

**Board of Selectmen
Regular Meeting Minutes
September 26, 2023**

Present: First Selectman Dan Jerram, Select(wo)man Alesia Kennerson, Select(wo)man Laura Garay, Administrative Assistant Christine Hayward.

Others Present: Water Pollution Control Authority Chairman Denton (Bud) Butler; Republican American Newspaper reporter Kathryn Boughton (virtually)

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

WPCA Chairman Denton Butler re: recommendations of the Post Sale Transition Team re water and sewer subsidies and request to approve contract with CDM Smith re; engineering service for Pine Meadow Sewer Extensions:

Bud Butler, Chairman of the WPCA, was welcomed by First Selectman Jerram. Mr. Butler was present to update the Board of Selectmen regarding topics that the Water Pollution Control Authority and the Post Sale Transition Team (PSTT) have been discussing; and to make some recommendations for action as a result of their discussions. Bud thanked the members of the PSTT for their dedication and commitment to the charge that was given to them in June of 2021. This has been a long and arduous charge. Butler distributed several documents to the Selectmen for their information. These included the charge that was assigned to the committee, the approved WPCA ordinance, the Post Asset Sale Rules and Regulations, and the recommendations for action that the PSTT would like to see approved and adopted.

It was noted by Butler that the WPCA and PSTT have been meeting jointly since the members of the WPCA serve as the PSTT along with the addition of one other member.

The focus of late has been the subsidy funding recommendation for water and sewer users. Mr. Butler distributed copies of the official ballot language that was brought to Referendum and was approved by the voters of New Hartford. Butler commented that the committee referenced this document more than any other during their discussion of subsidization because the approved language of the question outlines the funding that was approved by the public that will be used to subsidize rates.

Mr. Butler explained that the current rate structure for water and sewer charges include the meter fee and the usage. The new system, under Aquarion Water, will include a meter rate, a usage rate (which will be the eastern division rate of \$5.66 per thousand gallons) and WICA (Water infrastructure and Conservation Adjustment) charges. The new rates will be 12% lower for water customers. The PSTT recommends a 3% water subsidy. Recognizing that the sewer rates are based on water usage and the sewer rate charge will remain the same until the Public Utility Regulatory Authority (PURA) calls a rate hearing for sewer fees, the PSTT/WPCA recommends a 10% annual subsidy for sewer users to lower their payments. There will be no subsidy for private/public fire protection or for sprinkler fees.

The recommendation also asks that the Board of Selectmen review the subsidy each year and make adjustments as needed.

Mr. Butler informed the Board that the committee has not made any recommendation at this time with respect to assistance/subsidization for the installation of sewer laterals.

Following the discussion of rates, Mr. Butler requested that the Board of Selectmen approve executing a contract with CDM Smith for engineering services in order to proceed with preparing for the Pine Meadow sewer expansion project. Butler mentioned that the WPCA will continue to proceed with seeking Clean Water Grant funding to assist in paying for the expansion. The State is continuing to keep New Hartford on the 'set-aside' list for possible grant funding for the sewer lines. The WPCA has also tried to think of different ways to assist with the costs incurred for the sewer line extension project. Butler noted that the WPCA will be guided by State Statutes and quickly reviewed the rules and regulations that will guide the WPCA post-sale.

Mr. Butler asked for approval of the recommendations made this evening.

MOTION: by Kennerson to implement the subsidies as recommended by the Post Sale Transition Team; seconded by Garay.

First Selectman Jerram thanked the PSTT for their hard work, noting that Mr. Butler and the members spent a lot of time trying to figure out the best way to implement a subsidy in the fairest way possible. Jerram stated that when this sale of assets is finalized, "everyone in this town will win." Selectman Garay agreed, adding "I'm glad we could finally get here."

Unanimous

Mr. Jerram asked the Selectmen to consider Mr. Butler's request regarding the engineering contract.

