

**Board of Selectmen
Regular Meeting
Tuesday, May 22, 2018**

MINUTES

Present: First Selectman Dan Jerram, Selectman Eric Claman, Selectman Alesia Kennerson, Republican American Reporter Kathryn Boughton, Member of the Public Laura Garay; Administrative Assistant Christine Hayward.

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

Asset Evaluation Update:

First Selectman Jerram gave a brief update on the progress of the Water and Wastewater Asset Evaluation Team. The subcommittee has completed their review and comparison of the 3 bids received for the potential sale of the water and/or wastewater assets. They reviewed all of the submittals and had several follow up meetings with bidders in order to gain clarification of some areas of the proposals. They have recommended Aquarion Water Company as their preferred bidder.

This group has now completed the second phase of their Charge and will move onto the third item which is to negotiate with the preferred bidder and gain a complete understanding and mutual agreement of all of the intricacies of the proposal. They will work on finalizing the terms of the agreement and once those are ironed out, public meetings and informational sessions will be held.

First Selectman Jerram presented a letter of intent (to sell the assets of the water and wastewater systems to Aquarion) for the Board of Selectmen to review. The letter of intent has been approved by the Asset Evaluation Team and they are seeking confirmation from the Board of Selectmen. It was noted that this is a non-binding agreement, it just outlines basic terms of understanding with respect to the process.

MOTION: by Kennerson to approve the Letter of Intent with Aquarion Water Co. as written; seconded by Claman.

Unanimous.

Ordinances:

Mr. Jerram discussed the status of revisions to the Open Space Preservation Commission Ordinance. He noted that the Open Space Commission had concerns regarding the definition of improved land; which was a change that had been recommended after the First Selectman had consulted with the Town Attorney seeking clarification regarding types of property that could be sold (raw land versus improved). Mr. Jerram stated that with the potential sale of the assets of the water and wastewater systems, a concern was raised regarding the proceeds from the

sale having to be deposited into the Open Space Land Preservation Fund. While most were in agreement that proceeds from structures were different than raw land, it was deemed to be in the best interest of the town to have this clarified in the ordinance.

The attorney suggested adding the term “unimproved” to the description of land that would be subject to proceeds being deposited into the fund. The Open Space Commission was uncomfortable with this; as they felt that there could be incidents where some properties the town may sell could have a well or a driveway (both considered to be “improvements”) and they would expect the proceeds from these sales to be deposited into the fund. They were concerned that this language might restrict their ability to have those types of proceeds donated to their fund. The Commission had recommended specifying properties where proceeds from a sale would be required to be deposited into the fund; such as schools and the town garage. However, the Attorney disagreed, stating that ordinances should not be property specific and they should be written to withstand time.

Jerram stated that the Open Space Commission is in agreement that proceeds from the physical assets of the Wastewater Treatment Plant are not obligated to be deposited into the Land Preservation Fund, therefore it is just a matter of coming to terms on how to reflect this in the Ordinance.

Mr. Jerram commented that there are a few other ordinances that are still “in flux.” He stated that there is still some concern regarding blighted properties and this needs to be researched a little more before adopting an ordinance. The Peddlers (hawkers and vendors) Ordinance also needs revision. The Selectmen also discussed the possibility of enacting an ordinance that would change the Tax Collector from an elected position to an appointed position. Jerram noted that many towns are now appointing tax collectors in order to be able to insure that qualified individuals take this position. Having an ordinance allowing for this to be an appointed position has the potential to have a larger pool of candidates. Concern is that an individual with no experience at all could be on the ballot and could be elected into the position.

