$p=0.03$; **S2 Fig**]. Most MQ4 states exhibited lower initial and Summer 2020 infection waves than Q1-2 [**S1 Fig**], suggesting high MQ4 growth rates could be an artifact of lower total cases. While there was strong positive association between earlier mandates and Fall-Winter mask use [$p<0.001$; **Fig. 1I**], total cases on 1 March 2021 were MQ-independent [$p<0.07$; **Fig. 1J**]. Direct MQ1 vs. MQ5 comparison by t test uncovered a small [1.2-fold] and non-significant [$p=0.078$] difference in total cases. Taken together, these findings suggest that US state mask mandates were not associated with slower spread of COVID-19.

Early mask mandates do not predict lower post-mandate COVID-19 growth in contiguous US states

Most US states enacted mandates during infection waves, which confounds assessment of effectiveness. To assess association between mandate effective date and post-mandate case growth, we compared growth after actual MQ1-3 mandates with growth after modeled MQ4-5 mandates up to 1 March 2021. For a MQ4-5 state, the modeled date was the effective date median of contiguous, common-border MQ1-3

states [**Fig. 2A**]. Post-mandate growth in total cases was MQ-independent by Ln [$p=0.43$], Fold [$p=0.41$], and population density-adjusted Fold [$p=0.15$] models [**Fig. 2B**]. Direct MQ1 vs. MQ5 comparison by Mann-Whitney test uncovered a small [1.3-fold] and non-significant [$p=0.86$] difference in adjusted fold-growth. Overall, we did not obtain an association between mandates and lower COVID-19 growth.

Mask use is not associated with most state COVID-19 case growth

We speculated that statewide mask use, rather than mask mandates per se, may predict lower COVID-19 growth rates. The Institute of Health Metrics and Evaluation [IHME] provides robust estimates for mask use [defined as the percentage of people who always wear masks in public settings] ^[17]. By simple linear regression, mask use was associated with lower Ln, Fold, and adjusted Fold minima [$p<0.0001$; **Fig 3A-B** and **S3A Fig**]. To better understand this trend, we assigned US states to one of five mask use quintiles [UQ1-5], with UQ1 including states with the highest mask use and UQ5 states with the lowest mask use. UQ5 exhibited a 3.4-fold greater adjusted Fold minimum than UQ1 [$p=0.002$; **Fig 3C**], suggesting potential association between mask use and COVID-19 spread at minima. By contrast, mask use was not associated with Ln [$p=0.071$], Fold [$p=0.058$], or adjusted Fold [$p=0.076$] maxima [**Fig 3D-E** and **S3D Fig**]. Adjusted Fold maxima were also UQ-independent [$p=0.56$; **Fig 3F**], with direct UQ1 vs. UQ5 comparison by Mann-Whitney test uncovering a modest [1.5-fold] and non-significant [$p=0.16$] difference in maxima. This suggests that mask use is not associated with COVID-19 spread at maxima.

We wondered why mask use was associated with lower minimum but not lower maximum growth rates. Mask use was not associated with total cases at Ln minima [$p=0.54$] or maxima [$p=0.086$; **S3C-D Fig**], indicating potential confounders in the mask-minimum growth relationship. Excluding Northeast states, which exhibited the largest first waves and July 2020 seroprevalence [13, 28], total cases predicted

