

**Board of Selectmen  
Regular Meeting  
Tuesday, November 24, 2015**

**MINUTES**

**Present:** First Selectman Dan Jerram, Selectman Alesia Kennerson Selectman Jack Casey (VIA Speaker Phone); Selectman-Elect Laura Garay; Members of the Public Steve Tuxbury, Reggie Smith, Mary Beth Greenwood, Denton (Bud) Butler, Donna LaPlante, Daniel LaPlante, Jay Bailey, Robert Bailey, Clay Coppinger; Republican-American Reporter Kathryn Boughton; Administrative Assistant Christine Hayward.

Prior to the actual start of the meeting, Norman E. (Skip) Rogers Jr. presided over the swearing in of the following individuals for their term of office: First Selectman Dan Jerram, Selectman Alesia Kennerson, Selectman Laura Garay, Board of Finance Member Stephen Tuxbury and Board of Finance member Reggie Smith.

First Selectman Dan Jerram called the meeting to order at 7:02 PM. Mr. Jerram noted that he had 2 specific requests for easements that he had planned to address as part of Operations Updates but would prefer to modify the existing agenda to include these as items of their own right.

**MOTION:** by Kennerson to modify the agenda of the Regular November 24, 2015 Board of Selectmen meeting to add : "review of easements and 8-24 referral" to the agenda; to follow the approval of minutes; seconded by Casey.

*Unanimous.*

**Minutes:**

**MOTION:** by Kennerson to approve the minutes dated August 25, 2015 as presented; seconded by Casey.

*Unanimous.*

**MOTION:** by Kennerson to approve the minutes dated September 22, 2015 as presented; seconded by Casey.

*Unanimous.*

**MOTION:** by Kennerson to approve the minutes dated November 10, 2015 as presented; seconded by Casey.

*Unanimous.*

**Review of Easements and 8-24 Referral:**

First Selectman Jerram notified the Board members of 2 requests for easements that have been presented to the Selectmen for consideration. The Selectmen need to review the requests and if they have no objection to the easements, they move them to the Planning and Zoning Commission for review in accordance with CT General Statutes 8-24; and following that review on to a Town Meeting for consideration by the Legislative Body.

The first request for an easement comes from a homeowner who owns both 121 and 130 Maple Hollow Road. These parcels are across the street from each other. The house located at 121 has a failing septic system and the homeowners have consulted with Farmington Valley Health District who will allow them to install a new septic system across the street at 130 if the Town grants them an easement to do so. Therefore, they are requesting permission to grant an easement to them that allows them to go under the road with the piping needed for their septic system. Mr. Jerram noted that the easement has been reviewed by the Town's Land Use counsel and that language had been added to address that the road would need to be put back to town approved standards. Selectman Casey noted that he is familiar with the location of the properties and commented that "there isn't a lot of room on the home site to put it a new system, so he understands the need to have an alternate plan." Selectman Kennerson stated that she had no objections to this request.

**MOTION:** by Casey to refer to the Planning and Zoning Commission, in accordance with Section 8-24 of the CT GENERAL STATUTES, the proposed easement between the Town of New Hartford and Peter and Sally O'Brien of 121 Maple Hollow Road; seconded by Kennerson.

*Unanimous.*

The second request for an easement comes from Carver Properties/Mary Beth Greenwood seeking permission to tie into the town drainage system in order to correct water flow issues on her property. Currently, due to poor drainage, there is considerable ice buildup in the winter months which makes for a hazardous condition. The Town Land Use Attorney has reviewed this easement agreement and had suggested that the town add language that allows for the relocation of this pipe, if at some point in the future, the town decided to construct a building that would sit over the piping. This language was added and the easement stands ready to be reviewed by the Planning and Zoning Commission. Selectman Casey stated that he was in favor of granting this easement so that a hazardous condition could be addressed and hopefully rectified.

**MOTION:** by Casey to refer to the Planning and Zoning Commission, in accordance with Section 8-24 of the CT GENERAL STATUTES, the proposed easement between the Town of New Hartford and Carver Properties, seconded by Kennerson.

*Unanimous.*

**Operations Updates:**

*Carpenter Road Bridge:*

First Selectman Jerram noted that Mr. Clay Coppinger, owner of property that abuts the Carpenter Road

Bridge was present at the meeting. Jerram stated that he and Mr. Coppinger have had discussions regarding some concerns expressed by Mr. Coppinger regarding the bridge project. Jerram commented that he has consulted with the town engineers and asked them to look into a couple of things; one item being the location of a fish habitat that is shown on the plans. Mr. Coppinger is concerned with the potential liability he has due to the present location of this habitat. Jerram hopes that remaining issues can be amicably resolved, allowing the project to move forward.