Community Farm/Garden:

First Selectman Jerram noted that New Hartford has a variety of farms within its borders and stated that farming is an important part of New Hartford’s character. The adoption of the recent “Right to Farm” Ordinance is testimony to the importance of farming in New Hartford. The well attended Agri Business forum recently sponsored by the Economic Development Commission is another example of the support and interest in farming. Mr. Jerram mentioned that New Hartford has some large parcels of land that might be useful to have available as community gardens. He asked the Selectmen if they thought that there might be an interest in making town owned land available for community garden use. He mentioned the “Surdam”

property on East Cotton Hill and the “Goula” parcel on Cotton Hill Road as open spaces that might be worthy of consideration if there was an interest in this kind of endeavor. Selectman Claman commented that both of the parcels are located on the south end of town where most property owners have their own space for gardens, unlike the opposite end of town where a need for such a space would be greater. Jerram stated that this type of initiative would need to be demand driven, and for now, it was just something to think about.

As a side note to the discussion of the possible use of the Surdam property, Jerram mentioned that he has had discussions with a solar company that may have some interest in leasing land for solar panels. This is still in a very early stage of discussion; with many details to consider.

Line Item Transfers:

Selectman Claman had requested that the topic of line item transfers be included on the agenda of this meeting so that there could be a discussion among the Selectman of this issue. He stated that he understands that there is a difference of opinions among the Selectman and the Board of Finance and he also understands that there is a difference of opinions with respect to the interpretation provided by the town attorney. Mr. Claman commented that his singular purpose as a Selectman is to “do what is best for New Hartford.” He would like to see the Boards of Finance and Selectmen work together to achieve the best for New Hartford and in order to achieve this, the relationship between the Boards needs to be repaired.

Mr. Claman also expressed his concern that if line item transfers are done prior to a request for authorization by the Board of Finance, there could be consequences. First Selectman Jerram responded to this concern by saying that “single reconciliation of budget line items has been done for years.” He used electricity line item as an example – noting that the line item is budgeted as a best guess each year, the line item is a guideline. He stated that when the bill comes in, you have to pay it, you can’t wait to get authorization to pay the bill. Departments are defined by the summary on page 2 of the budget document. Line items and departments are two different things. Departments consist of line items. Jerram stated that the First Selectman is charged with the day to day operations of the town. All departments are balanced.

Selectman Claman stated that he was an advocate for a solution to the problem.

Jerram countered that there is audit performed each year and there has never been an issue with the way the line item transfers are handled. Mr. Jerram stated that the First Selectman/Board of Selectmen superintends the affairs of the Town and it is not in the best interest of the town to delegate authority where it does not exist. The First Selectman mentioned the recent accrued time payouts granted to 3 employees who recently left the employ of the Town. They were each given lump sum pay-outs of their unused sick/vacation days as per Union contract. There is no line item for accrued time pay outs, putting a strain on the department; but it does get absorbed within the department.

Mr. Claman reiterated his concern that an acrimonious relationship between 2 governing boards in the town is not in the best interest of the town. He made a motion stating “any request for intradepartmental transfers shall be made in advance to the Board of Finance.” There was no second to this motion, therefore the motion died.

Operations Update:

First Selectman Jerram notified the Board that the deed for the Butler Farm trail is being developed. The timeframe for a closing on the property is not yet known.

Jerram stated that there are currently two highway maintainer positions that are vacant, as well as the position of Highway Superintendent. Applications have been received, reviewed and interviews for maintainers are underway. Interviews for the Highway Superintendent have been completed and an offer to assume the position of Highway Superintendent has been extended to an internal candidate.

Memorial Day weekend activities will include the Annual Fishing Derby and the Race Around the Lake.

The New Hartford Land Trust is planning “Paddle For Preservation,” a canoe/kayak event on the Farmington River to be held in June. Proceeds from the event will be used by the Land Trust to assist in funding the Land Trust’s commitment toward the purchase of the Michael Butler farm property.

Dunkin Donuts owners are currently seeking a sewer easement through property located on Town Hill Road, across from their proposed new location. Negotiations have begun and the owners hope that construction on the new building can begin prior to the end of 2018.

