

**Town of New Hartford  
Board of Selectmen  
Regular Meeting Minutes  
October 25, 2022**

**Present:** First Selectman Dan Jerram, Selectman Laura Garay, Selectman Alesia Kennerson; Administrative Assistant Christine Hayward; Members of the Public Jay Bailey, Molly Sexton Reade, Kelli Abramczyk

First Selectman Jerram called the meeting to order at 7:05PM.

**Operations Updates:**

Mr. Jerram informed the Selectmen that paving of Farnsworth Drive has been completed. He told the Board that there will be a large bill for this project.

Jerram informed the Board on the status of a Quiet Title Action regarding property that is next to Brodie Park. This property is south of the boat moorings. There is a small strip of land that creates a gap between a current homeowner's property (the Gilberts) and a shared driveway that acts as an access way to homes along this shared drive. This small strip is jointly owned by those who share the driveway and a portion belongs to the Town. The land use attorney for the town has advised that a quit claim deed should be filed to transfer the property to the Gilberts. There is no value to the town to retain any interest in this parcel. The First Selectman stated that the Selectmen have the authority to settle this action without additional gaining additional approvals. He recommended that the Selectmen take action to "gift" the land to the Gilberts. Selectman Kennerson asked if any of the other property owners have taken any action. Jerram replied that he believes that the other parties are also agreeing to gift the land and are transferring their rights to the Gilberts as that is the only property that can benefit from having this additional land. Selectman Garay asked if it is appropriate that this action is being discussed under operational updates. Jerram explained that there is no need to enter into Executive Session- this is public record and it is an operational matter.

Jerram reiterated that the town has no rights and explained that this parcel of land does not offer any benefit to Brodie Park. Quit claiming this land to the abutting owner allows him the land he needs to put in a garage. There is no need for any compensation to the town for this land as there is no value to anyone other than the abutter.

**MOTION:** by Kennerson to settle the claim against the town by signing a quit-claim deed that gifts any interest the Town of New Hartford may have in the parcel of land that abuts the Gilberts to the Gilberts; seconded by Garay.

*Unanimous*

First Selectman asked the Board of Selectmen to consider an approval for the transfer of funds from the Zoning legal and professional line item to the Zoning Officer Salary line item. Mr. Jerram explained that he had informed the Selectmen several months ago that there had been an agreement to increase the salary for the Zoning Officer/Land Use Administrator post budget approval. The Land Use Administrator had received a job offer from another town with an increase in salary. Negotiations occurred between

this employee and the First Selectman; resulting in an increase in salary for him to stay employed in New Hartford. Jerram said that there is ample funding in the legal and professional line item to cover the unbudgeted increase and asked the Selectmen to approve a transfer. He indicated that he thought this action had been taken several months ago and recalled the Selectmen supporting the action taken, but he requested that there be a formal endorsement of the action taken so that there is complete transparency and a record of how the salary increased post budget approval.

**MOTION:** by Garay to approve a transfer of funds from the Zoning Legal and Professional fees line item to the Zoning Officer line item to cover the difference in wages granted to the Zoning Officer; seconded by Kennerson.

*Unanimous.*

The First Selectman commented that the Recreation Commission has had the topic of the use of cannabis in public parks as an agenda item on their meeting for a couple of meetings. They have discussed it and have made the decision not to allow the use of cannabis in parks. They are going to revisit the entirety of the current approved park rules and will make revisions and additions. The Commission also discussed having some specific rules for specific parks. They will continue to discuss the topic of rules at their next meeting.

Mr. Jerram announced that there are a couple of Halloween festivities occurring in the downtown area. There is a jack o lantern contest on Saturday night and there is Trick or Treating on Halloween which is Monday night. The New Hartford Village Fire Department Halloween party begins at 6:30 following the close of trick or treating in the downtown area. Parents and children can walk down Main Street and continue over to the Fire Station to attend the party.

**Final Review of Documents for Town Meeting:**

The Selectmen reviewed some of the documents that will be addressed at the Special Town Meeting. There are two Tax Abatement Agreements/resolutions. One agreement allows the town to be able to offer the tax abatement and the second resolution authorizes a specific agreement with Aquarion. The water and sewer system has not been taxable to date. There is no current revenue received. If taxes will be assessed on Aquarion once they assume ownership of the property, it defeats the purpose of selling the system as a way to lower the user rates. The CT Dev Act outlines the specific way to grant the exemption to towns that want to pursue such an exemption.

Selectman Kennerson asked if it is possible to review this agreement after 10 years and if the relief has not been as promised, grant an additional 10 years or any portion thereof. Mr. Jerram replied that he can see future Boards of Selectmen revisiting this agreement due to the lack of anticipated growth in the system. It was noted that there is language that indicates that there can be an application filed to the state for consideration of a Payment in lieu of taxes (PILOT) due to the loss of the tax revenues.

Kennerson asked how will the town be able to monitor the compliance that the abatement of the taxes is being used to stabilize the rates. Garay commented that she had the same concern. Mr. Jerram will look into these questions.

The Selectmen reviewed the Open Burning ordinance and made some revisions to the draft. Open Burning Official Robert Goodskey had asked that the ordinance state specifically that green wood cannot be burned. The Selectmen agreed to add that language. The Selectmen also agreed that fire pits cannot be used to burn hazardous materials and that the smoke from fire pits cannot be so excessive that it “smokes out the neighbors.”

