

**Board of Selectmen
Regular Meeting
July 26, 2022**

MINUTES

Present: First Selectman Dan Jerram, Selectman Alesia Kennerson, Selectman Laura Garay; Members of the Public Representative Mark Anderson, New Hartford Resident Joe Flaherty, New Hartford resident Shelly Lloyd; New Hartford residents Gwen and Peter Stedman; Administrative Assistant Christine Hayward.

First Selectman Jerram called the meeting to order at 7:04 PM.

First Selectman Jerram began the meeting by informing the Selectmen that the most recent reporting for the American Rescue Plan Act (ARPA) funding has been completed. The town has not yet received the Phase 2 funds that have been promised and it is uncertain as to when they will be received.

Review of Application form for ARPA funding:

Mr. Jerram stated that he had sent several examples of ARPA funding request applications used by neighboring towns to the members of the Board for their review. He requested feedback from the Board so that an application can be developed for New Hartford residents and businesses to use. Selectman Kennerson asked which form will be used for non-profits to complete; stating that she believed there should be an application for them to complete so that there is information on file regarding their use of the funds. Once the applications are developed, a decision can be made as to which one to use.

The Selectmen discussed what they would like to see included on the forms. They all agreed that Federal Tax returns, if applicable, should be required to be attached. There should also be a brief summary of what the funds will be used for. Selectman Kennerson stated that she was in favor of asking the requestors if they are up to date with Federal, State and Local taxes. Selectman Garay would like to ask about other financial liabilities-- such as all Department of Labor obligations. Selectmen agreed that they would want to know if the business was established prior to COVID. Discussion continued with the Selectmen agreeing to ask about home ownership on the individual assistance application –do you rent/own your home – as this gives additional information regarding assets. Ms. Garay would like the application to be thorough; wanting to glean as much information as possible in order to be able to make good decisions. She would like a follow up to occur after receiving a grant that asks for explanation of how the funds were used.

First Selectman Jerram explained how he envisioned the review process. He stated that he feels that delegating the review of the applications to the Neighbor to Neighbor committee makes the most sense. They have a system in place that works well. Applications are received at town hall by the receiving individual who redacts personal information that would identify the individual/business seeking funding and then passes along the request along with documentation for review by the committee. The committee would be the ones to forward a recommendation to fund or not. The Board of Selectmen would receive notification of all applications and the recommendation made by the committee. Mr. Jerram stated that although he is a member of the Neighbor to Neighbor review committee, he would not participate in these initial reviews. He would, however, participate along with the Selectmen, during the final step of the approval process – after a recommendation from Neighbor to Neighbor has been made.

The total amount of funding set aside at this time for individual applications that was approved at

referendum was \$20,000 for individual requests and \$25,000 was approved to be used for local businesses. There was the thought that additional funding could be added when the 2nd round of funding goes to referendum for approval. The Board of Selectmen capped individual requests at \$2,500 and businesses at \$5,000. Applications will be available soon and will be due October 3, 2022. Application for non-profits will be reviewed solely by the Board of Selectmen and checks will be issued promptly as there were several non-profits that were already designated as eligible for funding and were approved at referendum. Non-profits will be allowed to submit and receive funds prior to October 3, 2022.

Dry hydrants and fire cisterns:

South End Fire Commissioner Steve Sekulski wrote a letter to the Selectmen regarding the fire department's concern of the maintenance and responsibility of fire cisterns and dry hydrants located throughout town. Mr. Jerram named a few locations where fire protection cisterns or dry hydrants are in place. Streets with cisterns include Flanders Crossing, Evergreen Crossing, Elaine Way and Garret Ridge Court. Dry hydrant locations include Cedar Lane, Indian Meadow, Dings Road and some others. Gibson Lane had a dry hydrant at one point, but it has been removed and this needs to be looked into. The Zoning Board can require developers to put these in, but the town does not have the equipment to test or monitor the cisterns and the ponds used for the dry hydrants tend to dry up during drought. Maintenance is also an issue. Some ponds have depths that require large machinery to access debris if they need to be cleaned out. It is an unbudgeted expense— is this a maintenance issue that should be funded by fire district tax revenues or is this a town issue? The town's Department of Public Works does not have the expertise to tend to these cisterns. A couple of years ago, the town aided in the investigation of a cistern on Laurelwood Pond and hired a contractor to perform an inspection. An internal inspection was conducted which requires specific expertise. Jerram stated that if the town is expected to continue to assist in this area, there will need to be a line item in the budget to cover the costs. Selectman Kennerson asked what the requirements are for the installation of these hydrants. Jerram replied that he would have to look into this as he was not certain what triggers the zoning commission to rule. The Selectmen questioned if the zoning board should review the regulation regarding the installation of cisterns/dry hydrants. They agreed that if these cisterns or dry hydrants are not reliable sources of water, it may be necessary to seek alternate means of supplying water when needed. The Selectmen also agreed that there should be a discussion with the fire departments and the zoning commission regarding this topic. Mr. Jerram stated that he would correspond with Commissioner Sekulski to let him know that the Selectmen understand the concern and will be looking into this further.

