

**Board of Selectmen
Regular Meeting
August 22, 2017**

Minutes

Present: First Selectman Dan Jerram, Selectman Alesia Kennerson, Selectman Laura Garay, Members of the Public: Joe Toro, Dave Rosengren, Bud Butler, Donna LaPlante, Dan LaPlante, Chaitali Patel, Samir Patel, Rajan Patel, Dave Krimmel; Member of the Press Kathryn Boughton (Republican-American); Administrative Assistant Christine Hayward.

First Selectman Jerram called the meeting to order at 7:02 PM.

Mr. Jerram welcomed two Boy Scouts in attendance and they explained that they were present as part of the requirements for earning a Citizenship Merit Badge.

Opportunity for Public Comment:

Mr. Jerram explained that members of the public would be able to comment on items of interest throughout the meeting. He asked if anyone had any commentary that they would like to present now. No one had any comments.

Discussion and possible action regarding WPCA debt service:

First Selectman Jerram summarized the discussion that had occurred at the most recent Board of Selectmen meeting where Water Pollution Control Authority (WPCA) Chairman Denton (Bud) Butler presented information regarding the financial state of the WPCA. Butler informed the Board that the 2016 fiscal year had closed out with a \$42,000 deficit. Mr. Butler stated that maintenance and repairs were put on hold due to cash flow problems.

Since that August 1 Board of Selectmen meeting, Mr. Jerram met with the WPCA bookkeeper to review invoices and obligations. Fortunately, additional payments on accounts had been received and the WPCA is now pretty much “up to date” with their bills. Jerram noted that the rate of time needed to pay bills is being extended, but they eventually get paid. He pointed out that the WPCA has made good on their debt service payment that was due to the town in May. Both providers of operational contracts have also been made whole. Jerram noted that the Selectmen had been asked to consider temporarily suspending debt service payments to the Town in order to allow some relief to the WPCA. However, everything is current at this point in time, therefore there is no need to take any action on that right now.

It is noted that there is still the matter of routine maintenance being pushed off due to lack of funds. Jerram suggested that perhaps the WPCA would want to consider relief from some future debt service payments and use that “savings” as a way to fund some maintenance or needed repair. He stated that he would support a request to use those funds towards maintenance if the WPCA would make a formal request and indicate exactly what the funds would be used for. He noted that routine operations expenses would not be an approved use of the funds. Mr. Jerram commented that items related to the

well inspections or storage tanks maintenance would be examples of something he would consider. Selectman Laura Garay expressed concern that providing some assistance is fine, but it is not a solution. She stated that she liked the idea presented by Mr. Butler at the Selectman's meeting where he recommended that several Boards have a joint meeting to brainstorm to try and come up with solutions.

Selectman Kennerson asked Mr. Butler if the WPCA is pursuing anything else on their original list of things to do that could increase revenues.

Butler replied that the WPCA has already implemented a solid collection program, implemented a lien program, and has back billed users that were enjoying the benefit of connection without paying. The outstanding item to address is those who currently abut the sewer line but are not connected. Butler stated that the WPCA has called a Public Hearing to discuss the intent to change regulations to force abutters to hook up to the sewer line. This action is permissible under CT State Statutes. Butler noted that the WPCA is under no obligation to hold such a hearing as it is within their jurisdiction to take this action. However, he stated, they wish to be open about this process. Chairman Butler also informed the Board that the recently approved rate structure includes an increase in connection fees. Selectman Garay asked if anyone has reached out to the WPCA to connect to the sewer in advance of the start date of the increased connection fees. Butler replied that there have been a couple of inquiries, but unfortunately, there is no option for them to connect due to the lack of access to the line.

WPCA member Joe Toro, present at the meeting, commented that he is concerned at what may happen when the debt service "split" reverts back to what was originally intended; referring back to the adjustment that was made about 5 years ago where the Town assumed the 61% and the WPCA assumed the 39% in order to afford the WPCA time to increase revenues. Mr. Toro also added that the users are paying towards debt service every time they pay their bills. They have been told that a certain percentage of the user fees are geared toward the debt service payment, thereby decreasing the overall liability. He questioned what will happen if the Selectmen suspend the debt service payment required to be paid and the WPCA uses those deferred funds to pay for maintenance – won't it just prolong the indebtedness? There would then be questions of "if my payments aren't going toward reducing the debt, where is it going?"