*Plow Truck:*

Jerram informed the Selectmen that the large plow truck (approved as a capital expenditure with financing coming from the next 3 years) is ready and is expected to be delivered in one week. Financing will be through Northwest Community Bank and the loan closing is scheduled for next week.

*Small Truck:*

Jerram noted that he has been having difficulty finding a small Ford 550 or similar truck that is within the approved funding allocation. He will continue to look and see if he can find one ; but no luck thus far –even after contacting several dealerships.

*Pavilion:*

Jerram has scheduled a meeting to meet with the current General Manager of Home Depot to see if they might be able to support the pavilion project in the form of a donation of some of the materials.

*Budget 2016:*

The Budget process is set to begin. Mr. Jerram commented that he expects this budget season to be a difficult one, coming on the heels of a 5% tax increase. He stated that he has had town bookkeeper Annie Witte do a projection of what salary increases will amount to and that alone is a \$40,000 increase (without the cost of benefits added). The First Selectman said that in order to perform due diligence with respect to looking at all areas of the budget, it is his intent to review all Town Offices. He noted that there has been some “dysfunction” in some areas and this is counterproductive to accomplishing tasks. Job descriptions, personnel and staffing levels will be reviewed for efficiency. Jerram stated that “I cannot ask others to make cuts if I have not done my own evaluation,” adding that he has no expectation of outcomes but needs to go through the exercise. Jerram added that he has notified the Union President of his intent to perform a study and expects that the Union will be properly notified. Mr. Jerram acknowledged that workflow in some offices is inconsistent – there are “peak” and “off-peak” periods. He noted that it is difficult to staff situations like this, but staffing should not be at peak level needs when it is not a peak period. Reality is, he stated, that with very little Grand list growth, there are very few options of gaining increased funding through increased tax base.

**DEEP Planning Grant:**

First Selectman Jerram reminded the Selectmen of the Town Meeting held on April 21, 2015 where a \$30,000 request for funding for infrastructure studies was granted. The Town Meeting approval addressed \$30,000 but the actual planning grant figure is \$49,600. Jerram stated that it is his belief that additional approval needs to be sought at a future town meeting so that the spending is authorized.

**Discussion of WWTP operations:**

Mr. Jerram informed the Board that a meeting has been scheduled for the following morning with Senator Witkos and WPCA Chairman Bud Butler. The topic of discussion is the regulation that determines how many operators need to be on site at a treatment plant. Currently that number is based on design flow and not actual flow rates. This is causing a hardship on the New Hartford WPCA due to the fact that, although designed for 400,000 gallons of flow per day, the actual flows are much lower than that. However, due to the regulations as written it is a requirement to staff the facility with 2 certified operators. A request was sent to the Commissioner of the Department of Environmental Protection to consider granting a request to have one operator in New Hartford due to low flows. This request, to date, has not been given any consideration. Jerram noted that it is time to get Legislators involved and hoped that they can offer some support. Chairman Butler commented that the costs of operation at the treatment plant are very high and reducing operators would have a positive impact on their budget.

**Town Hall Staffing:**

First Selectman Jerram noted that he had mistakenly included this item in his “operations update.” He had nothing to add to the topic.

**Appointments to Boards and Commissions:**

First Selectman Jerram stated that this was the time for annual review of Boards and Commissions various members and their expiring terms. He stated that some reappointments would be handled this evening, while others would be addressed at the next BOS meeting.

**MOTION:** by Kennerson to reappoint Stan Brobston to continue to serve as a member of the Conservation Commission; term to expire December 31, 2018 and to reappoint Paul Mahoney to serve as a member of the Conservation Commission; term to expire December 31, 2018; seconded by Casey.

*Unanimous.*

**MOTION:** by Kennerson to reappoint David Childs to continue to serve as a member of the Economic Development Commission; term to expire December 31, 2020, seconded by Casey.

*Unanimous.*

**MOTION:** by Kennerson to reappoint Lee Pellum to serve as a member of the New Hartford Historic District; term to expire December 31, 2020; seconded by Casey.

First Selectman Jerram commented that the Pellums have been instrumental in beautification efforts in Chapin Park. They paid for the services of a mason to reset stones in the circular garden and at the base of the Veteran’s Memorial. He publicly acknowledged their work and thanked them for their efforts.

*Unanimous.*

**MOTION:** by Kennerson to reappoint James Hall and James Chakulski to serve as members of the Inland Wetlands Commission; both terms to expire December 31, 2018, seconded by Casey.

*Unanimous.*

**MOTION:** by Kennerson to reappoint Jean Darlington, Seth Warner Jr, and Karen Griswold Nelson to all continue to serve as members of the Open Space Preservation Commission; terms to expire December 31, 2018; seconded by Casey.

