

**Board of Selectmen
Regular Meeting
Tuesday, May 24, 2011**

Present: First Selectman Dan Jerram, Selectman Bruce Gresczyk, Selectman Tom Klebart (via telephone), Water Pollution Control Members Bob Krzys (Chairman), Steve Hanright; Members of the Public/New Hartford Plus Staff Bob and Maria Moore, Dan Eddy (Recreation Commission Member), Administrative Assistant Christine Hayward.

NOTE: Selectman Tom Klebart participated by speakerphone, due to the fact that he was out of town and not able to be physically present.

First Selectman Jerram called the meeting to order at 7:01 PM.

Minutes:

MOTION: by Klebart, second Gresczyk to accept the minutes dated April 26, 2011 as presented.

Unanimous.

Operations Updates:

First Selectman Jerram updated the Board on several items.

Torrington Savings Bank:

He began by stating that he was pleased to formally announce that Torrington Savings Bank would be coming to New Hartford. TSB won the bid for taking possession of the former Bank of America building in the downtown center. Mr. Jerram noted that he had contacted TSB in September and had notified them of the opportunity that existed in the village center. The First Selectman informed those present that the bid submitted by TSB for the building was \$831,000, adding that additional funds would be expended on renovations. TSB hopes to be open for business at some point in mid-summer. Jerram stated that TSB already has substantial investments in town, as they are the largest mortgage holder in New Hartford. Selectman Klebart commented, "TSB is a good bank to bring into town."

Brown's Corner Violations:

First Selectman Jerram informed the Board that he had recently learned that Brown's Corner water supply system had several outstanding violations which dated back to 2004. Mr. Jerram explained that since Browns Corner supplies drinking water to a certain number of people during a defined time period, it is designated a public water supply system and as such is required to adhere to regulations imposed by the Department of Health. For several years, violations have accrued due to not following a specific water testing schedule as required. Notifications have been sent in the past, but no action had been taken to rectify the situation. First Selectman Jerram noted that the majority of the violations had to do with insufficient testing of the water. The schedule had mandated that water be tested four times a year, even though the park is closed during the winter and water testing is not possible due to the draining of the system to prevent freeze-ups. Mr. Jerram met with a representative of the Department of Health and has discussed implementing a revised testing schedule ensuring that compliance with the testing is attainable. The First Selectman emphasized that the violations had nothing to do with the potability of the water – at no time was anyone's health in danger. There were some issues with clarity and turbidity, but neither of those make the water unsafe to drink; they have to do with the appearance of the water. Nonetheless, posting of the violations is required by the Department of Health. Mr. Jerram has complied with the regulations and has posted the required notices at Brown's Corner. Brown's Corner public water supply system will now be violation-free and has complied with all requirements mandated by the Department of Public Health.

Stormwater Permits:

First Selectman Jerram notified the Board that the Town needs to file applications for Stormwater Discharge Permits for three sites: renewal of the Town Garage permit, renewal of the permit for the sand/salt facility at the Industrial Park and registration for a permit for the Antolini storage facility. The Department of Environmental Protection is the agency that reviews the applications and issues the permits.

Accelerated Rehabilitation – Karl Nilsen:

Mr. Jerram was present at Litchfield Superior Court for the final stage of the Court Case involving former Zoning Enforcement Officer Karl Nilsen. The Court granted Mr. Nilsen accelerated rehabilitation status. The Towns of New

Hartford, Burlington and North Canaan did not object to Mr. Nilsen's request for this status as long as restitution to the Towns was made part of the condition of approval. The Court approved the expenses submitted. New Hartford has asked for \$10,086.19 to be reimbursed to the town; this amount includes legal fees, attorney fees and reimbursement for fraudulently submitted time. The First Selectman stated that he was happy to have this process completed and that he spoke on behalf of the town saying that he wished Karl well.

Winchester Road Bridge:

The replacement of the bridge deck is moving along well. Right now, it appears that things are moving along faster than the contractual timeline and the bridge may be completed earlier than originally thought.

Remediation of sand/salt shed by Stone Construction:

Stone Construction is back on site at the Industrial Park putting the final touches on the sand/salt shed. They are preparing it for the Shotcrete application. Due to the recent rainy weather, this application may be delayed, which will put Stone past the agreed upon timeframe of completion. The First Selectman stated that he will allow for this extension without any penalty due to circumstances beyond Stone's control.

