

**Board of Selectmen  
Regular Meeting  
Tuesday, January 23, 2018**

**MINUTES**

**Present:** First Selectman Dan Jerram, Selectman Alesia Kennerson, Selectman Eric Claman; Members of the Public Tom Buzzi, Aulay Carlson, Dave Rosengren; Member of the Press Kathryn Boughton (Republican- American); Administrative Assistant Christine Hayward.

First Selectman Jerram called the meeting to order at 7:06 PM.

**Minutes:**

Administrative Assistant Hayward informed the Selectmen that there was an error on the Holiday Schedule approved at the December 18, 2017 meeting. Veterans Day was listed as Friday, November 9 when the correct date is Monday, November 12, 2018.

**MOTION:** by Kennerson to approve the 2018 Holiday schedule as amended; Holiday schedule revised to show Veterans Day as Monday, November 12, 2018 and minutes of December 18, 2018 meeting accepted as amended; seconded by Claman

*Unanimous.*

**Opportunity for public comment:**

Resident Aulay Carlson read a letter into the record. The letter was critical of the current administration and accused the First Selectman of "incompetent management." He accused Mr. Jerram of a lack of transparency, stating that RFPs were not issued for a purchase of a land use vehicle or purchasing a lift system for the town garage and he also challenged the practice for line item transfers.

First Selectman Jerram responded to Mr. Carlson's claims. He informed Mr. Carlson that although there was not a formal bid process for the improvements at the town garage, quotes were obtained for the lift system and the concrete work that was needed. He further stated that there is no requirement for a formal RFP process and there was transparency because information regarding the improvements was presented at several meetings. Regarding the line item transfers, Jerram noted that the town has received a legal opinion from counsel that supports the current practice. Jerram stated that the Board of Selectmen have open discussions regarding operations at every meeting and asserted that Mr. Carlson has not been a frequent attendee at meetings and therefore has no personal experience upon which to base his claims. Mr. Jerram replied that he, as well as the board, operates in accordance with State Statutes. Selectman Kennerson agreed, adding that the Board has an opinion from the town attorney regarding line item transfers and the Board is acting in accordance with that opinion; however the Board of Finance is interpreting the statute differently.

Mr. Carlson replied that he has attended Board of Finance meetings and he has listened to board members complain about interactions. Carlson said there is the appearance of malfeasance.

Kennerson disagreed with Mr. Carlson and supported Mr. Jerram's response that there were discussions regarding the need for a lift system, concrete work at the garage, and the need for a replacement land use vehicle. Line item transfers and legal opinions have all been addressed at meetings and there are minutes to support that. She reiterated that the problem is that there is a difference in belief and the lack of acceptance of the legal opinion that has been received.

Selectman Claman asked if there are any rules/policies regarding when an RFP should be issued. Carlson interjected that he understood that there had been an ordinance that addressed competitive bidding but was told that it was repealed during Jerram's administration. Jerram refuted this, stating that was incorrect information as there is not, nor has there been an ordinance that addresses bidding during his administration. He further remarked that quotes are sought for larger projects.

Mr. David Rosengren addressed the Board and began asking questions regarding the Carpenter Road Bridge. He asked if the contractor had been dismissed and questioned if a notice of default had been issued.

Jerram replied that there has not been any dismissal of the contractor; to the contrary, every effort is being made to work things out and get the contractor to return to the site and complete the bridge. Rosengren asked if liquidated damages are being assessed. He also asked if there were design errors in the plan. Jerram replied that the attorney is handling the matter and the attorney has been in contact with the contractor. The First Selectman commented that the town is communicating with the Department of Energy and Environmental Protection (DEEP) through the attorney and working to get re-permitted to complete the job. Mr. Rosengren wanted to know if the construction committee was involved in the process. Mr. Jerram asked for clarification of this question; to which Mr. Rosengren added "Denton Butler's committee." Jerram replied that Mr. Butler is on the School Building Committee and they have no involvement in this project, adding that there isn't any construction committee for this bridge project; there is engineering oversight.

Rosengren then asked, "has the Board of Selectmen given thought to bidding ordinances? Will the board take up the issue of competitive bidding?" Jerram replied that the issue has not been discussed, but that he was not against talking about it.

Mr. Rosengren then began asking questions about Bakerville School; specifically about fire protection and the lack of sprinklers in the school. He wanted to know if the Board of Selectmen are at all concerned with having children in a school without a sprinkler system. "Has there been communication from this Board to the School Board to have fire protection in the Bakerville School?" he asked. Mr. Jerram replied that school building issues fall under the purview of the Board of Education, not the Selectmen. Mr. Carlson interjected a comment stating "the Board of Selectmen felt it was better to save \$80,000 in expenses and keep children in a wooden building without sprinklers?" Selectman Kennerson responded to this, stating. "this board supported what the townspeople wanted. The Board did not take a position nor make a decision, they allowed the public to make a choice." Kennerson also stated that the children at Bakerville School could easily exit the building if they needed to; sprinklers would be more for keeping the building intact, not for protecting the children.

