

(Note: These Minutes are draft until approved at the next regularly scheduled meeting of the Town Council)

NEW MILFORD TOWN COUNCIL  
REGULAR MEETING  
MINUTES  
February 12, 2018

RECEIVED  
TOWN CLERK  
2018 FEB 14 P 1:46

NEW MILFORD, CT

**Present:** Mayor Peter Bass  
Katy Francis  
Walter Bayer  
Peter Mullen  
Michael Nahom  
Michael Gold  
Doug Skelly

**Absent:** Paul Szymanski  
Tom Esposito  
Lisa Hida

**Also Present:** Matt Grimes, Town Attorney  
Greg Osipow, Acting Finance Director  
Kathy Castagnetta, Town Planner

The meeting was called to order at 7:00 pm by Mayor Bass.

1. Pledge of Allegiance and Moment of Silence

Ms. Francis introduced the Blue Moon quartet who sang two numbers in honor of Valentine's Day.

2. Public Comment

Jeff McBreairty, a New Milford resident, spoke about the upcoming budget process and in particular funding for the Board of Education. The letter he wrote is attached to these minutes.

Adrienne Aurichio, a New Milford resident, spoke about the appointment of non-citizens of the United States, in particular Stephen Looney to the Pettibone Committee. The letter she wrote is attached to these minutes.

Cindy Davis, a New Milford resident, thanked the Council for putting her on the John Pettibone committee. She had a request of future presenters that they do a power point presentation similar to the road advisory committee. She said she felt the information people present should be clear and concise. She said last time the Finance Director spoke she did not understand what he was saying. She asked for a job description of what Attorney Grimes does and asked if it was legal for him to do work outside of the office. She also asked the Mayor to clarify the roles of the committee members for John Pettibone as she felt a committee of 25 was going to be difficult to get work done.

Leah Gill, a New Milford resident, said she was looking forward to working on the John Pettibone committee. She was concerned about the Rescue Candlewood Mountain appeal that a private group

was using Cramer & Anderson, Danbury office, for their appeal work as Cramer & Anderson is the Town attorney. She was also concerned why the Town was going to spend \$25,000 for an engineering study since the Siting Council has never been defeated.

Jeff Winter, a New Milford resident, thanked the Mayor for the items on the agenda such as the Charter Revision Committee and the creation of a Town Facility Utilization subcommittee. He asked who filed the agenda for the meeting tonight and Mayor Bass said Linda Hollins had done so. He said he was concerned with the check-in markations as they were not clear when they would normally be so. He felt this might not be a valid agenda. He said under the Town Charter Section 503 there needs to be a special meeting to appropriate 1/5 of 1 mill which would be about 749,000 and yet at the last meeting the Council approved the expenditure of \$1.5 million to offset the State of Connecticut cut.

#### 4. Proclamation –The THP (The Herren Project) Project Purple Initiative

Mayor Bass presented a proclamation to representatives of the THP Project Purple Initiative which works with families struggling with addiction. He proclaimed that February 11<sup>th</sup> to 17<sup>th</sup> 2018 is officially THP (The Herren Project) Project Purple Initiative week.

#### 3. Mayor's Remarks

Mayor Bass said there will be a Housing Workshop on February 15<sup>th</sup> at 7 pm to be held at the John Pettibone School regarding the housing options New Milford residents would like to have available here.

He announced that the New Milford Substance Abuse Prevention Council received a \$5000 grant.

Credit cards can now be used at the recycling center.

Dan Calhoun of Parks and Recreation said 52 of the 82 boatslips have been sold at the Lake for this summer.

#### 5. Approval of Prior Minutes – Regular Town Council Meeting, January 22, 2018

*Mr. Bayer moved to approve the minutes of the Regular Town Council Meeting, January 22, 2018, seconded by Dr. Mullen and passed unanimously.*

#### 6. Tax Collector – Discussion and possible action regarding February 2018 refunds in the amount of \$1,714.07, leaving a balance of \$2,125.87

*Ms. Francis moved to approve the February 2018 refunds in the amount of \$1,714.07, leaving a balance of \$2,125.87, seconded by Mr. Bayer and passed unanimously.*

#### 7. Youth Agency – Discussion and possible action regarding the acceptance of additional revenue from the State Department of Education in the amount of \$6,100.00 to increase its annual Youth Service

Grant. These funds should be accepted into Revenue Account (#10441900 43305). This will also require increasing the current budget in Account (#10441900 58905) in the amount of \$6,100.00 This additional Grant funding will be utilized to hire high school and college students to assist in various program funding for the health fair at the middle school, the monthly parenting skills workshop series and the new high school program to be offered at the Maxx.

*Ms. Francis moved to accept additional revenue from the State Department of Education in the amount of \$6,100.00 to increase its annual Youth Service Grant. These funds should be accepted into Revenue Account (#10441900 43305). This will also require increasing the current budget in Account (#10441900 58905) in the amount of \$6,100.00 This additional Grant funding will be utilized to hire high school and college students to assist in various program funding for the health fair at the middle school, the monthly parenting skills workshop series and the new high school program to be offered at the Maxx, seconded by Mr. Bayer and passed unanimously.*

8. 2018 Moonlight Run –

Discussion and possible action regarding a request to close Young's Field Road as well as portions of Housatonic Avenue and Boardman Road for the Moonlight Run 5K Road Race held by Fast Track Timing. This event is scheduled for June 1, 2018 starting at 7:00 PM until 9:00PM. See map for exact route. The event will raise money for Autism Awareness and children with special needs through the Molly Ann Tango Memorial Foundation as well as the New Milford High School Cross Country Teams.

*Ms. Francis moved to approve the request to close Young's Field Road as well as portions of Housatonic Avenue and Boardman Road for the Moonlight Run 5K Road Race held by Fast Track Timing. This event is scheduled for June 1, 2018 starting at 7:00 PM until 9:00PM. The event will raise money for Autism Awareness and children with special needs through the Molly Ann Tango Memorial Foundation as well as the New Milford High School Cross Country Teams, seconded by Mr. Bayer and passed unanimously.*

9. Mayor's Office –

- a. Discussion regarding Councilman's email communication dated January 31, 2018 as it pertains to the designation of one million five hundred thousand dollars of fiscal year 2017 surplus toward the shortfall of fiscal year 2018 State revenue.

Attorney Grimes said he reviewed the E-mail from Dr. Mullen and consulted with the Town Charter, Greg Osipow, former Finance Director Ray Jankowski, and the audit team at Mahoney and Sable. They all said that an appropriation changes the bottom line of the budget. This vote changed the revenue and was not a change in the spending side which is why no town meeting is required.

Mayor Bass asked Mr. Osipow if the auditors were consulted and Mr. Osipow said they were and they were okay with the action taken.

Mayor Bass asked if the Board of Finance acted on it and Mr. Osipow said they voted unanimously in favor.

- b. Discussion regarding landfill settlement and fund investment.

Mayor Bass updated the Council on the landfill settlement fund noting that \$5 million has been taken out and put in an investment fund which currently is carrying a paper loss of \$67500 partially due to economic loss and partially due to opportunity cost of being in a bond fund. He said bond values increase when interest rates drop. They are currently on the rise.

Mayor Bass asked Mr. Osipow if the fund has always been invested and he said it has been invested in the STIF fund which is the State of Connecticut Short Term Investment Fund that carries no market risk.

Mayor Bass asked if this loss would prohibit the use of these funds for tax relief and Mr. Osipow said when one invests in these types of funds liquidity is lost. He said some of these funds are tied up until 2026 and so the loss only comes into play if the Town were to sell the funds.

Mayor Bass said this investment was never brought before the Town Council or the Board of Finance. He said this decision should come before these groups.

Mr. Gold asked if the Town was stuck with these funds and Mayor Bass answered yes. Mr. Gold asked if that was until 2026 and Mr. Osipow said these are ladder funds so some will expire every year with the largest fund coming due in 2026.

Mr. Skelly noted that the Federal Reserve is talking of raising interest rates again. He asked who made this investment and Mayor Bass said it was the former Finance Director.

- c. Discussion and possible action regarding Town Council approval of authorizing Mayor to enter into a written contract with Milone & MacBroom, Inc. with a cap of \$25,000.00 pursuant to Charter § 602(g)

*Ms. Francis moved that the Town Council authorizes the Mayor to enter into a written contract with Milone & MacBroom, Inc. with a cap of \$25,000.00 pursuant to Charter § 602(g), seconded by Mr. Gold.*

Mayor Bass said there has been a lot of conjecture on Reserve Candlewood Mountain and the Town. He said alot of the talks have been in executive session. He said the proposal to hire Milone and MacBroom is to look at the storm water management plan per the PILOT agreement B, section 8 storm water management plan. He said he has no experience in storm water management and so would do a disservice to the Town to not have someone review the plan for the health and safety of the residents.