Road Grader:

The search for a machine within the approved budget continues.

Miscellaneous:

Roadside mowing is in full swing. This is done on a daily basis throughout the summer.

Beach sand has been added and raked at Brodie Beach in preparation for the Beach opening.

Lenard Engineering has been asked to review the field house at Brodie and provide an estimate as to what it would cost to have them determine the structural integrity of the building. Mr. Jerram felt that prior to spending a lot of money to rehab the building, it would make sense to see what may be needed. In addition to the field house, Lenard has also been asked to assist the town in determining what would be needed in order to repair/replace a septic system at Brodie Park. Lenard Engineering has stated that the first step required is to quantify the water usage at the Park. This will require the installation of a water meter on the well and daily monitoring and recording of the usage.

The housing rehabilitation loan/grant program continues; there are currently 3 projects in various stages of completion. The final application for funding from FEMA for the winter storm in January has been completed and submitted. The earlier submissions were for determining whether or not the storm was a qualifying event and this submission is for reimbursement of expenses.

Town Hill Bell – final completion of the bell project will wait until after Memorial Day so as not to interfere with any ceremonies.

Recycling Initiative – First Selectman Jerram informed the Board that he had spent some time researching recycling in New Hartford. There have been comments made by some individuals that the town is not doing their share with respect to this matter. Mr. Jerram noted that those allegations appear to be false. According to information gleaned from Jim Hart, (Administrator at Regional Refuse Disposal District # 1), private haulers (contracted by residents to handle collection of residential trash and recyclables) are recycling at a rate of 7% - 10%. The Parks in town currently have trash bins coupled with recycling bins and the bins are emptied weekly (and sometimes more, if needed). The amount of recyclables is just about equal to the trash in the trash bins – this would equate to about a 50% recycling rate. There are occasions where a recycle bin is contaminated due to the fact that trash has been dumped into the container, but overall... the effort is being made to encourage recycling and it appears that the Town is having greater success than private residences. Mr. Jerram noted that there is always room for improvement, but that personal responsibility plays a large role in the success rate.

Discussion/possible action of recommendations by WPCA regarding sewer line extensions:

WPCA Chairman Bob Krzys was present to discuss with the Selectmen the recommendations the WPCA had regarding the use of the excess funds from the USDA loan/grant. The Board of Selectmen had asked the WPCA "to request that the WPCA make a recommendation for use of the remaining \$452,453.73 in USDA grant funds for locations for potential sewer line extensions, locations consistent with the Preliminary Engineering Report (PER), within 30 days to the Board of Selectmen for review, modification and action."

The WPCA has discussed the issue and has made a recommendation that a portion of the funds, totaling between \$100,000 - \$105,000 be used for winterization of some of the systems at the Wastewater Treatment plant and would also recommend that a sewer line extension be considered for the Cottage Street area.

MOTION: by Gresczyk, second Klebart to accept the recommendations made by the WPCA regarding the winterization of equipment at the Wastewater Treatment Plant and the extension of the sewer line to include the Cottage Street area.

Mr. Krzys noted that there were some problems at the plant this past winter due to freezing up of some of the valves and other equipment. It was explained that the plant was designed to function as a 400,000 gallon per day (gpd) plant. Flows currently are averaging between 50,000 and 60,000 gpd. Due to the low flows, there isn't the amount of heat generated during the processing as there needs to be in order to function as designed. There is also a need to modify an existing pipe at the plant in order to be able to accept septage for processing at the plant. Selectman Klebart noted that if the installation of this pipe will allow this "promise to the people" to happen, it would be a worthwhile investment. The Selectmen agreed. Automation of the sludge decant tanks is also on the list to be done.

Krzys turned the discussion to the sewer line extension proposal. He informed the Board that the WPCA had worked closely with their consultant Wright-Pierce to identify areas of town as candidates for sewer line extensions. Four areas of town were given consideration – Pine Meadow (Wickett Street area), Greenwoods Road, Johnnycake Lane and Cottage Street. When cost consideration, number of additional users added to the system (thereby generating revenue) and funding were thrown into the mix, the area of town that made the most sense was the Cottage Street area. First Selectman Jerram agreed with this analysis. He added that it was his intention to complete a STEAP application for funding to be applied to this initiative. "Considering that there may be the ability to fully fund this using the USDA money and a STEAP grant, it would be a home run," said Jerram.