Member of the public Tom Buzzi entered into the discussion, asking Mr. Carlson and Mr. Rosengren how they could consider the school to be a fire hazard based solely on the fact that it is a wooden building.

He pointed out that there are many wooden buildings/houses in town – are they all fire hazards? Selectman Claman remarked that while he appreciated input from members of the public, the current commentary seemed to be “all over the map” with no clear direction or purpose. He stated that this type of commentary and line of questioning does not allow for effective dialogue.

First Selectman Jerram closed the public comment period and noted for the record that the school building in question has operated safely since 1946.

**Operations Updates:**

First Selectman Jerram announced that the budget is doing fairly well; noting that things “were on thin ice for a bit... but are getting back to normal.” However, the town was notified today that the Governor will hold back roughly one half of the Town Aid Road Grant which equates to losing about \$135,000. This will have an impact on this year’s budget.

Mr. Jerram asked the Selectmen to pick some dates that would work for special meetings so that budget deliberations could begin. The Selectmen agreed to meet on January 31 and February 5; both with a 6:00 PM start time.

Jerram informed the Board that the Senior Van has been delivered; it is now registered, but still needs to get some lettering/decals for identification. A driver with passenger endorsement will be hired. The First Selectman noted that there will be outreach to see what services are needed and find out what the best use(s) for the van will be.

There has been a change in staffing in the highway department; one member of the highway crew recently resigned. This did require a payout of accrued time which does have a budgetary impact. The position will be filled at some point, but the savings in the salary while it remains an unfilled vacancy will help to offset the payout. Temporary/seasonal help was hired for plowing. Overall, the highway budget is still in fairly good shape, but there is still a lot of winter to go through.

Mr. Jerram commented that the mechanic is currently out on leave, due to a medical issue. There are some older vehicles that may be put up for auction and Jerram had hoped to have some recommendations for consideration by the Board this evening, however he has not had the chance to confer with the mechanic to see what should be sold. Mr. Jerram stated that due to the lack of smaller trucks, the larger trucks are being used for everyday use which is not efficient. He stated that there is a need to replace some of the small trucks, adding that it is difficult to convince some members of the Board of Finance of the value of the smaller trucks.

A Regional School Subcommittee has been meeting to discuss legislative priorities. A discussion regarding Education Cost Share payments has occurred. Concern has been expressed about the grant being given to the towns which is then used to offset the total education budget. Regional budgets are passed and then grants are cut following the adoption of the regional school district budgets which forces the local boards of education to have to reduce their budgets with no impact on the Regional budgets.

Jerram stated that correspondence was sent to the Board of Finance regarding the Butler farm. He reviewed the fact that the Department of Agriculture has awarded the town a grant to purchase the easement rights. The Board of Finance wanted to wait until after the budget was passed prior to

considering whether or not to bring the issue before the public for a vote. Open space currently has \$22, 750 in the Land Preservation Fund which will be used to pay the town's share. The rest of the town's share is proposed as a loan that will be paid back by the land preservation fund as they receive additional funds into their account. There are currently commitments from 2 other entities to assist with funding; Ct Farmland Trust has indicated that they will provide \$25,000 in funding and the New Hartford Land Trust plans to donate \$41, 310. The Land Trust will ask for a conservation easement on the trail portion of the land. There will be additional expenses for trail blazing, fences, benches, etc. Receiving funding from the Land Trust will require a conservation easement in favor of the Land Trust.

Kennerson asked if the town should still plan to make 2 payments to the property owners; questioning if one payment should be considered since there is now additional funding. Jerram felt that it is best to stay at 2 payments as there will be less of an impact on the general fund.

Selectman Claman asked if the Board of Selectman had already approved this initiative. Response was that they had; when Selectman Garay was a board member. Jerram stated that if Mr. Claman would like to get reaffirmation from this current Board, he was open to putting it to a vote again.

