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TOWN OF NEWTOWN

TOWN OF NEWTOWN LEGISLATIVE COUNCIL MEETING NOVEMBER 15, 2017 NEWTOWN MUNICIPAL CENTER, NEWTOWN, CT

PRESENT: George Ferguson, Phil Carroll, Chris Eide, Neil Chaudhary, Judit DeStefano, Ryan Knapp, Mary Ann Jacob, Dan Amaral, Tony Filiato, Dan Wiedemann, Dan Honan.

ABSENT: Paul Lundquist.

ALSO PRESENT: First Selectman Pat Llodra, First Selectman-Elect Dan Rosenthal, Finance Director Bob Tait, BOE Keith Alexander, Director of Business Newtown Public Schools Ron Bienkowski, Legislative Council Member-Elect Jordana Bloom, 2 public, 1 press.

CALL TO ORDER: Ms. Jacob called the meeting to order with the Pledge of Allegiance at 7:30 pm.

VOTER COMMENT: None.

MINUTES: MR. FILIATO MOVED TO APPROVE THE MINUTES OF THE NOVEMBER 1, 2017 MEETING. SECOND BY MR. CARROLL. ALL IN FAVOR. (11-0)

COMMUNICATIONS: Attached. (ATTACHMENT A)

COMMITTEE REPORTS: Mr. Knapp said all ordinance work is completed.

FIRST SELECTMAN'S REPORT: Ms. Llodra distributed information about the Newtown Police Union Contract Major Changes July 1, 2017 – June 30, 2020 and Parks and Recreation Contract July 1, 2017 – June 30, 2020. (ATTACHMENT A-1)

NEW BUSINESS

MR. KNAPP MOVED TO APPROVE RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$1,031,481 TO INCREASE THE BOARD OF EDUCATION 2017-18 BUDGET TO ACCOUNT FOR THE LOSS OF BUDGETED STATE SPECIAL EDUCATION GRANTS (APPLIED DIRECTLY TO THE BOE BUDGET) TO BE FINANCED BY AN INCREASE IN OTHER STATE GRANT ESTIMATED REVENUES (BUDGETED REVENUES) IN THE 2017-18 TOWN OF NEWTOWN BUDGET (AFTER THE ADOPTION OF THE 2017-18 STATE BUDGET, ACTUAL STATE GRANTS ARE GREATER THAN BUDGETED STATE GRANTS). SECOND BY MR. FERGUSON. Mr. Tait reviewed documents from the previous budget session related to education funding. (ATTACHMENT B) Mr. Knapp commented about the language in 635E, said purposes same as capital. Mr. Tait responded that said purpose relates to a project. Mr. Knapp commented on the ECS change level taking that delta and making it into a grant, open up to more federal funding, Ms. Llodra replied no. ALL IN FAVOR. MOTION PASSES. (11-0)

LEGISLATIVE COUNCIL

MR. KNAPP MOVED TO REQUEST FOR SPECIAL APPROPRIATION REGARDING ACTIONS IF TOWN OF NEWTOWN BUDGET OVERFUNDED PER RESOLUTION APPROVED BY THE LEGISLATIVE COUNCIL ON APRIL 5, 2017. SECOND BY MR. HONAN. (ATTACHMENT C) Ms. Jacob opened the discussion indicating that the motion would approve everything based on the resolution. Ms. Llodra said that the BOE is challenged with unanticipated expenses and part of her concern is that if the entire fund is allocated, as identified, come February or March, the BOE may express need, the BOE is putting strategies together to mitigate that burden, once demands on resources are known. Mr. Wiedemann suggested that the BOE speak. Mr. Alexander and Mr. Bienkowski spoke to the amount of students that have special needs, 23 youngsters with special needs, and another 4 moved in the special ed program last month. In addition to other expenses to meet the high level of support that Newtown is known for, they had to put in an additional special ed vehicle, unbudgeted for. Mr. Bienkowski said that it is unusual to have this spike, he told the BOE that he is very cautious going into winter, with weather concerns, there are no accounts that have available funds, there have been layoffs, hold back on expenses of 25%.

Mr. Knapp commented that though he would like to do something now, there is not enough information, charter may not allow due to methods of financing, cannot act on special appropriation tonight.

Mr. Ferguson commented that 23 is a lot of children, how much of that moving in is organic or are there other drivers. Mr. Bienkowski said that none of them were placed by the state.

Ms. Jacob said that she believes it makes the most sense to wait. Ms. DeStefano agreed.

Mr. Ferguson asked if the vote could be withdrawn.

MR. FERGUSON MOVED TO AMEND TO POSTPONE VOTE. SECOND BY MR. WIEDEMANN.

Mr. Wiedemann expressed concern of public perception. Ms. Jacob explained the motion process. Mr. Eide clarified the intent of the amendment. MR. FERGUSON WITHDREW HIS MOTION TO POSTPONE VOTE.

MR. WIEDEMANN WITHDREW HIS SECOND. ALL IN FAVOR TO WITHDRAW AMENDMENT. (11-

0) MR. KNAPP MOVED TO WITHDRAW MAIN MOTION TO REQUEST FOR SPECIAL APPROPRIATION REGARDING ACTIONS IF TOWN OF NEWTOWN BUDGET OVERFUNDED PER RESOLUTION APPROVED BY THE LEGISLATIVE COUNCIL ON APRIL 5, 2017. MR. HONAN WITHDREW HIS SECOND. ALL IN FAVOR TO WITHDRAW MAIN MOTION. (11-0)

MR. KNAPP MOVED TO TRANSFER \$17,500 FROM CONTINGENCY TO FEES AND PROFESSIONAL SERVICES. SECOND BY MR. HONAN. (ATTACHMENT D)

Ms. Llodra explained that this relates to the Tech park at the end of Commerce Road, at the final state of the permitting to create a road to access the back piece of the property, should there be any development. The town has worked with the corps of engineers, Ms. Llodra said, the motion is to allow the permitting process. Mr. Knapp asked that since the Town owns the property, we would sell it. Ms. Llodra said yes, put in the road and sell it. Mr. Honan asked if Commerce Road could extend to Wasserman Way. Ms. Llodra said that the traffic flow was identified in the past and to keep pushing for it, though doubtful the state would give permission. Ms. DeStefano asked if this would hinder the process of connections. ALL IN FAVOR. MOTION PASSES. (10-1) (MR. FERGUSON)

MR. KNAPP MOVED TO REQUEST FROM BABE RUTH TO USE A 4-WHEEL VEHICLE ON TOWN LANDS ON FAIRFIELD HILLS BASEBALL FIELDS AS DETAILED IN THE ATTACHED LETTER DATED OCTOBER 18, 2107 PER ARTICLE 216-11 OF THE NEWTOWN CODE BOOK. SECOND BY MS. DESTEFANO. (ATTACHMENT E)

Ms. Llodra explained that the Newtown Babe Ruth League has purchased a utility vehicle to transport supplies from a storage shed to the various fields and to groom the clay portions of fields. Mr. Knapp asked about a liability concern. Ms. Llodra explained that Newtown Babe Ruth League is taking full responsibility, insured by Newtown Babe Ruth. Mr. Filiato added that insurance is the same as other sports organizations. Mr. Chaudhary noted the number of deaths

LEGISLATIVE COUNCIL

on public roadways, 3-400 with ATV's. Mr. Honan said that this is the exclusive responsibility of Newtown Babe Ruth League and the Town is looking to be helpful and understands there is a need for the right vehicle. Mr. Wiedemann asked about attachments on the vehicle, Ms. Llodra said that the Town does not own the vehicle, Newtown Babe Ruth League will own it, and it will not be allowed on the road. Mr. Carroll said that the vehicle is insured, the Town may have some liability same as any other occurrence that happens on Town property, he sees no problem with this. ALL IN FAVOR. MOTION PASSES. (11-0)

OLD BUSINESS: None.

VOTER COMMENT: Keith Alexander, Fawnwood, Sandy Hook– Mr. Alexander thanked the Council for the resolution back in April, and appreciated the discussion, he agreed with motion tonight and thanked the Council for the work done.

ANNOUNCEMENTS: Ms. Jacob will work with Ms. Sgobbo to prepare the next Legislative Council agenda, the next meeting will be started by the Town Clerk, Council will need to elect a chair, then take over meeting, elect a vice chair and appoint a clerk. Ms. Jacob will prepare the calendar and get to Ms. Sgobbo next week.

Ms. Jacob thanked Council members for their service saying that it has been a pleasure working with each and every Council member, Newtown is a better place because of the contributions of this team of people, she added that she is proud to say that this board has acted with the highest degree of professionalism and she has been proud to have been a part of it. Ms. Jacob recognized that Mr. Amaral, Mr. Ferguson, Mr. Chaudhary, and Mr. Filiato have a total combined of 27 years of service. Mr. Lundquist, Mr. Knapp, Mr. Eide, Mr. Wiedemann, Ms. DeStefano, Mr. Carroll, and Mr. Honan – thanks for stepping up to continue on the Council. She thanked also Mr. Tait for providing invaluable financial guidance and Ms. Sgobbo for joining the team as clerk. Ms. Jacob thanked Ms. Llodra for her leadership and invited Mr. Chaudhary to read a proclamation and Lisa Schwartz, poet laureate to read a poem she has written for Ms. Llodra. Ms. Schwartz thanked Susan Marcinek and Maureen Will for their insight. (ATTACHMENT F) Ms. Jacob and the Council presented Ms. Llodra with a print of a scene in Newtown by Jim Chillington. The Council presented Ms. Jacob with an ornament and bouquet of roses recognizing her service on the Legislative Council.

ADJOURNMENT: There being no further business the meeting adjourned at 8:30 pm.

Respectfully Submitted,

June Sgobbo
Clerk

Attachments: Correspondence, Newtown Debt Policy, Newtown CIP Policy, Resolution for Special Appropriation, Request to Board of Finance, Transfer \$17,500 from Contingency, Request from Babe Ruth League, Inc., Proclamation.

These are draft minutes and as such are subject to correction by the Legislative Council at the next regular meeting. All corrections will be determined in minutes of the meeting at which they were corrected.

From: "Mary Ann Jacob" <mjacob4404@charter.net>
To: "Po Murray (Chairman of Newtown Action Alliance)" <pmurray@newtownaction.org>
Cc: june.sgobbo@charter.net
Date: Thursday November 2 2017 5:54:57PM

ATTACHMENT A

Re: Form submission from: Contact the Legislative Council

Thank you Po, I will include your request as part of our minutes but would suggest you consider reaching out to the new chairman after the election since our next meeting is our last of this term.

Mary Ann

Sent from my iPhone

> On Nov 2, 2017, at 1:10 PM, Po Murray (Chairman of Newtown Action Alliance) via Newtown CT <vtstdmailer@vt-s.net> wrote:

>

> Submitted on Thursday, November 2, 2017 - 1:10pm

> Submitted by user: Anonymous

> Submitted values are:

>

> Your name: Po Murray (Chairman of Newtown Action Alliance)

> Your e-mail address: pmurray@newtownaction.org

> Subject: Guns on public property and during public demonstrations

> Message:

> Dear LC Members:

>

> The Newtown Action Alliance has spent the last five years pushing for
> legislative changes on the state and federal level to end gun violence in
> America. We have not focused much on town ordinances that could keep our
> families and community safe.

>

> Tonight, I will be attending the Southbury BOS meeting to support the efforts
> from their community members who are working to protect their right to
> peacefully assemble by prohibiting guns on town-owned property and during
> public demonstrations.

>

> I just realized that we probably don't have the same provisions here in
> Newtown therefore I would like to make an official request for the LC to
> consider ordinances to:

>

> 1. prohibit guns on town-owned property

> 2. prohibit guns during public demonstrations

> 2. prohibit open carry

> 3. ban the use of bump-fire stocks and other accessories that could convert
> guns into automatic-fire weapons

>

> We hold regular rallies at Fairfield Hills, Edmond Town Hall and in front of
> the National Shooting Sports Foundation and we have had incidents where gun
> owners have brought their guns to intimidate us. We have the right to
> peacefully assemble in Newtown without the intimidation tactics from gun
> extremists.