There was a request from a resident who has neighbors who use their fire pit frequently to further define fire pit. This will be given some consideration.

**Set Time, Date, Manner of Special Town Meeting:**

First Selectman Jerram told the Board members that he has planned some college visits with his daughter during the time that the Selectmen had originally thought about holding a Special Town Meeting in November. He asked them if they could come up with a different date for consideration. The Selectmen decided on December 6.

**MOTION:** by Kennerson to set the date of the Special Town Meeting as December 6, 2022 beginning at 7:00 PM in the Senior Center/Meeting room of the Town Hall; seconded by Garay.

*Unanimous*

**ARPA**

First Selectman Jerram informed the Board that representatives from the various youth sports leagues had met at Browns Corner to discuss best use of the American Rescue Plan Funding that has been set aside for recreation use. \$100,000 has been set aside – with \$65,000 of that reserved for improvements to the basketball court at Browns and installation of a Pickleball court. The group initially came back with a wish list of over \$100,000 and was asked to pare it down and pick \$35,000 worth of projects. Selectman Kennerson asked if the funds that have been allocated for the basketball and pickleball courts are sufficient. Mr. Jerram replied that the costs will probably be higher due to increased construction materials cost.

**MOTION:** by Kennerson to approve the recreation youth sports requests for use of ARPA funding for various improvements/projects at Browns Corner; seconded by Garay.

Jerram clarified that the Basketball and Pickleball Court projects are still moving forward. Due to increasing costs of materials, there may be the need to supplement the cost of those projects using other funding sources such as recreation capital, recreation program account and perhaps highway paving line item.

*Unanimous*

A request for funding using ARPA funds has been received from a local non-profit business. Jerram stated that when ARPA funds were originally broken out into categories, there were categories established for non profits, businesses and individuals. This request falls into both categories and Jerram asked the Selectmen for their input as to whether this should be designated as a non profit or as a business. Selectman Kennerson stated her opinion that this would be more appropriate as a business rather than a non-profit. Selectman Garay noted that Barkhamsted has provided funding toward this

business from their ARPA funding. She asked the Director of the non-profit/business, Ms. Reade, how the process for that approval occurred. Ms. Reade replied that this business serves both New Hartford and Barkhamsted residents and was originally located in Barkhamsted. She asked the First Selectman in Barkhamsted for consideration of funding and it was granted. Selectman Kennerson requested that this application move forward to the Neighbor to Neighbor committee for review and recommendation.

**Request for refunds for taxes:**

The following requests were presented for approval:

*Grand List 2020:*

Vault Trust	Motor Vehicle	\$662.40
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*Grand List 2021:*

William and Alane Ahlers	Real Estate	\$149.99
Douglas Haut	Motor Vehicle	\$ 45.60
JP Morgan Chase Bank	Motor Vehicle	\$339.25
Marc Lemieux	Motor Vehicle	\$ 30.43
Christopher Sterpka	Motor Vehicle	\$ 5.97
Stephen Todd	Motor Vehicle	\$156.42
Stephen Todd	Motor Vehicle	\$2729.49
VW Credit Leasing	Motor Vehicle	\$142.09
VW Credit Leasing	Motor Vehicle	\$149.41
Toyota Lease Trust	Motor Vehicle	\$547.00

**MOTION:** by Kennerson approve to approve the tax refunds as presented by the Tax Collector, seconded by Garay.

*Unanimous*

First Selectman Jerram stated that the Tax Collector has presented a list of overpayments that are no longer able to receive refunds due to statutory limitations regarding length of time for the taxpayer to apply for the refund. Attempts are made by the tax office to contact those who are due a refund, but many times addresses and contact information is not available. The Tax Collector reaches out as a courtesy, not an obligation. It is the obligation of those who are due a refund to request one. After the Statutory timeframe allowable for issuing refunds has passed, those refunds need to be cleared from the books.

**MOTION:** by Kennerson to accept the recommendation made by the tax collector to zero out the balances of prior overpayments that are beyond the statutory time period for granting refunds; seconded by Garay. (list attached to these minutes)

*Unanimous*

**Correspondence:**

Mr. Jerram informed the Board that there has been some verbal discussion with a resident regarding concerns of blighted properties in town. This resident specifically mentioned an abandoned home on Arrowhead Drive and another property located at the corner of Turnbull and West Hill Roads. The First Selectman stated that he would write a letter to the owners of record of the properties to see if there could be some voluntary compliance action taken by them to “clean up” the properties.

Mr. Jerram listed the items that are still open and will need to be addressed at a future town meeting: bear ordinance, blight, Barella road, food trucks.

**Any Other Business to Come Before this Board:**

Mr. Bailey commented that there is an additional property not previously mentioned that appears to be abandoned on Davis Road. However, he stated that there is nothing going on with that property that would be considered problematic. He only mentioned this to create awareness so that someone could just keep an eye on the place.

**MOTION:** by Kennerson to adjourn at 8:55 PM, seconded by Garay.

*Unanimous.*

*Respectfully Submitted,*

*Christine Hayward, Administrative Assistant*

**ATTACHMENTS:**

*Browns Corner Improvements Funded by ARPA /ranking of projects per youth sports leagues*

*Tax Collection Correction – Zero out balances in accordance with State Statutes*