Mr. Claman stated his concern that approval of this may have an impact on the rails to trails initiative. Jerram replied that they are separate initiatives. The trail project comes with funding; rails to trails does not. Jerram noted that the Board of Selectmen had supported the rails to trails by including funding in the 2017-2018 capital plan; only to have it cut by the Board of Finance. Selectman Claman commented that he was aware of attempts made by a few members of the Economic Development Commission requesting a meeting with the Selectmen and it was his understanding that those requests have gone unanswered. Mr. Jerram replied that he has a request and will be addressing that later in the meeting under correspondence. Mr. Claman expressed his reluctance to move the Butler property acquisition prior to having a meeting with EDC. Selectman Kennerson questioned if Selectman Claman's concern was that support of Butler would diminish the rails to trails. Claman replied that part of his concern was that it may overshadow the rails to trails. Mr. Jerram pointed out that there has been funding devoted to the rails to trails; stating that \$18,000 was dedicated to engineering services for rails to trails. The First Selectman clarified for Mr. Claman that there are some challenges associated with the rails to trails; such as easements and permission for use of land needed for the rails to trails; which will take time to work through. Jerram commented that there is funding right now from the State for the Butler proposition and that funding could be lost if action is not taken. Claman replied that he understood that, but asked that there be more communication with EDC regarding rails to trails.

**MOTION:** by Kennerson, to reaffirm the support of the Board of Selectmen to move the Butler farm project to the Board of Finance with the knowledge that there are additional funds from other agencies; specifically the New Hartford Land Trust and Connecticut Farmland Trust which reduces the cost to the town to approximately \$150,000; with the requirement that a conservation easement be held by the land trust on the walking trail portion of the property; seconded by Claman.

First Selectman Jerram noted that the receivable to the town at \$150,000 is at least \$65,000 less than what was originally proposed.

*AYE: Kennerson, Jerram*

*OPPOSED: Claman*

Motion passes.

Member of the public Mr. Carlson asked for confirmation that there will be no expense to the taxpayer for the Butler farm. Mr. Jerram replied that was correct. Mr. Carlson stated that townspeople do not understand that there will be no cost to the town and then asked, if this is the case, why would the Board of Finance be reluctant to see this project move forward?

Selectman Kennerson explained that the Board of Finance was reluctant to loan the money out of the general fund because they did not want the fund balance to be too low.

Member of the public Buzzi agreed that many do not understand that the ultimate cost to the taxpayer would be zero.

First Selectman Jerram updated the Board regarding the request for proposal process for the sale of the water and/or wastewater assets. Three bids were received ranging from \$2 million to \$8 million. They are presently being reviewed by the Asset Evaluation team (AET). They are complex. There are questions that are being asked to the prospective bidders and bidders will meet individually with the AET to answer them. The AET was charged with reviewing the bids and the next step will be to make a recommendation to the Board of Selectmen for consideration. If a recommendation to proceed is made, the voters will ultimately decide whether or not to sell the assets. There will be public meetings to inform the residents of the specifics. The current review of the bids and subsequent questioning of the bidders is being done in Executive Session until such time as action is taken regarding the bids. Once any action is taken, all of the documents will be available for public review.

**Appointment of Building Official:**

First Selectman notified the Board of Selectmen that he is ready to recommend Gerard Monroe to fill the position of a fulltime building inspector. Gerry has been on board working part time since August. The 2017-2018 budget was approved with funds for a full time official. The need is there and Mr. Jerram is prepared to move ahead with this appointment, effective February 5, 2018.

**MOTION:** by Kennerson to appoint Gerard Monroe as Building Official for the Town of New Hartford with a full time schedule; seconded by Claman.

*Unanimous.*

**Appointment of Assessor:**

First Selectman Jerram stated that there is a requirement that the Assessor in a town that does not fill the position by election be appointed by the Board under which they serve. Therefore, since this is a new Board, he would like to recommend the reappointment of Cory Iacino as Assessor for the Town of New Hartford, term to expire 12/31 19.

**MOTION:** by Kennerson to act on the recommendation of the First Selectman and reappoint Cory Iacino to serve as Assessor for the Town of New Hartford, term to expire 12/31/2019, seconded by Claman.

*Unanimous*

**Appointment of sub registrars:**

First Selectman Jerram informed the Board that he received a recommendation from Town Clerk Donna LaPlante to approve the appointment of Jason Montano and Richard Vincent to serve as sub registrars for the Town of New Hartford; term to expire 1/3/2022. This allows them to issue removal, transit and burial and cremation permits for a death that occurs in New Hartford when the Town Clerk office is closed.

**MOTION:** by Kennerson to approve the recommendation made by Town Clerk Donna LaPlante to appoint Jason Montano and Richard Vincent to serve as sub registrars; term to expire 1/3/ 2022; seconded by Claman.

*Unanimous*

**Capital plan:**

First Selectman Jerram reviewed the proposed 5 year capital plan; highlighting some of the items included on the plan. He noted that he has 2 new trucks in for purchase. Several items on the existing plan were cut from last year and have been put back in for consideration this year.

He noted the following:

Revaluation is a mandated process, therefore funding is included in the plan.

The highway foreman's truck has a broken frame and cannot be welded. There is no utility truck to use right now; small trucks need to be replaced.