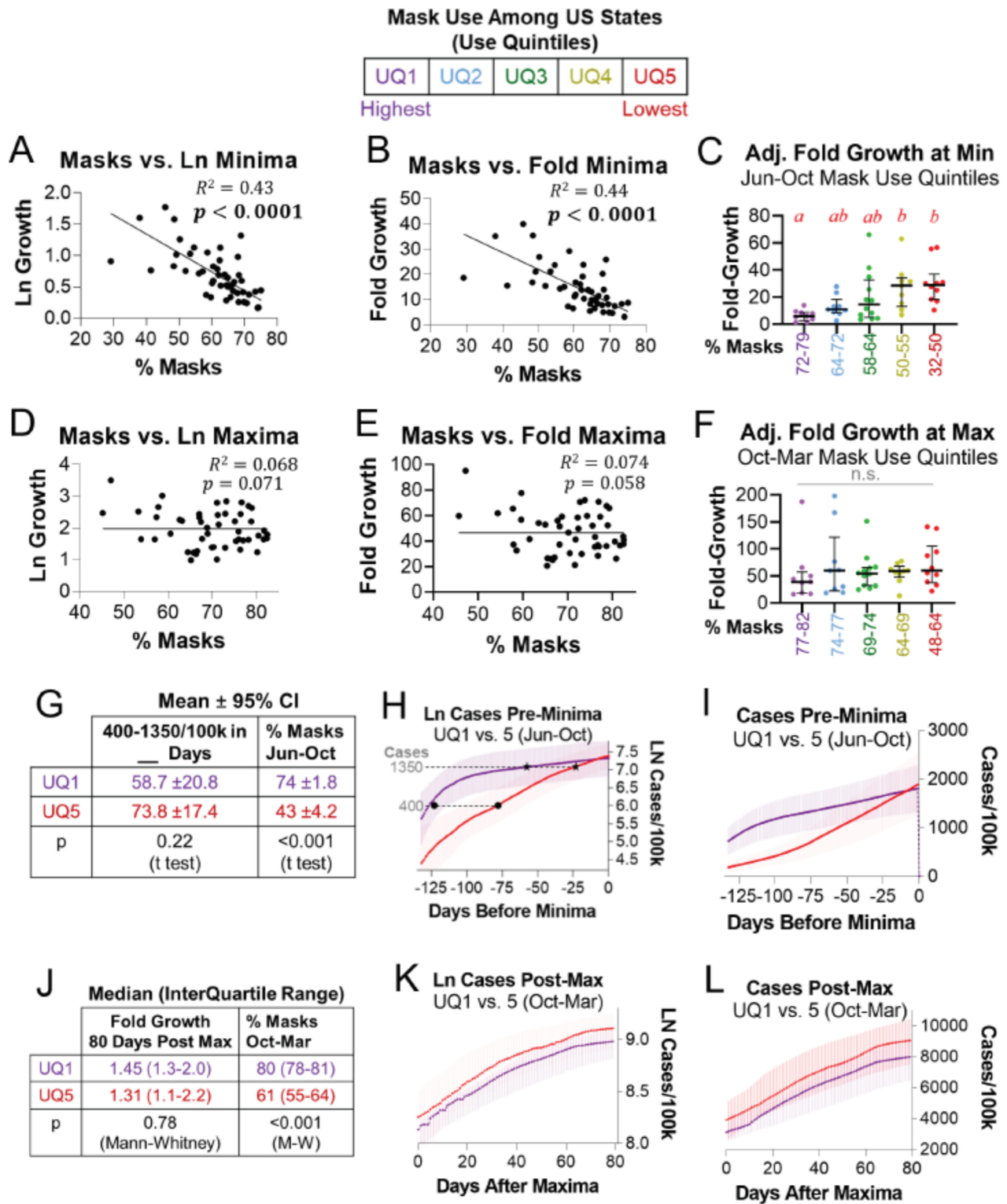


Fig 3. Mask use does not consistently predict COVID-19 case growth in continental US states. A-C. At minima, mask use was associated with lower Ln [A], fold [B], and population density-adjusted fold [C] growth rates. D-F. At maxima, mask use was not associated with Ln [D], fold [E], or population density-adjusted fold [F] growth rates. G. States in June-Oct. 2020 mask use quintiles [UQ] 1 and 5 grew from 400 to 1350 normalized cases at indistinguishable rates before minima. H-I. Ln cases [H] and cases [I] vs. time for UQ1 and UQ5. J. States in Oct. 2020-March 2021 mask use UQ1 and UQ5 exhibited indistinguishable Fold Growth 80 days after maxima. K-L. Ln cases [K] and cases [L] vs. time for UQ1 and UQ5. Simple linear regression used weighted [A-B] or ordinary [D-E] least squares. R^2 values refer to unconstrained lines of best fit. Different letters denote $p < 0.05$ by all pairwise comparison Dunn tests after Kruskal-Wallis [C, F]. n.s.: not significant. Error bars: Interquartile ranges [C, F, J, K] and 95% confidence intervals [G-H].

