

Board of Selectmen
June 27, 2023
MINUTES

Present: First Selectman Dan Jerram, Selectman Alesia Kennerson, Selectman Laura Garay; Administrative Assistant Christine Hayward; Members of the Public: Mike Sekulski, Steve Sekulski, Beverly Dings, Dawn Geiger, Roger Geiger.
Member of the Press Kathryn Boughton (Republican American) attended virtually.

First Selectman Jerram called the meeting to order at 7:09 pm.

ARPA:

The First Selectman reviewed the American Recovery Plan Act (ARPA) funds status. He stated that Emergency Services including the Ambulance and New Hartford Fire have received funds towards expenses. The Ambulance used funds towards the purchase of an additional ambulance and the Fire District paved their parking lot. Town Hall upgraded IT by replacing a server and purchasing licenses for software upgrades. A plow truck is on order.

The funds slated to be used for sewer expansion are still reserved. It is anticipated that PURA will render a decision regarding the sale of the water and sewer systems in mid-July.

Several non-profits received funding totaling \$9500.00. The Licia Mason Beekley library will submit information regarding their roof project in order to be considered for funding.

The Selectmen agreed that they are of the opinion that release of ARPA funds to requestors should be contingent upon receiving an invoice/quote for work. They stated that payments should not be made in advance to "sit in a bank account and earn interest" when the Town could be receiving that benefit. The taxpayers should get the bonus of the earned interest.

ARPA funds have been committed to the construction of pickleball courts at Browns Corner and the expansion of the parking lot at Berkshire Hall, along with installation of fencing.

An additional approved use of ARPA funds was to provide assistance to residents who submitted applications for consideration of financial relief. However, no applications were received. The Selectmen will reinstate the application process to see if there might be interest. Administrative Hayward stated that she has had some individuals seeking relief through Neighbor to Neighbor. It's possible that they would consider completing an additional application for assistance, if it were available. Selectman Garay agreed with this statement, saying she was thinking the same thing and supports reaching out to these individuals to see if they would be interested in an application.

The Selectmen discussed that they would consider a reallocation of funds if some of the committed funds are not used as planned. They would consider increasing the funding for some of the other proposed projects.

ARPA funds have also been used to assist some small businesses with limited financial assistance. Applications were received and funding was granted.

A project still in progress is upgrades/remodeling of the Senior Center kitchen. There have been meetings with a contractor and a designer. A preliminary plan has been created. The process is ongoing.

South End Fire Department Commission member Steve Sekulski requested permission to speak to the Board regarding the ARPA funding that has been promised to the South End Fire Department for repairs

to a fire truck. The fire department is waiting for the truck to be repaired; they are on a waiting list for the repair. Kennerson commented that she has a concern regarding this appropriation because there is a budgeted line item in the fire department's current budget for this repair. She further stated that there is no revenue offset in the budget to show that ARPA funds will be used to pay for a portion of this expense. This means that the taxpayers of the district have been taxed for this expense. She stated that she was speaking as a taxpayer of the district and made the suggestion that the budgeted funds be rededicated to a different capital item. This assures transparency of how tax dollars are being allocated. Mr. Sekulski stated that he will relay this concern to the Commissioners. He stated that he understood that the Selectmen would like to receive an invoice at the time the truck is repaired. This will insure that there is no question as to how the ARPA funds were used.

A brief side conversation ensued regarding some of the social media posts that have been appearing on line regarding alleged concerns some residents have with the South End Fire Department and how they operate. Mr. Sekulski stated that this is unnerving to the Commissioners and they are trying to address concerns and separate fact from rumor. First Selectman Jerram commented that the Fire Department has a longtime record of keeping people safe and he hopes that residents stay personally informed and don't rely on social media and rumors; they need to take time to get factual information.

First Selectman Jerram informed the Board that he had received the contract from Quadro Marketing for the Economic Development website. The Selectmen agreed that they were in support of using the ARPA funds for payment of the website expense as they had previously discussed. The website will be paid using ARPA funds "until the allocated funding is depleted." This will allow for time to see if this EDC website will be beneficial to local businesses. It is hoped that having a website devoted to the Economic Development of New Hartford will prove to be beneficial. If this does prove to be successful, the Selectmen will consider adding funding to the yearly budget to continue the site.

MOTION: by Kennerson to authorize the First Selectman to sign the contract with Quadro Marketing to develop and maintain the new Economic Development website using ARPA funding; seconded by Garay.