MOTION: by Gresczyk, second Klebart to move the question.

Unanimous.

Vote on the motion on the floor "to accept the recommendations made by the WPCA regarding the winterization of equipment at the Wastewater Treatment Plant and the extension of the sewer line to include the Cottage Street area."

Unanimous.

Mr. Krzys thanked the Selectmen for their support of the recommendations. The Selectmen thanked Mr. Krzys and Mr. Hanright for their attendance at the meeting.

Grant Applications (STEAP 2011, Urban Rural, Accident Reduction):

First Selectman Jerram restated to the Board of Selectmen his intent to prepare and submit a STEAP application to the State of Connecticut Office of Policy and Management for consideration of funding a sewer line extension in the Cottage Street/Industrial Park area.

He informed the Selectman that the owner of a business located within the Industrial Park has come forward and expressed an interest in connecting to sewers if they were available. This particular business owner would like to expand his current facility and an upgrade to the infrastructure would be beneficial to his future development.

Mr. Jerram asked for an endorsement from the Board of Selectmen to apply for the STEAP grant as explained.

MOTION: by Klebart, second Gresczyk to endorse the submittal of a STEAP grant application for a sewer line extension in the Cottage Street/Industrial Park area.

Unanimous.

Mr. Jerram also announced his intent to file two additional grant applications that would be used to make some improvements on local roads. One of the grants is the STP-Urban Rural Collector grant which would be used to fund improvements along West Hill Road beginning at Niles and continuing 1.2 miles west of Niles Road to the Torrington town line. The project would include evaluation of the existing drainage, adding curbing if necessary to alleviate stormwater runoff into West Hill Lake and would culminate with a 2" overlay of the roadway. Acceptance of this application would put the town in line for funding in 2013. It is a \$300,000 grant which requires the Town to contribute 20% towards the project costs.

The second grant will be an application to the State of Connecticut Department of Transportation for consideration of funding under the Local Accident Reduction Grant. This program is an 80/20 split between the Town and the State. Mr. Jerram is gathering information and data for an area along Niles Road that has been the site of several accidents. This stretch of road could benefit from having the curve taken out and straightening the road. The curve, along with elevation changes make this a dangerous section of roadway.

MOTION: by Gresczyk, second Klebart to endorse the recommendations made by First Selectman Jerram and support his applications for funding through the STP-Urban Rural Collector Program as well as the Local Accident Reduction Program.

Unanimous.

Resolution re:STEAP (downtown revitalization):

The First Selectman noted that the long dormant “downtown revitalization grant” (the second half of monies originally allocated as \$500,000 for the highway garage relocation) will be moving forward once the investigation of the underlying infrastructure is completed. Christine Jackson at the Department of Economic and Development is the liaison for this grant. This project will include a possible intersection re-design at the intersection of Route 44 and Central Avenue. Additional parking in the vicinity of the library is also an objective of this project. A resolution endorsing the project and authorizing the First Selectman to enter into a financial assistance agreement with the State is needed in order to proceed with the grant process.

MOTION: by Gresczyk, second Klebart to approve the following resolution:

Resolved by the Board of Selectmen that it is cognizant of the conditions and prerequisites for the state financial assistance imposed by CGS 4-66g, that the filing of an application for State financial assistance by the Town of New Hartford in an amount not to exceed \$250,000 is hereby approved and that Daniel V. Jerram is directed to execute and file such an application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for state financial assistance, and to act as the authorized representative of the Town of New Hartford. (SEE ATTACHED FOR FULL TEXT OF THE RESOLUTION)

Unanimous.

Discussion of Annual Budget Meeting process:

It was agreed to table this item due to the fact that Selectman Klebart was not able to be physically present at this meeting. This item shall be placed on the agenda of the next BOS meeting.

Continuation of discussion re: correspondence from Bill Case re: Brodie South:

It was agreed to table the discussion of this item as well, due to the fact that maps and visual documentation would be part of the discussion and Mr. Klebart was not physically present at the meeting to be able to view the documents.

Request for Tax Refunds:

MOTION: by Klebart, second Gresczyk to approve a request of refund for property taxes as presented by the Tax Collector in the amount of \$123.96 due to overpayment.

Unanimous.