>
> Thank you for your consideration and I look forward to hearing from you.
>
> Sincerely,
> Po Murray
> Chairman
> Newtown Action Alliance
> ==Attachments:==
> Attachment #1:
> Attachment #2:
> Attachment #3:
>

From: "Mary Ann Jacob" <mjacob4404@charter.net>
To: "June Sgobbo" <june.sgobbo@charter.net>
Cc:
Date: Sunday November 5 2017 11:10:52AM

Fwd: Newtown Debt Policy

June, please include as correspondence!

Begin forwarded message:

From: Mary Ann Jacob <mjacob4404@charter.net>
Subject: Newtown Debt Policy
Date: October 10, 2017 at 1:10:30 PM EDT
To: John Godin <jgodin1312@gmail.com>, Debbie Halstead <debbie.halstead@newtown-ct.gov>, Bob Tait <robert.tait@newtown-Ct.gov>
Cc: June Sgobbo <june.sgobbo@charter.net>, Keith Alexander <alexanderk_boe@newtown.k12.ct.us>, Pat Llodra <pat.llodra@newtown-ct.gov>

Good Afternoon, Attached is the approved Newtown Debt Policy voted on at the October 4, 2017 Legislative Council meeting.

June, Please enter this as part of the correspondence record for our next meeting.

Debbie and Bob, While it's not a regulation, please see that any references to it on our website are updated.

John, I have included a redlined copy so you can review the exact changes that were made with the BOF if you want.

Keith and Pat, wanted you to have a copy for planning purposes.

Best, Mary Ann

**TOWN OF NEWTOWN, CT
DEBT MANAGEMENT POLICY**

I. PURPOSE

The purpose of this policy is to establish parameters and provide guidance governing the issuance, management, continuing evaluation of and reporting on all debt obligations issued by the Town of Newtown.

Debt obligations, which include general obligation bonds, special assessment bonds, revenue bonds, bond anticipation notes, lease/purchase agreements and any other debt obligations permitted to be issued under Connecticut law shall only be issued to purchase capital assets that cannot be acquired with current revenues.

II. POLICY STATEMENT

Under the requirements of Federal and state laws and Town Charter provisions, ordinances and resolutions, the Town may periodically issue debt obligations to finance the construction or acquisition of infrastructure and other assets or to refinance existing debt. It is the Town's goal to assure that such debt obligations are issued and managed in such a manner as to obtain the best long-term financial advantage to the Town and its residents, while making every effort to maintain and improve the Town's bond ratings and reputation in the investment community.

III. RESPONSIBILITY FOR POLICY

The Director of Finance shall be responsible for issuing and managing the Town's debt program. In carrying out this policy, the Director shall periodically:

1. Consider the need for debt financing based upon the approved Capital Improvement Plan.
2. Review the Town's adherence to this policy statement and compare the debt ratios established in this policy with where the Town actually is.
3. Review the Town's authorized but unissued debt to determine if any authorizations are no longer needed.
4. Determine if there are any opportunities for refinancing current debt.
5. Review every three years the services provided by the Town's financial advisor, bond counsel, paying agents and other debt financing service providers.

The Director of Finance shall report his/her findings to the Board of Selectmen, Board of Finance and Legislative Council in the September/October time period of each year, during the Town's review and formulation of the Capital Improvement Plan.

IV. GENERAL DEBT GOVERNING POLICIES

The Town hereby establishes the following policies concerning the issuance and management of debt:

- A. The Town shall not issue debt obligations or use debt proceeds to finance current operations of the Town.

- B. The Town will utilize debt obligations only for acquisition, construction or remodeling of capital improvement projects that cannot be funded from current revenue sources or in such cases wherein it is more equitable to the users of the project to finance the project over its useful life.
- C. The Town will measure the impact of debt service requirements of outstanding and proposed debt obligations on single year, five, ten, and twenty-year periods.

V. DEBT POLICIES, RATIOS AND MEASUREMENT

- A. Purposes of Issuance – the Town shall only issue debt obligations for acquiring, constructing or renovating Town owned fixed assets; capital equipment as defined within 3.10-5 of the Capital Improvement Plan (“CIP”); or for refinancing existing debt obligations.
- B. Maximum Maturity – All debt obligations shall have a maximum maturity of twenty years. The estimated useful life of the Capital Improvement being financed should be considered when determining the maturity of debt. In the event debt obligations are being issued to refinance outstanding debt obligations the final maturity of the debt obligations being refinanced shall remain the same maturity.
- C. Direct Debt Per Capita – An analysis of this debt ratio should be made each year. It should be looked at in context with other related ratios (mentioned). A comparison should be made with other similar rated Connecticut towns. The Direct Debt Per Capita shall be calculated by dividing the Town’s direct debt by the most current population figure.

Ratio of General Fund Total Bonded Debt to Taxable Net Grand List – An analysis of this debt ratio should be made each year. It should not go beyond 3%. An increasing ratio of debt to net grand list (over several years) is not desirable.

- D. Average Maturity of General Obligation Bonds – the Town shall have at least 50% of outstanding general obligation bonds mature in less than ten (10) years.
- E. Debt Service Levels – The Town will adhere to a debt management cap that limits annual General Fund debt service to no more than 9.0% of the total General Fund budget. In addition, the Town will set a goal of limiting annual General Fund debt service to no more than 8.5% of the total General Fund budget by July 1, 2023.
- F. Net Present Value Savings – The Town must achieve a Net Present Value Savings of at least 2 percent over the life of an existing bond issue in order for it to be considered for refunding.
- G. Bond Covenants and Laws – The Town shall comply with all covenants and requirements of the bond resolutions, and state and Federal laws authorizing and governing the issuance and administration of debt obligations.
- H. If the debt management indicators fall below the recommended levels the finance director shall recommend and submit to the Board of Finance for approval a plan to bring the debt management indicators to their appropriate levels within a specific time frame.

This policy shall be reviewed, at minimum, on a biennial basis during the month of January in each odd numbered year.

VI. DEBT SERVICE INDICATORS

- A. The Town's debt burden will be compared to Towns:
 - i. in the immediate vicinity of the Town, including Bethel; Brookfield; Danbury; Monroe; New Fairfield; New Milford; Oxford; and Southbury;
 - ii. with the same bond rating; and
 - iii. to Towns with the same District Reference Group ("DRG").

- B. The Town recognizes that the below ratios are useful guides but not the exclusive means by which it should measure debt burden:
 - i. Ratio of debt to equalized net Grand List;
 - ii. debt per capita;
 - iii. per capita income;
 - iv. median household income
 - v. debt per capita as a percentage of per capita income;
 - vi. debt per capita as a percentage of median household income

The Town will employ data taken from the latest State of Connecticut Municipal Fiscal Indicators Report to compile the above ratios and develop trend lines from same.

- VII. This policy shall be reviewed, at minimum, on a biennial basis during the month of January in each odd numbered year.

Approved by the Legislative Council: October 4, 2017

**TOWN OF NEWTOWN, CT
DEBT MANAGEMENT POLICY**

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- ii. debt per capita;
- iii. per capita income;
- iv. median household income
- v. debt per capita as a percentage of per capita income;
- vi. debt per capita as a percentage of median household income

The Town will employ data taken from the latest State of Connecticut Municipal Fiscal Indicators Report to compile the above ratios and develop trend lines from same.

VII. This policy shall be reviewed, at minimum, on a biennial basis during the month of January in each odd numbered year.

Approved by the Legislative Council:

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From: "Mary Ann Jacob" <mjacob4404@charter.net>
To: "John Godin" <jgodin1312@gmail.com>, "Debbie Halstead" <debbie.halstead@newtown-ct.gov>, "Bob Tait" <robert.tait@newtown-Ct.gov>
Cc: "June Sgobbo" <june.sgobbo@charter.net>, "Keith Alexander" <alexanderk_boe@newtown.k12.ct.us>, "Pat Llodra" <pat.llodra@newtown-ct.gov>
Date: Sunday November 5 2017 11:12:58AM

Re: Newtown Debt Policy

Good Afternoon, Attached is the approved Newtown CIP Policy voted on at the November 1, 2017 Legislative Council meeting.

June, Please enter this as part of the correspondence record for our next meeting.

Debbie and Bob, While it's not a regulation, please see that any references to it on our website are updated.

John, I have included a redlined version compared to the current approved policy so you can see what was accepted by the council.

Keith and Pat, wanted you to have a copy for planning purposes.

Best, Mary Ann

Chapter 310. Capital Improvement Plan

[HISTORY: Adopted by the Legislative Council of the Town of Newtown 3-6-1997; amended 9-18-2002. Subsequent amendments noted where applicable.]

§ 310-1. Goal.

A.

The goal of the Board of Finance in adopting this regulation is to:

(1)

Prioritize, on a Town-wide basis, proposed major capital projects.

(2)

Establish a consistent level of spending for such capital projects.

(3)

Integrate financial planning, budgeting and debt issuance for the Town.

(4)

Encourage careful project design.

B.

This Capital Improvement Plan (CIP) regulation hereby:

(1)

Creates a process by which the Board of Finance adopts a proactive position regarding the capital expenditures of the Town of Newtown.

(2)

Creates a process by which the Board of Finance identifies, prioritizes, evaluates, justifies, monitors, postpones or eliminates proposed capital expenditures.

(3)

Creates a process by which the Board of Finance and the Legislative Council work compatibly in enacting Subsections **B(1)** and **(2)**.

§ 310-2. Description; annual review.

The Capital Improvement Plan is Newtown's five-year program of major capital purchases of a nonrecurring nature. The CIP is based on assigned priorities which consider Town needs, desires, and mandates for various improvements and coincides with Newtown's current and anticipated financial capability to finance such improvements. The CIP shall be reviewed at least annually by the Board of Finance. The Board of Finance shall amend the CIP as required to address changing priorities and maintain the CIP at a five-year projection time frame.

Five Year Capital Improvement Plan (CIP)

The Capital Improvement Plan (CIP) is a five-year plan identifying the Town's capital outlay and improvement needs. As a long-range plan, the CIP reflects the Town's policy regarding future physical and economic development. By providing a planned schedule of public improvements, the CIP outlines present and future public needs and priorities. A capital improvement is defined as any expenditure for equipment, buildings, infrastructure, land acquisition, plan or project in which the cost exceeds 0.25% of the town budget for the year in which the request is made.

Capital project planning is an ongoing process. Each year the CIP document is updated. The need or idea for capital improvements can originate from the department heads, the First Selectman, the Superintendent of Schools, and boards and commissions. These items are compiled into this document and presented annually to the Board of Finance and Legislative Council. Once approved, the CIP outlines the Town's official commitment to funding these expenditures in the subsequent years budgets.

Adopting a CIP does not end with the first year. Changing needs and priorities, emergencies, cost changes, mandates and changes in technology all require the CIP to be updated annually. The Town's public facilities, streets, parks, equipment, etc., are constantly in need of repair, replacement or expansion. A growing population will require additional or new facilities. These reasons require that the CIP be updated to maintain the financial solidity of the Town. The CIP achieves the following objectives as a component of the Town's budget and financial planning process:

- Reduces the need for "crash programs" to finance the construction of Town facilities.
- Focuses attention on community goals, needs and capabilities.
- Achieves optimum use of taxpayer dollars.
- Guides future community growth and development.
- Advance planning ensures that projects are well thought out in advance of construction.
- Provides for the orderly replacement of capital expenditures.
- Encourages a more efficient governmental administration as well as maintains a sound and stable financial program.

§ 310-3. Implementation and amendments.

The Board of Finance is hereby charged with the responsibility of implementing the goals expressed above in § 310-1 and all changes, additions and deletions to the CIP. In addition, among others, the Town Financial Director, First Selectman, Chairman of the Board of Education, Superintendent of Schools and Legislative Council members may advise the Board of Finance, but do not have voting privileges.

§ 310-4. Presentation of proposed purchases to Board of Finance.

Proposed purchases may be brought to the Board of Finance at any time; however, except for exigent circumstances as determined by the Board of Finance, purchases not presented in the Board of Selectmen or Board of Education yearly five-year CIP projection shall not be considered by the Board of Finance until the next June through October period. The Board of Selectmen shall submit its five-year projected CIP proposal at the first regularly scheduled Board of Finance meeting in August. The Board of Education shall submit its five-year projected CIP proposal at the first regularly scheduled Board of Finance meeting in June. The Board of Finance shall hold its review period from June through October.