Mrs. Castagnetta said the Candlewood Solar project is larger than Kohl's and Walmart, combined. She said it can be a significant disturbance. She said having an engineering firm study it will protect the Town, people and lake. She said the Siting Council approved the paper submitted and not the detailed plan which will come in March.

Ms. Francis said this is a contract the Mayor would sign and is not involved with Rescue Candlewood Mountain group. She said there could be a lot of liability if the watershed is not protected. She said Milone and MacBroom have alot of experience with this Town.

Dr. Mullen asked why this did not go out to bid and Mrs. Castagnetta said according to the Charter it does not have to and this firm has experience with this site when Dunham Farms was being considered.

Mr. Bayer said this is for the health, safety and welfare.

Ms. Francis said she would hate to see the runoff from this project going into the lake.

*The motion passed 5-0-1.*

*Aye: Bayer, Nahom, Francis, Skelly, Gold*

*Abstain: Mullen*

- d. Discussion and possible action on Request for Transfer of Funds of \$25,000 from Contingency TO "Planning Consultants" - for the purpose of funding the contract with Milone & MacBroom, Inc. for engineering and consultant review of Candlewood Solar, LLC

From:	Fund/Org	Object	To:	Fund/Org	Object
CONTINGENCY	10980000	58900	PLANNING CONSULTANTS	10415300	53000

*Ms. Francis moved to approve the Request for Transfer of Funds of \$25,000 from Contingency 10980000 to "Planning Consultants" 10415300 for the purpose of funding the contract with Milone & MacBroom, Inc. for engineering and consultant review of Candlewood Solar, LLC, seconded by Mr. Bayer and passed 5-0-1.*

*Aye: Bayer, Nahom, Francis, Skelly, Gold*

*Abstain: Mullen*

- e. Discussion on Request for Transfer of Funds in the amount of from Mayor's account to the Non-Profit line for VFW, Ezra Woods Post 31 American Legion

Mayor Bass said this request was to move money from the Mayor's expense line into the non-profit line.

*Ms. Francis moved to approve the Request for Transfer of Funds in the amount of \$794 from Mayor's account to the Non-Profit line for VFW (\$67.50 and \$182), Ezra Woods Post 31 (\$120) American Legion (\$79.50 and \$180), and Daughters of the American Revolution (\$60), seconded by Mr. Bayer and passed unanimously.*

- f. Discussion and possible action regarding Motion to establish a Charter Revision Commission pursuant to CT General Statute 7-188:

"To establish a Charter Revision Commission, pursuant to C.G.S. § 7-188, to review and recommend amendments to the Town Charter with said commission to be comprised according to the CT General Statutes and Town Charter."

Persons interested in serving on the CRC shall give their interest to the Mayor's office no later than February 25th. Town Council members should give the Mayor's office any items they would like to be part of the CRC's special consideration by Friday, February 23rd. At the February 26th Town Council meeting, Mayor will present a motion for the Council's consideration including: the size of CRC (5 to 15 members per statute), names of members to serve on the CRC, request for items of special consideration that the CRC should examine, and a date for the CRC to submit their draft report. Pursuant to Section 1307 of the Town Charter, a CRC must be formed not less than once every five (5) years. Note: Last New Milford Charter Revision was 2006, 12 years ago. No resolution for a CRC was introduced since that time, in violation of Section 1307.

*Ms. Francis moved to to establish a Charter Revision Commission pursuant to CT General Statute 7-188: "To establish a Charter Revision Commission, pursuant to C.G.S. § 7-188, to review and recommend amendments to the Town Charter with said commission to be comprised according to the CT General Statutes and Town Charter." Persons interested in serving on the CRC shall give their interest to the Mayor's office no later than February 25th. Town Council members should give the Mayor's office any items they would like to be part of the CRC's special consideration by Friday, February 23rd. At the February 26th Town Council meeting, Mayor will present a motion for the Council's consideration including: the size of CRC (5 to 15 members per statute), names of members to serve on the CRC, request for items of special consideration that the CRC should examine, and a date for the CRC to submit their draft report. Pursuant to Section 1307 of the Town Charter, a CRC must be formed not less than once every five (5) years. Note: Last New Milford Charter Revision was 2006, 12 years ago. No resolution for a CRC was introduced since that time, in violation of Section 1307, seconded by Mr. Bayer and passed unanimously.*

- g. Discussion and possible action regarding the creation of a Town Facilities Utilization Sub-Committee, consisting of 9 members for a duration of six (6) months beginning 2/12/2018 and ending 8/13/2018 to report back to the Mayor and Town Council on the following: Looking at all the town's structural assets and determine what buildings need work and how they are utilized.

*Ms. Francis moved to approve the creation of a Town Facilities Utilization Sub-Committee, consisting of 9 members for a duration of six (6) months beginning 2/12/2018 and ending 8/13/2018 to report back to the Mayor and Town Council on the following: Looking at all the town's structural assets and determine what buildings need work and how they are utilized, seconded by Mr. Bayer.*

Mr. Gold asked if this included town property and Ms. Francis said just buildings.

*The motion passed unanimously.*

- h. Update and discussion on John Pettibone.

Mayor Bass updated the Council on invoices paid from September to current saying there was another \$49,482 paid and \$12,000 of unpaid purchase orders. He has spoken to different department

heads and has determined that about 2,000 man hours have been put into the building project so far. He is working on getting the utilities costs and fixed costs as well.

Mr. Skelly asked if the 2,000 hours were Town employees and Mayor Bass said they were. Mr. Nahom asked what the hourly rate would be on those hours and Mayor Bass said including benefits about \$50 per hour.

Ms. Francis asked if the Pettibone Committee would get all this information as well and Mayor Bass said they would.

10. Appointments and Reappointments to Boards, Commissions and Committees -  
Discussion and possible action

**COMMUNITY CENTER COMMITTEE**

Appointment	Frank Wargo (D)	2/12/2018 - 7/23/2018
Appointment	Julie Learson (D)	2/12/2018 - 7/23/2018
Appointment	Heidi Edel (D)	2/12/2018 - 7/23/2018
Appointment	Jeff Winter (D)	2/12/2018 - 7/23/2018
Appointment	Cindy Davis (D)	2/12/2018 - 7/23/2018
Appointment	James Scheef (D)	2/12/2018 - 7/23/2018
Appointment	Leah Gill (D)	2/12/2018 - 7/23/2018
Appointment	Peg Molina (D)	2/12/2018 - 7/23/2018
Appointment	John Oakes (D)	2/12/2018 - 7/23/2018
Appointment	Robert W. Coppola (D)	2/12/2018 - 7/23/2018
Appointment	Bill Dahl (D)	2/12/2018 - 7/23/2018
Appointment	Timothy Photppoulos (D)	2/12/2018 - 7/23/2018
Appointment	Michelle Liguori (R)	2/12/2018 - 7/23/2018
Appointment	Robert Agee (R)	2/12/2018 - 7/23/2018
Appointment	Steve Christos (R)	2/12/2018 - 7/23/2018
Appointment	Pat Erickson (R)	2/12/2018 - 7/23/2018
Appointment	Leka (Alex) Berisha (R)	2/12/2018 - 7/23/2018
Appointment	Charles Bogie (R)	2/12/2018 - 7/23/2018
Appointment	Frank Greco (R)	2/12/2018 - 7/23/2018
Appointment	Greg Mullen (R)	2/12/2018 - 7/23/2018
Appointment	Colin Cogle (G)	2/12/2018 - 7/23/2018
Appointment	Joseph Degregorio (G)	2/12/2018 - 7/23/2018
Appointment	Frank Pruchnik (U)	2/12/2018 - 7/23/2018
Appointment	Nick Pouder (U)	2/12/2018 - 7/23/2018
Appointment	Steve Looney	2/12/2018 - 7/23/2018

*Ms. Francis moved to appoint the following to the Community Center Committee for the term 2/12/2018 to 7/23/2018: Frank Wargo (D), Julie Learson (D), Heidi Edel (D), Jeff Winter (D), Cindy Davis (D), James Scheef (D), Leah Gill (D), Peg Molina (D), John Oakes (D), Robert Coppola (D), Bill Dahl (D), Timothy Photppoulos (D), Michelle Liguori (R), Robert Agee (R), Steve*

*Christos (R), Pat Erickson (R), Leka (Alex) Berisha (R), Charles Bogie (R), Frank Greco (R), Greg Mullen (R), Colin Cogle (G), Frank Pruchnik (U), Nick Pouder (U), and Steve Looney, seconded by Mr. Nahom.*

Mr. Bayer asked about the status of Mr. Looney and Mayor Bass said he did speak to Attorney Randy DiBella who said it was okay to appoint him but said if the Council wanted to wait for a letter from Attorney DiBella they could. Mr. Bayer asked if this was going to be an issue and Mr. Gold suggested the name should be left off for now.