Selectman Garay said she is hopeful that this site will help generate business for local business owners.

Unanimous.

FIRE DISTRICT CONSOLIDATION UPDATE

First Selectman Jerram stated that he spoke with Martin Heft at the Office of Policy and Management to question the status of the proposed bill that addressed the Consolidation of the Pine Meadow and New Hartford Fire Districts. It is identified as Special Act 2314 and is currently on the Governor's desk for his signature. It is anticipated that this will be signed when he returns from his vacation.

Mr. Jerram offered public thanks to the people who worked tirelessly to make this happen; especially Bob Goodskey, Sibyl Pllum, Polly Pobuda, Tom Duval, Senator Seminara, Representative Mark Anderson and Chip Roraback, the town attorney. He congratulated all of them for their great work in getting this done.

Selectman Kennerson asked about the status of the Pine Meadow Fire House, wondering what will become of this. Mr. Jerram replied that the fire district does not own the real estate. The fire house is purported to be owned by the firefighters. He stated that this is a unique situation. The taxing district does not own any real estate or equipment.

TOWN HALL ROOF UPDATE:

The First Selectman informed the Board that the bid for the replacement of the Town Hall roof was awarded to R&S Construction. Mr. Jerram stated that this bidder was awarded the contract for several reasons. He commented that this bidder was the only bidder who visually inspected the roof (he went up on to the roof); he visually inspected the attic to see the interior and also reviewed the building plans. Additionally, this bidder was the only bidder who submitted an access plan for public access during the construction. This was of extreme importance to the First Selectman as he wanted to ensure that safety was a priority of the contractor. July 12 is the anticipated start date and there will be rear access only to town hall during the roofing project. The contract price is \$74,000 and includes an add on of repairs needed to the back gable dormer.

Selectman Jerram commented that he would like to get the exterior trim on town hall painted at some point in the future. It is peeling in several areas and will need attention.

DISCUSSION OF ADDITIONAL RESIDENT TROOPER

First Selectman Jerram stated that the 2023-2024 budget includes funds for an additional Resident Trooper. He noted that the Selectmen have had discussion in the past regarding hiring additional police officers or possibly adding an additional Resident Trooper. Initially, they had leaned toward police officers (constables); however, there has been difficulty finding full time candidates. This has led to hiring part time officers to provide coverage. Recently, the Police Accountability Bill and changes to the type of direct oversight that Municipalities need to provide to municipal officers (rather than simply being under the command of a Resident Trooper) has led to the conclusion that an additional Trooper might be the better direction to go in. There are some “plusses” with a resident trooper – such as a vehicle, training, and the fact that if a trooper is out for an extended leave, the State must find a replacement. A full time officer would be scheduled for four evenings per week.

Both Selectman Kennerson and Selectman Garay agreed that an additional trooper would be the better route. Garay reiterated that having a substitute in place if someone is unable to serve is a good point in favor of hiring a trooper.

GRANT UPDATES:

The First Selectman informed the Selectmen that the Brodie bathrooms project (funded by a STEAP grant) is out to bid; with bids due on June 29. Construction is anticipated to begin shortly after the bid is awarded. The bathrooms will be constructed at the far end of the right side of the field as you look out from Berkshire Hall.

Mr. Jerram informed the Board that the town has been notified by the State that New Hartford was a recipient of a Trails grant in the amount of \$616,000. This approval is conditional as it is subject to

acquisition of easements that will be needed for the Trail to be constructed in certain areas. At this point, Mr. Jerram asked his Selectboard to consider adding an Executive Session for the purpose of discussion related to real estate as the last item on the agenda of this meeting.

MOTION: by Kennerson to add an Executive Session for the purpose of discussion related to real estate as the last item on the agenda of this regular meeting; seconded by Garay.

Unanimous

Another Grant that has been received is the Downtown Safety improvements and Emergency Fire Access STEAP grant. Jerram commented that there is a lot of engineering costs associated with this project due to the fact that since access to the River is the focus of the grant, the regulations surrounding river use are plentiful. Jerram stated that he would like to see this project go out to bid within the next few weeks. There is more than one component to this project: In addition to the emergency access to the river; the parking lot will be improved and an underground oil tank will be replaced; Jerram noted that there is a resolution that needs to be approved as part of the Grant requirements. He has that this be approved by the Board of Selectmen and then it will also be approved at a future Town Meeting.