§ 310-5. Eligible purchases and expenditures.

To be eligible for inclusion in the CIP, a proposed purchase shall have an estimated cost that is at least 0.25% of the Town budget for the year in which the request is made (excluding projects funded with LoCIP money). Listed below are some of the guidelines which would make a request eligible for inclusion in the CIP, assuming the proposed purchase meets the 0.25% requirement set forth above:

A.

Purchases requiring debt obligation.

B.

Acquisition or lease of land.

C.

Purchase of major equipment and vehicles with life expectancy of five years or more.

D.

Construction of new building facilities, including engineering, design and other preconstruction costs.

E.

Major building improvements that are not routine expenses, including those that substantially enhance the safety of the occupants of the building and/or the longevity of the building itself.

F.
Major equipment or furnishing required for a new building or other projects.

G.
Major studies requiring the employment of outside professional consultants.

§ 310-6. Process overview.

All requests for inclusion in the CIP will adhere to the following process and shall be submitted on a form as prescribed by the Town Financial Director:

A.
Each Town department shall submit to the Board of Selectmen a prioritized list of proposed capital purchases.

B.
The Board of Selectmen will identify, prioritize and approve, on a Town-wide basis, purchases it proposes to include in the CIP, excluding items requested by the Board of Education. The Board of Education will likewise identify, prioritize and approve purchases it proposes to be considered for placement on the CIP.

C.
The requesting agency or department will plan for and be responsible for funding any professional estimating for a project in their operational budget. If applicable, alternative sources of funding can and should be identified, such as the Cap Non-Recurring Account, and be reimbursed upon actual borrowing if appropriate.

D.
The Board of Selectmen and the Board of Education shall also include in the request(s):

(1)
The identification of any grants, revenues or reimbursements anticipated each year.

(2)
A financial impact statement as provided by the Town Financial Director.

E.
The Town Financial Director will review and compile the two lists to be presented to the Board of Finance.

F.
The Board of Selectmen and the Board of Education will then present their prioritized purchase requests to the Board of Finance.

G.
The Board of Finance will consider all requests made through this process and determine those that will be recommended for inclusion in the CIP and those that are to be rejected or postponed. If rejected, the proposed purchase can be resubmitted to the appropriate board at the first step of the process. If postponed, the request shall be reviewed by the Board of Finance with respect to its new priority level.

H.
The Board of Finance will prioritize, on a Town-wide basis, all requests it approves for inclusion in the CIP, and establish a time frame for proceeding with each purchase in view of the financial implications of such a purchase.

I.
The Board of Finance will forward its formal and approved recommendation to the Legislative Council by November 30. The Legislative Council may accept the plan in its entirety, reject any item or reduce any item in capital costs, or reduce any item in priority. Any new item addition, increase, decrease or change in proposed capital expenditure for an item by the Legislative Council shall be referred back to the Board of Finance for further review and recommendation with written comment by the Legislative Council as to its reasoning. Within a reasonable time thereafter, the Board of Finance will resubmit its recommended CIP plan, noting any changes it has made.

L.

The CIP plan approved by the Legislative Council shall be the single and final adopted CIP plan for the Town of Newtown; except, should the Legislative Council not return a proposed plan by the Board of Finance to the Board of Finance for further review within 60 days of its submission, and not pass the final CIP plan presented by the Board of Finance within 60 days of submission to the Legislative Council, the proposed CIP plan presented by the Board of Finance shall be the single and final adopted CIP plan for the Town of Newtown.

J.

Once the CIP is adopted by the Legislative Council, the projects identified for year one and their associated costs will be considered final in terms of bonding and any appropriation actions.

The Legislative Council shall apply the following guidelines when recommending capital items to be acted upon:

- (1)
Capital items that are one phase of a multi-phase project that are expected to exceed Council authority in total should receive priority consideration for referendum
- (2)
Significant consideration shall be given to the most costly of the remaining capital items and should go to referendum
- (3)
Items that are time sensitive should receive priority consideration for referendum

§ 310-7. Prioritization.

The Board of Finance shall consider the following criteria during its prioritization:

A.

The cost of the purchase.

B.

The impact of the purchase versus the benefit to the Town.

C.

The year it will be implemented.

D.

The source of financing.

E.

The impact on future operating budgets.

F.

The benefit or risk to the Town should the purchase not be made.

§ 310-8. Town budget.

All purchases which are proposed for the ensuing fiscal year and included in the final CIP by the Legislative Council shall be included as proposed expenditures in the budget presented to the Board of Finance. Except for exigent circumstances, any capital improvement expenditure that falls within § 310-5 of this plan regulation and is not contained in the CIP shall not be considered for implementation.

310-9. Capital Project Process

The processes used to authorize bonding and appropriations for a capital project are controlled by a series of checks and balances exercised by the executive, finance, and legislative arms of Town government. These processes are

established to ensure that each project with significant costs is evaluated and examined by persons elected to represent the best interests of the community. Every project accepted into the Capital Improvement Plan, as approved by the Board of Selectmen, Board of Finance, and Legislative Council is subject to the same rigorous review. Except for emergency situations, a consistent and documented process should be used to advance every capital project from inception to execution by its requesting agent.

Projects approved for inclusion in the Capital Improvement Plan typically progress from the introductory phase in year 5 to execution phase in year 1. Projects in Year 1 on the Capital Improvement Plan are intended for implementation during that fiscal year. Capital Projects to be implemented must go through the Bonding and Special Appropriations processes, as determined by the Charter, section 6-30.

Steps in this process for projects readying for implementation include:

Bonding funds for requested Capital Projects:

1. The Director of Finance causes a bonding resolution to be prepared. The resolution will identify the funds being requested and the purpose of those funds. The Department with ownership of the proposed project initiates this process through contact with the Director of Finance;
2. The bonding resolution to fund the proposed project is submitted to Board of Finance for discussion/action;
3. If approved by the Board of Finance, that bonding resolution is then submitted for Legislative Council discussion/action;
4. If approved by the Legislative Council, the resolution is then submitted to Board of Selectmen for discussion/action.

Appropriating funds for projects for which bonding has been approved follows these steps:

(Greater detail about the process for appropriating funds for capital projects is described in the Charter, sec. 6-30.)

1. A special appropriation request for a Capital Project is prepared by the Director of Finance in concert with the requesting department;
2. The appropriation request is submitted to the Board of Finance for discussion and action;
3. If approved, the appropriation request then moves to the Legislative Council;
4. The appropriations request may also be acted on by the Board of Selectmen, a Town Meeting or Referendum, depending upon the magnitude of funds requested as per Charter.

Management/Oversight of Capital Projects:

The Public Building and Site Commission shall have control of supervision and construction of capital projects. Should the Public Building and Site Commission determine that it is unable to take on this responsibility, then other building committee or owner's representative may be appointed by the Selectmen or the Board of Education.

- a. The PB&S Commission or 'other' authorized building committee establishes appropriate advisory committees; prepares and issues appropriate RFQs and RFPs; selects professionals and develops contracts with attorney and purchasing agents input;
- b. Contracts in conjunction with all such capital projects shall be authorized by the First Selectman, with approval of the Board of Selectmen or Board of Education.

Project planning and bidding;

Once the Special Appropriation process is complete and approved by the appropriate levels of government, assignment of the project to the Public Building and Site Commission or 'other' building committee may take place, followed by project planning, including the issuance of public bids.

Revised and approved by the Legislative Council November 1, 2017.

Chapter 310. Capital Improvement Plan

[HISTORY: Adopted by the Legislative Council of the Town of Newtown 3-6-1997; amended 9-18-2002. Subsequent amendments noted where applicable.]

§ 310-1. Goal.

A.

The goal of the Board of Finance in adopting this regulation is to:

(1)

Prioritize, on a Town-wide basis, proposed major capital projects.

(2)

Establish a consistent level of spending for such capital projects.

(3)

Integrate financial planning, budgeting and debt issuance for the Town.

(4)

Encourage careful project design.

B.

This Capital Improvement Plan (CIP) regulation hereby:

(1)

Creates a process by which the Board of Finance adopts a proactive position regarding the capital expenditures of the Town of Newtown.

(2)

Creates a process by which the Board of Finance identifies, prioritizes, evaluates, justifies, monitors, postpones or eliminates proposed capital expenditures.

(3)

Creates a process by which the Board of Finance and the Legislative Council work compatibly in enacting Subsections **B(1)** and **(2)**.

§ 310-2. Description; annual review.

The Capital Improvement Plan is Newtown's five-year program of major capital purchases of a nonrecurring nature. The CIP is based on assigned priorities which consider Town needs, desires, and mandates for various improvements and coincides with Newtown's current and anticipated financial capability to finance such improvements. The CIP shall be reviewed at least annually by the Board of Finance. The Board of Finance shall amend the CIP as required to address changing priorities and maintain the CIP at a five-year projection time frame.

Five Year Capital Improvement Plan (CIP)

The Capital Improvement Plan (CIP) is a five-year plan identifying the Town's capital outlay and improvement needs. As a long-range plan, the CIP reflects the Town's policy regarding future physical and economic development. By providing a planned schedule of public improvements, the CIP outlines present and future public needs and priorities. A capital improvement is defined as any expenditure for equipment, buildings, infrastructure, land acquisition, plan or project in which the cost exceeds 0.25% of the town budget for the year in which the request is made.

Capital project planning is an ongoing process. Each year the CIP document is updated. The need or idea for capital improvements can originate from the department heads, the First Selectman, the Superintendent of Schools, and boards and commissions. These items are compiled into this document and presented annually to the Board of Finance and Legislative Council. Once approved, the CIP outlines the Town's official commitment to funding these expenditures in the subsequent years budgets.

Adopting a CIP does not end with the first year. Changing needs and priorities, emergencies, cost changes, mandates and changes in technology all require the CIP to be updated annually. The Town's public facilities, streets, parks, equipment, etc., are constantly in need of repair, replacement or expansion. A growing population will require additional or new facilities. These reasons require that the CIP be updated to maintain the financial solidity of the Town. The CIP achieves the following objectives as a component of the Town's budget and financial planning process:

- Reduces the need for "crash programs" to finance the construction of Town facilities.
- Focuses attention on community goals, needs and capabilities.
- Achieves optimum use of taxpayer dollars.
- Guides future community growth and development.
- Advance planning ensures that projects are well thought out in advance of construction.
- Provides for the orderly replacement of capital expenditures.
- Encourages a more efficient governmental administration as well as maintains a sound and stable financial program.

§ 310-3. Implementation and amendments.

The Board of Finance is hereby charged with the responsibility of implementing the goals expressed above in § 310-1 and all changes, additions and deletions to the CIP. In addition, among others, the Town Financial Director, First Selectman, Chairman of the Board of Education, Superintendent of Schools and Legislative Council members may advise the Board of Finance, but do not have voting privileges.

§ 310-4. Presentation of proposed purchases to Board of Finance.

Proposed purchases may be brought to the Board of Finance at any time; however, except for exigent circumstances as determined by the Board of Finance, purchases not presented in the Board of Selectmen or Board of Education yearly five-year CIP projection shall not be considered by the Board of Finance until the next June through October period. The Board of Selectmen shall submit its five-year projected CIP proposal at the first regularly scheduled Board of Finance meeting in August. The Board of Education shall submit its five-year projected CIP proposal at the first regularly scheduled Board of Finance meeting in June. The Board of Finance shall hold its review period from June through October.

§ 310-5. Eligible purchases and expenditures.

To be eligible for inclusion in the CIP, a proposed purchase shall have an estimated cost that is at least 0.25% of the Town budget for the year in which the request is made (excluding projects funded with LoCIP money). Listed below are some of the guidelines which would make a request eligible for inclusion in the CIP, assuming the proposed purchase meets the 0.25% requirement set forth above:

A.

Purchases requiring debt obligation.

B.

Acquisition or lease of land.

C.

Purchase of major equipment and vehicles with life expectancy of five years or more.

D.