*Ms. Francis moved to amend the motion to remove Steve Looney, seconded by Mr. Gold.*

Mr. Skelly asked if there was a difference in the statute in terms of being appointed or elected and Attorney Grimes said if a person is not registered to vote then they are not an elector per Connecticut State Statutes.

Mr. Skelly asked what the party change affiliation grace period was and Mr. Bayer said it was 90 days.

Mr. Nahom admonished the members of the public who were commenting in the audience on a Council member to keep their thoughts to themselves as he found them offensive.

*The amended motion passed unanimously.*

#### **9-11 COMMITTEE**

Appointment Corey Linder (D)  
*(Filling Vacancy)*

2/12/2018 - 11/30/2018

*Ms. Francis moved to appoint Corey Linder (D) for the term 2/12/2018 to 11/30/2018 to the 9-11 Committee, seconded by Mr. Bayer and passed unanimously.*

#### **COMMISSION ON THE ARTS**

Appointment Jeremy A. Ruman (R)  
*(Replacing Linda Pouder as Alternate)*

2/12/2018 - 11/30/2020

Appointment Linda Pouder (D)  
*(Replacing Jeremy A. Ruman)*

2/12/2018 - 11/30/2019

*Ms. Francis moved to appoint Jeremy Ruman (R) for the term 2/12/2018 to 11/30/2020 and Linda Pouder (D) for the term 2/12/2018 to 11/30/2019, seconded by Mr. Bayer.*

Dr. Mullen asked if anyone had any issues with any appointments that are on this agenda. No one seemed to have any issue.

*The motion passed unanimously.*

#### **CONSERVATION COMMISSION -**

Reappointment Helen (Lennie) A. Lillis (R)

12/1/2017 - 11/30/2023

#### **FARMLAND & FOREST PRESERVATION COMMITTEE**

Reappointment Elizabeth Goedewaagen (D)

12/1/2017 - 11/30/2021



**FILM COMMISSION -**

Reappointment Valerie Lorimer (U) 12/1/2017 – 11/30/2019  
Reappointment DeAnne P. Biglin (U) 12/1/2017 – 11/30/2019  
Reappointment Joan S. Wyner (D) 12/1/2017 – 11/30/2019

**HIDDEN TREASURES PARK COMMITTEE -**

Reappointment Steven J. Paravati Jr. (D) 1/25/2018 – 7/25/2018  
Reappointment Matthew Higgins (R) 1/25/2018 – 7/25/2018  
Reappointment Brandon Merritt (L) 1/25/2018 – 7/25/2018  
Reappointment Lisa Arasim (U) 1/25/2018 – 7/25/2018  
Reappointment Patricia A. Gregory (D) 1/25/2018 – 7/25/2018  
Reappointment Korey R. Linder (D) 1/25/2018 – 7/25/2018  
Reappointment Christopher Bruzzi (R) 1/25/2018 – 7/25/2018

**HOUSING PARTNERSHIP -**

Reappointment Robert Rush (D) 12/1/2017 – 11/30/2019  
Appointment Katherine A. Francis (R) 2/12/2018 – 11/30/2019  
*(Filling Town Council Vacancy)*

**INLAND WETLANDS COMMISSION -**

Appointment Angela Dimmitt (D) 2/12/2018 - 11/30/2020  
*(Filling Alternate Vacancy)*

**LOCAL EMERGENCY PLANNING COMMITTEE -**

Appointment Wendy Faulenbach (R) 2/12/2018 - 11/30/2020  
*(Filling BOE Vacancy)*

**MUNICIPAL CITATION HEARING OFFICER -**

Reappointment Ramona A. Tito (R) 12/1/2016 – 11/30/2018

**NORTHWESTERN REGIONAL TOURISM DISTRICT -**

Reappointment Nancy I. Saggese (U) 12/1/2016 – 11/30/2018

**ROAD ADVISORY COMMITTEE -**

Appointment Thomas Altermatt (R) 2/12/2018 – 4/12/2018  
*(Filling Vacancy)*

**TRAFFIC AUTHORITY -**

Appointment Rob Natale (R) 2/12/2018 – 11/30/2019  
*(Replacing Christopher Ryan Eaton)*  
Appointment Susan Kernachan (U) 2/12/2018 – 11/30/2019  
*(Replacing Rosaleen H. Gill)*  
Appointment Tyler Bergemann (U) 2/12/2018 – 11/30/2019  
*(Replacing Joseph Paul Wodarski Jr.)*  
Appointment Glen Krizan (R) 2/12/2018 – 11/30/2019  
*(Filling Alternate Vacancy)*

**YOUTH AGENCY -**

Appointment Bill Scribner (R) 2/12/2018 – 11/30/2020  
Reappointment Eleanor Covelli (D) 12/1/2016 – 11/30/2019  
Reappointment Linda Y. Fields (U) 12/1/2016 – 11/30/2019

Reappointment Barrie L. Goldstein (D)  
Reappointment James Carmellini (R)

12/1/2016 – 11/30/2019  
12/1/2016 – 11/30/2019

*Dr. Mullen moved to approve the appointments to the commissions and committees with the terms noted as listed on this agenda, seconded by Mr. Bayer.*

Ms. Francis pointed out to the public that the motion was to approve all the names listed on the published agenda.

*The motion passed unanimously.*

## 2. Public Comment

Mr. Winter resumed his earlier remarks by asking how many people have hired someone for a \$90,000 a year job without seeing a resume.

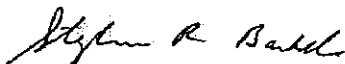
Ms. Francis asked Mayor Bass if this was still public comment and he said it was.

Mr. Winter said he has been involved with an FOIC case and was made aware that Attorney Grimes, who said he was no longer representing the Mayor before either the FOI or the SEEC was still listed as the attorney of record on the case. He said if this work is done during business hours that is a direct violation of the employment contract. He said the human resources director should check to see if he is charging private clients for other work done during the business day. He said this is an ethical violation and suggested someone should FOI his workload and billable hours.

## 11. Adjourn

*Mr. Bayer moved to adjourn the meeting at 8:23 pm, seconded by Mr. Skelly and passed unanimously.*

Minutes recorded by:



Stephanie R. Barksdale  
Recording Secretary

New Milford Town Council Meeting

DATE: 2.12.18

**SPEAKER'S SIGN IN SHEET**

ALL PERSONS WISHING TO SPEAK DURING PUBLIC COMMENT MUST SIGN UP BEFORE THE MEETING STARTS AT 7:00PM. PUBLIC COMMENTS MAY ONLY BE ADDRESSED TO THE TOWN COUNCIL. INITIAL COMMENTS ARE LIMITED TO 5 MINUTES OR LESS. IF A MEMBER OF THE PUBLIC WOULD LIKE TO SPEAK IN EXCESS OF THE 5 MINUTES, THEY MAY REQUEST TO DO SO AND TIME WILL BE SET ASIDE AT THE END OF THE AGENDA FOR THAT INDIVIDUAL TO SPEAK FOR AN ADDITIONAL 5 MINUTES

Please print clearly

- ✓ NAME: Jill McBreath ADDRESS: 285 Kent Rd
- ✓ NAME: Abrienne Aurichio ADDRESS: 912 Cherniske Rd
- ✓ NAME: Cindy Davis ADDRESS: Park Lane West
- ✓ NAME: Leah Gill ADDRESS: Butterbrook Hill
- ✓ NAME: Jett Winter ADDRESS: 22 Moray Road

X 3

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

2018-2019 BOARD ADOPTED  
BUDGET OVERVIEW

THE FIGURES BELOW THAT INDICATE A 1% INCREASE, IS SUFFICIENT TO RUN THE BUSINESS OF EDUCATION OVER THE 2018-2019M SCHOOL YEAR IN MY ESTIMATION AND I ASK YOU TO LOOK THEIR AMENDED BUDGET REQUEST OVER, EVEN MORE INTENTLY THAN ANY YEAR BEFORE AND COME UP WITH THE FIGURES I HAVE. THEY ARE FAIR AND REASONABLE.

17-18 BUDGET	18-19 BUDGET	BUDGET TO BUDGET \$ CHANGE	BUDGET TO BUDGET % CHANGE
62,810,856	63,438,692	628,106	1%

SAVINGS WOULD RETAIN \$ 839,979 TO HELP OFFSRT THE 3.3 MILLION THE STATE HAS NOT ALLOWED US FOR THE NEW YEAR 2018 – 2019

I KNOW THAT EDUCATING OUR CHILDREN IS AN ESSENTIAL IN TODAYS WORLD AND I KNOW THAT THE REVENUE OF NEGATIVE 5.98% THAT THE BOE IS SHOWING ON THE BUDGET OVERVIEW IS PART OF THE EQUATION AND IF YOU ADD ANOTHER 1.34% IN SAVINGS TO THAT BY REDUCING THEIR REQUEST FROM 2.34% TO 1%, YOU NOW HAVE A SAVINGS OF 7.32% OR A TOTAL OF \$ 921,629.00 IN SAVINGS.

