

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

MINUTES

Present: First Selectman Dan Jerram, Selectman Alesia Kennerson, Selectman Jack Casey (in at 7:00 pm, out at 8:30 pm; in at 9:10 pm) Winchester Youth Services Bureau (WYSB) Executive Director Jay Cohen, WYSB Program Director Devin Gallipoli, WYSB Advisory Board Member / New Hartford Representative Robin Goodskey; West Hill Pond Association Members Peter Humphrey, Skip Sly (and others unidentified but present as audience); Water Pollution Control Authority Chairman Denton (Bud) Butler, Roy Litchfield; Board of Finance Member Maria Moore; Members of the Public; Bob Moore, Annie and Ben Witte (in at 8:30 pm); Administrative Assistant Christine Hayward.

First Selectman Dan Jerram called the meeting to order at 7:05 PM. Mr. Jerram noted that the agenda for the evening was a lengthy one and urged presenters to be as brief and succinct in their presentations in order to allow time to address all agenda items.

Opportunity for Public Comment:

Peter Humphrey representing both the West Hill Lakeshore Property Owners and the West Hill Pond Association asked for clarification as to when he should address the Board as it was not a separate agenda item. Mr. Jerram replied that the original intent was to hear this request during the budget discussion, but since there were several people present for this particular presentation, Mr. Humphrey was more than welcome to address the Board under Public Comment.

Mr. Humphrey began his presentation by outlining the importance of West Hill Lake to both residents and non-residents and also the lake's impact on the local economy and economic development. He discussed the difficulties other lakes in the area have with algae blooms which cause increased weed growth. Mr. Humphrey explained that both the Property Owners Association and the West Hill Pond Association are trying to be proactive with respect to weed growth in the Lake. Studies have performed on the lake to determine areas of run off that lead to increased phosphorus levels which reduce water clarity and increase weed growth. Each year, the Associations have sought private funding through their members to pay for these studies and for the weed mitigation that has been performed during the past few years. Humphrey noted that the Town has assisted in these endeavors. However, this funding has been at the whim of the Board and has not been an official line item in the town budget. He was requesting that the Board of Selectmen add a line item to the budget to show its commitment to Lake preservation. Mr. Skip Sly added to the discussion by stating that the current challenge is to figure out the origin of the nutrients that are causing algae blooms during certain times of year. Once the origin is exposed, the focus can revert to how to stop it. Mr. Sly noted that this type of exploration requires funding and he urged the Selectmen to consider this request for a line item. First Selectman Jerram stated that Brodie Park and the Beach area is an asset worth protecting. He noted that it was his opinion that protecting the lake is in the best interests of all. Ms. Kennerson and Mr. Casey agreed. Ms.

Minutes – Board of Selectmen 02/24/15 p. 2

Moore asked if there was funding for this within the Recreation budget. Jerram replied that there isn't any specific allocation for West Hill Lake.

Jay Cohen – Winchester Youth Services Bureau:

First Selectman Jerram introduced Winchester Youth Services Bureau (WYSB) Executive Director Jay Cohen to those present, stating that Mr. Cohen was in attendance to offer information to the Board regarding the mission of the WYSB. Mr. Jerram noted that the WYSB has a line item in the government budget and stated that the Selectmen wished to have additional information regarding this organization. Mr. Cohen explained that the Winchester Youth Service Bureau is an organization that services 6 area towns and provides services for 'at risk' children. One of their current programs is YEP (Youth Enrichment Program) that is a program that provides interaction between the police and youth in a positive manner. There is also a juvenile review board in place that acts as an intermediary between the court system and the police; offering alternatives to formal court action when appropriate.

First Selectman Jerram asked how many individual youths from New Hartford were benefitting from the services provided by the Youth Services Bureau. Cohen replied that the most recent figures show 15 individual youths have received services. Devin Gallipoli is the person currently meeting with youth at the high school level and she indicated that this year there will be an increase in that figure as she has already had several referrals for services. Local resident Robin Goodskey serves as New Hartford's representative to the Board of the Youth Services Bureau.

Discussion of Sewerline Extensions:

Denton (Bud) Butler and Roy Litchfield were in attendance to present information related to sewerline extensions. A subcommittee of the Water Pollution Control Authority, consisting of Mr. Butler, Mr. Litchfield and Joe Toro have gathered information and compiled it into a document entitled Line Analysis. This document contains comprehensive data on the current system. This will be used as reference for determining future action regarding the wastewater collection system. Butler noted that during a recent meeting at the Department of Energy and Environmental Protection, remarks were made by DEEP personnel that the document is on par with studies performed by professional engineers. At that meeting, questions were posed to DEEP regarding the best way for the WPCA to proceed with respect to being able to use the \$ 3.7 priority funds currently being set aside for New Hartford. It was noted that the WPCA should seek engineering services and be ready to engage a firm that has been chosen through a quality based approach. To that end, a Request for Proposals for engineers using a quality based approach has been initiated. Several firms have requested the documents needed to prepare a proposal. Proposals are due March 17, 2015.