Construction of new building facilities, including engineering, design and other preconstruction costs.

E.

Major building improvements that are not routine expenses, including those that substantially enhance the safety of the occupants of the building and/or the longevity of the building itself.

F.
Major equipment or furnishing required for a new building or other projects.

G.
Major studies requiring the employment of outside professional consultants.

§ 310-6. Process overview.

All requests for inclusion in the CIP will adhere to the following process and shall be submitted on a form as prescribed by the Town Financial Director:

A.
Each Town department shall submit to the Board of Selectmen a prioritized list of proposed capital purchases.

B.
The Board of Selectmen will identify, prioritize and approve, on a Town-wide basis, purchases it proposes to include in the CIP, excluding items requested by the Board of Education. The Board of Education will likewise identify, prioritize and approve purchases it proposes to be considered for placement on the CIP.

C.
The requesting agency or department will plan for and be responsible for funding any professional estimating for a project in their operational budget. If applicable, alternative sources of funding can and should be identified, such as the Cap Non-Recurring Account, and be reimbursed upon actual borrowing if appropriate.

D.
The Board of Selectmen and the Board of Education shall also include in the request(s):

(1)
The identification of any grants, revenues or reimbursements anticipated each year.

(2)
A financial impact statement as provided by the Town Financial Director.

E.
The Town Financial Director will review and compile the two lists to be presented to the Board of Finance.

F.
The Board of Selectmen and the Board of Education will then present their prioritized purchase requests to the Board of Finance.

G.
The Board of Finance will consider all requests made through this process and determine those that will be recommended for inclusion in the CIP and those that are to be rejected or postponed. If rejected, the proposed purchase can be resubmitted to the appropriate board at the first step of the process. If postponed, the request shall be reviewed by the Board of Finance with respect to its new priority level.

H.
The Board of Finance will prioritize, on a Town-wide basis, all requests it approves for inclusion in the CIP, and establish a time frame for proceeding with each purchase in view of the financial implications of such a purchase.

I.
The Board of Finance will forward its formal and approved recommendation to the Legislative Council by November 30. The Legislative Council may accept the plan in its entirety, reject any item or reduce any item in capital costs, or reduce any item in priority. Any new item addition, increase, decrease or change in proposed capital expenditure for an item by the Legislative Council shall be referred back to the Board of Finance for further review and recommendation with written comment by the Legislative Council as to its reasoning. Within a reasonable time thereafter, the Board of Finance will resubmit its recommended CIP plan, noting any changes it has made.

L.

The CIP plan approved by the Legislative Council shall be the single and final adopted CIP plan for the Town of Newtown; except, should the Legislative Council not return a proposed plan by the Board of Finance to the Board of Finance for further review within 60 days of its submission, and not pass the final CIP plan presented by the Board of Finance within 60 days of submission to the Legislative Council, the proposed CIP plan presented by the Board of Finance shall be the single and final adopted CIP plan for the Town of Newtown.

J.

Once the CIP is adopted by the Legislative Council, the projects identified for year one and their associated costs will be considered final in terms of bonding and any appropriation actions.

The Legislative Council shall apply the following guidelines when recommending capital items to be acted upon:

(1)

Capital items that are one phase of a multi-phase project that are expected to exceed Council authority in total should receive priority consideration for referendum

(2)

Significant consideration shall be given to the most costly of the remaining capital items and should go to referendum

(3)

Items that are time sensitive or a public safety concern should receive priority consideration for referendum

§ 310-7. Prioritization.

The Board of Finance shall consider the following criteria during its prioritization:

A.

The cost of the purchase.

B.

The impact of the purchase versus the benefit to the Town.

C.

The year it will be implemented.

D.

The source of financing.

E.

The impact on future operating budgets.

F.

The benefit or risk to the Town should the purchase not be made.

§ 310-8. Town budget.

All purchases which are proposed for the ensuing fiscal year and included in the final CIP by the Legislative Council shall be included as proposed expenditures in the budget presented to the Board of Finance. Except for exigent circumstances, any capital improvement expenditure that falls within § 310-5 of this plan regulation and is not contained in the CIP shall not be considered for implementation.

310-9. Capital Project Process

The processes used to authorize bonding and appropriations for a capital project are controlled by a series of checks and balances exercised by the executive, finance, and legislative arms of Town government. These processes are established to ensure that each project with significant costs is evaluated and examined by persons elected to represent the best interests of the community. Every project accepted into the Capital Improvement Plan, as approved by the Board of Selectmen, Board of Finance, and Legislative Council is subject to the same rigorous review. Except for emergency situations, a consistent and documented process should be used to advance every capital project from inception to execution by its requesting agent.

Projects approved for inclusion in the Capital Improvement Plan typically progress from the introductory phase in year 5 to execution phase in year 1. Projects in Year 1 on the Capital Improvement Plan are intended for implementation during that fiscal year. Capital Projects to be implemented must go through the Bonding and Special Appropriations processes, as determined by the Charter, section 6-30.

Steps in this process for projects readying for implementation include:

Bonding funds for requested Capital Projects:

1. The Director of Finance causes a bonding resolution to be prepared. The resolution will identify the funds being requested and the purpose of those funds. The Department with ownership of the proposed project initiates this process through contact with the Director of Finance;
2. The bonding resolution to fund the proposed project is submitted to Board of Finance for discussion/action;
3. If approved by the Board of Finance, that bonding resolution is then submitted for Legislative Council discussion/action;
4. If approved by the Legislative Council, the resolution is then submitted to Board of Selectmen for discussion/action.

Appropriating funds for projects for which bonding has been approved follows these steps:

(Greater detail about the process for appropriating funds for capital projects is described in the Charter, sec. 6-30.)

1. A special appropriation request for a Capital Project is prepared by the Director of Finance in concert with the requesting department;
2. The appropriation request is submitted to the Board of Finance for discussion and action;
3. If approved, the appropriation request then moves to the Legislative Council;
4. The appropriations request may also be acted on by the Board of Selectmen, a Town Meeting or Referendum, depending upon the magnitude of funds requested as per Charter.

Management/Oversight of Capital Projects:

The Public Building and Site Commission shall have control of supervision and construction of capital projects. Should the Public Building and Site Commission determine that it is unable to take on this responsibility, then other building committee or owner's representative may be appointed by the Selectmen or the Board of Education.

- a. The PB&S Commission or 'other' authorized building committee establishes appropriate advisory committees; prepares and issues appropriate RFQs and RFPs; selects professionals and develops contracts with attorney and purchasing agents input;
- b. Contracts in conjunction with all such capital projects shall be authorized by the First Selectman, with approval of the Board of Selectmen or Board of Education.

Project planning and bidding;

Once the Special Appropriation process is complete and approved by the appropriate levels of government, assignment of the project to the Public Building and Site Commission or 'other' building committee may take place, followed by project planning, including the issuance of public bids.

Chapter 310. Capital Improvement Plan

[HISTORY: Adopted by the Legislative Council of the Town of Newtown 3-6-1997; amended 9-18-2002. Subsequent amendments noted where applicable.]

§ 310-1. Goal.

A.

The goal of the Board of Finance in adopting this regulation is to:

(1)

Prioritize, on a Town-wide basis, proposed major capital projects.

(2)

Establish a consistent level of spending for such capital projects.

(3)

Integrate financial planning, budgeting and debt issuance for the Town.

(4)

Encourage careful project design.

B.

This Capital Improvement Plan (CIP) regulation hereby:

(1)

Creates a process by which the Board of Finance adopts a proactive position regarding the capital expenditures of the Town of Newtown.

(2)

Creates a process by which the Board of Finance identifies, prioritizes, evaluates, justifies, monitors, postpones or eliminates proposed capital expenditures.

(3)

Creates a process by which the Board of Finance and the Legislative Council work compatibly in enacting Subsections B(1) and (2).

§ 310-2. Description; annual review.

The Capital Improvement Plan is Newtown's five-year program of major capital purchases of a nonrecurring nature. The CIP is based on assigned priorities which consider Town needs, desires, and mandates for various improvements and coincides with Newtown's current and anticipated financial capability to finance such improvements. The CIP shall be reviewed at least annually by the Board of Finance. The Board of Finance shall amend the CIP as required to address changing priorities and maintain the CIP at a five-year projection time frame.

Five Year Capital Improvement Plan (CIP)

The Capital Improvement Plan (CIP) is a five-year plan identifying the Town's capital outlay and improvement needs. As a long-range plan, the CIP reflects the Town's policy regarding future physical and economic development. By providing a planned schedule of public improvements, the CIP outlines present and future public needs and priorities. A capital improvement is defined as any expenditure for equipment, buildings, infrastructure, land acquisition, plan or project in which the cost exceeds 0.25% of the town budget for the year in which the request is made.

Capital project planning is an ongoing process. Each year the CIP document is updated. The need or idea for capital improvements can originate from the department heads, the First Selectman, the Superintendent of Schools, and boards and commissions. These items are compiled into this document and presented annually to the Board of Finance and Legislative Council. Once approved, the CIP outlines the Town's official commitment to funding these expenditures in the subsequent years budgets.

Adopting a CIP does not end with the first year. Changing needs and priorities, emergencies, cost changes, mandates and changes in technology all require the CIP to be updated annually. The Town's public facilities, streets, parks, equipment, etc., are constantly in need of repair, replacement or expansion. A growing population will require additional or new facilities. These reasons require that the CIP be updated to maintain the financial solidity of the Town. The CIP achieves the following objectives as a component of the Town's budget and financial planning process:

- Reduces the need for "crash programs" to finance the construction of Town facilities.
- Focuses attention on community goals, needs and capabilities.
- Achieves optimum use of taxpayer dollars.
- Guides future community growth and development.
- Advance planning ensures that projects are well thought out in advance of construction.
- Provides for the orderly replacement of capital expenditures.
- Encourages a more efficient governmental administration as well as maintains a sound and stable financial program.

§ 310-3. Implementation and amendments.

The Board of Finance is hereby charged with the responsibility of implementing the goals expressed above in § 310-1 and all changes, additions and deletions to the CIP. In addition, among others, the Town Financial Director, First Selectman, Chairman of the Board of Education, Superintendent of Schools and Legislative Council members may advise the Board of Finance, but do not have voting privileges.

§ 310-4. Presentation of proposed purchases to Board of Finance.

Proposed purchases may be brought to the Board of Finance at any time; however, except for exigent circumstances as determined by the Board of Finance, purchases not presented in the Board of Selectmen or Board of Education yearly five-year CIP projection shall not be considered by the Board of Finance until the next June through October period. The Board of Selectmen shall submit its five-year projected CIP proposal at the first regularly scheduled Board of Finance meeting in August. The Board of Education shall submit its five-year projected CIP proposal at the first regularly scheduled Board of Finance meeting in June. The Board of Finance shall hold its review period from June through October.

§ 310-5. Eligible purchases and expenditures.

To be eligible for inclusion in the CIP, a proposed purchase shall have an estimated cost that is at least 0.25% of the Town budget for the year in which the request is made (excluding projects funded with LoCIP money). Listed below are some of the guidelines which would make a request eligible for inclusion in the CIP, assuming the proposed purchase meets the 0.25% requirement set forth above:

A.

Purchases requiring debt obligation.

B.

Acquisition or lease of land.

C.

Purchase of major equipment and vehicles with life expectancy of five years or more.

D.

Construction of new building facilities, including engineering, design and other preconstruction costs.

E.

Major building improvements that are not routine expenses, including those that substantially enhance the safety of the occupants of the building and/or the longevity of the building itself.

F.
Major equipment or furnishing required for a new building or other projects.

G.
Major studies requiring the employment of outside professional consultants.

§ 310-6. Process overview.

All requests for inclusion in the CIP will adhere to the following process and shall be submitted on a form as prescribed by the Town Financial Director:

A.
Each Town department shall submit to the Board of Selectmen a prioritized list of proposed capital purchases.

B.
The Board of Selectmen will identify, prioritize and approve, on a Town-wide basis, purchases it proposes to include in the CIP, excluding items requested by the Board of Education. The Board of Education will likewise identify, prioritize and approve purchases it proposes to be considered for placement on the CIP.