WHEN YOU ARE STARING AT A DEFICIT OF 3.3 MILLION BECUASE OF CHANGES BY THE STATE, WE ARE NOW LEFT WITH THE TASK OF WHERE TO SAVE 3.3 MILLION DOLLARS AND GET A FOOHOLD ON THE DEFECIT THAT WE ARE FACED WITH. THE NEW SCHOOL YEAR WILL HAVE A POPULATION THAT WILL BE REDUCED BY 51 ACROSS THE SHCOOL SYSTEM AND IT IS HARD FOR ME TO BELIEVE THAT THE BOE CAN JUSTIFY A 2.34% INCREASE WHEN THIS ISSUE IS STARING US IN THE FACE AS WELL AS THE DEFECIT HANDED US BY THE STATE.

I KNOW, THAT THE EDUCATION OF OUR STUDENTS IS CRITICAL, BECAUSE THEY ARE OUR FUTURE, AND TO TREAT THE EDUCATIONAL SYSTEM FAIRLY, THERE HAS TO BE A HARD FAST AND CONCERTED EFFORT TO MAKE SURE THAT THE TOWN BUSGET IS LOOKED AT IN THE SAME WAY AS THE BOE BUDGET. I BELIEVE THAT WE CAN CUT AND ADJUST THE TOWN BUDGET THE SAME WAY AND END UP SAVING 2 MILLION, LEAVING US WITH ABOUT 1.3 MILLION IN DEFICIT THAT THE TAX PAYERS MAY HAVE TO ABSORB THROUGH A TAX INCREASE. TO BE ABLE TO SAVE 2% ON THIS NEW BUDGET WOULD BE MONUMENTAL GIVEN OUR SITUATION AND WHEN THE ADJUSTED BUDGET GOES TO REFERENDUM AND A VOTE, THE TAX PAYER WILL NOT HAVE SUCH A HARD TIME ACCEPTING IT.

TAKE A LOOK AT TH BOE PERCENTAGE INCREASE ON LINE ITEMS PER SCHOOL BELOW AND SEE THE SAVINGS YOU CAN GET BY REDUCING THEM TO 100% A 100% INCREASE OVER THE 17-18 BUDGET IS MORE THAN ENOUGH TO RUN THE BUSINESS OF EDUCATION IN THE 18-19 SCHOOL YEAR. TO ASK FOR MORE IN MY ESTIMATION IS RECKLESS AND NOT FAIR TO THE TAX PAYER, WHOM MANY, MANY ARE ON FIXED INCOME AND CANNOT AFFORD THESE INCREASES EVERY YEAR WHEN THEIR INCOME IS THE SAME YEAR AFTER YEAR AFTER YEAR. WHEN THE TOWN AND THE BOE MAKES THEIR BUDGET REQUESTS EACH YEAR, THEY HAVE TO CONSIDER ALL ASPECTS OF MONEY AVAILABLE FROM THE CITIZENS OF THIS TOWN AND ASKING FOR WHAT THE TAX PAYER DOES NOT HAVE SHIFTS THE BURDEN ON THEM AND THIS IS NO WAY TO

RUN THE BUSINESS OF THE TOWN, ALL THE WAY FROM THE TOP TO THE BOTTOM.

PAGE 4 LINE ITEM 56420 REDUCE THIS FROM 107.36% TO 100% AND SAVE 7.36%  
PAGE 9 LINE ITEM 56500 REDUCE THIS FROM 519.64% TO 100% AND SAVE 419.64%  
PAGE 15 LINE ITEM 56500 REDUCE THIS FROM 500.00% TO 100% AND SAVE 400%  
PAGE 17 LINE ITEM 51115 REDUCE THIS FROM 104.67% TO 100% AND SAVE 4.67%  
PAGE 17 LINE ITEM 56100 REDUCE THIS FROM 200.00% TO 100% AND SAVE 100%  
PAGE 18 LINE ITEM 55302 REDUCE THIS FROM 102.00% TO 100% AND SAVE 2.00%  
PAGE 22 LINE ITEM 56110 REDUCE THIS FROM 153.00% TO 100% AND SAVE 53.00%  
PAGE 22 LINE ITEM 56420 REDUCE THIS FROM 186.97% TO 100% AND SAVE 86.97%  
PAGE 22 LINE ITEM 56110 REDUCE THIS FROM 112.97% TO 100% AND SAVE 12.97%  
PAGE 22 LINE ITEM 56410 REDUCE THIS FROM 400.00% TO 100% AND SAVE 300.00%  
PAGE 23 LINE ITEM 56411 REDUCE THIS FROM 123.73% TO 100% AND SAVE 23.73%  
PAGE 27 LINE ITEM 53200 REDUCE THIS FROM 258.90% TO 100% AND SAVE 58.90%  
PAGE 31 LINE ITEM 57345 REDUCE THIS FROM 266.70% TO 100% AND SAVE 66.70%  
PAGE 31 LINE ITEM 56410 REDUCE THIS FROM 422.88% TO 100% AND SAVE 322.88%  
PAGE 36 LINE ITEM 53200 REDUCE THIS FROM 185.71% TO 100% AND SAVE 85.71%  
PAGE 40 LINE ITEM 53210 REDUCE THIS FROM 950.00% TO 100% AND SAVE 800.00%  
PAGE 48 PROPERTY SERVICES REDUCE THIS FROM 473.47% TO 100% AND SAVE 373.47%  
PAGE 49 LINE ITEM 54320 REDUCE THIS FROM 655.58% TO 100% AND SAVE 555.58%  
PAGE 52 SUPPLIES REDUCE THIS FROM 222.22% TO 100% AND SAVE 122.22%  
PAGE 55 LINE ITEM 51201 REDUCE THIS FROM 221.46 TO 100% AND SAVE 121.46%  
PAGE 59 CAPITAL OTHER REDUCE THIS FROM 170.83% TO 100% AND SAVE 70.83%  
PAGE 61 LINE ITEM 564310 REDUCE THIS FROM 342.11% TO 100% AND SAVE 242.11%  
PAGE 61 LINE ITEM 54301 REDUCE THIS FROM 101.94% TO 100% AND SAVE 1.94%  
PAGE 61 LINE ITEM 54301 REDUCE THIS FROM 121.63 TO 100% AND SAVE 21.62%  
PAGE 61 LINE ITEM 56290 REDUCE THIS FROM 129.51% TO 100% AND SAVE 29.51%  
PAGE 61 LINE ITEM 54301 REDUCE THIS FROM 128.31% TO 100% AND SAVE 28.31%  
PAGE 62 LINE ITEM 54310 REDUCE THIS FROM 104.88% TO 100% AND SAVE 4.88%  
PAGE 62 LINE ITEM 57400 REDUCE THIS FROM 334.78 TO 100% AND SAVE 234.78%  
PAGE 65 LINE ITEM 54301 REDUCE THIS FROM 435.54% TO 100% AND SAVE 335.54%  
PAGE 65 LINE ITEM 56220 REDUCE THIS FROM 268.83% TO 100% AND SAVE 168.83%  
PAGE 69 LINE ITEM 56500 REDUCE THIS FROM 385.00% TO 100% AND SAVE 285.00%

TO THE TOWN COUNCIL, I ASK YOU TO SIT WITH THE BOE AND THE FINANCE DEPARTMENT AND LOOK OVER ALL ASPECTS OF THE SITUATION WE ARE FACED WITH THIS YEAR AND MAKE THE HARD DECISIONS THAT WILL BE IN THE BEST INTEREST OF ALL. I CHARGE ALL OF YOU AS FAIR AND RESPONSIBLE GOVERNING CITIZENS FROM THE TOWN COUNCIL TO THE FINANCE DEPARTMENT TO THE BOE TO SEARCH YOUR MINDS AND DO THE RIGHT THING. THIS IS THE RESPONSIBILITY OF THE POSITIONS YOU RAN FOR AND HAVE BEEN ELECTED TO AND ACCEPTED AND YOU ARE NOW REQUIRED TO PERFORM YOUR DUTY TO THE CITIZEN AS SUCH. BE THE BEST THAT YOU CAN BE., BECAUSE THE CITIZENS WHO ELECTED YOU NOW HAVE THEIR TRUST IN YOU TO RUN THE BUSINESS OF THIS FINE TOWN RESPONSIBLY.

RESPECTFULLY,  
JEFFREY B. MCBREAIRTY  
NEW MILFORD CITIZEN

February 12, 2018

TO: Town Council, New Milford, CT

From: Adrienne Aurichio, 72 Cherniske Road, New Milford, CT 06776

Regarding the naming of Stephen Looney to serve on the Pettibone Committee:

Is Mr. Looney a United States citizen, or is he, as he has stated in this room on other occasions, a Green Card holder?

