

## 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.