C.
The requesting agency or department will plan for and be responsible for funding any professional estimating for a project in their operational budget. If applicable, alternative sources of funding can and should be identified, such as the Cap Non-Recurring Account, and be reimbursed upon actual borrowing if appropriate.

D.
The Board of Selectmen and the Board of Education shall also include in the request(s):

(1)
The identification of any grants, revenues or reimbursements anticipated each year.

(2)
A financial impact statement as provided by the Town Financial Director.

E.
The Town Financial Director will review and compile the two lists to be presented to the Board of Finance.

F.
The Board of Selectmen and the Board of Education will then present their prioritized purchase requests to the Board of Finance.

G.
The Board of Finance will consider all requests made through this process and determine those that will be recommended for inclusion in the CIP and those that are to be rejected or postponed. If rejected, the proposed purchase can be resubmitted to the appropriate board at the first step of the process. If postponed, the request shall be reviewed by the Board of Finance with respect to its new priority level.

H.
The Board of Finance will prioritize, on a Town-wide basis, all requests it approves for inclusion in the CIP, and establish a time frame for proceeding with each purchase in view of the financial implications of such a purchase.

I.
The Board of Finance will forward its formal and approved recommendation to the Legislative Council by November 30. The Legislative Council may accept the plan in its entirety, reject any item or reduce any item in capital costs, or reduce any item in priority. Any new item addition, increase, decrease or change in proposed capital expenditure for an item by the Legislative Council shall be referred back to the Board of Finance for further review and recommendation with written comment by the Legislative Council as to its reasoning. Within a reasonable time thereafter, the Board of Finance will resubmit its recommended CIP plan, noting any changes it has made.

L.

The CIP plan approved by the Legislative Council shall be the single and final adopted CIP plan for the Town of Newtown; except, should the Legislative Council not return a proposed plan by the Board of Finance to the Board of Finance for further review within 60 days of its submission, and not pass the final CIP plan presented by the Board of Finance within 60 days of submission to the Legislative Council, the proposed CIP plan presented by the Board of Finance shall be the single and final adopted CIP plan for the Town of Newtown.

J.

Once the CIP is adopted by the Legislative Council, the projects identified for year one and their associated costs will be considered final in terms of bonding and any appropriation actions.

The Legislative Council shall apply the following guidelines when recommending capital items to be acted upon:

- (1)
Capital items that are one phase of a multi-phase project that are expected to exceed Council authority in total should receive priority consideration for referendum
- (2)
Significant consideration shall be given to the most costly of the remaining capital items and should go to referendum
- (3)
Items that are time sensitive should receive priority consideration for referendum

§ 310-7. Prioritization.

The Board of Finance shall consider the following criteria during its prioritization:

A.

The cost of the purchase.

B.

The impact of the purchase versus the benefit to the Town.

C.

The year it will be implemented.

D.

The source of financing.

E.

The impact on future operating budgets.

F.

The benefit or risk to the Town should the purchase not be made.

§ 310-8. Town budget.

All purchases which are proposed for the ensuing fiscal year and included in the final CIP by the Legislative Council shall be included as proposed expenditures in the budget presented to the Board of Finance. Except for exigent circumstances, any capital improvement expenditure that falls within § 310-5 of this plan regulation and is not contained in the CIP shall not be considered for implementation.

310-9. Capital Project Process

The processes used to authorize bonding and appropriations for a capital project are controlled by a series of checks and balances exercised by the executive, finance, and legislative arms of Town government. These processes are

established to ensure that each project with significant costs is evaluated and examined by persons elected to represent the best interests of the community. Every project accepted into the Capital Improvement Plan, as approved by the Board of Selectmen, Board of Finance, and Legislative Council is subject to the same rigorous review. Except for emergency situations, a consistent and documented process should be used to advance every capital project from inception to execution by its requesting agent.

Projects approved for inclusion in the Capital Improvement Plan typically progress from the introductory phase in year 5 to execution phase in year 1. Projects in Year 1 on the Capital Improvement Plan are intended for implementation during that fiscal year. Capital Projects to be implemented must go through the Bonding and Special Appropriations processes, as determined by the Charter, section 6-30.

Steps in this process for projects readying for implementation include:

Bonding funds for requested Capital Projects:

1. The Director of Finance causes a bonding resolution to be prepared. The resolution will identify the funds being requested and the purpose of those funds. The Department with ownership of the proposed project initiates this process through contact with the Director of Finance;
2. The bonding resolution to fund the proposed project is submitted to Board of Finance for discussion/action;
3. If approved by the Board of Finance, that bonding resolution is then submitted for Legislative Council discussion/action;
4. If approved by the Legislative Council, the resolution is then submitted to Board of Selectmen for discussion/action.

Appropriating funds for projects for which bonding has been approved follows these steps:

(Greater detail about the process for appropriating funds for capital projects is described in the Charter, sec. 6-30.)

1. A special appropriation request for a Capital Project is prepared by the Director of Finance in concert with the requesting department;
2. The appropriation request is submitted to the Board of Finance for discussion and action;
3. If approved, the appropriation request then moves to the Legislative Council;
4. The appropriations request may also be acted on by the Board of Selectmen, a Town Meeting or Referendum, depending upon the magnitude of funds requested as per Charter.

Management/Oversight of Capital Projects:

The Public Building and Site Commission shall have control of supervision and construction of capital projects. Should the Public Building and Site Commission determine that it is unable to take on this responsibility, then other building committee or owner's representative may be appointed by the Selectmen or the Board of Education.

- a. The PB&S Commission or 'other' authorized building committee establishes appropriate advisory committees; prepares and issues appropriate RFQs and RFPs; selects professionals and develops contracts with attorney and purchasing agents input;
- b. Contracts in conjunction with all such capital projects shall be authorized by the First Selectman, with approval of the Board of Selectmen or Board of Education.

Project planning and bidding;

Once the Special Appropriation process is complete and approved by the appropriate levels of government, assignment of the project to the Public Building and Site Commission or 'other' building committee may take place, followed by project planning, including the issuance of public bids.

Revised and approved by the Legislative Council November 1, 2017.

**TOWN OF NEWTOWN, CT
DEBT MANAGEMENT POLICY**

I. PURPOSE

The purpose of this policy is to establish parameters and provide guidance governing the issuance, management, continuing evaluation of and reporting on all debt obligations issued by the Town of Newtown.

Debt obligations, which include general obligation bonds, special assessment bonds, revenue bonds, bond anticipation notes, lease/purchase agreements and any other debt obligations permitted to be issued under Connecticut law shall only be issued to purchase capital assets that cannot be acquired with current revenues.

II. POLICY STATEMENT

Under the requirements of Federal and state laws and Town Charter provisions, ordinances and resolutions, the Town may periodically issue debt obligations to finance the construction or acquisition of infrastructure and other assets or to refinance existing debt. It is the Town's goal to assure that such debt obligations are issued and managed in such a manner as to obtain the best long-term financial advantage to the Town and its residents, while making every effort to maintain and improve the Town's bond ratings and reputation in the investment community.

III. RESPONSIBILITY FOR POLICY

The Director of Finance shall be responsible for issuing and managing the Town's debt program. In carrying out this policy, the Director shall periodically:

1. Consider the need for debt financing based upon the approved Capital Improvement Plan.
2. Review the Town's adherence to this policy statement and compare the debt ratios established in this policy with where the Town actually is.
3. Review the Town's authorized but unissued debt to determine if any authorizations are no longer needed.
4. Determine if there are any opportunities for refinancing current debt.
5. Review every three years the services provided by the Town's financial advisor, bond counsel, paying agents and other debt financing service providers.

The Director of Finance shall report his/her findings to the Board of Selectmen, Board of Finance and Legislative Council in the September/October time period of each year, during the Town's review and formulation of the Capital Improvement Plan.

IV. GENERAL DEBT GOVERNING POLICIES

The Town hereby establishes the following policies concerning the issuance and management of debt:

- A. The Town shall not issue debt obligations or use debt proceeds to finance current operations of the Town.

- B. The Town will utilize debt obligations only for acquisition, construction or remodeling of capital improvement projects that cannot be funded from current revenue sources or in such cases wherein it is more equitable to the users of the project to finance the project over its useful life.
- C. The Town will measure the impact of debt service requirements of outstanding and proposed debt obligations on single year, five, ten, and twenty-year periods.

V. DEBT POLICIES, RATIOS AND MEASUREMENT

- A. Purposes of Issuance – the Town shall only issue debt obligations for acquiring, constructing or renovating Town owned fixed assets; capital equipment as defined within 3.10-5 of the Capital Improvement Plan (“CIP”); or for refinancing existing debt obligations.
- B. Maximum Maturity – All debt obligations shall have a maximum maturity of twenty years. The estimated useful life of the Capital Improvement being financed should be considered when determining the maturity of debt. In the event debt obligations are being issued to refinance outstanding debt obligations the final maturity of the debt obligations being refinanced shall remain the same maturity.
- C. Direct Debt Per Capita – An analysis of this debt ratio should be made each year. It should be looked at in context with other related ratios (mentioned). A comparison should be made with other similar rated Connecticut towns. The Direct Debt Per Capita shall be calculated by dividing the Town’s direct debt by the most current population figure.

Ratio of General Fund Total Bonded Debt to Taxable Net Grand List – An analysis of this debt ratio should be made each year. It should not go beyond 3%. An increasing ratio of debt to net grand list (over several years) is not desirable.

- D. Average Maturity of General Obligation Bonds – the Town shall have at least 50% of outstanding general obligation bonds mature in less than ten (10) years.
- E. Debt Service Levels – The Town will adhere to a debt management cap that limits annual General Fund debt service to no more than 9.0% of the total General Fund budget. In addition, the Town will set a goal of limiting annual General Fund debt service to no more than 8.5% of the total General Fund budget by July 1, 2023.
- F. Net Present Value Savings – The Town must achieve a Net Present Value Savings of at least 2 percent over the life of an existing bond issue in order for it to be considered for refunding.
- G. Bond Covenants and Laws – The Town shall comply with all covenants and requirements of the bond resolutions, and state and Federal laws authorizing and governing the issuance and administration of debt obligations.
- H. If the debt management indicators fall below the recommended levels the finance director shall recommend and submit to the Board of Finance for approval a plan to bring the debt management indicators to their appropriate levels within a specific time frame.

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This policy shall be reviewed, at minimum, on a biennial basis during the month of January in each odd numbered year.

VI. DEBT SERVICE INDICATORS

- A. The Town's debt burden will be compared to Towns:
 - i. in the immediate vicinity of the Town, including Bethel; Brookfield; Danbury; Monroe; New Fairfield; New Milford; Oxford; and Southbury;
 - ii. with the same bond rating; and
 - iii. to Towns with the same District Reference Group ("DRG").

- B. The Town recognizes that the below ratios are useful guides but not the exclusive means by which it should measure debt burden:
 - i. Ratio of debt to equalized net Grand List;
 - ii. debt per capita;
 - iii. per capita income;
 - iv. median household income
 - v. debt per capita as a percentage of per capita income;
 - vi. debt per capita as a percentage of median household income

The Town will employ data taken from the latest State of Connecticut Municipal Fiscal Indicators Report to compile the above ratios and develop trend lines from same.

VII. This policy shall be reviewed, at minimum, on a biennial basis during the month of January in each odd numbered year.