If he is a Green Card holder, he is not eligible to serve on any Town boards, Commissions, Regular or Special Committees based on his status as a non-US citizen, and therefore not an 'Elector' of this town.

The Town Charter, Section 1002 Appointment and Eligibility states:

1.) Town of New Milford, CT – Charter: Section 1002 Appointment and Eligibility:

"No person shall be eligible to serve as a member of any regular Town Board or Commission described in Section 1001 of this Chapter, except the Building Code Board of Appeals, unless such person is an 'elector' and a resident of the Town of New Milford."

NOTE: Appointments to Special or Temporary Committees must be consistent with the Charter and the Connecticut General Statutes.

2.) State of Connecticut definition of 'Elector':

General Statutes § 9-1(e). Article sixth, § 1, as amended by Article IX of the Connecticut Constitution prescribes the qualifications of 'electors' to embrace: **'Every citizen of the United States who has attained the age of eighteen years, who is a bona fide resident of the town in which he seeks to be admitted as an 'elector' and who takes such oath, if any, as may be prescribed by law, shall be qualified to be an 'elector.'**

3.) United States Government definitions of 'Citizen' and 'Elector':

'Elector' means any person possessing the qualifications prescribed by the Constitution of the United States and duly admitted to, and entitled to exercise, the privileges of an 'elector' in a town....'

"Citizen" of the United States: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. Citizens are entitled to the rights granted by both the national government and their own state's government." – The Constitution of the United States

6

# TOWN OF NEW MILFORD



Town Hall  
10 Main Street  
New Milford, Connecticut 06776  
Telephone (860) 355-6085 • Fax (860) 355-6032

Office of the Tax Collector

February 2, 2018

TO: Honorable Pete Bass, Mayor  
Honorable Greg Osipow, acting Director of Finance  
Honorable Members of Town Council

FROM: Kathleen Conway, Assessor  
Nancy McGavic, Tax Collector

RE: February refunds

---

Balance in refund account: \$ 3, 839.94  
Account #10413700-59500

February refunds \$ 1,714.07

---

Balance after February refunds \$ 2,125.87

Respectfully Submitted:

Kathleen Conway, Assessor and Nancy McGavic, Tax Collector

<b>February 12, 2018 refunds</b>				
<b>LAST NAME</b>	<b>FIRST NAME</b>	<b>ACCOUNT</b>	<b>AMOUNT</b>	<b>NOTES</b>
CoreLogic	re: K Seger & Joan Box	2016-01-0010738	1198.85	adjusted by Assessor
Jones	Janeen	2016-03-112247	174.32	adjusted by Assessor
Kelly	Courtney & William Royle	2016-03-0112778	340.9	adjusted by Assessor
<b>Total</b>			<b>1714.07</b>	





8

## 2018 New Milford Moonlight Run

**Date:** June 1<sup>st</sup>, 2018  
**Location:** Young's Field, New Milford, CT 06776  
**Race Time:** 7:45 PM - 9:00 PM  
**Road Closure:** 7:00 PM – 9:00 PM (Approximate Race Conclusion)  
**Event Type:** 5KM (3.105 miles) and 2 Mile Walk  
**Organizer:** Fast Track Timing LLC  
**Contact:** Michael Hall  
**Contact Phone:** 860-499-0569 office / 860-605-6584 cell  
**Contact Email:** [fasttracktimingllc@me.com](mailto:fasttracktimingllc@me.com)

**Description:** The event will be a 5K road race and 2-mile walk. The event will be open to runners and walkers of all abilities. NMPD in the past has suggested a soft time limit of 1 hour and 15 minutes. The average time of the last person to complete the event is 1 hour. Traffic control will be needed as in the past at 5 areas previously identified by NMPD. Participants are expected to arrive on premise at 6:00 PM and leave the grounds by 10:00 PM. Food, drink, entertainment (music) and sanitary facilities (bathrooms) will be provided by Fast Track Timing LLC for participants.

**Donations:** The net proceeds will go to charity. This year we will be focusing on helping children with special needs through the Molly Ann Tango Memorial Foundation. We will also donate to the New Milford XC and Track Programs.

**Objective:** Our principal objective is to coordinate and direct a first-class sporting experience that will simultaneously raise money for children with special needs. The Moonlight Run is a great opportunity for New Milford and other local area residents to gather and enjoy the fun and positive environment that helps raise awareness for individuals with special needs. The event will help bring in commerce to the local downtown area as over 600 participants partake in the event annually.

**Race Information:** Additional race information will be available at <http://newmilfordmoonlightrun.com>

**Event Timing:** The event will be self-timed by Fast Track Timing LLC as we specialize in results and scoring solutions for a variety of sporting events. We are fully insured as we have personal liability insurance as well as the necessary event insurance required by the Town of New Milford.

**Race Route:** <http://www.usatf.org/events/courses/maps/showMap.asp?courseID=CT06004JHP>

**Road/Parking/Safety:** The appropriate number of NMPD officers, as determined by the NMPD, will be on duty at the cost of the Fast Track Timing LLC.

The course has 5 areas identified by NMPD in prior years as in need of officers:

1. Youngs Field/Bridge Street/202,
2. Youngs Field Rd./Patriots Way
3. Youngs Field Rd./Housatonic Ave.
4. Housatonic Ave and Aspetuck Ridge Rd.
5. Turnaround prior to Medinstill Inc. (train bridge)



We would request that roads be closed starting at 7:00 PM until 9:00PM. This allows enough time for setup of all timing materials for the start of the race. This is the same as all prior years.

There is no parking along Youngs Field Rd. from 6:00 PM until road reopens at approximately 9:00PM. Any NMPD assistance with parking would greatly be appreciated.

The road will be coned by Fast Track Timing LLC from just beyond Aspetuck Ridge Rd until the turnaround point prior to Medinstill Inc. We use approximately 100 large orange cones to accomplish this dividing of the road. Mile marker clocks will also be placed at the 1 and 2 mile marks.

All runners will stay to the left of all cones. This provides a necessary division of the road for safety and flow of the runners. All runners keep to left side of the road with the cones to their right while running. This provides a safe one-way flow of traffic on either side of the road. This is the same approved method as prior years. A sweep vehicle (usually an NMPD vehicle) follows the last runner and allows us to clean up the cones. This also allows the road to reopen in a timely manner.

There will be two water stations placed on the course. Race staff and volunteers will work the aid stations and be equipped with radios/cell phones to communicate any emergency situations.

**Permits and Insurance:** The event is sanctioned/insured by USA Track and Field Association. This insurance meets the requirements set forth by the Town of New Milford. A copy of the insurance certificate can be found below. The insurance forms protect the Town of New Milford, New Milford Employees, volunteers and Fast Track Timing LLC from liability claims.

Town of New Milford Insurance Certificate:

[https://www.dropbox.com/s/vj7150cw1ejx479/Certificate\\_20180130590264.pdf?dl=0](https://www.dropbox.com/s/vj7150cw1ejx479/Certificate_20180130590264.pdf?dl=0)

Fast Track Timing LLC Insurance Certificate:

[https://www.dropbox.com/s/3u673nmm58nc0zy/Certificate\\_20180122582056%20%282%29.pdf?dl=0](https://www.dropbox.com/s/3u673nmm58nc0zy/Certificate_20180122582056%20%282%29.pdf?dl=0)

**Status of Approvals:** The race location has been approved and reserved by the New Milford Parks and Recreation Department as of 1/11/18.

A NMPD request for race review was submitted via email on 1/9 (Dzamko), 1/25 (Dzamko) and 1/31 (Massicotte). Attached is also a formal letter to Chief Boyne requesting police services.

A formal email request has been made to Mayor Bass's office to be put on the Town Council Agenda pending NMPD approval



Michael Hall, Owner  
Fast Track Timing LLC  
26 Jonathan Drive  
Roxbury, CT 06783  
860.605.6584 cell  
860.499.0569 office  
[fasttracktimingllc@me.com](mailto:fasttracktimingllc@me.com)

February 1<sup>st</sup>, 2018

To: Shawn Boyne, New Milford Chief of Police  
CC: Sergeant Massicotte

This letter is to request the necessary extra duty police coverage for the 2018 Moonlight Run 5k occurring on Friday, June 1<sup>st</sup>, 2018 from 6:00 PM to 10:00 PM. The requested road closure for Young's Field Road would be the same as the past 5 years from 7 Pm to 9PM.

This year we are continuing to donate the net proceeds to the Molly Ann Tango Memorial Foundation and NMHS XC program.

The insurance policy that meets the Town of New Milford requirements has approved through the USA Track and Field Association. A link to the insurance certificate can be found using the links below.

