

**Town of New Hartford
Water and Sewer Asset Evaluation Team
September 6, 2016**

MINUTES

Committee Members Present: Chairman Dan Jerram, Bud Butler, Tom Hart, Kim Estep, Joe Toro.

Others Present: Joe Ridge (CDM Smith); Selectman Laura Garay, Administrative Assistant Christine Hayward.

Committee Chairman First Selectman Dan Jerram called the meeting to order at 4:07 PM.

Approval of Minutes

It was suggested that this item be delayed to the end of the meeting (if time permits) due to having to have a 'hard stop time' for the close of the meeting.

Review/discussion and possible action of RFP for potential sale of assets:

The members of the committee reviewed the revised RFP document. It was noted that the document has not yet been reviewed by the Attorney and that he would offer any changes that need to be made with respect to having a final document that is in compliance with all legal requirements.

Member Toro asked "who has the authority to make the determination as to Town Meeting or Referendum to act upon a potential sale?" He expressed his opinion that a referendum should be the only avenue considered. First Selectman Jerram replied that the Board of Selectmen can take an issue directly to Referendum or the public can petition for a referendum. Jerram agreed that this matter should go to Referendum; and he was confident that the Board would concur.

Discussion ensued regarding opportunity for the public to become involved in the process prior to the release of the Request for Proposals. Member Hart stated his firm belief that the public needs to be engaged in the process before the RFP is released. His concern is that there will be a ground swell of angry residents if they are not involved. Others on the committee disagreed, believing that there is no benefit to having the public weigh in on the creating of the RFP document. Mr. Jerram observed that there is a difference in this matter versus the recently debated issue of the Bakerville School. He noted that, in that case, the Board of Education made a final decision regarding the closure of a school before allowing the public to comment. Preparation of an RFP is not the final step in this process, it is only the beginning. He noted that no sale can occur without taking the matter to a vote; and in this case, a vote will occur. Member Toro also commented, adding that he, too, is concerned with public input but agreed that it should come after the RFP is developed. He stated that the residents have the power when it comes to the actual vote; the document is just the vehicle to get there. Member Estep agreed, adding that the committee is not making any final decision, "we're just coming up with an option that

may help those who are more than likely going to get hit with significant rate increases.” Bud Butler added that he agrees that there is a need to let people know what is going on, but added that “the town is not paying for an attorney to write a document and have the public revise it.”

General discussion regarding the potential future costs associated with the water and sewer systems occurred. Mr. Butler stated his concerns that the revenues are inadequate to meet the overhead. Jerram added that “our independence with our systems has come at a cost; regulated public utilities are able to provide the services with lower rates.” Mr. Toro acknowledged that residents will have many questions regarding what effect a sale would have on rates and improvement of the system.

Mr. Hart stated that he would not support the release of the RFP until after the public has had a chance to review it and ask questions. He said that he stands firm on the issue of public comment due to the fact that the potential sale of the water and wastewater assets is a big decision; one that the town will have to live with forever.

The committee decided that they would send the RFP to legal for review and that they would meet again in two weeks to discuss a timeframe for a public informational meeting. He asked that members of the committee send him ideas for questions and he would use them to create a one page fact sheet for discussion at the next meeting.

MOTION: by Butler to forward to legal for final review of the Bid Document and the Purchase and Sales Agreement; seconded by Toro.

The Committee agreed that following the receipt of the final document, they would begin discussion of a date for a public informational meeting.

AYE: Hart, Toro, Butler, Estep, Jerram

Respectfully Submitted,

Christine Hayward, Administrative Assistant