Approved by the Legislative Council: _____

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NEWTOWN POLICE UNION CONTRACT MAJOR CHANGES

JULY 1, 2017 – JUNE 30, 2020

- Anthem PPO Cost
 - January 1, 2018 13%
 - July 1, 2018 14%
 - July 1, 2019 15%
- HDHP
 - July 1, 2018 10%
 - July 1, 2019 10%
- Increases
 - July 1, 2017 2.25
 - July 1, 2018 2.25
 - July 1, 2019 2.50%
- Introduction of Deferred Retirement Option Plan (DROP) program
- Life insurance increased from \$50,000 to \$100,000

Parks and Recreation Contract

July 1, 2017 – June 30, 2017²⁰

- Current Anthem PPO Premium Cost

January 1, 2018	13%
July 1, 2018	14%
July 1, 2019	15%

- HDHP

July 1, 2018	10%
July 1, 2019	10%

Town funds \$1,000/\$2000 for \$2,000/\$4,000 deductible

- Increases

July 1, 2017	2.25
July 1, 2018	2.25
July 1, 2019	2.50

June Sgobbo

ATTACHMENT B

From: june.sgobbo@charter.net
Sent: Wednesday, November 15, 2017 12:03 PM
To: June Sgobbo
Subject: FW: LC Agenda November 15, 2107
Attachments: LC agenda 15-NOV-17.docx; Resolution regarding actions if budget overfunded FINAL from April 5, 2017.docx; 20171107160712550.pdf; SPECIAL APPROPRIATION.pdf; TRANSFER.pdf; impact statement.pdf; letter from LC regarding special appropriation.docx; letter from LC regarding special appropriation.pdf; RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF.docx

From: "Mary Ann Jacob"
To: "June Sgobbo"
Cc:
Sent: 10-Nov-2017 00:54:51 +0000
Subject: LC Agenda November 15, 2107

Hi June, For distribution and posting. Can you also send just the agenda to Keith Alexander from the BOE with a note that the education funding is on the agenda? TY!

Good Evening,

Attached please find the agenda and supporting documents for the council meeting on November 15, 2017.

Best, Mary Ann

TOWN OF NEWTOWN
 PROPOSED SPECIAL APPROPRIATION ILLUSTRATION
 11/15/2017

2)

	<u>2017-18 Adopted Budget</u>		<u>2017-18 Proposed Special Appropriation</u>		<u>2017-18 Amended Budget</u>
Revenues:					
Property taxes	104,900,767				104,900,767
Intergovernmental	5,555,045 (y)		1,031,481 (z)		6,586,526
Other	2,939,720				2,939,720
Total revenues	<u>113,395,532</u>				<u>114,427,013</u>
Expenditures:					
Board of Selectmen	40,399,575				40,399,575
Board of Education:					
Education expenditures	75,050,017				75,050,017
Less special education state grants applied directly to BOE line item:					
Original grant	(1,022,579)				(1,022,579)
Additional grant (per state)	(1,031,481) (x)		1,031,481		-
Total BOE budget	<u>72,995,957</u>				<u>74,027,438</u>
Total expenditures	<u>113,395,532</u>				<u>114,427,013</u>

(x) LC reduced the BOE budget by this amount. The amount represents additional special education grants proposed by the governor at that time. The LC stated that they will make the BOE whole if this grant did not come thru.

(y) State grant estimates were reduced from the prior year in anticipation of municipal aid reductions in the final state budget

(z) Adopted state budget municipal aid amounts were greater than what Newtown had budgeted (anticipated); this enables an increase in the intergovernmental revenue estimate and an increase in the BOE line item.

Note: The proposed special appropriation increases the BOE line item. The funding source is (increased) intergovernmental revenues.

RESOLUTION

7

WHEREAS, the State of Connecticut has announced a budget proposal that will redistribute revenues related to Education Funding and other intergovernmental revenues; and

WHEREAS, The Legislative Council made reductions to the Board of Finance approved budget that it might not have otherwise made as a result of the Governor's proposed budget; and

WHEREAS, that result could mean we have asked the taxpayers for more revenue than will be required to fund the approved spending; and

WHEREAS, those funds would normally be swept into the general fund as unanticipated revenue;

NOW THEREFORE, BE IT RESOLVED: That should the Legislative Council approved budget be accepted by the taxpayers as proposed on April 25, 2017, and the State budget result in a Education Cost Sharing Revenues that exceed \$2,138,725 **AND** Special Education Grant funds that exceed \$2,054,060, the Legislative Council will consider action to partially or fully fund some or all of the following items to an extent possible given available funding from the State:

- Contributions to the Pension Fund \$188,030
- Contributions to the Medical Self Insurance Fund \$236,630
- Roads \$250,000
- BOE Maintenance repairs \$272,000

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

4)

REQUESTING DEPARTMENT LEGISLATIVE COUNCIL

PROJECT: RESTORE 2017-18 SPECIAL EDUCATION GRANT FUNDS TO THE BOE

PROPOSED APPROPRIATION AMOUNT: \$ 1,031,481

PROPOSED FUNDING:

BONDING	
GRANT	\$ 1,031,481 ***
OTHER	
	<u>\$ 1,031,481</u>

ANNUAL FINANCIAL IMPACT ON OPERATING BUDGET (GENERAL FUND):

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

EXPENDITURE CATEGORY:	**FOR BRACKETS USE NEGATIVE SIGN BEFORE NUMBER**	(POSITIVE IMPACT) / NEGATIVE IMPACT	Attachment #
SALARIES & BENEFITS		_____	_____
PROFESSIONAL SERVICES		_____	_____
CONTRACTED SERVICES		_____	_____
REPAIRS & MAINTENANCE		_____	_____
UTILITIES		_____	_____
OTHER		_____	_____
DEBT SERVICE (1st year)		_____	_____
TOTAL IMPACT ON EXPENDITURES		<u>\$ -</u>	_____

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

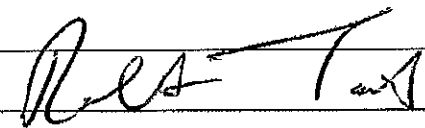
TOTAL FINANCIAL IMPACT ON OPERATING BUDGET \$ -

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

COMMENTS:

THERE IS NO FINANCIAL IMPACT TO THIS SPECIAL APPROPRIATION. THE MILL RATE WILL NOT CHANGE AND TAXES WILL NOT INCREASE AS A RESULT.

*** GENERAL FUND GRANT BUDGET AMOUNT WILL BE INCREASED (DUE TO ACTUAL STATE GRANT REVENUES BEING GREATER THAN AMOUNT BUDGETED)

PREPARED BY:  DATE: 11/2/17

3 PRIMROSE STREET
NEWTOWN, CT 06470
TEL. (203) 270-4201
FAX (203) 270-4205
www.newtown-ct.gov



TOWN OF NEWTOWN

TOWN OF NEWTOWN LEGISLATIVE COUNCIL MEETING MARCH 29, 2017 NEWTOWN MUNICIPAL CENTER, NEWTOWN, CT

PRESENT: George Ferguson, Phil Carroll, Chris Eide, Neil Chaudhary, Judit DeStefano, Ryan Knapp, Paul Lundquist, Mary Ann Jacob, Dan Amaral, Tony Filiato, Dan Wiedemann, Dan Honan.

ALSO PRESENT: First Selectman Pat Llodra, Finance Director Bob Tait, Dr. Joseph Erardi, Board of Education Keith Alexander, Newtown School District Director of Business Ron Bienkowski, Commission on Aging Anna Wiedemann, 10 members of the public, 2 press.

CALL TO ORDER: Ms. Jacob called the meeting to order with the Pledge of Allegiance at 7:30 pm.

VOTER COMMENT: Stephen Rosenblatt, 50 Watkins Drive, Sandy Hook – Mr. Rosenblatt requested that until the impact of the state budget is known, the council should delay the two resolutions relating to repairs to two Newtown schools and revisit next year. Regarding the school budget, the budget continues to be troublesome to many, with enrollment projected to be less, same number of schools, buses, and staff, he asked why. Until these issues are addressed, residents will continue to speak out. Lynn Edwards, 3 Sand Hill Road, Newtown – Ms. Edwards asked the council to fund the education budget, she does not support cutting budget items, due to projections that are not clear from the state. If further reductions are made, and state does not cut, residents will be overtaxed. There are mechanisms to address short fall. She questions some of the reductions, particularly, pay to play reductions and to delay repairs. Trust the work of the Board of Education, and let the residents decide.

MINUTES: MR. FERGUSON MOVED TO APPROVE THE MINUTES OF THE MARCH 22, 2017 REGULAR MEETING. SECOND BY MR. CARROLL. Ms. Jacob pointed out that the minutes needed to address details as reflected in the meeting agenda for the reason to go into an executive session. MR. FERGUSON MOVED TO APPROVE THE MINUTES OF THE MARCH 22, 2017 REGULAR MEETING WITH CORRECTION TO THE MOTION INDICATING THE REASON TO GO INTO EXECUTIVE SESSION WAS TO DISCUSS SCHOOL SECURITY. SECOND BY MR. CARROLL. ALL IN FAVOR.

COMMUNICATIONS: Ms. Jacob said that approximately 25 emails received, most about the budget. Also received communications regarding Board of Ed financials. (ATTACHMENT A)

COMMITTEE REPORTS: Ms. Jacob asked to review budget reports after the budget resolutions.

FIRST SELECTMAN'S REPORT: none.

LEGISLATIVE COUNCIL

NEW BUSINESS

Resolution regarding the State's proposed plan to shift the burden of funding Teacher Pensions to the municipality: MR. KNAPP MOVED TO APPROVE WHEREAS, THE STATE OF CONNECTICUT HAS ANNOUNCED A BUDGET PROPOSAL VIA PRESS RELEASE OF FEBRUARY 3, 2017, THAT REQUIRES THE VARIOUS MUNICIPALITIES OF THE STATE TO CONTRIBUTE ONE-THIRD OF THE EMPLOYER SHARE OF THE ACTUARIAL COST OF FUNDING THE TEACHERS' RETIREMENT SYSTEM (TRS) PENSION FOR FISCAL 2017 – 2018; AND WHEREAS, THE MECHANISM FOR FUNDING THE TRS PENSION SINCE APPROXIMATELY 1937 HAS BEEN SET FORTH IN STATE STATUTE SECTION 10-183R CONN. GEN. STAT., WHICH STATES SAID FUNDING SHALL BE EXCLUSIVELY BY CONTRIBUTIONS BY MEMBERS, APPROPRIATIONS BY THE GENERAL ASSEMBLY, THE PROCEEDS OF BONDS AND EARNINGS OF SYSTEM; AND WHEREAS, NOWHERE IN THE AUTHORIZING STATUTES IS THERE A REQUIREMENT FOR ANY FUNDING FROM THE VARIOUS MUNICIPALITIES OF THE STATE. NOW THEREFORE, BE IT RESOLVED: THAT THE TOWN OF NEWTOWN IS STRONGLY OPPOSED TO THE GOVERNOR'S PROPOSED BUDGET AS REGARDS THE FUNDING OF THE TRS BY ANY MUNICIPALITY SOURCE OR CONTRIBUTION WHATSOEVER, SECOND BY MR. LUNDQUIST. (ATTACHMENT B)

Mr. Eide said that this represents a shift in funding, he wanted to know if anyone has done a study regarding this shift in funding. Ms. Llodra noted that this is a good point, the cost per pension is not equal across municipalities, this is part of the complexity of this issue, not fully analyzed yet. Mr. Ferguson said that this motion is largely ceremonial, he will support the motion, but has concerns of a downside. Mr. Knapp said he will support the motion and said that the state has a constitutional obligation to support education. Mr. Lundquist said that this far from being defined yet, hard to do a cost analysis at this time, agrees with the sentiment of the resolution. Mr. Amaral said that it is impractical to ask towns to fund on such short notice, he will support the resolution. ALL IN FAVOR.

MR. LUNDQUIST MOVED TO APPROVE THE RESOLUTION TO AUTHORIZE THE PREPARATION AND PRINTING OF NON-ADVOCACY MATERIALS RELATED TO HIGH SCHOOL AUDITORIUM, NEWTOWN MIDDLE SCHOOL RENOVATIONS, AND HAWLEY SCHOOL ROOF REFERENDUM QUESTIONS SCHEDULED FOR APRIL 25, 2017. SUCH MATERIALS TO INCLUDE MAILINGS, FLIERS, AND POSTERS AS WELL AS EXPLANATORY TEXT ON THE BALLOT. CONTENT OF THESE MATERIALS TO BE APPROVED BY THE TOWN ATTORNEY, SUBJECT TO CGS 9-369B (A). SECOND BY MR. EIDE. Mr. Amaral inquired as to the cost. Ms. DeStefano said she is in support of this motion, but expressed concern of each group following their own process regarding advocacy materials. Ms. Jacob clarified that each group is responsible, and it is not within the council purview, referred Ms. DeStefano to the Town Clerk. Ms. Llodra said that the town attorney is also involved as well as the Town Clerk, may be worthwhile to look in to the process further. Ms. Jacob will ask the Town Clerk for input. ALL IN FAVOR.