First Selectman Jerram read the Resolution:

“WHEREAS, Pursuant to State Statute, the Connecticut Department of Emergency Services and Public Protection is authorized to extend the financial assistance for Public Safety projects; and

WHEREAS, it is desirable and in the public interest that the Town of New Hartford make an application to the State for \$141,900 in order to undertake downtown public safety improvement, specifically to the fire access driveway and to execute an Assistance Agreement.

NOW, therefore, be it resolved by the New Hartford Board of Selectmen

- 1. That is cognizant of the conditions and prerequisites for State Assistance imposed by State Statutes*
 - 2. That the filing of an application by The Town of New Hartford in an amount not to exceed \$141,900 is hereby approved and that the First Selectman, Daniel V. Jerram, is hereby authorized and directed to execute and file such an application with the Connecticut Department of Emergency Services and Public Protection, to provide such additional information to execute other documents as may be required: to execute an Assistance Agreement with the State of Connecticut for State Financial Assistance if such agreement is offered, to execute any amendments, revisions, and revisions thereto; and to act as the authorized representative of the Town of New Hartford.”*
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MOTION: by Garay to adopt the Resolution as read; seconded by Kennerson

Unanimous.

At this point in the meeting, First Selectman Jerram asked for consideration of moving item number 7 on the agenda (Purchase of Town Property) to Item 6 so that the Geigers (the residents interested in purchasing the property) could address the Selectmen at this point and then they would be free to leave the meeting after that, if they so desired.

MOTION: by Kennerson to move agenda item 7 up to 6 and agenda item 6 to 7; seconded by Garay.

Unanimous.

PURCHASE OF TOWN OWNED PROPERTY:

Mr. Jerram introduced Dawn and Roger Geiger, stating that they have expressed interest in purchasing town owned property that abuts their property. The town property was acquired by tax foreclosure. The property has a deed restriction and cannot be built on. The Geigers have submitted a written request seeking consideration of their purchasing this property. They have had an appraisal completed. The appraisal has valued it at \$16,500.

Mr. Jerram stated that the Board of Selectmen has the ability to set conditions regarding the potential sale and stated that the land can remain preserved and conserved. It is not on the tax rolls at this time. Both Selectman Garay and Kennerson were in agreement that this offer should be pursued. Mr. Jerram stated that he will review the procedures that are in place and will forward this request to where it needs to go. He stated that he is aware that Planning and Zoning do need to review this in accordance with Ct General Statutes 8-24, but will look to see what other reviews may be needed.

DISCUSSION OF CONTINUITY OF GOVERNMENT:

First Selectman Jerram has been working on completing an emergency operations plan. The State requires that each town have such a plan. Every town should have a continuity of government operations plan in place in the event something happens that disrupts normal operations. The First Selectman stated that the plan needs to include an alternate person who is named to be the individual who would provide day to day oversight in the event the Chief Executive Officer is unable to perform the daily responsibilities of the office. He stated that it is his belief that there needs to be a change to the name of the current Administrative Assistant position. He has reviewed the current job description and it is lacking in identifying the full extent of some of the duties that are currently being assigned to that role. He believes that a more accurate title would be Executive Assistant. The First Selectman commented that he currently relies on his assistant to act on his behalf in his absence. He stated that “she knows how I think and is able to carry out my plans.” He said that she is “integral in negotiations and knows what is being done on a day to day basis.” He stated that there is a need to have someone who can “fill in” if needed. This Executive Assistant position should be the named position in the plan as the one who assumes the daily operations if the First Selectman is unable to do so and with the understanding that there is consultation with the Board members as needed. Mr. Jerram stated that he wishes to formally add management authority to the position of Executive Assistant. He has given the Executive Assistant authority that extends over all employees and this would be formally recognized in a

revised job description. He stated that the salary should be adjusted to recognize this level of management.

It was noted that there should still be an Administrative Assistant title and corresponding job description in the event that the Executive Assistant position becomes vacant. There would need to be a transition period prior to granting management authority to someone new to that Executive position. An administrative assistant could be an interim position title and allow for time to evaluate performance before assuming the Executive title and the responsibilities assigned to it.

The Selectmen were open to the idea of adding an executive position and will discuss this further at a future meeting. There are some details that would need to be ironed out. Selectman Garay requested that there be a job description and salary to consider. Jerram agreed that those items would be available for review and consideration.