Mr. Butler and Mr. Litchfield plan to attend meetings of all the Boards and Commissions in order to build awareness of the potential of sewer system collection extensions and repairs. Butler noted that there has been no determination of the source of funding and that this is not a request to fund projects. This is informational only. Butler also explained that all financials related to areas of proposed expansion listed in the report are based on today's rates (if you were to add XX users at today's rate of YY, you would receive ZZ in revenues).

Minutes – Board of Selectmen 02/24/15 p. 3

Highlights of the report:

Pine Meadow Extension Analysis

Jones Mountain Trunk Line – assessment and recommendations

Cottage Street Extension Analysis

Recommendations for future work

Both Selectmen Kennerson and Casey complimented the Subcommittee for their vast amount of volunteer work in putting together the document.

Ms. Kennerson asked if any progress was being made with respect to getting abutters of the system to hook into the system. First Selectman Jerram commented that this is an area of concern that needs to be addressed as he feels it will impact how people feel about new connections. He noted that ‘if there are currently people who should be hooked up to the system and they aren’t; how can the WPCA request new users to hook up?’

Mr. Butler replied that the WPCA will be reassessing the orders to connect and the reasons for deferral. He noted that the WPCA does need some legal representation. There are questions that they have, such as “does the WPCA have the right to hook someone up and then lien the property?” Butler stated that the WPCA continues to wait for a legal opinion regarding the lien process. First Selectman Jerram responded that if time is of the essence, the WPCA may want to hire their own legal representation as the Town Attorney does not provide exclusive services to the Town; he has other clients and other matters to attend to. If questions are not of an urgent nature, there may be some wait-time.

Mr. Jerram thanked Mr. Butler and his committee for all of their efforts in compiling the information presented in the analysis. He said “the work is greatly appreciated and it gets us on a path of determining of how the system will develop.”

Ms. Moore asked Bud if he and Roy were planning to come before the Board of Finance to present this information. She noted that the Board of Finance had stated in the past that they would consider requests to help fund studies needed by the WPCA. Butler replied that he was trying to be cognizant of the fact that it is budget season and wasn’t sure that the BOF wanted to have this presentation at this time. He noted that there is a strong possibility that the WPCA will have funds made available to them by the DEEP for planning purposes; such funds coming in the form of a planning grant where a percentage of expenditures would be reimbursed by the State.

Bob Moore noted that the Planning and Zoning Commission will soon be holding a public hearing regarding increased density for housing in the riverfront area of town; he noted that it is important to have the infrastructure necessary for developers to be able to hook into.

Mr. Jerram asked the Board of Selectmen to consider moving agenda item # 9 – Appointments to Boards and Commissions to Agenda item # 5 so that an appointee presently at the meeting could be in attendance for that item. The Board of Selectmen had no objections.

Appointments to Boards and Commissions:

First Selectman Jerram informed the Selectmen that Water Pollution Control Authority Member Bill Michaud had submitted his resignation from that Board, effectively immediately. He noted that member Michaud indicated that due to family obligations and professional workload, he did not have the time available to devote to being an active member of the WPCA. Therefore, he was resigning to allow for the appointment of someone else who would be able to commit to the time needed. Mr. Jerram stated that he would motion to accept the resignation with regret and gratitude for years of service.

MOTION: by Jerram, second Kennerson to accept with regret and gratitude for his years of service to the WPCA, the resignation of Bill Michaud.
Kennerson offered her thanks publicly to Mr. Michaud.

Unanimous.

MOTION: by Jerram, second Kennerson to appoint Roy Litchfield to fill the vacancy as a member on the Water Pollution Control Authority; term to expire December 31, 2015.

Mr. Jerram noted that Mr. Litchfield has already been working as a volunteer with the WPCA and stated that he has already proven himself as a valuable member of that Board; noting it was only fitting that he should formally be appointed to assume this role.

Unanimous.

MOTION: by Kennerson, second Jerram to appoint Seth (Rusty) Warner Jr. as a member of the Open Space Preservation Commission as recommended by Chairman Jean Cronauer. Term to expire, December 31, 2015.

Unanimous.

Operations Updates:

First Selectman Jerram informed the Board of Selectman that the highway department budget has been severely impacted by the heaviest snow falls recorded in years. The Overtime line item is fully exhausted and is \$12,000 over budget at this point. Sand and salt supplies are getting tight and there may be a need to order additional supplies.