2017-2018 Town of Newtown Municipal and Education Budgets: MR. KNAPP MOVED TO APPROVE THE RESOLUTION WHEREAS, THE STATE OF CONNECTICUT HAS ANNOUNCED A BUDGET PROPOSAL THAT WILL REDISTRIBUTE REVENUES RELATED TO EDUCATION FUNDING AND OTHER INTERGOVERNMENTAL REVENUES; AND

LEGISLATIVE COUNCIL

WHEREAS, THE TOWN OF NEWTOWN STANDS TO LOSE \$3,814,563 IN REVENUE. NOW THEREFORE, BE IT RESOLVED: THAT THE LEGISLATIVE COUNCIL REDUCE EDUCATION COST SHARING GRANT REVENUE (PAGE 58 OF BOS BUDGET BOOK) BY \$1,500,000. BE IT FURTHER RESOLVED: THAT THE LEGISLATIVE COUNCIL REDUCE THE BOARD OF EDUCATION BUDGET LINE ITEM (PAGE 270 OF THE BOS BUDGET BOOK) BY \$1,031,481. THE \$1,031,481 REPRESENTS THE NET AMOUNT OF AN INCREASE IN SPECIAL EDUCATION GRANT OF \$2,408,508 AND THE ELIMINATION OF THE EXCESS COST SPECIAL EDUCATION GRANT OF \$1,377,027. IF THE FINAL ADOPTED STATE BUDGET DOES NOT INCREASE NEWTOWN'S SPECIAL EDUCATION GRANT BY \$1,031,481 THE LEGISLATIVE COUNCIL WILL MAKE THE BOARD OF EDUCATION WHOLE BY USING ANY RESULTING INCREASE IN THE (LC ADOPTED) ESTIMATED REVENUE – COST SHARING GRANT (ECS) LINE ITEM AND/OR OTHER BUDGETARY MEANS. SECOND BY MR. CHAUDHARY. Ms. Jacob asked Mr. Tait to show page 58 of the Board of Selectmen budget book and reviewed the Revenue Budget Detail and discussed possibilities in response to a reduction. Mr. Knapp said that the impetus of this resolution is the state proposed budget. He explained how revenue is realized, in the form of revenue or in the form of a grant. This resolution is a plan to anticipate both scenarios. Dr. Erardi said that in the worst-case scenario the Board of Ed stays flush. Ms. DeStefano said this is over and above cuts from the education sub- committee. Ms. DeStefano would have liked to see this resolution ahead of time, advance notice would be appreciated. Mr. Tait reviewed the what if scenarios, as requested by Ms. Jacob. Mr. Tait talked about what if scenario estimated intergovernmental revenues fall short after the budget has been approved by referendum and the what if scenario estimated intergovernmental revenues are greater after the budget has been approved by referendum. The whole point of this discussion is to be prepared with what if scenarios since the outcome of state's decisions will not be known until after the referendum. Mr. Chaudhary commented said that this works as long as we are able to fund the shortfall, referred to bond timing. Mr. Lundquist expressed concern over this resolution and sending a confusing message to the state and voters. Mr. Eide brought up the cap cut on motor vehicle tax, fund balance. RESOLUTION PASSES 9-3 (Opposed: Mr. Eide, Ms. DeStefano, Mr. Lundquist)

Budget Recommendations from Finance/Admin, Education and Municipal Operations Committees: (ATTACHMENT C)

MR. FILIATO MOVED THAT THE BOARD OF SELECTMEN BUDGET BE REDUCED BY \$133,030 IN THE PENSION FUND, \$63,630 IN THE MEDICAL SELF INSURANCE FUND, \$188,406 FROM THE DEBT SERVICE LINE ITEM, AND \$10,000 FROM THE OUTSIDE AGENCY EDMOND TOWN HALL FOR A TOTAL OF \$395,066. SECOND BY DAN WIEDEMANN. Mr. Filiato led the discussion regarding the pension fund reduction and medical self-insurance fund reduction. Mr. Eide questioned the risks involved. Mr. Ferguson commented on the backing off of prudent financial practices in recent years which may cause a need to reduce expenditures or increase revenues, possibly facing budget challenges for a few more years. MR. EIDE MOVED TO AMEND AND DIVIDE THE MOTION INTO TWO MOTIONS, ONE TO INCLUDE THE PENSION FUND AND MEDICAL SELF INSURANCE FUND, AND THE OTHER MOTION TO INCLUDE THE DEBT SERVICE LINE ITEM AND OUTSIDE AGENCY EDMOND TOWN HALL. SECOND BY MR. CHAUDHARY. ALL IN FAVOR. MR. FILIATO MOVED THAT THE BOARD OF SELECTMEN BUDGET BE REDUCED BY \$133,030 IN THE PENSION FUND AND \$63,630 IN THE MEDICAL SELF INSURANCE FUND FOR A TOTAL OF \$196,660. SECOND BY MR. LUNDQUIST. MOTION PASSES 10-2 (Opposed:

LEGISLATIVE COUNCIL

Mr. Ferguson and Mr. Eide) MR. FILIATO MOVED THAT THE BOARD OF SELECTMEN BUDGET BE REDUCED BY \$188,406 FROM THE DEBT SERVICE LINE ITEM AND \$10,000 FROM THE OUTSIDE AGENCY EDMOND TOWN HALL FOR A TOTAL OF \$198,406. SECOND BY MR. FERGUSON. ALL IN FAVOR.

MR. WIEDEMANN MOVED TO REDUCE \$250,000 FROM DEPARTMENT OF HIGHWAY ROAD IMPROVEMENTS AND \$20,000 FROM POLICE CONTRACTURAL SERVICES. SECOND BY MS. DESTEFANO. Mr. Lundquist asked about the reduction in road improvements and what work will not be done. Ms. Llodra explained that work will be prioritized. Mr. Eide expressed concern over underfunding road improvements. Ms. Jacob explained that 1 or 2 road projects out of 19 may not get done. MR. EIDE MOVED TO AMEND AND DIVIDE THE MOTION INTO TWO MOTIONS. SECOND BY MS. DESTEFANO. MOTION TO AMEND FAILED. 10-2 (Mr. Eide and Ms. DeStefano) MOTION TO REDUCE \$250,000 FROM DEPARTMENT OF HIGHWAY ROAD IMPROVEMENTS AND \$20,000 FROM POLICE CONTRACTURAL SERVICES. MOTION PASSES 11-1 (Opposed: Mr. Eide)

MR. CHAUDHARY MOVED TO REDUCE THE BOARD OF EDUCATION BUDGET BY A TOTAL OF \$800,000: \$265,000 (USE OF THE ANTICIPATED 2016/17 SURPLUS), \$272,000 (DELAYED MAINTENANCE REPAIRS), \$35,000 (DELAY THE PAY-TO-PARTICIPATE CHANGES), \$173,000 (MEDICAL INSURANCE CONTRIBUTION BASED ON CLAIMS HISTORY), \$55,000 (PENSION FUND CONTRIBUTION DELAYED). SECOND MR. FILIATO. Mr. Filiato expressed appreciation on the input from Dr. Erardi and the Board of Ed. Dr. Erardi thanked Mr. Chaudhary for high level of conversation and cooperation, the \$800,000 reduction does not impact teaching or staffing. Mr. Eide asked about the impact in future years. Mr. Knapp said this is one way to mitigate the impact to the taxpayers, regarding state budget concerns going forward. Ms. DeStefano expressed concern over maintenance, said that she would like to see the maintenance repairs pulled out. Dr. Erardi explained that they will not be compromising school safety related to maintenance projects. Mr. Lundquist expressed reluctance to supporting reductions, but this particular year poses challenges that need to be addressed. Mr. Eide said that he could not support this as it seems like there is a need to pay now rather than later. Mr. Ferguson suggested taking a leadership position in reducing expenses. MS. DESTAFANO MOVED TO AMEND THE MOTION BY PULLING OUT THE \$272,000(DELAYED MAINTENANCE REPAIRS). SECOND BY MR. EIDE. MOTION TO AMEND FAILED 9-3 (Ms. DeStefano, Mr. Eide, Mr. Honan). MOTION TO REDUCE THE BOARD OF EDUCATION BUDGET BY A TOTAL OF \$800,000: \$265,000 (USE OF THE ANTICIPATED 2016/17 SURPLUS), \$272,000 (DELAYED MAINTENANCE REPAIRS), \$35,000 (DELAY THE PAY-TO-PARTICIPATE CHANGES), \$173,000 (MEDICAL INSURANCE CONTRIBUTION BASED ON CLAIMS HISTORY), \$55,000 (PENSION FUND CONTRIBUTION DELAYED). MOTION PASSES 9-3 (Opposed: Ms. DeStefano, Mr. Eide, Mr. Honan)

Ms. Jacob asked Mr. Tait for the total of reductions:
Total budget decreased (from prior year) -0.6%
BOS = 0.0%
BOE = -0.9% (decrease)
mill rate = 33.91 (prior year = 33.60
represents a 0.93% tax increase (less than 1%)

LEGISLATIVE COUNCIL

MR. LUNDQUIST MOVED TO APPROVE THE RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$300,000 FOR THE PLANNING AND DESIGN OF THE NEWTOWN POLICE FACILITY AND IMPROVEMENTS AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2017-18 TO 2021-22) AND AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE. SECOND BY MR. KNAPP. (ATTACHMENT D) Mr. Knapp expressed full support of this motion and it is an absolute necessity. ALL IN FAVOR.

MR. LUNDQUIST MOVED TO APPROVE THE RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$750,000 FOR THE PLANNING, DESIGN, ENGINEERING AND CONSTRUCTION OF NEWTOWN HIGH SCHOOL AUDITORIUM PHASE II RENOVATIONS AND IMPROVEMENTS AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2017-18 TO 2021-22) AND AUTHORIZING THE ISSUANCE OF \$750,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE. SECOND BY MR. EIDE. (ATTACHMENT E) ALL IN FAVOR.

MR. LUNDQUIST MOVED TO APPROVE THE RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$850,000 FOR THE PLANNING, DESIGN, ENGINEERING, REPLACEMENT AND CONSTRUCTION OF A NEW ROOF AT HAWLEY SCHOOL AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2017-18 TO 2021-22) AND AUTHORIZING THE ISSUANCE OF \$850,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE. SECOND BY MR. CHAUDHARY. (ATTACHMENT F) ALL IN FAVOR.

MR. LUNDQUIST MOVED TO APPROVE THE RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$1,000,000 FOR THE PLANNING, DESIGN, ENGINEERING, RECONSTRUCTION AND CONSTRUCTION OF TOWN ROADS AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2017-18 TO 2021-22) AND AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE. SECOND BY MR. EIDE. (ATTACHMENT G) ALL IN FAVOR.

MR. LUNDQUIST MOVED TO APPROVE THE RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$1,800,000 FOR THE PLANNING, DESIGN, ENGINEERING AND CONSTRUCTION OF IMPROVEMENTS AT THE NEWTOWN MIDDLE SCHOOL AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2017-18 TO 2021-22) AND AUTHORIZING THE ISSUANCE OF \$1,800,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING

LEGISLATIVE COUNCIL

OF TEMPORARY BORROWINGS FOR SUCH PURPOSE. SECOND BY MR. EIDE. (ATTACHMENT H) ALL IN FAVOR.

MR. LUNDQUIST MOVED TO APPROVE THE RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$3,000,000 FOR THE PLANNING, DESIGN, ENGINEERING AND CONSTRUCTION OF A NEW SENIOR CENTER AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2017-18 TO 2021-22) AND AUTHORIZING THE ISSUANCE OF \$3,000,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE. SECOND BY MR. EIDE. (ATTACHMENT I) ALL IN FAVOR.

MR. LUNDQUIST MADE THE MOTION TO SEND ALL 6 SPECIAL APPROPRIATIONS TO BOARD OF SELECTMEN TO SET FOR REFERENDUM. SECOND BY MR. EIDE. ALL IN FAVOR. (ATTACHMENT J – Town of Newtown Financial Impact Statement)

OLD BUSINESS: None.