Food truck permits:

A letter was drafted to send to local businesses regarding food truck use and permit fees; however, First Selectman Jerram had second thoughts and decided that he would like to meet in person with a couple of the businesses that utilize food trucks prior to sending the letter. Mr. Jerram met with business owners to get additional information regarding their use of Food trucks, costs involved, effect on business, etc. Jerram reminded all that there was a proposed ordinance regarding Food Trucks that had been an agenda item at a Town Meeting. There was a lot of discussion at the meeting regarding how permits should be handled and the matter was tabled; with no vote being taken on the matter. The current peddlers permit ordinance suggests that fees should be \$25.00 annually. However, the issuance

of a permit is at the discretion of the First Selectman, therefore the fee is subject to change. When establishments began seeking permits for food trucks as a regular occurrence and not just an occasional use, it was determined that the fee would be a daily fee because food trucks do not pay the same taxes as a brick and mortar establishment. \$25.00 as a permit fee for one year was not seen as fair to existing restaurants who have taxes as part of their overhead expenses. Selectman Kennerson opined that food trucks compete with restaurants. Jerram stated that the owners of the local brewery were paying the vending permit fee for food trucks that came to their brewery because the food truck owners did not want to pay the fee. Therefore, the business decided to pay the fees so that there would be a food option for their customers. Had they charged the fees to their contracted vendor, many vendors would've decided not to agree to provide the food service due to no guarantee of profit. Vendors felt that the permit fee cut into profits for the Food Trucks. The Selectmen were in agreement that the pandemic had a negative effect on local businesses and that there is a need for recovery this year. First Selectman Jerram stated that he would like to see 2022 -2023 as a transition year; but questioned "How do you strike a balance that is fair to the other restaurants in town that pay taxes and whose business may be negatively impacted by food trucks." Kennerson stated that, sadly, many of the businesses that were hurting during the pandemic are gone. She agreed that the businesses who utilize food trucks and were able to survive the pandemic should temporarily have a break from high fees for food truck permits to assist them in their recovery. First Selectman Jerram wants the permit application to include proof of Farmington Valley Health District approval and proof of issuance of a sales tax permit. The Selectmen agreed on an annual permit fee. The permit fee for this year will be \$25.00 for a vendor. A business who utilizes several different vendors will need to get a permit for each vendor, but the permit will be good for one year and allows for unlimited use of that vendor during that year. Permit fees will be increased when renewal occurs.

Resident and local coffee cart business owner Joe Flaherty was present at the meeting and offered commentary regarding the permit fee discussion. He stated that he has applied for numerous permits for his business in many towns. He indicated that the average fee for permits is between \$50 and \$75 for a day permit; \$125.00 for a weekend and \$300.00 for an annual permit. He commended and thanked the Board on their generosity for this transition year.

Correspondence re Memorial Tree:

Resident Anita Baxter sent an email request to Mr. Jerram on behalf of Barbara Calder, who is seeking permission to plant a memorial tree in Chapin Park. She was reaching out to see what the process of approval would be. Selectman Kennerson asked what kind of tree would be planted and stated that she would not want placement of the tree to impede anything that happens in the park. Selectman Garay agreed that the tree is a nice gesture but echoed sentiments that placement be approved prior to planting. First Selectman Jerram informed the Board that he did send a note to the Historic District to be sure that they are informed of this request so that they can take whatever actions they need to with respect to approvals by the Commission.

Award Brodie Bathroom Architectural Contract:

The First Selectman informed the Board members that the Request for Proposals for the Brodie Bathrooms resulted in only one submittal. The proposal was reviewed and the firm of Ames and Whitaker is recommended to be awarded the contract. Jerram stated that the project has been broken

down into three components/tasks. The First Selectman asked for support and approval of going forward with task one.

MOTION: by Garay to approve the engagement of Ames and Whitaker for task one -- architectural services for the construction of the Brodie Park Bathrooms; seconded by Kennerson.

Unanimous.

Discussion of Volunteer Recognition Date at Pavilion:

The First Selectman reminded the Board of their intent to have a dedication ceremony to honor the initial recipients of the volunteer recognition plaques that will hang in the rafters of the downtown pavilion. Jerram noted that the plaques have been in place but COVID had an impact on the ceremony. Jerram would like to set a date. The Selectmen discussed options and leaned toward September 24 if arrangements could be made that were acceptable to most honorees.