ADVISORY QUESTION RE: SCHOOL SECURITY ADDED TO BALLOT IN NOVEMBER

First Selectman Jerram stated that the Board of Education would like to add an advisory question regarding the position of a school security/resource officer for the local schools. Karl Hermanot, Chair of the Board of Education has reached out to the First Selectman to request that the Selectmen consider this request. The Board of Selectmen need to approve the request and move it to the Board of Finance for approval. The Secretary of State's office has to review the question and grant approval in order for it to be on the ballot. The question that has been presented for consideration is:

The Town of New Hartford has three schools. Ann Antolini Elementary School, located on 30 Antolini Road., has 246 students and 48 staff. Bakerville Consolidated School, located on 51 Cedar Lane has 105 students and 16 staff. New Hartford Elementary School, located on 40 Wickett Street, has 93 students and 20 staff. Currently, security is provided by one state trooper and four constables who intermittently stop at each of the schools; however, none are permanently stationed at any of the schools.

Do you support the already budgeted for funds (\$75,000) for a school resource officer for New Hartford Public Schools? (see explanatory text)

Aye or Nay

The Selectmen feel that there needs to be some publicity and additional information to let residents know what they would be asked to vote on. They felt that it is not clear if the public is being asked to support an armed guard for one school or split between the three schools. They also felt that there was confusion as to whether this was a security guard, a resource officer or an armed officer. Selectman Kennerson and Selectman Garay agreed to consider approval of an advisory question on the November ballot, but both agreed that there needs to be clarification and more information. Mr. Jerram commented that there are administrative details that will need to be ironed out. Who will this person be supervised by? What budget should the expense be included in—Board of Education, Town, Police? Mr. Jerram stated that the town attorney will need to be consulted regarding putting this question on the ballot. There is a timeframe that needs to be adhered to and it is possible that it cannot be done in time to be on the November ballot.

Selectman Garay commented that she would like to see some kind of informational mailing regarding this question distributed to all taxpayers. She felt that the previous mailing was not all-inclusive. She stated that a significant portion of the population of New Hartford are Seniors and they do not use QR Codes or have a G-Mail address. She would be pleased to see additional outreach to inform all residents of this proposed security position.

POTENTIAL TOWN MEETING ITEMS

First Selectman Jerram mentioned to the Selectmen that he would like them to consider seeking an additional appropriation for additional paving. He stated that the General Fund is well funded and is above the percentage that the auditors recommend be available in that fund. He believes that using some of these funds would be an alternative to including the costs of a couple of large projects in the budget. This would avoid the need to tax residents to fund these improvements. Selectman Garay asked what roads Mr. Jerram would recommend be done if there were to be an additional appropriation. Jerram replied that South Road could be completed, rather than resurfacing just a portion of it. He would also like to see Cedar Lane tended to. He estimated South Road to be \$185,000 and Cedar Lane to be \$300,000. Jerram also commented that the roof for New Hartford Elementary School has been estimated to be much higher than what was originally presented as the potential cost. Jerram suggested that these projects be funded with either a small bond or general fund appropriation. The Selectmen agreed to discuss this further at their next meeting.

CLOSING OF WWTP UPGRADE FUNDS ACCOUNT

The First Selectman informed the Board members that there is an old bank account that has been dormant for 10 years; since the completion of the upgrade to the wastewater treatment plant. He recommends closing this single account and transferring the proceeds into the General Fund. An accounting of this transaction so that it would be easy to keep track of what happened to the funds from that account. Garay asked if these funds could be applied to the sewer extension costs. Jerram replied that using these funds in that manner would need referendum approval because it would be an appropriation outside of the approved budget. The First Selectman informed the Board members that the Treasurer agrees with the closing of the account.

MOTION: by Garay to close the WWTP upgrade funds account with a balance of \$18,052.88; such funds to be deposited into the general fund, seconded by Kennerson.

Unanimous

ANY OTHER BUSINESS:

Selectman Garay informed the Selectmen that she recently visiting CT Fire Truck Museum and was surprised and pleased to see that an old fire truck from New Hartford is on display. She wanted to let the other Selectmen know this as an interesting tidbit.

The First Selectman told the Selectmen that the Land Trust and the Historical Society wish to continue to work with the town to be able to use the Surdam house for their offices. Mr. Jerram has engaged a surveyor to create a survey and isolate the house from the land on a 2 acre parcel. The Land will remain under the control of the town. The Historical Society would like to file an application with the State of

Connecticut for the building to be listed on the list of historic buildings in CT. Having this distinction would allow them to move forward with applying for funding to assist in the refurbishment of the building.