Town of New Milford:

[https://www.dropbox.com/s/vj7150cw1ejx479/Certificate\\_20180130590264.pdf?dl=0](https://www.dropbox.com/s/vj7150cw1ejx479/Certificate_20180130590264.pdf?dl=0)

Fast Track Timing LLC:

[https://www.dropbox.com/s/3u673nmm58nc0zy/Certificate\\_20180122582056%20%282%29.pdf?dl=0](https://www.dropbox.com/s/3u673nmm58nc0zy/Certificate_20180122582056%20%282%29.pdf?dl=0)

The event will next be reviewed and approved by the Traffic Authority and Town Council with your approval.

I look forward to speaking with Sergeant Massicotte and reserving the necessary policy coverage for our 2018 event.

Thank you for your time and consideration.

Michael Hall, Owner  
Fast Track Timing LLC  
<http://fasttracktiming.com>  
[fasttracktimingllc@me.com](mailto:fasttracktimingllc@me.com)  
860.605.6584 cell  
860.499.0569 office

# MOONLIGHT RUN

5KM - NEW MILFORD, CT

SEPARATION = 405 FEET

ELEVATION OF THE START AND FINISH = 215 FEET

MEASURED BY: GUIDO BROTHERS ESCORT SERVICE

MEASURED ON: 4/6/06

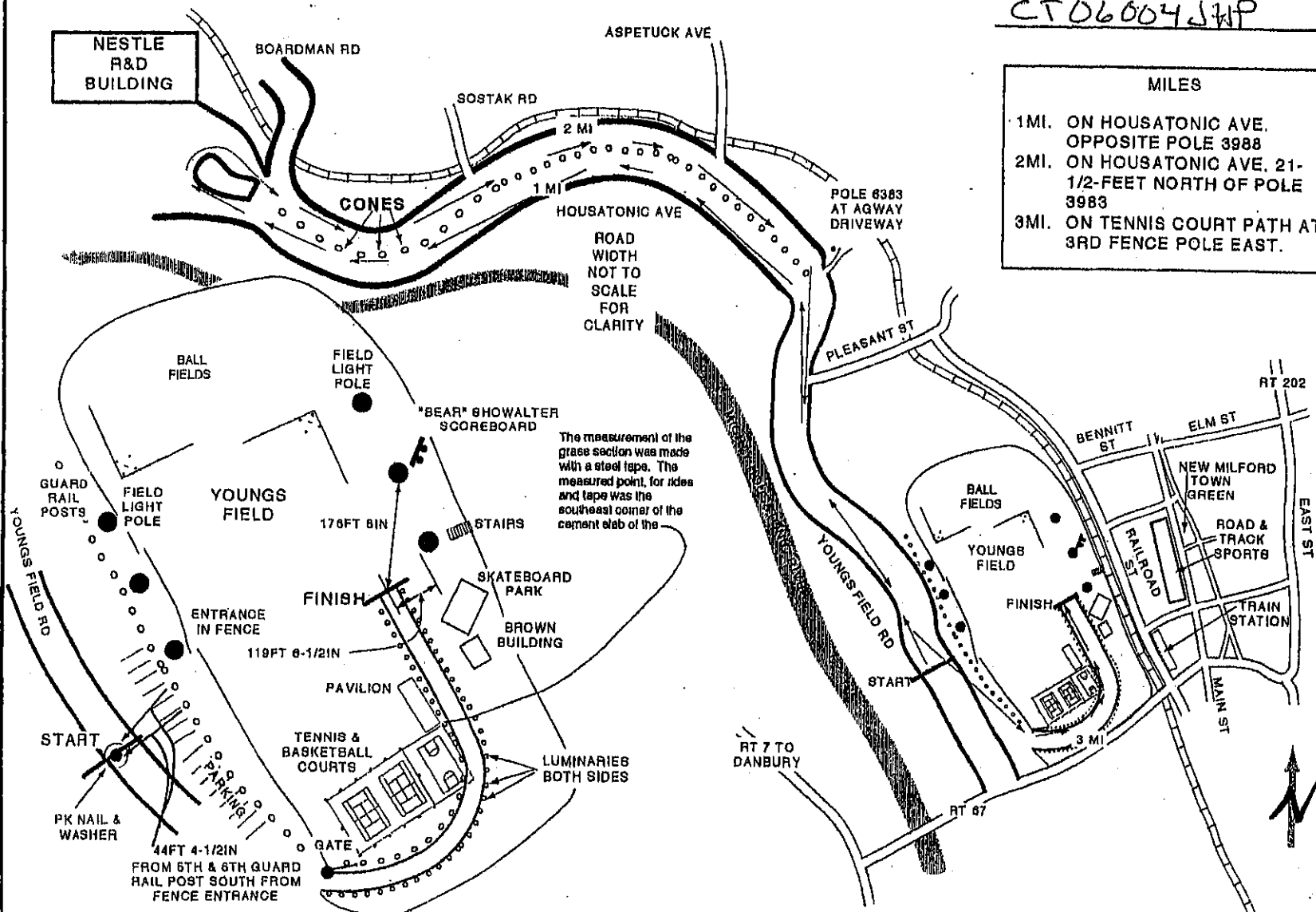
USATF CERT. CODE:

CT06004JWP

RUNNERS RUN ON THE LEFT  
SIDE OF THE CONES AND OF  
THE ROAD -OUT AND BACK

## MILES

- 1MI. ON HOUSATONIC AVE.  
OPPOSITE POLE 3988
- 2MI. ON HOUSATONIC AVE. 21-  
1/2-FEET NORTH OF POLE  
3983
- 3MI. ON TENNIS COURT PATH AT  
3RD FENCE POLE EAST.





# MILONE & MACBROOM

January 29, 2018 (Revised February 5, 2018)

Ms. Kathy Castagnetta, AICP  
Town Planner  
Town of New Milford  
10 Main Street  
New Milford, CT 06776

**RE: Technical Review of Development and Management Plan  
Candlewood Solar LLC - Petitioner  
MMI #1481-57-0**

Dear Kathy:

At your request, we are pleased to provide for your review our revised proposal to undertake a technical review of the Development and Management Plan (D&M Plan) for the proposed 20 MW Solar Photovoltaic Facility in New Milford. We understand that the Connecticut Siting Council has made a declaratory ruling regarding environmental compatibility that essentially approves the location of the facility subject to the submission of a D&M Plan to the Siting Council for final approval prior to the commencement of construction.

From the application materials that you provided, we understand the Petitioner, Candlewood Solar LLC (CS), plans to construct and operate the facility on a portion of a larger property located on Candlewood Mountain Road locally known as Dunham Farm. The proposal calls for the installation of solar panels on a rack system that will traverse the slope in an east to west direction to allow the panels to have a southerly orientation. While some of the system will be located in an open field, approximately 60 acres of forest will be cut to accommodate the balance of the system. In addition, there will be an overhead electrical line connecting the solar collector system to the existing electrical grid in the vicinity of the Rocky River generation station located to the east of the site. The route of the interconnection appears to traverse steep slopes and several wetlands.

From our initial reading of the Siting Council's decision, CS will be required to address in detail stormwater management, erosion and sedimentation control, construction management and phasing, and the decommissioning plan as significant elements in the D&M Plan. These plans are required to comply with the Connecticut Department of Energy & Environmental Protection (DEEP) *Erosion and Sediment Control Guidelines (2002)*, *Stormwater Quality Manual (2004)*, and *Stormwater Management at Solar Farm Construction Projects (2017)*. CS will be required to obtain a Stormwater General Permit for construction sites from DEEP although DEEP may exercise its discretion and require CS to obtain an individual permit for the project. In addition, the petitioner must comply with a PILOT agreement entered into with the town dated February 17, 2017.

We propose to assist the Town of New Milford in reviewing the D&M Plan by providing the following services:

1. When the D&M Plan has been filed and made available to the town for review, participate in an initial meeting of town staff and legal counsel to better understand their concerns, review communication protocols, and establish a schedule for completing the review. It is expected that the town will provide copies of the D&M Plan and other pertinent documents at this time.
2. Undertake a reconnaissance of the property to better understand the existing conditions and to identify factors that will influence its development as proposed by CS.
3. Review the Decision and Order of the Siting Council to understand the conditions of approval that are required to be incorporated into the D&M Plan and the requirements of the PILOT agreement.
4. Review the D&M Plan for consistency with the Decision and Order of the Siting Council with emphasis on stormwater management, erosion and sedimentation control, construction phasing, impacts of construction on wetlands and other resources, decommissioning, and other matters addressed in the petition to the Siting Council. Our review will include, but not be limited to, the following:
  - Tree removal plans
  - Grading plans
  - Drainage computations
  - Adequacy of short- and long-term detention facilities
  - Construction-phasing plans
  - Landscape restoration plans
  - Operation and management plan for the site
  - Mitigation strategies and plans for impacts on wetlands and watercourses
  - Decommissioning plan
  - Other issues identified in the Decision and Order of the Siting Council and in the PILOT agreement
5. Prepare a draft report of our findings and recommendations in a format suitable for submission to the Siting Council.
6. Meet with appropriate town staff to review our draft report.
7. Finalize our report, incorporating comments from the town as appropriate.
8. Advise the town on the Petitioner's application for a DEEP Stormwater General Permit and assist the town to effectively participate in that review process to protect the town's interests. This may include advising the town of options it may have to request DEEP to

consider requiring CS to seek an individual permit for the project and to interface with DEEP upon the town's request in an effort to support the town's objectives.