Mr. Toro stated that he supports the change in regulations that will clearly dictate that abutters of the sewer line "shall" connect to the line. Adding users to the system will result in increased revenues. Selectman Kennerson added that if the Town suspends the debt service payments for a little bit too, then perhaps that will also provide some relief and help the WPCA to move forward.

First Selectman Jerram responded to Mr. Toro's concern regarding reverting the split back to the original agreement; stating that the timeline for reverting back to the original proposal can be readdressed. Five years was chosen as a time to re-visit the modification, it does not have to go back at that time; it can be reviewed and extended.

New Hartford resident David Rosengren commented that as a former member of the WPCA, he was involved in discussions that occurred when figures were crunched to see how much every household would need to pay if the debt service was divided equally among the taxpayers. He questioned if that would ever be considered. Mr. Jerram replied that it is not as simple as just assuming the debt. The

financial difficulties faced by the WPCA are more than the cost of the debt associated with the Wastewater Treatment Plant upgrade. He feels it may not be fair to toss around a figure that each household would be required to pay in order to pay off the debt and have people assume that the rates would see a significant decrease. Unanticipated catastrophic failures of one line (water or sewer) would wipe out any savings gained as a result of town-wide participation. However, Jerram noted, he would be interested in seeing what that figure was projected to be. Mr. Rosengren stated that he would try to find the calculations.

Selectman Garay asked Mr. Butler if he had an idea of what the costs would be for someone to connect to the sewer. He replied that there is an application fee of \$250.00 and inspection fees for the engineer that would be in the range of \$450.00 - \$600.00. The sewer lateral installation is an additional expense. He added that the WPCA would allow for some cost savings measures by not requiring a physical inspection throughout the installation of the line as long as there was proper documentation (video recording) of the installation so that the inspector could review the recording to determine that all was compliant prior to sign off. Butler also noted that if a property required a pump system (due to location of the sewer line being uphill), the cost of a pump would need to be added which puts the total cost to be between \$5,000 - \$10,000.

First Selectman Jerram commented that the Town has a specified sewer district and homeowners should be aware that if they are within that district they need to hook up when sewers are available.

In closing, Mr. Jerram requested Mr. Butler to go back to the WPCA and have a discussion with them regarding making a specific recommendation for use of the funds that would ordinarily be applied to debt service payment to the town.

Authorization to Execute Contract for services of One Resident State Trooper:

First Selectman Jerram presented the contract for services between the State of Connecticut and the Town of New Hartford for the services of one Resident State Trooper. He explained that this contract is renewed every two years and there is an “out clause” –written notification 30 days prior to requested termination of contract.

MOTION: by Kennerson to authorize the First Selectman to execute the contract for one resident state trooper; seconded by Garay.

Kennerson asked if there has been any further discussion with Barkhamsted regarding the sharing of a resident state trooper as a cost saving measure. Jerram replied that sharing with Barkhamsted is more complicated than it appears due to the fact that the School Resource Officer at Regional is a local Barkhamsted Police Officer. All local police officers (Barkhamsted and New Hartford) would be supervised by the one resident trooper. The complication arises due to the fact that Regional 7 is comprised of students from not only Barkhamsted and New Hartford, but also from Norfolk, Colebrook and Vo-Ag students from several other towns. Should the resource officer have an incident with a student in a town other than New Hartford or Barkhamsted, the resident trooper may have to spend time in those towns as well assisting the Resource officer as his supervisor. This puts a geographical

strain on the resident trooper and it is possible that New Hartford “would never see its resident trooper.” The Selectmen agreed that this might be a little complicated and it may not be worth pursuing at this time.

Unanimous.

Budget Update 2017-2018:

First Selectman Jerram presented the Board with the most recent grim news regarding the State Budget crisis and its effect on New Hartford. The latest proposal put forth by Governor Malloy hits New Hartford hard, taking away all of the Education Cost Share funds that have gone to New Hartford in the past. He has zeroed out the ECS for New Hartford. This latest cut puts New Hartford at a \$ 4.2 million loss of revenues. Jerram noted that the town cannot absorb a \$4 million hit in a \$14million budget. He commented that there are 20 or 30 towns in this latest proposal that will still get 100% of their funding. He cannot explain how the funding is divided between Municipalities. Jerram remarked that there appears to be no spirit of cooperation at the State and that this reallocation of resources is inappropriate.