MOTION: by Garay to approve contract with CDM Smith for engineering services in the amount of \$490,000 to be paid for using ARPA funds; seconded by Kennerson.

Unanimous

Mr. Butler thanked the Board for their support this evening and stated that water meters will be read on October 2 and final bills from the New Hartford WPCA will be issued shortly thereafter. It was noted that arrangements have been made with Tax Serve to be the collection agency to handle delinquent accounts for the WPCA.

The operational contracts with Aquarion for sewer operations and the former Torrington Water Company (now Aquarion) for water service will be terminated as of the date of sale. The Town will formalize an agreement with Aquarion that they will prepare the final invoices and will accept payments for 45 days following the final bill. After that, unpaid balances will be the responsibility of the Town/WPCA.

Selectman Alesia Kennerson thanked Mr. Butler for all of his time and effort he has put into this matter throughout the years. (Butler exited from the meeting at 7:50 PM).

Discussion of Northwest Transit District:

First Selectman Jerram explained to the Selectmen that there has been an ongoing discussion with Northwest Transit District regarding their services and their fees for service. There were some management issues in prior years that have now been resolved. When questioned regarding ridership from New Hartford, it was difficult to get any statistics. The town did not pay the 2022-2023 invoice due

to not receiving information requested. The invoice was larger than prior years – a very large increase with no explanation. The total fee assessed was \$3159.00. Recently, an invoice for 2023 – 2024 was received and it was reduced to \$476.00. Ridership was quoted to be 49 trips in 2022-2023.

The First Selectman stated that the New Hartford Senior Van is being used consistently. The van takes residents to appointments or shopping and has reservations almost daily. Jerram stated he is not opposed to having the Transit District being available to residents as an alternative to the town owned van. He asked the Board members if they were interested in re-engaging the service and remaining a part of the District at a cost of \$476.00. Selectman Kennerson asked if the District will waive the \$3159 past balance and allow New Hartford to move forward this year. Jerram will discuss this option with the director. Ms. Kennerson commented that she would like Mr. Jerram to let the director know that the Board will want statistics available during budget season before committing to including funds in the budget for next year.

The Selectmen agreed that they would be amenable to paying the district the full allocation (\$1066) that is in the budget for 2023-2024 and not just the \$476.00 that has been requested. This would be a compromise to not having paid anything towards the prior assessment.

Continued Discussion of Executive Assistant position and wage:

The First Selectman explained that a continuity of government plan is essential for any municipality in the event that the First Selectman is incapacitated/not able to handle day to day operations. The current Administrative Assistant has been in the position for 20+ years. The level of responsibility she has taken on has increased as years passed. He has created a new job description that includes Executive responsibilities and therefore would like to create a new position titled “Executive Assistant.” With this role, there would be someone who would be able to make decisions in the event that the First Selectman was not available. This individual could assume the day to day supervision of all employees as needed. Purchase Order signing authority for budgeted expenses would also be increased to \$100,000.

The Selectmen had a general discussion regarding this role and agreed that there needs to be someone who is available to make decisions when there may be an urgent need to do so. It was noted that the Board members are employed in their own right – they have their own day to day responsibilities and may not be available for timely decision making. Therefore, it makes sense that there be someone within Town Hall who can take the lead when needed.

First Selectman Jerram stated that the Executive Assistant position is not one that would necessarily be filled right away by a new First Selectman. There may need to be an opportunity to work together and gain the level of trust before assigning that title. The Administrative Assistant position would still be a position that could be used for those who are not yet promoted to the level of Executive Assistant. Garay questioned how the 5 years experience number was chosen. Jerram stated that it is his opinion that 5 years is the minimum years of experience that should be used and stated that evaluations should be used to determine suitability to fill the role.

First Selectman Jerram commented that the choice of an Executive Assistant would be a decision made by the First Selectman in office. A good working relationship should be established before assigning that role. He also clarified that this role requires a 40 hour work week (rather than the Town Hall 35 hour work week) and is considered an essential employee. This means that this individual is expected to work on days when other employees may have been told to stay home (i.e. weather events) or certain Holidays.