MOTION: by Garay to authorize the New Hartford Land Trust and The New Hartford Historical Society to complete an application with the State Historic Preservation Office for 280 East Cotton Hill Road (known as the Surdam House) to be listed on historic registry; seconded by Kennerson.

Unanimous.

The First Selectman stated that he received a request from the Chairman of the Open Space Commission to reconfirm the designation of the Open Space as Town of New Hartford Agricultural Commission. This designation was done a few years back, but the record of the designation is not clear. It would provide clarity if this was reconfirmed and recorded in these minutes.

MOTION: by Kennerson to reconfirm the authorization of the Open Space Preservation Commission to act as the Agricultural Commission for the Town of New Hartford; seconded by Garay.

Selectman Garay asked if there would be any objection by the Conservation Commission to the Open Space Commission having this designation. First Selectman Jerram replied that the Open Space Commission has the right to acquire/negotiate whereas the Conservation Commission acts in an advisory capacity.

Unanimous.

First Selectman Jerram informed the Selectmen that the Open Space Commission would like to renew the management plan that exists with the Butlers for the Butler property. They have asked for the Board of Selectmen to review the plan and notify the Commission of any concerns, if any. Mr. Jerram stated that this review will occur at the next meeting.

The First Selectman informed the Board that the Town hall Employee union contract and the Department of Public Works union Contract have both been finalized and executed. The Police contract is the only remaining contract that needs to be finished.

OPPORTUNITY FOR PUBLIC COMMENT ON AGENDA ITEMS

Resident Stan Brobston was present at the meeting and asked for permission to address a few of the agenda items. He asked a few questions regarding the Brodie Bathroom project; asked what type of shingles would be on the town hall roof (architectural and asked if an additional resident trooper is needed due to security concerns. Jerram replied that having an additional evening full time officer for the evening would provide more of a balance. Mr. Brobston voiced his opinion that the term Selectman is outdated and biased. He asked that the female Selectmen be referred to Selectwomen. He asked that this be a formal change. Mr. Jerram noted that the State Statutes dictated the title. Ms. Garay stated that she does refer to herself as a "selectwoman." Ms. Kennerson replied that she has no issue with the title of selectman.

Mr. Brobston asked for consideration of sponsoring a town event. The Selectmen advised him that town events are approved by the Board and are not something that individuals sponsor.

MOTION: by Kennerson to enter into Executive session at 9:18 PM; seconded by Garay.

Jerram, Garay, Kennerson and Hayward entered into Executive Session for the purpose of discussion related to Real Estate.

Executive Session ended at 10:15 PM.

MOTION: by Kennerson; to authorize, at the request of the Casey family, reimbursement for legal expenses to date totaling \$4,649.09 and to consider the request that the Town of New Hartford pay for all future legal fees related to the acquisition of the Casey property for trail construction; seconded by Garay.

Selectman Kennerson stated that she was not comfortable authorizing legal fees without knowing the total cost. Garay agreed that there should be some kind of spending cap mentioned; and not be “open ended.” First Selectman Jerram replied that he did ask specifically if the attorney could provide a cap for the Board to consider; and it was met with refusal.

Mr. Jerram stated that he was bringing this request without a cap to the Board out of respect to his friendship with Mr. Casey. He added that he had told the attorney that he was doubtful that his fellow Board members would agree to support unlimited legal fees.

Jerram recused;

Garay, Kennerson opposed

Motion fails.

MOTION: by Kennerson to authorize up to \$7,500 (which includes \$4649.09 for legal fees already incurred – per invoice number 11412170 by the Casey family) on the condition that the balance of the authorized fees would be used to further an in-person meeting where they will outline their conditions for acquisition of the property including the asking price, the proposed naming rights and all other concerns; seconded by Garay.

Ms. Kennerson stated that she would be in favor of paying for the legal fees already incurred plus a little more to facilitate a meeting where this could be discussed. She would like to see this trail move forward and if this is what it takes, she would support it. Ms. Garay agreed, stating that she isn’t sure how she would feel if there is no attempt to have a meeting. Kennerson agreed. Mr. Jerram stated that he is hopeful that there will be a meeting where they can reveal exactly what they want. Right now, there has been no real information shared.

Jerram recused

Garay, Kennerson

AYE

MOTION: by Kennerson to adjourn at 10:25, seconded by Garay.

Unanimous.

*Respectfully Submitted,
Christine Hayward, Administrative Assistant*

No Attachments filed with these minutes