Jerram noted that the Planning and Zoning Commission will be holding a public hearing on a zone change that could allow for multi family dwellings to be constructed along the Farmington River. Jerram commented that the P&Z Commission shows good judgment and he will support their endeavor.

Minutes – Board of Selectmen 02/24/15 p. 5

Jerram announced that the Town has received notification that they have been awarded an Incentive Housing Grant award in the amount of \$20,000. This can be used for planning purposes to determine where such a zone should be considered.

The Tax Collector is planning to hold a Tax Sale on properties that have past due taxes in excess of \$20,000. She is moving forward with the notifications needed to hold such a sale.

The First Selectman mentioned that at a recent Board of Finance meeting, discussion ensued regarding the topic of line item transfers. The Board of Finance would like to enact a procedure that requires the Selectmen to give the Finance Board prior notice of any line item that may become over expended. They then want to approve these expenditures before completion of that transaction occurs. Jerram noted that he had a legal opinion written by the Town Attorney in 2012 that would indicate that no such prior approval is needed. He stated that he had discussed this verbally with the town attorney and that he is in agreement with that conclusion. It should be noted that the Statutes do not provide a definition for appropriation or department. Jerram commented that stopping the general administration and operations of town government while waiting for a decision by the Board of Finance to approve an expense that would create an over-expenditure would be problematic. This could put the town at risk in situations where immediate action is required. The Town Attorney has stated that it is the maximum appropriation voted on by the voters that needs to be held in check by the Board of Finance. Jerram stated that line item transfers are typically done at the end of the fiscal year so that transparency in actual expenditures is evident. One can see through regular reporting which line items are over expended and which are underspent. At the end of the year, transfers are done to zero out the lines and there is an accurate recording of where that line item ended up – under or over for the year. Transferring on a more frequent basis makes it harder to see what the actual expenditures are per line item. Selectman Kennerson remarked that she didn't understand what was predicating this concern of transfers. She wondered if the Board of Finance was reacting to the difficulties experienced in the Town of Winsted. Jerram replied that there are checks and balances in place in New Hartford that do not exist in Winsted. New Hartford checks require 3 signatures – which means that 3 different individuals have looked at the purchase order and viewed the check. Additionally, Jerram noted that the auditors recently completed a full audit of the town's finances (as they do each year). He stated that they were pleased with the checks and balances in place and that "if there were problems procedurally, we have heard about it in our audit."

Pension Investment Funds Recommendation:

First Selectman Jerram explained to the Board of Selectman that the recent ordinance adopted for the Retirement Board states that the Retirement Board will make recommendations to the Selectmen on matters pertaining to funds and how investments are made. The Retirement Board met in January and reviewed fund information with a representative from Hooker and Holcomb. He made several recommendations regarding changing some of the investments; they are as follows:

Minutes – Board of Selectmen 02/24/15 p. 6

Davis NY Venture	Sell (2% to 0%)	Transfer the assets to Schwab S&P 500 Index Position
Schwab S&P 500 Index Position	Increase Allocation for future contributions	From 10% to 12% allocation
BlackRock Equity Dividend	Sell (4% to 0%)	Transfer the assets to Schwab Fundamental Index Position
Eaton Vance Large-Cap Value	Sell 4% to 0%	Transfer the assets to American Beacon Large-Cap Value Position
Schwab Fundamental Index fund	Add	4% allocations for future contributions
American Beacon Large-Cap Value fund	Add	4% allocations for future contributions
PIMCO Total Return	Reduce and transfer	Reduce future contributions to 6% from 12%. Transfer the excess funds greater than 6% to Metropolitan West Total Return Bond Fund
Metropolitan West Total Return Bond Fund	Add	6% allocations for future contributions.

MOTION; by Casey, second Kennerson to approve the changes in investments as recommended by the Pension Committee/Retirement Board on the advice of Hooker and Holcomb.

Unanimous.

Proclamation - Girl Scout Day:

First Selectman Jerram stated that once again, the Girl Scout Council has requested that all Municipalities recognize the importance of Girl Scouts by adopting a proclamation proclaiming Girl Scout Day.

MOTION: by Kennerson, second Casey to adopt the proclamation proclaiming March 12, 2015 as Girl Scout Day.

Unanimous.

Request for Tax Refunds:

MOTION: by Kennerson, second Casey to approve 2 refunds of real estate taxes as presented by the Tax Collector (\$1601.11 to Sun Escape LLC due to overpayment; \$2580.56 to LERETA, LLC due to duplicate payment).

Unanimous.

Correspondence:

First Selectman Jerram informed the Selectmen that the Board of Finance had received a letter written to them by fellow Board of Finance member Maria Moore that she had requested be attached to the meeting minutes of December 9, 2014. At the January Board of Finance meeting, acting Chairman Reggie Smith hand delivered that letter to Administrative Assistant Christine Hayward requesting that the letter be brought to the attention of the Board of Selectmen.

