

**Town of New Hartford  
Board of Selectmen  
Regular Meeting  
December 19, 2023  
Minutes**

**Present:** First Selectman Dan Jerram, Selectman Mary Beth Greenwood, Selectman Alesia Kennerson, Executive Assistant Christine Hayward.

**Others Present:** Scott Goff, Wes Marsh, Jay Bailey, Bud Butler and others via Zoom

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

First Selectman Jerram welcomed Mary Beth Greenwood as a new member of the Board of Selectman.

**Discussion of the Charge of the Sewer Expansion Building Committee:**

The Selectmen reviewed the Draft Charge that had been created for the Sewer Expansion Building Committee. They continued the discussion that had begun at the last meeting of the Board in November. First Selectman Jerram suggested that item numbers 5 and 6 of the Draft Charge be switched. There was also discussion to add a new number 15 – a provision that would provide for the requirement that the Building Committee would bring forth any unforeseen over expenditures to the Board of Selectmen for review, discussion and recommended action. Selectman Kennerson asked if there would be two separate contracts – one for the expansion and one for laterals? Mr. Butler replied that the bid specifications could be written in such a manner that would allow for contractors to provide bids for various phases of the project. The First Selectman commented that he is confident of the abilities of the building committee to carry forth the charge as it now stands.

**MOTION:** by Greenwood to approve the Pine Meadow Sewer Project charge as amended;  
seconded by Kennerson *Unanimous.*

First Selectman Jerram thanked the building committee for their service and the Selectmen agreed.

**Presentation re: West Hill Pond – ARPA Study:**

First Selectman Jerram introduced Duncan Kruse, Beth Tripp and Steve Unger to the Selectmen. He stated that these individuals were present this evening to explain a little about what the various lake associations are doing to keep West Hill Lake weed free and healthy. The West Hill Pond Association has asked for a contribution from the town from the American Rescue Plan Act funds that were allocated to New Hartford. They have requested these funds to help them pay for limnological studies that have been conducted by a firm that they have contracted with (GZA).

Duncan Kruse explained that the Association is comprised of representatives from the different organizations that are stakeholders of West Hill Lake. Representatives from the 2 Scout camps, the Town of Barkhamsted, Town of New Hartford, the West hill Beach Club and 2 at large members – Duncan Kruse

and Beth Tripp-- are the current trustees.

Beth and Duncan gave some background on the efforts of the association as they continue to monitor the water quality of the lake. They have an invasive plant monitoring program and a weed remediation program. They encourage good drainage techniques and frequent pumping of septic systems to avoid any potential sewage leaks into the lake.

The association is currently concerned with phosphorus levels. As the water temperatures at the top of the lake increase, the level of oxygen that reaches the bottom of the lake is diminished. When the oxygen levels decrease, the plant life at the bottom of the lake releases phosphorus. Increase in phosphorus levels can lead to an algae bloom. Other lakes in Connecticut are having problems with low oxygen levels and increased phosphorous. Lake Waramaug has used machinery to deliver oxygen to the lake bottom, hoping to alleviate weed growth. This is an expensive treatment. The association hopes to avoid having to go to these extremes to control growth and hopes to educate property owners and other stakeholders about the dangers of weed growth that can be caused by poor drainage in an effort to avoid this kind of treatment.

Selectman Kennerson asked if there is any issue with septic systems around the lake. Mr. Kruse replied that a comprehensive study of the soils surrounding the lake was done when water levels were low. There were no issues with ECOLI at that time.

Mr. Kruse commented that the weed monitors checking boats at the boat launch has been a successful program. It has helped to prevent invasive species from being brought into West Hill Lake. Mr. Unger interjected that the overlay regulations were created by the zoning commission to assist in curbing the runoff issues at the Lake. This is also a positive move that has been made in the past few years with respect to protecting the water quality of the lake.

First Selectman asked Mr. Kruse to discuss the dam and the work that DEEP is requesting. The dam is in Barkhamsted, but it does affect homes in New Hartford. DEEP has requested that the height of the dam be raised as they feel it is insufficient to function properly at its present height. The dam must meet the specifications of the Army Corps of Engineers. Fuss & O'Neill, engineers, have come up with a preliminary design. The estimated engineering costs are \$500,000. The costs of the construction/repairs is beyond the scope of the Association. They will need the assistance of the local leaders of Barkhamsted and New Hartford. Mr. Jerram suggested that perhaps this project could be included in the Natural Hazard Mitigation plan and then be eligible for funding. However, he noted that Barkhamsted would need to take the lead with that application and request as the dam is physically located in Barkhamsted. The Board thanked Mr. Kruse, Ms. Tripp and Mr. Unger for being present at the meeting.

The Selectmen agreed that the Association is doing great work and they support the ARPA funding to help offset the costs of the weed removal and studies incurred. ARPA funding has been approved in the amount of \$10,000 to assist the Association in their work. Funds will be released when an invoice is presented to the Town.

#### **Discussion of Proposed Ordinances:**

First Selectman Jerram stated that the Annual Town Meeting will be in April. There are a few items that have been talked about that he thinks should be on the agenda. Air BnB's are cause of concern to some. There are many communities that have issues with some Air BnBs that have turned into "party houses" and some of these rental property have held ticketed events. Some towns have tried to tackle this with Zoning Regulations; a recent example is the town of Branford. They tried to enforce zoning regulations

against one particular offender. The town lost the case due to the fact that the property was determined to be 'grandfathered.'

Air BnB's can be regulated by other means. For example, if they are earning income because they are running a business and getting revenue from these short term rentals, the owner should be filing personal property declarations. They then pay taxes on the goods used to run their business.

