

**Board of Selectmen
Regular Meeting
Tuesday, January 25, 2011**

Present: First Selectman Dan Jerram, Selectman Bruce Gresczyk, Selectman Thomas Klebart, South End Fire Chief John Shaw, Board of Finance Members Alesia Kennerson, Jim Fitzgerald; Building Oversight Committee (BOC) Members Roy Litchfield, Denton Butler; Economic Development Commission Chairman David Childs, New Hartford Plus reporter Maria Moore, Administrative Assistant Christine Hayward.

First Selectman Jerram called the meeting to order at 7:03 PM.

Volunteer Firefighter Tax Abatement presentation – John Shaw:

First Selectman introduced South End Fire Chief and asked that Chief Shaw present his request for consideration of a tax abatement program. Mr. Jerram noted that there has been discussion of this incentive in the past during prior administrations – it has been an on-going request for many years, but has never made it to the ordinance step. At a recent Emergency Preparedness meeting, a general consensus was reached among the three fire departments that Chief Shaw take the lead in presenting this to the Selectmen.

John Shaw began by stating that due to lifestyle changes, it is becoming increasingly difficult to find individuals to serve as volunteer firefighters and just as difficult to keep those already serving in that capacity. Due to tough economic times, many are forced to work more than one job and or to put in extra hours at their current job. The demands of the workplace leave little time and energy to devote to volunteering. The fire departments have discussed this and feel that it would be beneficial to provide an incentive to “hang in there.” The abatement, as presented (in rough draft form) promotes longevity. Volunteers would be eligible for tax abatements that would increase for each year of service. Selectman Jerram asked Chief Shaw if he had any idea as to what it might cost if the Town had to staff and pay for the services of a full time fire department. The Chief replied that he did not even want to take a guess. He stated that there are approximately 60 volunteers that provide service to the town at the current time. Chief Shaw noted that the State has provided legislation that allows for the offering of tax abatements, but that it is up to each individual community to take action. Selectman Bruce Gresczyk asked First Selectman Jerram if he would ask the town attorney to provide the enabling legislation that allows for abatements to volunteers. Klebart asked if providing such an incentive would open the doors to other volunteers (i.e. those serving on boards and commissions) seeking the same type of abatement. Gresczyk responded that was precisely the reason he would like the Town Attorney to check the enabling legislation. Selectman Jerram questioned Chief Shaw as to where the responsibility would lie for maintaining records regarding training, years of service, etc. that might be related to the abatement qualifications. Gresczyk agreed that there would have to be someone in charge of maintaining the data and questioned if the legislation might address this. BOC member Bud Butler asked Chief Shaw if there was evidence to support that offering incentives would achieve the goal of what was trying to be accomplished – attracting new members and retaining current members. Mr. Shaw replied that the South End Fire Department already has seen positive effects resulting from some incentives they have already put in place. His district currently offers “pay per call” benefits, as well as a pension plan program. There are guidelines established that determine eligibility and participation in the program. Alesia Kennerson interjected that her husband is a member of the South End Fire Department and noted that he is conscious of quotas that need to be met in order to qualify for the incentives.

Mr. Butler stated that he respects the Volunteer Fire fighters, yet he is aware that there are differences in what each department requires from their volunteers and wondered if there would be some sort of consensus regarding guidelines for eligibility among the departments. He further stated that it was not his belief that “people are driven to perform community service through the use of stipends.” His concern with offering stipends is that abatements result in a tax base being taken away from the town. He noted that the fire districts take in tax revenue on their own accord and questioned if the districts considered offering benefits to members of families of volunteers in the event of injury, disability or death. First Selectman Jerram replied that the Town is responsible for providing insurance (workers comp) to its volunteer emergency personnel; therefore this benefit already exists. Chief Shaw noted that “young people today want the incentives now, not for the future of their families”. Potential future insurance benefits would not have the same type of draw as an abatement that provides current benefits.

The discussion ended with the Selectmen agreeing to look at what other towns are offering and to keep this an open

item on the agenda. Gresczyk stated that adopting an abatement program would be a token of appreciation on the part of the Municipality. Mr. Butler interjected that small towns run on volunteers in all aspects of government and added that he wondered how the IRS views abatements, questioning if there would be tax ramifications from offering such incentives. Selectman Klebart noted that this should be looked into – as the town would not want to be responsible for creating a tax burden rather than providing relief. Chief Shaw thanked the Selectmen for allowing him the opportunity to discuss this matter. He stated that there are hurdles to overcome (such as how to deal with emergency responders who are not residents of New Hartford) and also noted that consistency and fairness in standards would require communication and agreement among a lot of individuals.