*Unanimous.*

**MOTION:** by Kennerson to reappoint Brenda Schaufler to continue to serve as a member of the Board of Regional Refuse Disposal District # 1, term to expire December 31, 2018; seconded by Casey.

*Unanimous.*

The Selectmen made note of the fact that there are other reappointments to be made and that those will be handled at the next Selectman's meeting. Mr. Jerram noted that he has recently discovered that one of the members on the Recreation Commission - Mr. Tim Calder- is no longer a resident of New Hartford and therefore can no longer serve on the Commission. He will contact Chairman Sally O'Neill and alert her of this situation. There are several vacancies on several commissions and it was noted that it is getting more and more difficult to find individuals who are able to commit to attending meetings and serving as members.

**Set 2016 Meeting Dates:**

First Selectman Jerram presented the proposed list of meeting dates for 2016; noting that they will continue to be held on the fourth Tuesday of each month beginning at 7:00 PM with the exception of the December 2016 meeting date, which will occur on the 3<sup>rd</sup> Tuesday in December. Special Meetings will be called as needed. The Selectmen had no objections to this proposed schedule. First Selectman Jerram confirmed with Selectman-elect Garay that this schedule was agreeable to her.

**MOTION:** by Kennerson to adopt the proposed 2016 meeting schedule as presented; seconded by Casey.

*Unanimous.*

The Selectmen discussed cancelling their scheduled meeting for December 22, 2015 and agreed to post a special meeting on December 15, 2015 instead.

**Set 2016 Holiday Closing Schedule:**

Mr. Jerram presented the proposed Holiday closing schedule to the Board for consideration, noting that there are no changes from past practice.

**MOTION:** by Kennerson to adopt the proposed Holiday Schedule for 2016 as presented; seconded by Casey.

*Unanimous.*

**Correspondence:**

First Selectman Jerram acknowledged receipt of a quote for legal services from the firm of Cramer and Anderson. He noted that, at this time, the town was not looking to make a change in status quo of Town attorney services. Administrative Assistant Christine Hayward requested and was granted permission to comment. She noted that historical knowledge is very important when it comes to legal matters and stated that having an attorney who is familiar with past and present issues during several administrations is extremely beneficial.

**Any Other Business:**

First Selectman Jerram extended his congratulations to the elected officials who were successful this past election. He welcomed Laura Garay as a member of the Board of Selectmen and also expressed his thanks to Jack Casey for his services. He stated to Jack, "thank you for four great years, it's been fun and I wish you continued success in your future endeavors; we will miss you." Mr. Casey acknowledged the thanks and extended his wishes to the Board to continue to work together, noting that he felt that Ms. Garay would be a welcomed replacement.

Selectman Kennerson stated that she would like to discuss an issue that occurred during the recent election with respect to the election of Board of Education members. She explained that there was some concern regarding filling the vacancies and minority representation. The Town Clerk, as is customary, had sent off to the Secretary of State's office her list of seats to be filled on the Board of Education. She had received a response from the SOS office questioning her reasoning for only limiting the candidates to 1 Democrat and 1 Republican. The Town Clerk was told that there should be 2 Democrats and 2 Republicans for the voters to choose from. Following the response, the ballot was designed with 4 candidates vying for 2 seats with instructions to "vote for any two." The Town Clerk, feeling that an error was made asked for a legal opinion from the town attorney. The Attorney ruled that only 1 from each party could be seated; regardless of total number of votes received by the candidates. In essence, the popular vote did not determine the winning candidates. There has been some "hard feelings" regarding the outcome of the election; especially since had it been known prior to the election that the outcome would be determined this way, the respective parties may not have endorsed 2 candidates each to seek election. Ms. Kennerson explained that there is a Statute 9-204 currently in place that outlines the particulars of how to fill vacancies. She noted that there is another

Statute, 9-204(b) that would allow for the popular vote to be the deciding factor ( with minority representation still taking precedence as needed) , as long as a town has adopted (at a town meeting ) this statute to be the guiding statute when filling vacancies on the Board of Education. She would like the town to consider taking the issue to Town Meeting and adopt CT STATUTE 9-204(b).

Mr. Butler, a former member of the Board of Education, commented that he felt that the town should consider reducing the number of members that make up the Board. The Board presently consists of 9 elected members and Mr. Butler stated that he thought it must be difficult to find qualified individuals to fill the slots. Selectman Casey replied that he would recommend that the question of how many members and which Statute (9-204 or 9-204(b) should apply to the election of members should be discussed with the Board of Education.

The Selectmen agreed that the Board of Education should be consulted as to what they would recommend.

**MOTION:** by Casey to adjourn at 8:25 PM; seconded by Kennerson.

*Unanimous.*

*Respectfully Submitted,*

*Christine Hayward, Administrative Assistant*