



Keith Chapman
Town Manager

TOWN OF NEWINGTON

200 GARFIELD STREET
NEWINGTON, CONNECTICUT 06111

MAYOR BETH DELBUONO

NEWINGTON TOWN COUNCIL SPECIAL MEETING AGENDA

**Town Council Chamber, Room 103 – Town Hall
200 Garfield Street**

Tuesday, April 20, 2021, 6:00 P.M.

This meeting will be presented as a Zoom Webinar/Meeting. Information on how to attend will be posted on the website at

<https://www.newingtonct.gov/virtualmeetingschedule>

- I. PLEDGE OF ALLEGIANCE
- II. ROLL CALL
- III. PUBLIC PARTICIPATION – ON AGENDA ONLY (Via Zoom Application or Phone)
(4 MINUTE TIME LIMIT PER SPEAKER ON AGENDA ITEMS ONLY)
- IV. REMARKS BY COUNCILORS ON PUBLIC PARTICIPATION
- V. CONSIDERATION OF OLD BUSINESS
 - A. Ordinance Amendment Adoption – Public School CIP Reverse Fund, Chapter 48, Funds, Article IV, Project School Capital Improvement Projects Reserve Fund
 - B. C-Pace Agreement Modification
 - C. Adjustments to Proposed Budget FY 2021-2022
 - D. Adoption of Operating Budget for Fiscal Year 2021-22
 - E. Adoption of Long-Range Capital Improvement Plan 2021-22 through 2025-2026
 - F. Set Mill Rate
- VI. PUBLIC PARTICIPATION – ON AGENDA ONLY (Via Zoom Application or Phone)
(3 MINUTE TIME LIMIT PER SPEAKER ON AGENDA ITEMS ONLY)
- VII. REMARKS BY COUNCILORS
- VIII. EXECUTIVE SESSION
 - A. PERSONNEL ISSUE §1-200 (6)(A): Personnel & Classification Plan
- IX. ADJOURNMENT



Keith Chapman
Town Manager

TOWN OF NEWINGTON

200 Garfield Street Newington, Connecticut 06111

Office of the Town Manager

Memorandum

To: Newington Town Council
From: James E. Krupienski, Town Clerk (on behalf of Keith Chapman, Town Manager)
Date: April 16, 2021
Re: Ordinance Amendment-Introduction & Public Hearing: Chapter 48, Public School CIP Reserve Fund Ordinance

The Town Council, during the March 20, 2021 Special Meeting, introduced and scheduled a Public Hearing to amend Chapter 48, Article IV, Public School Capital Improvement Projects Reserve Fund, 48-14, Definitions and, 48-15, Creation of fund, revenues. The proposed change to the language would allow for the Board of Education to utilize specific tuition payments that have been received from town residents to directly fund the Preschool Program as part of their general budget. The Town Attorney has previously reviewed the changes to the draft language presented for your action this evening.

The Public Hearing was held prior to this meeting to receive public comments on the proposed amendment to the ordinance. The Town Council may choose to make any changes to the language based on comments received during the Public Hearing, prior to adoption.

The process to amend Town Ordinances is dictated by the Newington Town Charter §C-405 & §C-406. Once the ordinance has been adopted it would go into effect 15 days after publication and would allow the Board of Education to direct the tuition payments to the Preschool Program beginning with the 2021-2022 School year.

Attached please find the Resolution for adoption of the Proposed Ordinance amendment.

- Resolution to Amend Chapter 48, Public School CIP Reserve Fund;

AGENDA ITEM: V.A

DATE: 4/20/2021

RESOLUTION NO. 2021-

RESOLVED:

That the Newington Town Council hereby approves the amendment to the Newington Code of Ordinances, Chapter 48, Funds, Article IV, Public School Capital Improvement Projects Reserve Fund, §48-14, Definitions, §48-15, Creation of fund; revenues, a copy of said ordinance is attached to this resolution.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____

ORDINANCE #1921-01

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEWINGTON THAT:

Chapter 48, Funds, Article IV, Public School Capital Improvement Projects Reserve Fund, 48-14, Definitions, 48-15, Creation of fund; revenues of the Newington Code of Ordinances is hereby amended as follows:

**Chapter 48
FUNDS
ARTICLE IV**

PUBLIC SCHOOL CAPITAL IMPROVEMENT PROJECTS RESERVE FUND

§ 48-14 Definitions.