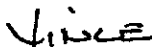
We understand that our work will need to be completed in approximately 3 weeks after CS files the D&M Plan with the Siting Council, expected to be in March, in order to allow the town's legal counsel sufficient time to prepare the formal filing of the town's position on this matter.

Since the D&M Plan has not been filed, we cannot precisely define the time it will take us to undertake our review and prepare the report. However, based on the preliminary plans we have seen in the initial filing by CS, our fee will not exceed a cap of \$25,000 unless the parties agree otherwise in writing. We are prepared to undertake our work on an hourly basis using the preferred personnel rates under the same terms and conditions that we use for other peer reviews for the town. We have assumed that we will not need to attend meetings with CS or the Siting Council but may be called upon to communicate with DEEP personnel during the review process.

Please call me with any questions you may have regarding this proposal.

Very truly yours,

MILONE & MACBROOM, INC.



Vincent C. McDermott, FASLA, AICP  
Senior Vice President

1481-57-0-f518-prop.docx

# NOTICE OF MEETINGS

Type	Notice	Agenda/ Notice Contents	Adding to Agenda/ Notice	Filing Record of Votes	Filing Minutes
<b>Regular</b>	File yearly schedule with Sec'y Of State (state) or Town Clerk (municipal) by Jan. 31 <sup>st</sup> .**	Agenda available at least 24hrs. before meeting.**	Agenda items may be added by 2/3 vote of those members present and voting.	Within 48 hrs. after meeting (if minutes not available within 48 hours).	Within 7 calendar days after meeting.***
<b>Special</b>	At least 24 hrs. before meeting, file at Sec'y Of State (state) or Town Clerk (municipal).*	At least 24 hrs. before meeting. Time, place and business must be included in notice.*	Not permitted	Within 48 hrs. after meeting (if minutes not available within 48 hours).	Within 7 business days after meeting.***
<b>Emergency</b>	None required if emergency is justified.	None required if emergency is justified.	Only emergency matters may be considered.	Within 48 hrs. after meeting (if minutes not available within 48 hours).	Within 72 hrs. after meeting. Must state reason for emergency.***

\* Available with Sec'y Of State (state) or Town Clerk and in place of business. Also, must be posted on agency website.

\*\* Available with Sec'y Of State (state) or Town Clerk and in place of business. Also, must be posted on websites for state agencies only.

\*\*\*Must be posted on agency website for state agencies only.




# TOWN OF NEW MILFORD



Roger Sherman Town Hall  
10 Main Street  
New Milford, Connecticut 06776  
Telephone 860-355-6010 • Fax 860-355-6002  
Office of the Mayor  
Pete Bass



**TO:** Mayor Pete Bass; G. Osipow  
**FROM:** Matt Grimes, Town Attorney   
**RE:** Peter Mullen email communication dated January 31, 2018  
**DATE:** February 2, 2018  
**CC:** W. O'Connor, Chairman - Board of Finance

---

Pursuant to Mayor Bass' request, I have reviewed Councilman Peter Mullen's email communication dated January 31, 2018. My opinion is set forth herein.

In his email, Dr. Mullen alleges the Mayor and Acting Finance Director violated the Town Charter, specifically Section 503(b), which reads as follows:

Special Town Meetings shall be called by the Town Council for consideration of the following actions:

- (b) Any **appropriation supplemental to the total annual budget** which is in excess of one-fifth (1/5<sup>th</sup>) of one (1) mill per each thousand dollars of the last completed Grand List of the Town, or any supplemental appropriation if the cumulative total of supplemental appropriations for the current fiscal year shall already exceed one mill per each thousand dollars of the last completed Grand list.

(Emphasis added)

In addition to the Charter and Dr. Mullen's aforementioned email, I reviewed the Town Council Draft Minutes from the regular meeting on January 22, 2018 and the Draft Minutes from the Board of Finance special meeting the same day. Finally, I spoke with Mr. Osipow, former Finance Director Ray Jankowski, and Michael Van Deventer, audit partner with Mahoney-Sabol, the town's present auditors on Wednesday, January 31.

According to the draft Minutes of the Town Council, the motion passed was as follows:

"to authorize the designation of one million five hundred thousand dollars of fiscal year 2017 surplus towards the shortfall of fiscal year 2018 State revenue subject to the Board of Education removing its request to move their surplus to Capital Reserve."

According to the draft Minutes of the Board of Finance, the motion passed was as follows:

"approval to transfer one million five hundred (thousand) dollars of fiscal toward the shortfall of fiscal year 2018 State revenue with the caveat that the Board of Education agree to removing the transfer of their 2017 surplus to Capital Reserve Fund."

By the plain language set forth within the above motions, neither panel approved a special appropriation. Regardless of wording, neither action would constitute an appropriation.

Section 503(b) of the Charter refers to an "appropriation supplemental to the total annual budget". For this to happen an amount of money would need to be approved that would constitute spending over and above the amount approved by taxpayer at referendum for Fiscal Year 2017-18. Such an approval would, if it satisfied the remaining parameters set forth in 503(b), indeed require the Town Council to call a Special Town Meeting, which could then be elevated by vote of the Council or petition to referendum pursuant to CT General Statute § 7-7.

In any event, neither the Town Council nor Board of Finance vote on January 22, 2018 increased the amount of money voters approved for spending in the 2017 budget referendum. The motions entirely related to the revenue funding the spending plan, which is completely distinct from town spending itself.

Neither the Mayor nor the Acting Finance Director violated the Town Charter and neither is in error with respect to this matter.



Matt Grimes <mgrimes@newmilford.org>

**Fwd: January 22nd, Town Council Meeting**

1 message

Mayor Pete Bass <mayor@newmilford.org>

Wed, Jan 31, 2018 at 10:18 AM

To: Pete Bass <PBass@newmilford.org>, Matt Grimes <mgrimes@newmilford.org>

----- Forwarded message -----

From: <bkl56@aol.com>

Date: Wed, Jan 31, 2018 at 10:09 AM

Subject: January 22nd, Town Council Meeting

To: mayor@newmilford.org

Cc: nprichard@newmilford.org

Mayor,

At last week's Town Council and Board of Finance meetings, the Mayor and Acting Finance Director violated the Town Charter by ignoring the need for a Special Town Meeting.

-On Monday January 22nd, 2018, the New Milford Town Council voted to appropriate \$1.5 million dollars from the Town's Undesignated Fund Balance to offset State cuts that would impact the Town's budget.

-Pursuant to Charter Section 503(b), a Special Town Meeting is required for consideration of "any appropriation supplemental to the total annual budget which is in excess of one-fifth (1/5) of one (1) mil per each thousand dollars of the last completed Grand List..."

-The \$1.5 million dollar appropriation from the Town's Undesignated Fund is in excess of the 1/5 of 1 mil and requires a Special Town Meeting.

-The conduct of the Mayor and Acting Finance Director is subject to the terms of Section 710, which holds them responsible for payments made in violation of the Town Charter.

This error must be corrected immediately, and the Town's auditors must be made aware of this error. Please inform the members of the Town Council, Board of Finance and the Town Attorneys of this violation.