Operations Updates:

First Selectman Jerram began his discussion of operations updates by saying “It’s all about snow right now.” He noted that the recent snowfalls have resulted in historical accumulations for the month of January. The highway department members have been working to keep up with the storms and they have done a great job. The snowfall totals have not only impacted the budget due to manpower hours, but due to heavy usage of machinery, there has been an escalation of costs associated with repairs to equipment. Machinery, when pushed to the limits, begins to break down. Additional supplies of sand and salt have also had to be ordered, thus impacting the materials budget.

Governor Malloy has requested that all municipalities complete pre-assessments for FEMA reimbursement of expenses for the period of January 11 – 13, 2011. The State is seeking to compile numbers associated with the overall value of services rendered during that period; costs include expenses associated with machinery, time, and materials. The bookkeeping department is working in conjunction with the First Selectman to provide that data. Selectman Gresczyk expressed his amazement that the storm would qualify for FEMA benefits. First Selectman Jerram replied that it was worth completing the paperwork in the off-chance that the FEMA request would be granted. He noted that compiling the data was a time consuming task, but if, in the end, the town qualified for any type of reimbursement, the task would be well worth it.

First Selectman Jerram informed the Board of Selectmen that the Town Hall Employees union contract expires on June 30, 2011. Negotiations with the union (NAGE) would begin soon. Mr. Jerram noted that if the Selectmen had any input regarding the contract, they would have until the end of the month to consult with Mr. Jerram. Confidentiality rules will apply after that and Mr. Jerram will not be able to discuss the specifics of the negotiations until a draft proposal is agreed to.

Mr. Jerram noted that the town budget process has begun. He has sent notification to town departments, boards, commissions and other agencies requesting that they seek ways to reduce their budgets. He noted that he is available to set up meetings to discuss budgets, if desired.

Jerram briefly returned to highway department matters, stating that the highway crew have manufactured a “wing-plow” and hope to ‘try it out tomorrow.’ A wing plow aids in pushing back the snow banks along the roadway, creating additional room for snow to be piled on. Currently, the snowbanks are so high that when the plows push the snow onto the banks, a large portion of the snow falls back into the roadway, causing narrowing of the streets. New Hartford does not own a wingplow, and this has been problematic due to the amount of snow received. Selectman Gresczyk noted that the crew made one of these during the time he served as First Selectman and that it had been beneficial to have that at the time back then.

First Selectman Jerram asked Bud Butler to update the Board on the progress of the projects being handled by the Building Oversight Committee. Mr. Butler stated that the Brook Street sewerline project is considered complete; but, there are left over funds from the Brook Street project in the amount of XXXXXX. The DEP has approved that these funds can be combined with the \$150,000 STEAP grant received for the Main Street sewerline repair. A Task Order number 2 has been developed by Camp, Dresser & McKee outlining their involvement in the project. Additionally, CDM has presented a 3rd task order that addresses the Central Ave/downtown revitalization/parking improvements project. Some of the work included in the Central Ave project will be the investigation of sewer lines running along Central Avenue, thus there will be continuity between the Brook/Main Street and Central Avenue projects. An additional footnote provided by Butler was his announcement that the Town has received the Certificate of Completion regarding the Wastewater Treatment Plant. This final documentation formally closes out that project for the BOC. Mr. Butler also noted that the BOC had reviewed an invoice received from Day, Pitney, LLP regarding charges incurred relating to the

bond issue for the WWTP. This invoice covered a period of a couple of years, but the BOC has approved payment as the charges were indeed related to the WWTP construction and are valid.

Mr. Butler asked that the Board formally approve the Tasks Orders prepared by CDM so that statements of work could be developed and work could begin.

MOTION: by Gresczyk, second Klebart to authorize First Selectman Jerram to execute Task Orders numbered 2 and 3 between the Town of New Hartford and CDM presented on January 25, 2011.

Unanimous.

M. Butler noted that since formal approval has been given to proceed with the project, the next step the Building Oversight Committee would like to take is to set up a meeting with property owners along Central Avenue abutting the areas where work is being considered.