As used in this article, the following terms shall have the meanings indicated:

PUBLIC SCHOOL CAPITAL IMPROVEMENT PROJECT

A repair, renovation and/or minor addition which has a life expectancy of at least seven years and costs in excess of \$15,000 to a building and/or facility maintained by the Board of Education.

TUTION PAYMENTS

All tuition payments received from Federal, State or Local sources, excluding all Pre-school tuition payments received from town residents.

§ 48-15 Creation of fund; revenues.

There is hereby created for the Town a Public School Capital Improvement Projects Reserve Fund. Said fund shall serve as a means to set aside moneys for the financing of public school capital improvement projects. There shall be paid into said fund the proceeds from the rental or sale of former school properties, including mortgage amortization payments, the earnings derived from investment of fund balances, the income from current school rental fees, tuition **payments** and an annual appropriation of at least \$125,000, subject to § 48-16, when formulating the annual budget of the Town, and such transfers and appropriations as the Town Council may, from time to time, authorize.

Introduced: March 20, 2021
Advertised: April 14, 2021
Public Hearing: April 20, 2021
Adoption: April 20, 2021
Advertised: April 25, 2021
Effective: May 10, 2021



Keith Chapman
Town Manager

TOWN OF NEWINGTON

200 GARFIELD STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: James E. Krupienski, Town Clerk (On behalf of Keith Chapman, Town Manager)
Date: April 16, 2021
Re: C-Pace Agreement Modification

Connecticut Green Bank has notified the town of their intention to take over the responsibility of billing and collecting C-Pace tax assessments, which are currently handled by the Tax Collector for the Commercial-Property Assessed Clean Energy (C-Pace) program. The Town Council had the opportunity to review the proposed program change during the April 13, 2021 Regular meeting.

In order to facilitate this change, the Town Council will need to authorize Keith Chapman, Town Manager to execute a Partial Release Agreement that will free the town of the billing and collection requirements of the program. Connecticut Green Bank would like to implement this change by the July, 2021 tax collection cycle and would need the release executed and returned by the end of April.

A Resolution has been included as part of the April 20, 2021 Special Meeting to authorize the Town Manager to execute the Partial Release.

Attachments:

- Resolution – Authorization to Execute C-Pace Partial Release
- C-Pace Partial Release Agreement

AGENDA ITEM: V.B

DATE: 4/20/2021

RESOLUTION NO. 2021-

RESOLVED:

That the Newington Town Council hereby authorizes Keith Chapman, Town Manager, to execute the C-Pace Partial Release Agreement, a copy of which is attached to this resolution.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____

C-PACE PARTIAL RELEASE AGREEMENT

THIS C-PACE PARTIAL RELEASE AGREEMENT (the “Agreement”) is made and entered into as of the ____ day of _____, 2021 (the “Effective Date”), by and between **[TOWN NAME], CONNECTICUT**, a municipal corporation organized and existing under the laws of the State of Connecticut (the “Municipality”), and the **CONNECTICUT GREEN BANK, F/K/A CLEAN ENERGY FINANCE AND INVESTMENT AUTHORITY**, a quasi-public agency of the State of Connecticut, having its business address at 845 Brook Street, Rocky Hill, Connecticut 06067 (the “Green Bank”).

RECITALS

WHEREAS, Municipality and Green Bank entered into that certain Commercial Property Assessed Clean Energy (“C-PACE”) Agreement dated [Date] (the “C-PACE Agreement”) pursuant to section 16a-40g of the Connecticut General Statutes (the “C-PACE Statute”) associated with the administration of the clean energy program authorized under the C-PACE Statute (the “C-PACE Program”).

WHEREAS, pursuant to the C-PACE Statute, Green Bank is the statewide administrator of the C-PACE Program and, among other things, establishes the program guidelines for the C-PACE Program (the “C-PACE Guidelines”);

WHEREAS, Green Bank has recently amended the C-PACE Guidelines to permit billing and collection of all C-PACE Program benefit assessment liens by the Green Bank;

WHEREAS, Green Bank and Municipality desire to release the Municipality of certain billing and collections obligations under the C-PACE Agreement to facilitate the billing and collection of benefit assessment liens by Green Bank, in accordance with the C-PACE Guidelines.