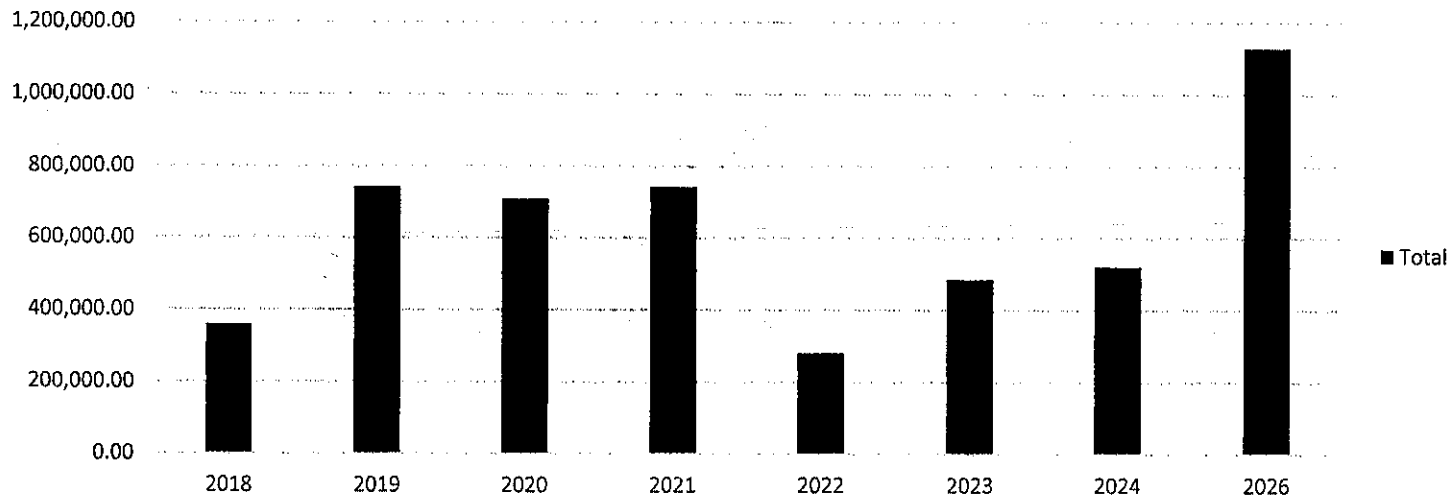
Peter Mullen  
Town Council Member

### Janney Investment vs STIF

WMF	Value as of 12/31/07	Sum of Interest	Est Unearned Int	Unrealized Loss 12/31/07	Total Loss 12/31/17
JMS	4,966,704.46	86,389.45		-33,295.54	
WMM	5,599,835.36	35,999.78	-34,285.03		-67,580.57
<b>Grand Total</b>	<b>10,566,539.82</b>	<b>122,389.23</b>	<b>-34,285.03</b>	<b>-33,295.54</b>	<b>-67,580.57</b>

Value on 12/31/07

#### Investment Balances and Maturity



Years Master Fund Fund Quarters Maturity

Row Labels	Value on 12/31/07
2018	359,190.07
2019	742,455.00
2020	709,020.30
2021	741,577.50
2022	280,637.60
2023	485,308.50
2024	519,545.00
2026	1,128,970.49
<b>Grand Total</b>	<b>4,966,704.46</b>

DRAFT

## JPCC\_FY 2018\_Invoices Paid

YEAR	EFF DATE	PO/REF2	AMOUNT	CHECK NO	WARRANT	VDR NAME/ITEM DESC	COMMENTS
2018	'01/29/2018	'1802784	\$249.27	211169	'020218	'HOME DEPOT	'Social services JPCC material
2018	'01/29/2018	'1802795	\$1,048.40	211207	'020218	'S.B.C. CONSTRUCTION CO.	'Window Social Services JPcc P
2018	'01/05/2018	'1802791	\$198.66	210915	'011218	'O & G INDUSTRIES	'Supplies Public Works
2018	'12/28/2017	'1802910	\$34.29	210855	'010518	'SETON IDENTIFICATION PROD	'Interior Signage for JPCC Publ
2018	'12/28/2017	'1802795	\$1,500.00	210854	'010518	'S.B.C. CONSTRUCTION CO.	'Window modification JPCC Publ
2018	'12/21/2017	'1802794	\$960.00	210796	'122917	'S.B.C. CONSTRUCTION CO.	'Storage Rack for JPCC PW
2018	'12/07/2017	'1802293	\$1,473.27	210620	'121517	'SETON IDENTIFICATION PROD	'Signage for JPCC PW
2018	'12/07/2017	'1802293	\$1,065.27	210620	'121517	'SETON IDENTIFICATION PROD	'Signage for JPCC PW
2018	'11/29/2017	'1802294	\$6,053.00	210531	'120817	'SHOCK ELECTRIC	'Electrical Social services FM
2018	'11/29/2017	'1801842	\$59.98	210488	'120817	'H H TAYLOR & SONS INC	'Supplies FM
2018	'11/29/2017	'1801842	\$10.99	210488	'120817	'H H TAYLOR & SONS INC	'Supplies FM
2018	'11/20/2017	'1802304	\$4,875.20	210323	'112217	'VANGUARD LOGISTICS	'Movers Social Services
2018	'11/20/2017	'1801779	\$2,084.53	210280	'112217	'LITCHFIELD HILLS PLUMBING LLC	'Plumbing Services FM
2018	'11/02/2017	'1801842	\$29.50	210176	'110917	'H H TAYLOR & SONS INC	'Supplies FM
2018	'11/02/2017	'1801842	\$62.24	210176	'110917	'H H TAYLOR & SONS INC	'Supplies FM
2018	'11/02/2017	'1801842	\$30.35	210176	'110917	'H H TAYLOR & SONS INC	'Supplies FM
2018	'11/02/2017	'1801298	\$25.08	210220	'110917	'S.B.C. CONSTRUCTION CO.	'Office construction PW
2018	'11/02/2017	'1801842	\$99.04	210176	'110917	'H H TAYLOR & SONS INC	'Supplies FM
2018	'11/02/2017	'1801842	\$18.69	210176	'110917	'H H TAYLOR & SONS INC	'Supplies FM
2018	'11/02/2017	'1801842	\$121.40	210176	'110917	'H H TAYLOR & SONS INC	'Supplies FM
2018	'11/02/2017	'1801842	\$118.85	210176	'110917	'H H TAYLOR & SONS INC	'Supplies FM
2018	'11/02/2017	'1801842	\$118.60	210176	'110917	'H H TAYLOR & SONS INC	'Supplies FM
2018	'11/02/2017	'1801842	\$30.35	210176	'110917	'H H TAYLOR & SONS INC	'Supplies FM
2018	'10/27/2017	'1801298	\$2,970.00	210125	'110317	'S.B.C. CONSTRUCTION CO.	'Office construction Social Ser
2018	'10/19/2017	'1801298	\$3,217.50	210024	'102717	'S.B.C. CONSTRUCTION CO.	'Office construction PW
2018	'10/12/2017	'1801298	\$1,777.50	209915	'102017	'S.B.C. CONSTRUCTION CO.	'Office construction PW
2018	'10/12/2017	'1801842	\$107.08	209865	'102017	'H H TAYLOR & SONS INC	'Supplies FM
2018	'09/14/2017	'1801298	\$585.00	209517	'092217	'S.B.C. CONSTRUCTION CO.	'construction Social Services
2018	'01/29/2018	'1803198	\$56.00	211182	'020218	'LIFE SAFETY SERVICE & SUPPLY	'Fire Ext Inspection Facilities
2018	'02/02/2018	'1802553	\$147.22	0		'ARAMARK WORK APPAREL	'Mats Pettibone Facilities Main
2018	'02/02/2018	'1803302	\$80.00	0		'STATE OF CONNECTICUT	'Pettibone Boiler inspection Fa
2018	'01/22/2018	'1802553	\$147.22	211027	'012618	'ARAMARK WORK APPAREL	'Mats for John Pettibone Facili
2018	'01/11/2018	'1800392	\$463.11	210950	'011918	'B & D CONTROLLED AIR	'Service call Facilities Mainte
2018	'12/28/2017	'1802903	\$55.00	210811	'010518	'AQUARIUM WATER COMPANY	'Water testing at JPCC FM
2018	'12/07/2017	'1802569	\$234.85	210615	'121517	'RICH'S KEYS & LOCKS LLC	'supplies FM
2018	'11/29/2017	'1802573	\$294.00	210545	'120817	'UNITED ALARM SERVICES	'Monitoting Pettibone FM
2018	'10/05/2017	'1800462	\$67.50	209818	'101317	'RICH'S KEYS & LOCKS LLC	'supplies FM
2018	'09/28/2017	'1800392	\$140.00	209667	'100617	'B & D CONTROLLED AIR	'supplies PW
2018	'09/29/2017	'1801523	\$2,333.00	209553	'092917	'B & D CONTROLLED AIR	'Repairs PW
2018	'09/14/2017	'1800462	\$81.00	209516	'092217	'RICH'S KEYS & LOCKS LLC	'supplies FM
2018	'09/07/2017	'1801100	\$589.00	209377	'091517	'PETER FARQUHARSON HOME IMPROVEMENT LLC	'General roof repair FM
2018	'02/02/2018	'1802653	\$6,849.00	0		'ALL STAR CLEANING SUPPLY	'Battery Glazer Facilities Main
2018	'11/29/2017	'1802350	\$864.00	210451	'120817	'ALL STAR CLEANING SUPPLY	Supplies FM - upright vacs
2018	'11/29/2017	'1802273	\$516.00	210451	'120817	'ALL STAR CLEANING SUPPLY	Supplies FM - custodial carts
2018	'11/20/2017	'1801989	\$7,641.50	210248	'112217	'ALLSTON SUPPLY COMPANY	Equipment FM - floor scrubbers

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Capital improvements -  
mostly related to Social  
Services office area

General maintenance  
and annual recurring  
cost items

New maintenance  
equipment needed for  
this additional asset

TOTAL = \$49,482.44

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