First Selectman updated the Board with respect to discussions currently in progress regarding municipal solid waste (MSW). A brief history included a quick summary of the involvement of Former First Selectman Bill Baxter and former Selectman Chris Jones and the battle with CRRA during the Enron debacle. The current contract with CRRA for MSW expires in 2012. RRDD# 1 (Regional Refuse Disposal District # 1) member towns Winsted, Barkhamsted, and New Hartford are investigating options for a mutual service agreement. Covantha has approached area towns asking them to sign letters of interest with respect to using their services. One issue of concern is the location of a transfer station. Currently, CRRA provides such a station in Torrington. Covantha does not have one in close proximity to RRDD#1; although they are actively seeking a site in the area. Mr. Jerram noted that, although he is agreeable to having Covantha become a potential candidate for services, he was not pleased with the "letter of interest" they provided for signature. He pointed out several areas in the proposal where actual financial figures have been placed; noting that it appears more like a formal contract rather than a proposal. Selectman Klebart agreed that "a statement of interest should not include dollar figures." All Selectmen agreed that they were uncomfortable with the present format of the document and were concerned that signing it in its present form would be too contractual. Jerram recommended that the Selectmen redact the financial terms, specifically Items C and E, on page 2 prior to signing. Klebart and Gresczyk agreed that they were not opposed to signing a letter of interest, but they did not want it to include definitive terms. The First Selectman noted that the competition being provided by Covantha has caused CRRA to re-evaluate their position and has resulted in a change in their terms. Gresczyk noted that entering into any contract with any vendor for MSW would require the approval of a town meeting, therefore he saw no harm in moving ahead with signing a letter of intent with Covantha, but suggested including language that any formal agreements for service are subject to approval by the Legislative Body (town meeting). Bud Butler offered his suggestion that the document be marked "for illustrative purposes only" so that no one could make claim it was a formal agreement. The Selectmen agreed that the town attorney should be consulted with prior to signing the document.

MOTION: by Klebart, second Gresczyk to approve, upon consultation with the town attorney, the signing of a letter of interest with Covantha, removing sections C and E (references to financial agreements and length of terms of agreement) and including language indicating that formal agreements were subject to approval by the Legislative Body.

Unanimous.

Holiday Schedule 2011:

First Selectman Jerram presented the Town Hall Holiday Schedule for 2011 to the Selectmen for approval. He noted that this is a formality, the holidays are consistent with the Holidays as outlined in the NAGE Union Contract. This list is then available for other Boards and Commissions so that meetings can be scheduled accordingly.

Unanimous.

Neighbor to Neighbor Fund Update:

Mr. Jerram announced that the account has been established. The Board of Finance gave approval to the managing of the account. A committee has been created to review applications presented for approval. Approval by 4 members of

the 7 member committee allows for dispersion of funds. If the applicant does not meet the guidelines in place for acceptance as energy assistance clients, the application will still be sent forward and a super majority of 5 members will be needed in order for funds to be dispersed. Payments will be made to vendors, not to the applicant. The Administrative Assistant to the First Selectman and the Senior Center Director will accept applications. Selectman Tom Klebart suggested that both individuals be involved in the review process so that there are two people who actually know the identity of the applicant. He feels that this is necessary so that no one can claim that there are unfair advantages given.

Set time, date, manner of Special Town Meeting:

First Selectman Jerram distributed the Call of the Meeting to the Selectmen and members of the public to review. He briefly summarized the reason behind some of the items on the call. Maria Moore questioned if the sale of the property outlined in Item number 1 on the agenda would halt any plans for any kind of a 'rails to trails' path considered for that area. Mr. Jerram replied that it would be very difficult to consider a rails to trails path in the area of consideration for sale, noting that placement of a trail along that particular stretch of property would be intrusive. He remarked that the path would be "right next to someone's back porch" if such a path were built. He noted that there are other areas of access along the sewer line that would be more appropriate. Moore then questioned if the conveyance of land as described in items 2, 3, and 4 were consistent with the Plan of Conservation and Development. She stated that "people have commented to her " that the Plan of Conservation and Development states that roads should not be abandoned, but should be retained so as to allow for public use. Selectman Gresczyk replied that in this particular case, the road was effectively abandoned back in 1969 when the town abandoned several roads and that this conveyance of the road really doesn't need to be done, but is being done so in this manner at the request of one of the abutters. Therefore, the abandonment of this roadway has already happened and therefore is not in conflict with the present Plan of Conservation and Development.

First Selectman Jerram addressed Items number 5 and 6 on the meeting call, noting that the land use department had requested that the fees for building, zoning, and inland-wetlands matters be increased. They noted that are towns have fees that are higher than what is presently charged in New Hartford. Also, it has been noted that the fees charged to applicants do not cover the cost of doing business. The Town often is faced with paying costs associated with legal notices that are published on behalf of an applicant. Selectman Gresczyk did not personally agree that building permit fees should be increased, but does support that they move ahead to Town Meeting, where the public will make the ultimate decision.

Item number 9 on the meeting call pertains to the use of the funds received as settlement for the CRRRA lawsuit initiated during the Baxter administration. The purchase of a road grader was the only item that was approved by the Board of Finance to go to Town Meeting. Mr. Jerram had requested that funds be used to hire an economic development consultant and also that funds be used to pave a portion of Steele Road. The Board of Finance rejected those requests, feeling that they could be included as items for consideration in the general budget. They understood the urgency of having funds available for the road grader as the need for such a machine occurs prior to the budget approval.