Mr. Jerram noted that town hall positions tend to be on the low side of compensation. It is hard to find individuals who remain in a position for an extended period of time. People change jobs more now than

they did in the past. Jerram stated that there needs to be a discussion at some point regarding wages and compensation for most positions in order to retain good employees. He added that recent hires come in at a level of pay that is just about equal to those that have had many more years of experience. He commented that he has just offered a candidate the position of Bookkeeper to replace retiring Bookkeeper Annie Witte. That candidate will come in at a pay level similar to the retiring bookkeeper, but with far less years of experience in the role.

The First Selectman addressed the compensation for the Executive Assistant position. He stated that in order to provide a fringe benefit to serve as additional compensation without impacting the budget, he would recommend that the employee costs (premium share) toward the health care plan be waived. Employees participating in the town insurance are obligated to pay 15% of the costs. He would recommend that the premium share be waived for this position.

Mr. Jerram asked the Board for their support of this new position of Executive Assistant.

MOTION: by Kennerson to adopt the newly created Town of New Hartford Executive Assistant to the First Selectman position as identified in the job description; seconded by Garay.

Unanimous

First Selectman Jerram promoted Administrative Assistant Hayward to Executive Assistant.

MOTION: by Kennerson to include as a benefit for the current budget year to no longer require premium health cost share paid by Executive Assistant Christine Hayward effective the first pay period in October, 2023; seconded by Garay.

First Selectman Jerram noted that the expense of the health care costs not being washed as a premium share will not create a hardship within the General Government budget for fiscal year 2023-2024 due to the fact that an employee originally anticipated to participate in the plan chose not to. This resulted in leaving some unencumbered funds in the line item.

Discussion of RRDD composting program:

First Selectman Jerram informed the Board that a request has been received to support engaging the services of a composting company to set up a compost area at Regional Refuse Disposal District 1. Winsted is contemplating using revenue from their “nipper bottle deposit funds” revenue to fund this initiative. First Selectman Stein in Barkhamsted has stated that there is consensus on his Board to move forward with this idea.

Mr. Jerram explained that there is a company (Blue Earth Compost Inc) who would be responsible for the collection and maintenance of this compost. They provide bins to be used and they pick up the material on a regular basis and transport it to their primary location.

New Hartford has been asked to pay a fee of \$1354.37 per year for this program. Jerram stated that \$6,000 in revenue from the “nipper deposit funds” has been received – but this is revenue and is not used to offset any expenses. There is no extra money in the RRDD1 budget line. Kennerson asked if the contingency line item could be used to cover this. She supports the idea of composting and thinks it might be worth it to try this and see how it goes. Garay agreed, adding that “it’s a step in the right direction with trying to reduce trash expenses.”

MOTION: by Kennerson to approve the request from RRDD1 for financing in the amount of \$1354.37 to start a Blue Earth Composting Area at RRDD1; to be taken from the Contingency Line item; seconded by Garay.

Kennerson commented that it would be nice to see how residents use this. She would like this to be monitored to see if it works. Garay added that this will provide residents with an opportunity to do composting and she hopes it 'takes off.'

Unanimous

Resignation of Jerry Ecklund and Gary Colbert from Historic District Commission:

First Selectman Jerram announced that two long time members of the Historic District Commission have resigned due to relocation.

MOTION: by Kennerson to accept with gratitude for their years of service on the Historic District Commission the resignations of Jerry Ecklund and Gary Colbert; seconded by Garay.

Unanimous.

Garay stated that they did a wonderful job as stewards of the Historic District.

It was noted that these resignations result in vacancies for full members on the Commission. Current alternate Catherine Kinne has accepted the request to become a full member. In order to do so, she must resign as an alternate member.