First Selectman Jerram noted that in that letter, Ms. Moore expresses some concerns she has regarding the hiring of the full-time Assistant Assessor.

Mr. Jerram explained that the hiring of the Assistant Assessor was a unique situation; a position that is contingent upon the Assessor providing training to that individual. The Assessor needs to be in agreement with the candidate chosen. The position was posted internally as is required and there was no one in house interested in taking on that role. The current assessor had knowledge of a qualified candidate and recommended that individual to the position. A formal interview was held and that candidate was a “good fit” – having had previous experience working in an Assessors office and having taken several of the Assessment courses offered at “Assessor’s School.”

Mr. Jerram stated that there were several staff changes within the past year and that all of those , with the exception of the Assistant Assessor were advertised to the general public. He asked his Administrative Assistant to confirm that the police positions, the building inspector, the land use administrator, the recreation director and the custodian were all advertised. Ms. Hayward replied that was the case.

Mr. Jerram also noted that Ms. Moore states in the letter that she disagrees that hiring practices are the responsibility of the Board of Selectmen. Mr. Jerram countered that hiring practices are operational and are indeed the responsibility of the First Selectman. He further stated that he stands behind that practice.

Ms. Moore addressed the Board of Selectmen, stating that she had obtained a copy of the Town of New Hartford Affirmative Action Policy and also had the statement that appears on mailings and correspondence sent out on behalf of the town that states “In accordance with Federal Law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability.” Her contention is that the town seems to ‘pick and choose’ which positions are advertised and noted that the Affirmative Action Policy applies to all positions. She questioned how equal opportunity could be achieved if someone isn’t given the opportunity to apply for the position. Ms. Moore said that her concern is that the town may be jeopardizing Federal and State grant funding if all vacant positions are not formally advertised. First Selectman Jerram countered that the town does not discriminate in its hiring practices; all applicants are given equal opportunity when being considered for an advertised position.

Budget:

First Selectman Jerram noted that he would like to call a special meeting to focus specifically on the budget. The Selectmen agreed to this and set Monday, March 2 as a special meeting date. They held a brief preliminary discussion of some areas of the budget.

Minutes – Board of Selectmen 02/24/15 p. 8

Jerram noted that Land Use Administrator (Zoning Officer) Steve Sadlowski had received a mid-year adjustment to his salary line item and that he would also receive the contractual 2.75% that all Union Employees will receive as part of the negotiated contract. Jerram noted that he had also made some salary adjustments to other staff positions during the year; increasing them to a level that he felt considered years of experience. He noted that when summer camp counselors and lifeguards are closely in line with what some staff members were making, there needs to be some adjustments to make things fair.

The Selectmen agreed that a line item for West Hill Lake should be added to the budget, although Selectman Casey stated that the town should not be responsible for the “lions share” of these expenses. Mr. Jerram stated that he would like to add a footnote to the budget indicating that some of the expense of this new line item had been previously funded from the Administrative Expenses line item, noting that this is not a totally new expense. The Selectmen agreed that \$8,000 should be put into this line item.

Jerram discussed that he would like to fund the line item for the Administrative Assistant at as a 40 hour work week rather than the 35 hours currently allocated. He noted that the administrative assistant generally puts in hours over and above the 35 and the position should be properly funded to allow for payment for those hours.

It was agreed that \$20,000 should be added to the capital budget to allow for the purchase and installation of a new phone system for Town Hall. The current phone system is antiquated and it is getting more difficult to get replacement phone sets and the phone company has indicated that the current system may not be supported much longer. The current phone system has been in place prior to the renovation of town hall 15 years ago.

Ms. Kennerson noted that the Registrars salary line item should be all inclusive of all salaries earned by the Registrars. Compensation for their hours currently listed under elections or referenda should be transferred out of those lines and put into the salary line item. This would then be reflective of their actual compensation.

The Selectmen agreed that questions should be posed to the Ambulance Association regarding their requested increase in funding.

The Selectmen agreed to continue this budget discussion on March 2, 2015.

Minutes – Board of Selectmen 02/24/15 p. 9

Executive Session – re: Real estate transaction – 509 Main Street:

MOTION: by Kennerson, second Casey to enter into Executive Session for the purpose of discussion related to Real Estate at 10:35 PM.

Unanimous.

(Jerram, Kennerson, Casey, Hayward entered into Executive Session.)

No action taken during Executive Session.

MOTION: by Kennerson, second Casey to adjourn at 10:55 PM

Unanimous.

Respectfully Submitted,

Christine Hayward, Administrative Assistant