Selectman Kennerson asked “how do we proceed with our budget?” We cannot wait much longer - we need to start somewhere.

Jerram agreed and the Selectmen discussed a temporary timeline; A Special Board of Selectmen meeting will be called on September 11 where the Board of Selectmen will review the interim budget again and make any changes they feel may be necessary to move forward. They will meet again on September 26 at their regular meeting to finalize their draft and move from there.

Set time and date of Special Town Meeting:

Discussion moved on to the topic of a town meeting and it was noted that there are several agenda items that need to be brought to conclusion as they have been held in limbo for many months. The Selectmen recognized that they need to have a Special Town Meeting regardless of whether or not the budget is ready to move forward. Dates were discussed and it was decided that September 14, 2017 would be amenable to all for a Town Meeting.

First Selectman Jerram read the Call of the Meeting (attached) into the record.

MOTION: by Garay to call a Special Town Meeting to be held on Thursday, September 14, 2017 at 7:00 PM at the Town Hall in the Senior Center/Meeting room to address agenda items as noted on the Call of the Meeting; seconded by Kennerson.

Unanimous.

Mr. Butler commented that the item relating to appointing a member to the School Building Committee should be removed from the agenda due to the fact that he anticipated a final walk through to be held on August 29, 2017. It is his expectation that the Building Committee will be formally disbanded at that time.

Mr. Jerram replied that the agenda item would remain as is just in case there was some unforeseen circumstance that did not allow the Committee to disband. He added that if need be, the item could be removed on the night of the Special Town Meeting; but the agenda will remain as is.

Operations Updates – Banners, Separator Tank, and others:

First Selectman Jerram realized he had mistakenly skipped over a couple of agenda items and went back to address them.

Banners:

He informed the Selectmen that there has been an order placed for 15 new banners. Several photos were presented for consideration, but many were deemed not to be able to be used for various reasons. There are currently 5 different designs that have been ordered. Jerram commented that more can be added at a later date; it was necessary to go ahead with this portion of the banner replacement project so as not to lose the funds EDC had set aside for that purpose.

Oil Separator Tank at the Town garage:

Mr. Jerram explained that work continues to prepare the garage for the installation of an oil separator tank as required by the Department of Environmental Protection in order to prevent grease, oil or other contaminants from entering into the Farmington River. This project has been on-going since last winter. There are some unintended consequences that have arisen as a result of the work done to prepare the area for distribution boxes needed to carry the fluids to the holding tank. Trenches needed to be dug in order to put in the necessary boxes that will carry the floor waste (water, oil, melted snow, etc) to the tank. The existing vehicle lift had to be removed in order to dig the trenches and install the piping. The lift is old and should not be used in its present condition. It is also undersized. The current lift has a 12,000 pound rating. It should be at least 50,000 pounds. A mobile lift has been recommended, but there are problems with the pitch of the floor. The pitch is too severe and would be problematic; creating an unstable surface for the lift. Jerram is seeking quotes for both a lift and concrete work to remedy the floor pitch problem.

The Selectmen discussed the lift expense and they determined that in order to continue to perform maintenance in house, a lift is needed. Not having a lift would be problematic. Safety is always first and therefore the lift needs to be appropriately rated and it needs to be stable.

Town Clerk Donna LaPlante, present at the meeting, suggested that perhaps the Capital investment fund that is mentioned in the audit as an undesignated fund could be used for the improvements needed.

Mr. Jerram appreciated her input and stated that he would check into that.

Guard rail repairs:

Jerram stated that guard rail in areas along West Hill Road has been repaired. This was a safety concern and it has been attended to.

Union Contracts:

The Police Contract has been agreed to and it is anticipated that the contract will be formally signed within the next few days. The Highway contact has been accepted by the union rep and needs final Ok from the highway department members before coming to the Board for final approval.