NOW THEREFORE, for and in consideration of the mutual covenants and agreements set forth herein, it is hereby agreed as follows:

1. **Defined Terms.** All capitalized terms used in this Agreement and not otherwise defined shall have the respective meanings set forth in the C-PACE Agreement.
2. **Release of Certain Billing and Collection Obligations.** As of the [Date], Green Bank shall be deemed to have released Municipality from liability for all billing and collection covenants and obligations set forth in Section 3(e) and Section 3(f)(1) of the C-PACE Agreement with respect to any Benefit Assessment Liens recorded by the Municipality prior to and after the Effective Date (the “Released Obligations”). Such Released Obligations shall not, however, include the obligation of Municipality to pay to Green Bank any funds received, due to error or any other reason, which Municipality knows or has reason to believe are associated with a Benefit Assessment Lien, no later than thirty days after the month that such funds are received.

3. **Release of Annual Fee Obligation.** After the Municipality receives the Annual Fee for the fiscal year 2021, Municipality shall be deemed to have released Green Bank from the obligation to make any future Annual Fee payment to Municipality. Such release shall not, however, include the obligation of Green Bank to cover the Municipality's out of pocket costs and expenses in discharging its duties under the C-PACE Agreement in accordance with Section 3(g) thereof.
4. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, and all of which together shall constitute but one and the same instrument.
5. **Amendment and Waivers.** Any amendment to or waiver of any provision of this Agreement must be in writing and mutually agreed to by the Green Bank and the Municipality.
6. **Entire Agreement.** This instrument constitutes the entire agreement between the parties and supersedes all previous discussions, understandings and agreements between the parties relating to the subject matter of this Agreement.

IN WITNESS WHEREOF, Municipality and Green Bank have each caused this Agreement to be executed and delivered as of the date indicated above:

[TOWN NAME]

By: _____
[Name, Title]

CONNECTICUT GREEN BANK

By: _____
Bryan T. Garcia, President



Keith Chapman
Town Manager

TOWN OF NEWINGTON

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NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: James E. Krupinski, Town Clerk (on behalf of Keith Chapman, Town Manager)
Date: April 16, 2021
Re: FY 2021-2022 Proposed Budget Adjustments

This item has been added to the April 20, 2021 Town Council Special Meeting to allow Councilors the opportunity to consider changes to the Proposed FY 2021-2022 Budget, prior to adoption this evening.

AGENDA ITEM: V.E.

DATE: 4/20/2021

RESOLUTION NO. 2021-

RESOLVED:

The Newington Town Council hereby adopts the "Town of Newington Long-Range Capital Improvement Plan 2021-2022 through 2025-2026," a final copy of which will be on file in the Town Clerk's Office.

NOTE: This vote is binding only for the funds committed for fiscal year 2021-2022; the proposed funding for 2022-2023 through 2025-2026 is for planning purposes only and is subject to change through future budget deliberations.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____

AGENDA ITEM: V.F

DATE: 4/20/2021

RESOLUTION NO. 2021-

RESOLVED:

In accordance with Section 805 of the Town Charter of the Town of Newington, the Town Council hereby fixes a tax rate of _____ mills for the fiscal year beginning July 1, 2021 and ending June 30, 2022, which shall be levied on taxable real and personal properties and motor vehicles property in the Town of Newington listed on the October 1, 2020 Grand List, and said tax shall become due and payable in accordance with Section 43-1 of the Newington Code of Ordinances. The Town Manager is hereby authorized to make out and sign the rate bill in accordance with this motion.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____

AGENDA ITEM: VIII.A

DATE: 4/20/2021

RESOLUTION NO. 2021-

RESOLVED,

That the Newington Town Council, in accordance with CGS §1-200(6)(A) hereby moves to go into Executive Session and invites the Town Council members, the Mayor, Keith Chapman, Town Manager, Ben Ancona, Town Attorney, Heather Shonty, HR Specialist/Executive Assistant and James Krupienski, Town Clerk to discuss a Personnel issue: Personnel & Classification Plan.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____