VOTER COMMENT: Dan Rosenthal, 9 Megans Circle, Mr. Rosenthal made the point that if the items need to be funded put it in the budget and let the voters decide.

Lynn Edwards, 3 Sand Hill Road, Newtown – Ms. Edwards referred to tonight's discussions and expressed concern over the budget reduction recommendations.

Andy Clure, 24 Winton Farm Road, Newtown – Mr. Clure said that he was extremely disappointed to the cuts to Edmond Town Hall, he requested that if there is a way to give back, please do so.

ANNOUNCEMENTS: None.

ADJOURNMENT: There being no further business the meeting adjourned at 10:27 pm.

Respectfully Submitted,

June Sgobbo
Clerk

Attachments: Communications, Resolutions.

These are draft minutes and as such are subject to correction by the Legislative Council at the next regular meeting. All corrections will be determined in minutes of the meeting at which they were corrected.

6)

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$1,031,481 TO INCREASE THE BOARD OF EDUCATION 2017-18 BUDGET TO ACCOUNT FOR THE LOSS OF BUDGETED STATE SPECIAL EDUCATION GRANTS (APPLIED DIRECTLY TO THE BOE BUDGET) TO BE FINANCED BY AN INCREASE IN OTHER STATE GRANT ESTIMATED REVENUES (BUDGETED REVENUES) IN THE 2017-18 TOWN OF NEWTOWN BUDGET (AFTER THE ADOPTION OF THE 2017-18 STATE BUDGET, ACTUAL STATE GRANTS ARE GREATER THAN BUDGETED STATE GRANTS)

ATTACHMENT C

57

November 15, 2017

Board of Selectmen, Board of Finance
3 Primrose Street
Newtown, CT 06470

Dear Board of Selectmen, Board of Finance:

The Legislative Council is requesting a special appropriation totaling \$1,031,481 to be financed by an increase in estimated intergovernmental revenues (an increase in state grants budgeted).

The special appropriation will increase the 2017-18 Board of Education budget to account for the loss of state special education grants in the same amount (approved state special education grants are \$1,031,481 less than what was budgeted for in the Board of Education budget).

The Board of Education was assured that they would be made whole for any shortfall in the state special education grant at a meeting of the Legislative Council on March 29, 2017 (minutes attached).

Please let me know if you have any questions.

Sincerely,

Mary Ann Jacob
Chair, Legislative Council

ATTACHMENT D

TOWN OF NEWTOWN
APPROPRIATION (BUDGET) TRANSFER REQUEST

FISCAL YEAR	2017 - 2018	DEPARTMENT	Land Use	DATE	10/23/17
FROM:	<u>Account</u> 1-101-24-570-5899-0000 CONTINGENCY			<u>Amount</u> (17,500)	USE NEGATIVE AMOUNT
TO:	1-101-11-740-5300-0000 FEES & PROFESSIONAL SERVICES			17,500	USE POSITIVE AMOUNT

REASON:

Newtown Tech Park - Army Corps of Engineers and DEEP permitting for road construction. Funds for proposal to prepare the DEEP and Army Corps of Engineers pre-application to permit the road crossings and two buildings to be constructed at the above referenced site. The scope of services will be to perform site review, application preparation, site planning, and meeting with DEEP and the Army Corps of Engineers.

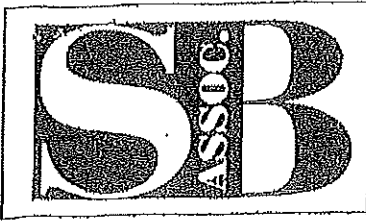
AUTHORIZATION:

(1) DEPARTMENT HEAD		date: 10/23/17
(2) FINANCE DIRECTOR		10/23/17
(3) SELECTMAN		10/22/17
(4) BOARD OF SELECTMEN		
(5) BOARD OF FINANCE		
(6) LEGISLATIVE COUNCIL		

AUTHORIZATION SIGN OFF

FIRST 335 DAYS >>>> WITH IN A DEPT.>>>> LESS THAN \$50,000>>>> (1), (2) & (3) SIGNS OFF; MORE THAN \$50,000>>>> (1), (2), (3) & (5)
>>>> ONE DEPT TO ANOTHER>>>> LESS THAN \$200,000>>>> ALL EXCEPT (6); MORE THAN \$200,000>>>> ALL SIGN OFF

AFTER 335 DAYS >>>> (1), (2), (3), (5) & (6) ANY AMOUNT FROM CONTINGENCY>>>> ALL SIGN OFF



Spath-Bjorklund Associates, Inc.

593 Main Street, P.O. Box 324, Monroe CT 06468

203 268 5216 • 800 246 7113 • fax 203 268 9492

e-mail: sba@thesbgroup.com

website: www.thesbgroup.com

October 5, 2017

Mr. George Benson
Town of Newtown
3 Primrose Street
Newtown, CT 06740

Re: Newtown Tech Park Addendum 5
Army Corps of Engineers and DEEP Permitting for Road Construction

Dear George:

Pursuant to your request, we have prepared a proposal to prepare the D.E.E.P. and Army Corps of Engineers Pre-Application to permit the road crossings and two buildings to be constructed at the above referenced site. This will be a joint effort between Davison Environmental L.L.C., successor to Environmental Planning Services, and our office. A brief outline of the procedures is attached. The agreement will be subject to the terms and conditions of our 6/11/09 Addendum 4A.

The Scope of Services will be to perform site review, application preparation, site planning, and meeting with D.E.E.P. and Army Corp of Engineers.

We look forward to providing your office with the most efficient and helpful service possible. Please indicate your acceptance of this agreement by signing the enclosed copy and returning to our office. We will begin work immediately.

Very truly yours,
SPATH-BJORKLUND ASSOCIATES, INC.

David S. Bjorklund, Jr., P.E.

/sm
attachments

Accepted by: _____ Date _____

**SCOPE OF SERVICES
AND
OPINION OF PROBABLE COST**

CLIENT: Town of Newtown
PROJECT: Newtown Tech Park
DATE: September 22, 2017

SCOPE OF SERVICES: Prepare materials and studies required for an application for a General Permit including delineation of Inland Wetlands, vernal pools and watercourses utilizing the current "Federal Method"; preparation of Data Sheets. Plans will incorporate Low Impact Development and Best Management Practices to reduce impervious cover and manage Stormwater. The site will be surveyed for rare and endangered species as noted in ESA.

Plans will depict temporary fill (if required), erosion control, restoration measures, and an invasive species control plan.

The plans will comply with ACE design criteria for culvert designs and road construction at non-tidal stream crossings. See attached plan view.

The work will also include the completion of all required applications, reports and plans to file for the General Permit.

COMPENSATION: We will complete this work for a Lump Sum fee of \$17,500.

Note: This includes all work to be done by Davison Environmental and Spath-Bjorklund Associates Inc.

NOTE: This assumes that the Archeological Survey by Heritage Consultants is still valid and applicable to the General Permit Requirements.

Article III: Use of Two-, Three- and Four-Wheeled Vehicles on Public Lands

[Adopted by the Legislative Council 9-1-2004 (Ord. No. 88)]

§ 216-11 Vehicles restricted.

- A. The following are banned from the streets, sidewalks, and all other Town lands, including but not limited to parks, playing fields and open space, except as necessary to provide for the health or safety of persons, wildlife or property by persons operating such vehicles in an official capacity within the Town of Newtown and except in such areas as may be designated for such use by the Board of Selectmen, with the concurrence of a majority of the members of the Legislative Council:
- (1) Dirt bikes and other two-wheeled motorized vehicles, except to the extent that they may be otherwise lawfully operated on public highways, driveways and parking lots.
 - (2) Three- and four-wheel all-terrain motor vehicles, except to the extent that they may be otherwise lawfully operated on public highways, driveways and parking lots.
 - (3) Snowmobiles and other track-driven vehicles, except to the extent that they may be otherwise lawfully operated on public highways, driveways and parking lots.
- B. Signs may be posted accordingly.

§ 216-12 Penalties for offenses.

Any person who operates a vehicle in violation of this article on any street, sidewalk or other public land within the Town of Newtown shall be guilty of an infraction and shall pay a fine of \$90.

October 18, 2017

Andrew Via, President
Newtown Babe Ruth League, Inc.
P.O. Box 133
Newtown, CT 06470

Re: Use of Utility Vehicle at Fairfield Hills Baseball Fields

Dear Mr. Via:

It is my understanding that *Newtown Babe Ruth League, Inc.* (NBRL) has requested permission to utilize a utility vehicle at the baseball fields located on the Fairfield Hills campus.

If I understand correctly, the purpose of the vehicle is to transport supplies from a storage shed to the various fields and to groom the clay portions of fields in accordance with approved Newtown Parks and Recreation procedures. The vehicle will be used to groom fields on weekends. The vehicle will not be driven on roads or trails, pursuant to Town Ordinance. Said vehicle will be purchased and owned by NBRL and the League will be responsible for the proper oversight, maintenance and security of the vehicle. Accordingly, NBRL accepts responsibility for any liability resulting from injury or damage associated with the storage and operation of said vehicle.

The vehicle will be stored in a secure (i.e., locked) shed located near the *Glander Field Complex*. Access to the vehicle will be restricted to ten or less individuals as authorized by the acting President of NBRL annually prior to the spring season. Prior to operation, each individual will sign an acknowledgement form (copy of form attached) indicating that he/she has been properly trained in the operation of said utility vehicle, instructed on the proper method of grooming fields and is familiar with the restrictions associated with the use of said vehicle. The acting President of Newtown Babe Ruth League, Inc. will also sign the form, acknowledge that he/she has read and understands the conditions of use and has approved each of the designated individuals to operate the vehicle. Upon the delivery of the original form to the offices of Newtown Parks & Recreation, the newly designated operators will be permitted to use the vehicle.

In accordance with the conditions and restrictions detailed above, I approve the use of said utility vehicle.

Attachment

Cc: Amy Mangold, Newtown Parks & Recreation Director
Sargeant Jeff Silver, Newtown Police Department

Newtown Babe Ruth League, Inc.

Authorized Utility Vehicle Operators for Calendar Year _____

Regarding the utility vehicle to be stored in a shed at Glander Fields (Fairfield Hills campus), by signing this form I acknowledge that I have been trained to operate said utility vehicle. I understand that the vehicle is to be used primarily for grooming of infields and transporting supplies/equipment between the parking lot, shed and fields. I acknowledge that I have been instructed on the proper grooming of infields. I further understand that the vehicle is to be used primarily on weekends and only by myself or other individuals authorized via this form. Lastly, I acknowledge that this vehicle is the property of *Newtown Babe Ruth League, Inc.* and it is the League's responsibility to ensure the proper oversight, maintenance and security of the vehicle.

	Name	Address/Email	Phone Number	Signature
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

I have read and understood the acknowledgement at the top of this form and authorize each of the individuals who have signed above to operate the utility vehicle owned by Newtown Babe Ruth League, Inc. during calendar year _____.

Print: _____
 President, Newtown Babe Ruth League, Inc.

Signature: _____

Date: _____

ATTACHMENT
F

TOWN OF NEWTOWN LEGISLATIVE COUNCIL

PROCLAMATION

WHEREAS, E. Patricia Llodra started her service as First Selectmen to the Town of Newtown on December 1, 2009; and

WHEREAS, E. Patricia Llodra served her town as a member of the Board of Education from 1978 until 1984; and

WHEREAS, E. Patricia Llodra served her town as a member of the Legislative Council from 2005 to 2009; and

WHEREAS, E. Patricia Llodra served the town faithfully until November 30, 2017; and

WHEREAS, the most powerful leadership tool is the example of leadership; and

WHEREAS, the measure of a person is not in how she behaves in times of calm but in times of challenges; and

WHEREAS, E. Patricia Llodra led by example in times of calm and extreme challenge;

NOW THEREFORE, the Legislative Council of the Town of Newtown does hereby express its sincere appreciation and gratitude to E. Patricia Llodra for her service to the Town over the past forty-plus years. We wish Pat and her family the very best.

Mary Ann Jacob, Chairman, Legislative Council

Paul Lundquist, Vice-Chairman, Legislative Council