MOTION: by Kennerson to accept the resignation from Cat Kinne as an alternate on the Historic District Commission; seconded by Garay.

Unanimous

MOTION: by Kennerson to appoint Catherine (Cat) Kinne to fill a vacancy as a regular member of the Historic District Commission, term to expire 12/31/2023; seconded by Garay.

Unanimous.

MOTION: by Garay to appoint William Schultz to fill a vacancy as a regular member of the Historic District Commission; term to expire 12/31/2025; seconded by Kennerson.

Unanimous.

MOTION: by Garay to appoint Brian MacGovern to fill a vacancy as an alternate on the Historic District Commission; term to expire 12/31/2024; seconded by Kennerson.

Unanimous.

MOTION: by Kennerson to correct the term of office assigned to Kay Wall as an alternate to the Historic District Commission; term to expire 12/31/2025; seconded by Garay.

Unanimous

Operations Updates:

ARPA:

First Selectman Jerram informed the Board that the purchase of two trucks has been finalized. The plow truck final invoice came in at \$251,947.38. There was a \$50,000 increase in the price of this truck due to supply issues and overall increase in prices.

A smaller truck, a FORD F550 has been purchased at a cost of \$79,000. This truck is a “leftover” 2022 – the cost of a 2023 would have been an additional \$18,000 with no known timeframe for delivery.

Jerram stated that there is some Truck funding remaining in capital which could be used to cover the overages for the large truck and the wingplow. He asked if the Selectmen would prefer to use these funds rather than seeking funding through the Board of Finance. Kennerson and Garay agreed that using the left over capital makes sense.

The First Selectman asked the Board for permission to liquidate through auction the 2008 F550.

MOTION: by Kennerson to approve the disposal of the 2008 F550 through auction; seconded by Garay.

Unanimous.

The First Selectman reviewed the projects currently underway for Recreation. The Brodie Bathroom project and the pickleball/basketball courts at Browns Corner are still in progress. The new fencing at Brodie Park was completed.

The fencing and paving/stripping of the pickleball courts at Browns will come in higher than originally anticipated. Prices have increased. There will be some shortfalls that ARPA funds will not be able to cover. Mr. Jerram asked the Board where they would prefer to take funding from. He noted that there are capital funds remaining for recreation. Selectman Kennerson questioned if the Recreation Commission has any projects that they wanted to do. Jerram replied that there was interest in re-doing 2 of the cabins. The environmental studies were completed, but the actual design of new building(s) was put off due to lack of funds.

Kennerson and Garay agreed that capital should be used to fund the projects at Brodie.

Jerram mentioned that there is still the need to get some better insulation on the underside of Berkshire Hall to prevent freeze-ups in extreme weather. There is also gutter/soffet repair work needed.

Police Stats

Trooper Figueiral has been providing regular reporting re traffic enforcement around town. Mr. Jerram stated that there have been lots of complaints on West Hill Road and noted that this is typical after a road has been newly paved. The Police have been doing enforcement. There have also been numerous stops on Route 202. The police try to issue warnings and speak with the violators unless they are 'repeat offenders' to which they issue moving violations.

Correspondence:

First Selectman Jerram expressed his congratulations to the New Hartford Village Fire Department for once again being awarded a \$2500 grant to use towards the purchase of gear/equipment. Kudos to the fire department for seeking alternate funding sources.

Administrative Assistant Hayward informed the Board that a letter of thanks has been received from two of the recipients of APRA funding. Names were not released publicly in order to respect privacy.

Asset Sale Updates:

First Selectman Jerram informed the Board members that Attorney Roraback is finalizing the deeds for the asset sale to be completed.

Properties being transferred to Aquarion are 238 Main Street plus the small parcel adjacent to the WWTP, both of the well houses (7 Church Street and Blackbridge Well) and the WWTP pump station on the corner of Route 219 and Route 44.