MS 4 Stormwater permit:

A meeting was held with engineers from CDM Smith to review the draft of the MS4 Stormwater permit . This is an unfunded mandate that will require testing, inspection and record keeping of the town's drainage system that exists throughout town. The permit document is almost complete and will be submitted within a month or two to the Department of Energy and Environmental Protection. Jerram informed the Selectmen that compliance with the permitting requirements involves a lot of effort and energy and will mostly be handled through the Selectman's office because "who else is there"? He noted that many towns have engineering offices that have staff to keep tabs on the various tasks that are needed to be done throughout the year as required by the permit, but that is not the case here.

Building Inspector:

Mr. Jerram announced that a building inspector has been hired to replace outgoing inspector Mike Carbone. Gerard Monroe of Harwinton has accepted the part time position and has begun working with the current inspector in order to familiarize himself with the current projects around town. Mr. Carbone will be leaving at the end of the month. Mr. Jerram noted that it is unfortunate to lose Mr. Carbone, as he has done an excellent job for New Hartford, but he understands the need for Mr. Carbone to go where he can have full time employment.

Carpenter Road Bridge:

Mr. Jerram updated the Board on the progress (or lack thereof) on the Carpenter Road Bridge. He reminded all that at the last Selectman's meeting , he had informed the board that the contractor had expressed concerns regarding the dewatering and had presented an alternate approach to be able to work in "wet" conditions. This has been reviewed and it was agreed that they could proceed in this manner. They then requested an additional meeting and Mr. Jerram replied that they needed to present a plan of action and a timetable at the meeting. The meeting did not occur and Mr. Jerram noted that he is still waiting for them to reach out to him with a timeframe for completion. He has let them know of his displeasure with their lack of action and has informed them that there was a substantial completion date of June 29 that they did not adhere to. They are also past the date of final completion and are subject to daily penalties. Selectman Kennerson stated that this is unacceptable. Jerram noted that he has documented the water level weekly and it is optimal conditions at this time. He stated he is disappointed with the lack of follow through by the contractor.

Appointments to Boards and Commissions:

MOTION: by Garay to appoint John Burdick to fill a vacancy and serve as a member of the Economic Development Commission; term begins upon the receipt of a written resignation of his current alternate member position and expires December 31, 2020; seconded by Kennerson.

Selectman Garay commented that she was pleased that Mr. Burdick was being appointed as a regular member and felt that it was a good move. She stated that she thought he would bring some good ideas to the EDC.

Unanimous.

Request for Refund of Taxes:

First Selectman Jerram stated that Tax Collector had one request for refund of taxes for consideration by the Selectmen.

MOTION: by Kennerson to approve the request of refund for motor vehicle property taxes in the amount of \$548.92 to Enterprise FM Trust due to sale of vehicle, as recommended by the Tax Collector; seconded by Garay.

Unanimous.

Correspondence:

First Selectman Jerram stated that there was correspondence received that had been addressed to the Recreation Commission regarding a concern at Jones Mountain. However, the recreation commission does not provide oversight to the highway/parks maintainers, therefore this concern was passed on to the Selectmen. The concern expressed was that there may be missing trail markers and there is an area that is questionable as to what the proper route is. The writer of the letter questioned if the trail crosses private property. He asked for clarification as to whether or not hikers are permitted to follow Carriage Road through a small section of private property.

Mr. Jerram stated that he would look into this.

First Selectman Jerram stated that correspondence regarding fundraising efforts for repairs to the Dam at West Hill Pond has also been received. Information related to this fundraising effort has also been placed on the Town website to create awareness of the situation.

Minutes:

MOTION: by Garay to approve the minutes of the Board of Selectmen meeting dated August 1, 2017; seconded by Kennerson.

First Selectman Jerram noted that in the discussion that occurred that evening regarding the pending items for the Special Town Meeting, he neglected to remind the Selectmen of the need to appoint a School Building Member to the committee. This was an oversight on his part- it was on his list of item, as was the Board of Finance alternate Ordinances ; which he also neglected to mention. He did not want anyone to think that there was a deliberate omission of the items. They are included on the Special Town Meeting that has been called.

Unanimous.

MOTION: by Garay to adjourn at 8:50 PM; seconded by Kennerson.

Unanimous.

Respectfully Submitted,

Christine Hayward, Administrative Assistant