Carpenter Road Bridge is still in the hands of DEEP. The Town is waiting for the permit to be renewed by DEEP. This is still a legal matter, with the majority of the negotiations being handled by the attorney. Legal fees are in the \$16,000 - \$17,000 range and Jerram is hopeful that the permit will be issued soon, which will allow for things to move forward.

Flanders Crossing, a road located off of Ramstein Road, is nearing the point where it can hopefully be approved at a town meeting. The conditions of approval that were set by the Zoning Commission when the Subdivision was first approved appear to have been met; with the exception of some tree plantings. Planning and Zoning needs to give approval before the Selectmen can recommend a formal approval at town meeting.

First Selectman Jerram mentioned that the Hartford Courant had recently run a news article that highlighted 12 towns in Connecticut that have had house values rise back to pre-recession values; New Hartford is on that list.

Jerram noted that Channel 3 news recently ran a story regarding the topic of Fire Department consolidation. A member of the New Hartford Fire Department has been researching this as a possible path for New Hartford. The First Selectman stated that Fire protection is not a municipal service as they are their own taxing districts with their own form of governance. He

noted that there are redundant services and equipment with close to \$1.5 million invested in emergency services last year through the districts. Jerram has been told that the Village Fire District and the South End Fire District have been discussing a consolidation plan. The town has no control over the fire districts; this is something that they have to initiate but he is willing to help if there is any specific area where he can be of assistance.

The First Selectman informed the Board that there are two drainage projects (Pioneer Drive and Lynette Court) that will need to be bid out due to lack of personnel and timeframes that need to be considered in order to move ahead with resurfacing. West Road also needs drainage work, but that will be completed in house.

Requests for Tax Refunds:

MOTION: by Kennerson to approve requests for refunds of taxes as presented by the tax collector; seconded by Claman.

(\$136.26 to Heidi Heath due to 2016 Veterans Exemption \$132.82 to Heidi Heath due to 2015 Veterans Exemption; \$314.24 to Doris Aranow LLC/Peter Aranow, due to adjustment after payment; \$4,426.38 to Corelogic Tax Services due to duplicate tax payment for 36 Red Clover Road; \$7,891.42 to Corelogic Tax Services due to duplicate Tax Payment for 273 Niles Road; \$62.28 to Louis Green for 193 Cotton Hill Road due to Veteran's Exemption being applied; \$11.66 to Sharon Chaika due to Board of Assessment Appeals Decision; \$31.79 to Charon Chaika due to Board of Assessment Appeals decision; \$432.79 to CCAP Auto Lease Ltd due to vehicle being sold; \$234.30 to Daimler Trust due to vehicle being sold; \$703.61 to Daimler Trust due to vehicle being sold; \$66.60 to Stephen Dubois due to Board of Assessment Appeals decision; \$403.76 to Honda Lease Trust due to adjustment after payment; \$137.36 to Honda Lease Trust due to adjustment after payment; \$198.52 to Honda Lease Trust due to adjustment after payment; \$132.74 to Patricia and James Peta due to registration change; \$4.52 to Matthew Rankin due to overpayment; \$215.01 to Heather Rankin due to overpayment; \$240.39 to Matthew Valenti due to antique affidavit; \$208.29 to Vault Trust for Ally financial due to vehicle being sold; \$101.73 to Wayne Horn due to Board of Assessment Appeals adjustment (Ford); \$107.66 to Wayne Horn due to Board of Assessment Appeals Adjustment (Chevy); \$18.17 to Wayne Horn due to Board of Assessment Appeals Adjustment (Buick)

Unanimous

Opportunity for Public Comment:

Member of the Public Laura Garay questioned if there was any update on when the Senior Van maybe in use. The First Selectman replied that an ad has been placed seeking a driver.

MOTION: by Kennerson to adjourn at 9:00 PM, seconded by Claman.

Unanimous

Respectfully Submitted,

Christine Hayward, Administrative Assistant