Mr. Jerram recognized that there is a drainpipe that goes under the land at Blackbridge Well that could need future maintenance. There may need to be a time when access to that pipe is needed. He requested that the attorney create an easement that will grant access for maintenance if needed. Jerram asked for authorization to execute this easement once it is drafted, so that it can be recorded on the Land Records prior to the closing.

MOTION: by Kennerson to authorize First Selectman Jerram to execute an easement that creates a perpetual right to drain/and grants access to the pipe that is under the ground near Blackbridge Well; seconded by Garay.

Unanimous.

Mr. Jerram explained that there is the need for another easement. This one is for the well area at 7 Church Street. Aquarion needs to protect the well head, but the town will need some access rights for the rail to trails project.

MOTION: by Garay to authorize the First Selectman to work with the Town Attorney to finalize an access agreement/easement for the Pine Meadow Well at 7 Church Street; seconded by Kennerson.

Unanimous.

Jerram informed the Selectmen that the water towers that are located on Metropolitan District Commission (MDC) land will need the lease assigned to the new owners. Aquarion will send a letter alerting the MDC that this assignment will occur upon transfer of the assets.

MOTION: by Kennerson to authorize First Selectman Jerram to assign the lease for the land where the water tanks are located in the industrial park upon consummation of the sale; second by Garay.

Unanimous.

First Selectman Jerram explained that he is currently in discussion with Aquarion to create an agreement between the buyer and the seller with respect to the sewer rates. He wants written confirmation that the rates will be held stable until PURA holds a rate case. There will be subsidies applied to the current rates which will result in an overall decrease for the users.

MOTION: by Kennerson to authorize the First Selectman to enter an agreement with Aquarion re the sewer rates and the rules and regulations that will apply to them; seconded by Garay.

Unanimous

A Memorandum of Understanding has been written to confirm the fees that Aquarion will charge the Town of New Hartford/WPCA for final billing and subsequent collection of payments. The fee will be \$2500 and this will be paid using the proceeds of sale.

MOTION: by Kennerson to authorize the First Selectman to finalize and sign the Memorandum for post close services by Aquarion Water Co. in the amount of \$2500 and to use the proceeds from sale to pay these costs; seconded by Garay.

Unanimous.

Public Comment:

no comment

Executive Session re: Real Estate (negotiation with Casey parcel of land for Rails to Trails):

MOTION: by Kennerson to enter into Executive Session at 10:04 PM for the purpose of discussion related to real estate transaction, seconded by Garay.

Unanimous.

First Selectman Jerram, Selectman Kennerson, Selectman Garay and Administrative Assistant Hayward entered into Executive Session.

Executive Session ended at 10:27 PM.

MOTION: by Kennerson to authorize First Selectman Jerram to inform Mr. Casey’s attorney that the Board of Selectmen (Ms. Garay and Ms. Kennerson) expect to have final resolution on all demands (financial, parking, security) being made in order to discuss and take action at the next meeting of the Board of Selectmen to be held on October 24, 2023 at 7:00 PM; seconded by Garay.

Mr. Jerram stated again, for the record, that he has recused himself from making any decisions regarding this matter. It will be the other two Board Members that will be taking action. The Board members have made it clear that they want to have all of the information necessary to make a decision regarding land acquisition at the next meeting. If they do not receive this information, there is a good chance that the trail will not move forward at all. The Selectmen noted that acquiring the land is contingent to the Grant.

AYE: Garay, Kennerson
Motion passes.

Abstain: Jerram

MOTION: by Kennerson to adjourn at 10:30 PM; seconded by Garay.

Unanimous.

Respectfully Submitted,

Christine Hayward, Administrative Assistant

Attachments available from the Town Clerk upon request:

Charge of the Post Sale Transition Team

Ordinance Regarding the New Hartford Water Pollution Control Authority

Post Asset Sale Rules and Regulations

PSST Charge- Recommendations-Adoptions

Copy of the Official Ballot Referendum March 6, 2021

Job Description – Executive Assistant to the First Selectman