MOTION: by Gresczyk, second Klebart to hold a Special Town Meeting on Tuesday, March 1, 2011 at 7:00 PM in the Senior Center Meeting Room of the New Hartford Town Hall.

Unanimous.

Resignations/Appointments to Boards and Commissions:

The First Selectman announced that his office has received resignations from members on the Economic Development Commission. Two of the resignations were from alternates (David Krimmel and Mark Robaczynski) resigning their alternate seats in order to allow for appointment as regular members on the Commission. However, two of the resignations were received from long standing members of the Commission; Blake Hall and Jack Moore. Blake has officially changed his residency status to a Florida resident and Jack has resigned in order to allow his seat to be filled by someone who can make regular attendance at meetings, something he stated has not been able to do so for a while.

MOTION: by Gresczyk, second Klebart to accept with thanks the resignations of alternates David Krimmel and

Mark Robaczynski and also to accept with special thanks for their long years of service to the community, the resignations of Blake Hall and Jack Moore.

Unanimous.

MOTION: by Gresczyk, second Klebart, to appoint Mark Robaczynski to fill a vacancy as a regular member of the Economic Development Commission, term to expire December 31, 2012; to appoint David Krimmel to fill a vacancy as a regular member of the Economic Development Commission, term to expire December 31, 2014, and Jim Brett to fill a vacancy as an alternate member on the Economic Development Commission, term to expire December 31, 2012.

Unanimous.

MOTION: by Jerram, second Gresczyk to appoint Thomas Klebart to serve as a regular member of the Economic Development Commission; term to expire December 31, 2011.

AYE: Gresczyk, Jerram

ABSTAIN: Klebart

Motion Passes.

Request for Tax Refunds:

MOTION: by Gresczyk, second Klebart to approve five requests for refund of taxes as presented by the Tax Collector totaling \$2334.61. (Refund of Personal Property tax in the amount of \$387.12 to Farm Credit Leasing Services Corp.; Refund of Motor Vehicle Property Taxes in the amount of \$336.00 to Sheila M. Smith; Refund of Motor Vehicle Property Taxes in the amount of \$39.84 to Honda Lease Trust; Refund of Motor Vehicle Property Taxes in the amount of \$88.73 to Honda Lease Trust; Refund of Real Estate Property Taxes in the amount of \$1,482.92 to BAC Tax Services for Louis and Lucie Martocchio;)

Unanimous.

Correspondence:

First Selectman Jerram noted that Constables Janco and Helt had approached him earlier in the day with a letter offering towing services to the Town of New Hartford received from Michael Rindflesh, owner of Collinsville Auto Repair. Collinsville Auto has offered to provide free towing and storage of vehicles the town deems necessary to remove according to Connecticut State Statutes. Mr. Jerram informed the Board that there has been a problem this year with several cars being left in the municipal lots (especially the town hall parking lot). This has been problematic due to the fact that the highway department cannot effectively clear the parking area. Selectman Gresczyk noted that the town does have a parking ordinance and perhaps that should be reviewed to see if additional restrictions need to be put in place. The Selectmen agreed that the ordinance should be reviewed prior to having any agreements in place with Collinsville Auto. Mr. Jerram noted that the owner of Collinsville Auto is a New Hartford Resident. For now, vehicles will be handled on a case by case basis.

Mr. Jerram announced that the Town of New Hartford has lost a long time resident and friend – Mr. Dana Gowen. Mr. Gowen passed away on January 12 at the age of 89 years old. The First Selectman noted that Mr. Gowen had served the town well, volunteering his time as a member on several boards – Regional 7 School Board, Board of Finance and Board of Assessment Appeals. Mr. Jerram stated that “he was a sweetheart of a guy and he will be missed.”

The First Selectman also announced that Kate Rieger, Principal of Antolini School will be retiring at the end of this school year. The Board wished her well.

Opportunity for Public Comment:

First Selectman Jerram offered his thanks to Administrative Assistant Christine Hayward for all of the time and effort she has put into helping to establish the Neighbor to Neighbor initiative. He noted that this fund will be good for the community, but also added that it is another task that will require administrative support; stating that he has noted since being in office that “the more you choose to be involved with, the more there is to do, and the more you do, the

more people expect.” Everything requires manpower and hours and it is not always easy to fit everything into a days work with limited resources.

MOTION: by Klebart, second Gresczyk to adjourn at 9:06 PM.

Unanimous.

Respectfully Submitted,

Christine Hayward, Administrative Assistant