Correspondence:

A letter was received from Bonnie Gilbert and Penny Church (Members of the Seniors Group) requesting that the Board of Selectmen move the process of finding a new senior center forward. The Selectmen acknowledged receipt of the request, but verbally replied that acquiring funding for such an initiative in the current economic climate is a difficult task. Tom Klebart added that he realizes a senior center is a valid request, but understands the difficulty in funding it.

Any Other Business to Come Before this Board:

Bruce Gresczyk asked that the highway department take a look at Carpenter Road in the area of an entrance to his fields. He noted that he had inadvertently torn up some of the paved portion of the roadway due to the change in elevation that exists between his access to his property and the town road. Dan Jerram replied that he would have Highway Foreman Doug Spencer look into this matter.

Opportunity for Public Comment:

Recreation Commission member Dan Eddy thanked the Board of Selectmen for wanting to get involved in projects at Brodie North, such as the field house and the septic system; but added that it is the recreation commission that oversees the parks and felt that there are some tasks that should be handled by the Recreation Commission. He stated that the recreation commission has done considerable work on their own regarding the septic issue and noted that they had spoken to the Farmington Valley Health District regarding the septic system. They were able to come up with a plan/design that would not involve engineering and would allow for the work to be done over several years. They had requested money from the capital budget to begin this work, yet were denied this funding. Mr. Jerram replied that it was the Board of Finance who made that cut. They did not feel that enough information regarding the cost of a septic system repair/replacement had been presented and therefore they were uncertain as to the validity of the dollar figure presented.

Mr. Eddy went on to state that even though the Board of Finance has allocated \$140,000 to the recreation department, it has already been spent on projects that were not endorsed by the Commission, leaving no funds to be used by the Recreation Commission for improvements or repairs they wanted to do. He used improvements at Callahan Park as an example of what they would like to be able to fund. First Selectman Jerram replied that there is a balance of \$20,000 that can be used by the Commission. Mr. Eddy responded that those funds were from prior years. Mr. Eddy went on to state that the Commission did not feel that an additional \$90,000 to complete Browns Corner or \$50,000 to repair the roof on the field house was needed. The Commission felt that the funds were earmarked for projects without any communication to the Recreation Commission. Mr. Jerram responded that Dennis Minor, Recreation Director, had been in to speak with the First Selectman and that Dennis had stated that fixing up the field house and making it useable was the key to self sustainability for the recreation department. Mr. Eddy countered that the opinion of those on the Recreation Commission is that the field house has limited use due to the turnbuckles that were installed several years ago. He went on to say that the only reason why the Recreation Commission has not recommended the demolition of the building is because there are groups out there such as the Friends of Brodie who wanted to take on the restoration of the building. Mr. Eddy commented that if Mr. Jerram wanted to spend \$50,000 on the roof to fix it, it should be funded as a highway department item since the Recreation Commission views the building as nothing more than a storage shed. Mr. Jerram reiterated that was not what the Recreation Director had recently stated to him. Regarding the funds set aside for the completion of the Browns Corner project, Mr. Jerram explained that the site plan needs to be completed and that “people want that park fixed.” Mr. Eddy agreed that it needs to be completed, but felt that the funds should be ‘town funds’ and not ‘recreation funds,’ adding that the project is not a recreation project, to which Mr. Jerram replied “it’s a park.”

Mr. Eddy asked that steps be taken to improve the communication between the Recreation Commission and the Selectmen. Mr. Jerram replied that the Recreation Commission has a direct liaison to the daily operations via the Recreation Director. Mr. Jerram continued by saying that if there is a problem with something, the Recreation Director has the ability to be at Town Hall or in contact with him on a daily basis. There should be no ‘disconnect’ with getting information when needed.

Executive Session – union negotiations:

MOTION: by Gresczyk, second Klebart to enter into Executive Session at 8:01 PM for the purpose of discussion related to union contract negotiations.

Unanimous.

First Selectman Jerram invited Administrative Assistant Christine Hayward into the Executive Session.

(Jerram, Gresczyk, Klebart (via phone conference) and Hayward entered into Executive Session.)

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MOTION: by Klebart, second Gresczyk to exit from Executive Session at 8:05.

Unanimous.

No action taken regarding the Executive Session.

MOTION: by Gresczyk, second Klebart to adjourn at 8:06 PM.

Unanimous.

Respectfully Submitted,

Christine Hayward, Administrative Assistant