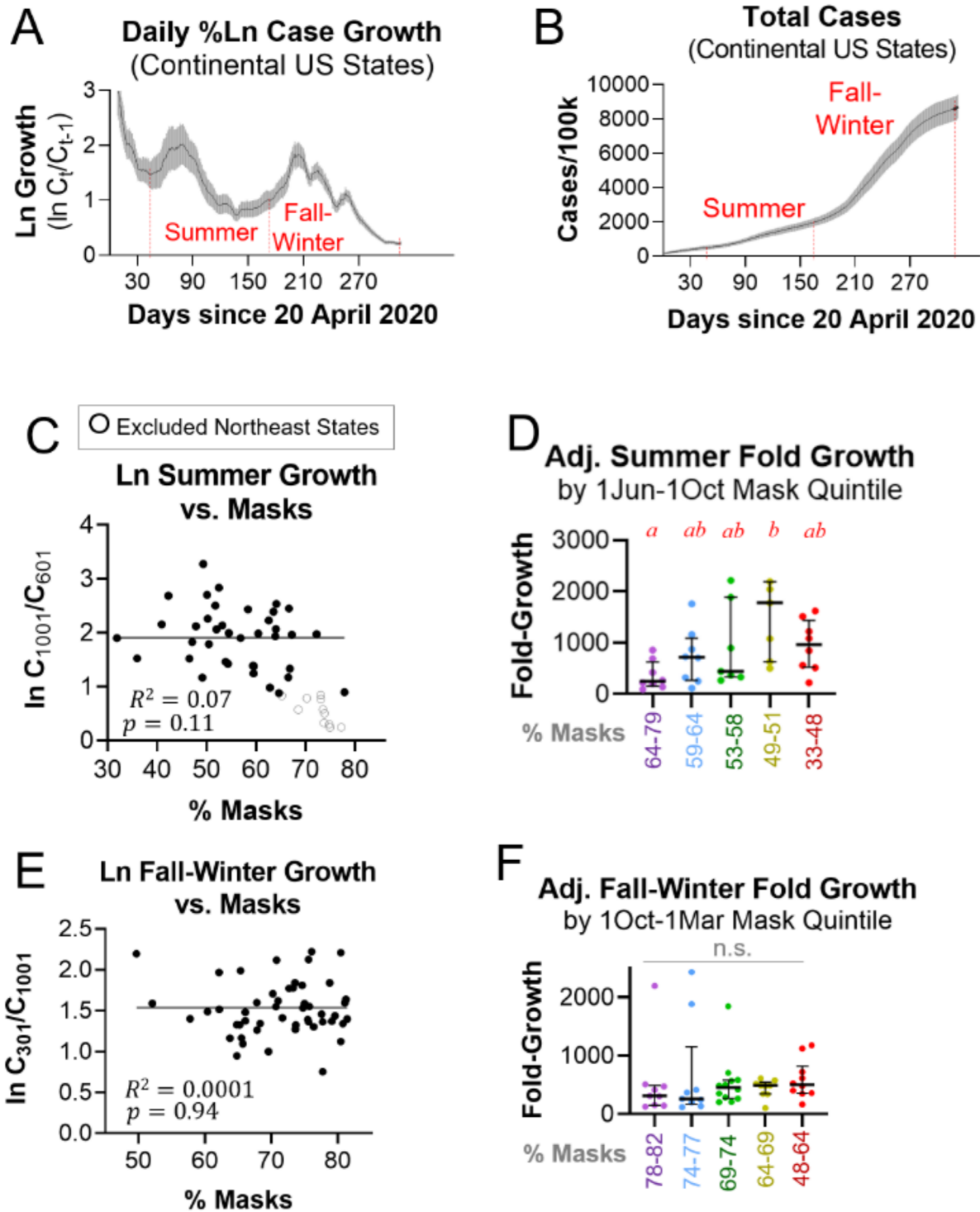


Fig 4. Mask use does not predict lower COVID-19 growth during the Summer or Fall-Winter waves. A-B. Ln Growth rate [A] and total COVID-19 cases [B] for continental US states from 20 April 2020 to 6 March 2021. Red vertical lines denote Summer [Jun-Oct 2020] and Fall-Winter [Oct 2020-Mar 2021] waves. C. Mask use does not predict Summer Ln Growth in non-Northeast states. D. In the Summer wave, population-adjusted Fold Growth was lower in Summer mask use UQ1 than UQ4 and indistinguishable among UQ2-5. E. Mask use does not predict Fall-Winter Ln Growth in continental US states. F. In the Fall-Winter wave, population-adjusted Fold Growth was indistinguishable among Fall-Winter mask use quintiles. Simple linear regression used ordinary least squares [C, E]. R^2 values refer to unconstrained lines of best fit. Different letters denote $p < 0.05$ by all pairwise comparison Dunn tests after Kruskal-Wallis [D, F]. n.s.: not significant. Error bars: 95% confidence intervals [A-B] and interquartile ranges [D, F]. Solid circles [●]: All continental US states. Hollow circles [○]: Excluded Northeast states.

lower Ln minima [$p=0.001$; **S3E Fig**]. This suggested that the link between mask use and lower minima may be an artifact of the tendency for faster case growth to occur at lower case prevalence. In support of this, for 1 June – 1 Oct. 2020 mask use quintiles, normalized cases grew from 400 to 1350 at similar rates for UQ1 [which includes eight Northeast states] and UQ5 [$p=0.22$; **Fig. 3G**]. UQ5 exhibited exponential growth and reached these case totals ~50 days after UQ1 [**Fig 3H-I**], further implying that higher growth rates may reflect lower total cases in low mask use states before minima. 0-80 days after Ln maxima, when total case differences were smaller among states, UQ1 and UQ5 exhibited indistinguishable growth rates [$p=0.78$; **Fig 3J**; 1 Oct. 2020 – 1 March 2021 mask use quintiles]. Growth was post-exponential for both UQ1 and UQ5 during this period [**Fig 3K-L**], and total cases predicted lower Ln maxima in all continental US states [$p<0.0001$; **S3F Fig**]. Together, these data suggest that mask use is an unreliable predictor of COVID-19 growth in US states.

Mask use does not predict Summer or Fall-Winter COVID-19 cumulative growth in US states.