Request for tax refunds:

Tax Collector Karen Wieduwilt presented a request for one tax refund. An overpayment of taxes due to JP Morgan Chase Bank in the amount of \$341.77.

MOTION: Kennerson to accept the recommendation of the tax collector and approve the refund as presented, seconded by Garay.

Unanimous

Opportunity for Public comment:

Resident (and a member of the Economic Development Commission) Shelly Lloyd offered comments on several agenda items.

She stated that she liked what the Selectmen were doing with respect to Food truck permits. She liked the compromise of a small fee this year as establishments try to bounce back following the pandemic.

Mrs. Lloyd also commented on the topic of the cisterns; offering her opinion that the developers/builders should be held accountable if cisterns do not work.

Her final comment was that she supported the way the Selectmen were handling the ARPA distributions. She liked that they were asking for documentation of need.

Resident Gwen Stedman asked who the volunteers were who were named on the plaques. First Selectman Jerram responded stating Dave Childs, Bill Baxter, Terrence Moreschi, Ted Stoutenberg, Daria Hart, and David Krimmel are the initial awardees. He stated that each one of them has dedicated years of service to the Town. Several of the honorees have served in various capacities.

Any other business:

Mr. Jerram presented operations updates under this agenda item.

Picnic tables at the Pavilion:

He informed all that the Friends of New Hartford has donated three picnic tables to the Town. One has been placed in the pavilion and two others have been placed on the grassy area near the river below the pavilion.

Fire Department Consolidation:

The First Selectman updated the Board that the consolidation effort of Pine Meadow and New Hartford Village Fire Departments is ongoing. A service agreement has been signed between Pine Meadow and New Hartford that states that New Hartford Village Fire department will provide fire protection for Pine Meadow.

Superintendent Search:

Mr. Jerram stated that he, along with resident (and former Superintendent of Schools for Barkhamsted) Jeff Linton are members of the Board of Education Superintendent Search Committee. The Committee is in the process of interviewing for an interim superintendent and hopefully an offer of employment will be offered soon to a candidate.

Miscellaneous items:

The Republican and Democratic Primaries will be held on August 9. Town hall is a polling place on the 3rd floor, but offices will be open for business as primaries generally do not see a lot of attendance.

The Camp at Brodie is having a great year – attendance is at capacity for some age groups.

Road Maintenance is on-going. The Highway Department has been busy this summer working on many projects. The town was able to contract for some additional chip sealing after the initial list of roads was completed.

The Easement for the Pine Meadow sewer and waterline access has been received. A town meeting will be needed to formally accept this easement. This will allow for access to maintain the sewers. This easement will be transferred to Aquarion upon sale of the system.

The lease agreement between the Metropolitan District Commission and the town for use of the land where the water tanks are located does not need to be recorded on the land records, as Aquarion originally thought.

The road that serves as an access way to the sewer plant will not be transferred to Aquarion as originally planned. After thought and deliberation, it has been deemed to be in the Town's best interest to retain ownership and grant an easement. The town has maintained this access way and it serves as access to the nearby condominiums.

A tax abatement needs to be approved by the Town for Aquarion and for the senior housing development. Aquarion will be held to paying \$10,000 in taxes for the next 10 years. Currently, there is no revenue coming in, therefore, nothing is being lost. The Senior Housing developer will also be looking for an abatement. These items will be brought to Town Meeting where they will be discussed and voted on.

Jerram mentioned that additional items for town meeting continue to be acceptance of Barella Road open space, an ordinance for open burning and an ordinance addressing the feeding of bears.

Selectman Kennerson stated that some members of the Republican Town Committee have discussed asking the town to develop an ordinance that would not require children to be vaccinated in order to attend New Hartford public schools. Selectman Garay stated that she would not support such an ordinance at this time. First Selectman Jerram stated that nothing has been formerly presented for consideration and also stated that the town attorney does not draft ordinances unless requested by the Board to do so.

First Selectman Jerram notified the Board that the town recently purchased a unit called an "Owl" – a video conference tool that includes a camera that captures individuals as they are speaking and also has improved audio for those attending virtually. This will be helpful with hybrid meetings; which the First

Selectman would like to offer in the future. He would like the Board members to be present in person, but would like to have remote capabilities for residents who prefer not to attend in person. He will demonstrate at a future meeting.

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

Unanimous.

*Respectfully Submitted,
Christine Hayward, Administrative Assistant*

No attachments filed with these minutes