Replacement of a police car was cut from the budget last year, \$1000 of repairs were just completed on the old car, but there is no guarantee how long that car will continue to be road worthy.

Kennerson asked about the boat mooring project at the beach. Jerram commented that funds could not be committed for recreation last fall when it was not known whether or not payroll would be able to be met without tax revenue coming in to replenish the general fund.

The drainage project on Gray Road needs to be bid out; the town does not have the equipment to do the job.

DPW gates and fencing – there have been issues with securing the site; theft has occurred.

Selectman Claman asked if the list is prioritized in any manner. Mr. Jerram replied that a capital subcommittee will review the list and make their recommendations.

Vehicles are suffering from corrosion; it may be advantageous to have wash bay installed at the Wastewater Treatment plant. This could prolong the useful life of vehicles.

Jerram stated that in year two of the capital plan, town hall equipment is for the purpose of outfitting the town with narrow band radio; a state mandate.

Additional capital improvements for the future include the acquisition of a tractor for mowing lawns at the parks and town owned property with Jerram noting that there are approximately 60 acres to mow a week.

Bridge improvements are an ongoing recurring item; the Town gets notification from the State regarding maintenance items that need to be done on local bridges.

Village parking improvements are included in the plan with Mr. Jerram stating that the Community Club has the space for additional parking.

An additional 4 bay garage would be good to have to help secure and protect equipment; therefore this is also included on the plan.

The First Selectman asked if there were any suggestions from Board members for additions to the capital plan. None were offered, however, Kennerson commented that a wash bay would be a welcome addition.

Kennerson noted for the record that the capital plan is usually in the \$400,000 range, but was substantially lower last year due to the budget and then was cut even further by the Board of Finance. Jerram noted that the Advisory Commission on Capital Expenditures will need to meet and review the capital plans for both the Board of Education and the Town. He will be sending out a note to cap ex members to suggest the possibility of a Saturday, February 10 meeting. Jerram asked that the Selectmen review the proposed capital plan and be ready to take action at the Special Meeting on January 31.

**Request for refunds of taxes:**

First Selectman Jerram stated that there were several requests for refunds of taxes to approve, due to the fact that the Selectmen did not approve any refunds for a few months due to the concern of lack of funds caused by the delay in issuance of the tax bills. The following requests for refunds of taxes were presented for approval:

\$2,673.65 to CORELOGIC due to duplicate payment of taxes; \$41.48 to Robert Mallory due to sale of vehicle; \$45.19 to Estate of James Fagan due to corrected assessment; \$246.62 to Toyota Motor Credit Company due to sale of vehicle; \$237.53 to Toyota Motor Credit Company due to sale of vehicle; \$137.84 to Toyota Motor Credit Company due to sale of vehicle; \$202.19 to Toyota Motor Credit company due to sale of vehicle; \$151.27 to Toyota Motor Credit Company due to sale of vehicle; \$139.68 to Catherine Farmer McCann due to overpayment (registered out of state); \$91.57 to Toyota Motor Credit Company due to sale of vehicle; \$225.48 to Toyota Motor Credit Company due to sale of vehicle; \$375.69 to Toyota Motor Credit Company due to sale of vehicle.

**MOTION:** by Kennerson to approve the requests for refunds of taxes as presented by the Tax Collector; seconded by Claman.

*Unanimous*

**Correspondence:**

First Selectman Jerram discussed with the Selectmen the correspondence that had been sent to all of them suggesting meeting times and dates for a joint meeting with some members of the Economic Development Commission and the Board of Selectmen. The Selectmen compared calendars and were not able to accommodate the dates requested. They chose to extend an invitation to Mr. Russo, Mr. Baxter and Mr. Brett to attend either the January 31, 2018 or the February 5, 2018 special meeting.

**Other Items to come before the board:**

Mr. Jerram stated that one of his goals for the next few months would be to work on ordinance reform. There are several ordinances that need to be updated or revised. He informed the Selectmen that if there are suggestions for ordinances to be redone, he would welcome their input.

Selectman Kennerson recently attended a CCM seminar sponsored by Eversource and the Department of Economic and Community Development. She summarized some of the highlights of the seminar for the Selectmen and presented a paper copy of the presentation to them as information. She stated that attendees of the seminar were informed that the University of Minnesota has a website with resources available to help develop a program for retention of businesses.

Mr. Claman stated that he would be willing to present this information to the Economic Development Commission.

First Selectman Jerram informed the Board that he has received word from the Assessor that the preliminary estimate of grand list growth is net \$6.3 million. Typically, for the past few years, it has been around \$3 million. The Selectmen were pleased with this growth.

**MOTION:** by Kennerson to adjourn at 10:09 pm, seconded by Claman.

*Unanimous*

*Respectfully Submitted,*

*Christine Hayward, Administrative Assistant*