As expected, total cases were negatively associated with Ln growth in non-Northeast states for 1 June-1 Oct. 2020 and all continental US states for 1 Oct. 2020 – 1 March 2021 [$p<0.0001$; **S4A-B Fig**]. We reasoned that even if mask use could not predict growth rate, mask use may be negatively associated with cumulative case growth. 1 June-1 Oct. 2020 [Summer] 1 Oct. 2020 – 1 March 2021 [Fall-Winter] represent two distinct COVID-19 growth waves [**Fig 4A-B**]. Excluding Northeast states, masks were not associated with lower Summer growth using Ln [$p=0.11$; **Fig 4C**] or Fold [$p=0.18$; **S4C Fig**] models. Mask use trended with lower adjusted Fold Summer growth [$p=0.05$; **S4D Fig**]. While adjusted Fold Summer growth was 3-fold higher in UQ4 than UQ1 [$p=0.009$], all other pairwise comparisons were not significant [**Fig. 4D**]. Likewise, mask use was not associated with lower Fall-Winter growth

using Ln [$p=0.94$; **Fig 4E**], Fold [$p=0.91$; **S4E Fig**], or adjusted Fold [$p=0.71$; **S4F Fig**] models, and adjusted Fold Fall-Winter growth was not significantly different among mask use quintiles [$p=0.38$; **Fig. 4F**]. These data suggest that mask use is not consistently associated with Summer wave growth and not associated with Fall-Winter wave growth in US states. Furthermore, low Summer growth did not protect Northeast states from subsequent Fall-Winter growth. In summary, statewide SARS-CoV-2 transmission waves appear independent of reported mask use ^[17].

Discussion

Our main finding is that mask mandates and use likely did not affect COVID-19 case growth. Mask mandates were associated with greater mask use but ultimately did not influence total normalized cases or post-mandate case growth. Higher mask use [rather than mandates per se] has been argued to decrease COVID-19 growth rates ^[11]. While compliance varies by location and time, IHME estimates are derived from multiple sources and densely sampled. Even when accounting for population density, higher mask use was not associated with lower Ln or fold maximum growth rates or lower Fall-Winter case growth among continental US states. By contrast, mask use-growth rate association was highly significant at minima. This antinomy warrants consideration. Mask use did not predict normalized cases at growth minima or maxima, whereas there were more cases in the highest than the lowest mask use quintile before minima. Northeast states exhibited the highest seroprevalence by July 2020 ^[28] and comprised 80% of the highest mask use quintile, suggesting that mask use may be a lagging indicator of case growth. At maxima, when case prevalence was similar among states, COVID-19 growth rates were also similar for the highest and lowest mask use quintiles. Thus, initial association between masks and lower COVID-19 growth rates that dissipated during the Fall-Winter 2020-21 wave is likely an artifact of fewer normalized cases begetting faster growth in states with coincidental low mask use.

There is inferential but not demonstrable evidence that masks reduce SARS-CoV-2 transmission. Animal models [29], small case studies [6], and growth curves for mandate-only states [16] suggest that mask efficacy increases with mask use [11]. However, we did not observe lower growth rates over a range of compliance at maximum Fall-Winter growth [45-83% between South Dakota and Massachusetts during maxima] [17] when growth rates were high. This complements a Danish RCT from 3 April to 2 June 2020, when growth rates were low, which found no association between mask use and lower COVID-19 rates either for all participants in the masked arm [47% strong compliance] or for strongly compliant participants only [8]. While N-95 respirators offer some protection against respiratory viruses [10], there is limited evidence for cloth and medical masks. Higher self-reported mask use protected against SARS-CoV-1 in Beijing residents [30], but RCTs found no differences in PCR confirmed influenza among Hong Kong households assigned to hand hygiene with or without masks [mask use 31% and 49%, respectively] [31]. Medical and cloth masks did not reduce viral respiratory infections among clinicians in Vietnam [9] or China [10], and rhinovirus transmission increased among universally masked Hong Kong students and teachers in 2020 compared with prior years [32]. These findings are consistent with a 2020 CDC meta-analysis [33] and a 2020 Cochrane review update [34].

Our study has implications for respiratory virus mitigation. Public health measures should ethically promote behaviors that prevent communicable diseases. The sudden onset of COVID-19 compelled adoption of mask mandates before efficacy could be evaluated. Our findings do not support the hypothesis that greater public mask use decreases COVID-19 spread. As masks have been required in many settings, it is prudent to weigh potential benefits with harms. Masks may promote social cohesion during a pandemic [35], but risk compensation can also occur [36]. By obscuring nonverbal communication, masks interfere with social

learning in children [37]. Likewise, masks can distort verbal speech and remove visual cues to the detriment of individuals with hearing loss; clear face-shields improve visual integration, but there is a corresponding loss of sound quality [38, 39]. Prolonged mask use [>4 hours per day] promotes facial alkalization and inadvertently encourages dehydration, which in turn can enhance barrier breakdown and bacterial infection risk [40]. British clinicians have reported masks to increase headaches and sweating and decrease cognitive precision [41]. Survey bias notwithstanding, these sequelae are associated with medical errors [42]. Future research is necessary to assess risks of long-term daily mask use [34]. As COVID-19 remains a public health threat, it is also appropriate to emphasize interventions with demonstrated efficacy against COVID-19, most notably vaccination [43] and vitamin D repletion [44].

In conclusion, we found mask mandates and use to be poor predictors of COVID-19 spread in US states. Strengths of our study include assessing COVID-19 association with both mandates and reported use; evaluating both Ln and Fold growth models; accounting for population density differences; and measuring case growth after modeled mandate effective dates in states with late or no mandates. Our study also has key limitations. We did not assess counties or localities, which may trend independently of state averages. While dense sampling promotes convergence, IHME masking estimates are subject to survey bias. We only assessed one biological quantity [confirmed and probable COVID-19], but the ongoing pandemic warrants assessment of other factors such as hospitalizations and mortality. Importantly, our study does not disprove the efficacy of all masks in limited and controlled circumstances, such as properly worn N95 respirators. A recent study found that at typical respiratory fluence rates, medical masks decrease airway deposition of 10-20µm SARS-CoV-2 particles but not 1-5µm SARS-CoV-2 aerosols [45]. Aerosol expulsion increases with COVID-19 disease severity in non-human primates, as well as with age and

BMI in humans without COVID-19 [46]. Together with enhanced vaccination rates, aerosol treatment with improved ventilation and air purification could help reduce the size of COVID-19 outbreaks.

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