One question that will need to be looked into is "Can a town distinguish between home occupied short term rentals and non -occupied business rentals?" There is only one property in town that has been granted permission to host events and that is the Raymond Family Farm. They went through the proper procedures to be able to have events. They 'followed the rules.'

Selectman Kennerson suggested having a committee that could look into this further – she suggested reaching out to some of the property owners that may be affected by an ordinance/regulations. She would like the committee to include the Zoning Officer, too. This topic will be further discussed at a future meeting of the Board.

Mr. Jerram commented that the abandoned premise ordinance is another ordinance that should be investigated for possible implementation. It was suggested that this conversation begin in January. He asked that the Selectmen review the sample ordinance for the next meeting. The Selectmen agreed that abandoned homes are extreme situations, and they are different than blight. Blight may be occurring due to a financial situation and is a property that is still occupied, whereas an abandoned premise is not. Kennerson stated that these 2 topics are large items that should probably be enough for one town meeting.

#### **Municipal appointments – Tax Collector, Assessor:**

Mr. Jerram reminded the Board that both the Tax Collector and the Assessor are employees of the town who need to be appointed by the Board of Selectmen at the first meeting of the Board following an election. Each of the positions are 2-year terms. Mr. Jerram commented that the Town is fortunate to have two great employees serving in these positions and he wholeheartedly recommended that they be appointed as required by Ordinance.

**MOTION:** by Kennerson to appoint Tolly Gibbs to serve as Tax Collector and Elizabeth Domas to serve as Assessor; each of them is appointed for a 2- year term; seconded by Greenwood.

*Unanimous.*

#### **Operations Updates:**

First Selectman Jerram stated that he and Board of Finance Chairman Guilfoyle met with Superintendent Page from Regional (along with other BOF members). They were informed that healthcare costs will rise 11.6% this year and there will be some special ed outplacements. The overall enrollment at Regional will see a decrease, but New Hartford is expected to see an increase in the assessment.

Jerram stated that in the 2024 -2025 proposed town budget, Debt Service will be decreased (due to the pay off of the USDA loan) and pension costs will be decreased which will help to offset the increase in health care costs that the town will see.

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Lew Patchett from New Hartford Ambulance presented an update to Mr. Jerram yesterday on Ambulance services. Volunteers have decreased, which has caused labor costs to increase as they have had to rely on paid personnel to provide services. Jerram commented that it is getting more difficult to get volunteers to serve.

Stormwater MS4 annual filing is almost complete. Clean water and illicit discharge (IDDE) forms are available on the town website for residents to use to report illegal dumping. Jerram informed the Selectmen of the arduous task this was to complete this report.

Brodie Bathrooms project has been started. This was delayed due to the higher than anticipated bids received and also due to the CHRO (Commission on human rights and opportunities) requirements that the successful bidder had to comply with. The contractor had to be approved as being compliant with the CHRO requirements.

Revaluation concerns have been coming in; people have been calling and some have stopped in to discuss their concerns with the Assessor and the First Selectman. A lot of “discussion” has occurred on Social Media. Selectman Kennerson stated that it is difficult for the average homeowner to understand this process. They assume that their taxes will increase at the same percentage as their revised assessment. Jerram stated that there is recourse for those who wish to challenge the assessment – but you need to have documentation for why you are challenging the assessment. Board of Assessment Appeals will convene in March. Applications must be received in February. Information will be available on the town website when the applications are available.

Mr. Jerram commented that long time bookkeeper Annie Witte will be retiring, and her last day of work will be December 26. He thanked her publicly for her service to the town and stated that she will be missed.

A letter was sent to residents of Pine Meadow alerting them of the status of the sewer expansion project. The Sewer Expansion Building Committee hopes to send out updates to affected property owners so that they are informed of where the project stands. It is in its early stages and should be about 3 years before completion.

First Selectman Jerram told the Selectmen that billing from Aquarion for hydrants and water lines has been sent to the Village Fire Department. The fire department was surprised at the charge and has not allocated enough funds in this year’s budget for the hydrants and lines. Mr. Jerram would like to ask the Board to consider allocation of some extra ARPA funds to assist the fire department with these unanticipated expenses. Jerram commented that there is some savings in the funds that were originally allocated toward the Beekley Library. There was a change in the original requested use of the funds from a construction project to a replacement roof project. This resulted in a lower cost overall. Jerram stated that he would ask for consideration of increasing the “waterline item” that is in the budget to cover the additional costs incurred in the Village District as a longterm fix. Selectman Kennerson replied that she is aware that there is also a request from the Fire Department to consider a tax abatement for volunteers. She would like to discuss fire protection and abatement at a future meeting. She stated that the Board needs to be cautious of unintended consequences.

First Selectman Jerram stated that he would like to get back on board with recognizing volunteers. He reminded all of the plaques that were hung in the downtown pavilion (behind town hall, on the river) honoring Volunteers. This recognition was missed during COVID times and he would like to reinstate it. He has reviewed the listing of long time volunteers and their years of service and would like to recommend the following individuals be recognized with a plaque: Denton E. Butler, Jr, Mary Lou Rayno, Hans J. Andersen, John H. (Jack) Casey, Bernard J. Witte, Donna N. LaPlante, Daniel E. LaPlante.

**MOTION:** by Kennerson to accept the recommendations made by First Selectman Jerram for the 2023 Volunteer recognition; seconded by Greenwood.

Mr. Jerram commented that “all of these people have given a tremendous gift to our community and their names will be added to the pavilion. We hope that this type of recognition and thanks will encourage others to give the gift of service.” *Unanimous.*

**Opportunity for public Comment on Agenda Items:**

Member of the Public Jay Bailey questioned the billing that Aquarion does for the hydrants. He asked how this can be since the hydrants were installed long ago and therefore have been paid for. First Selectman Jerram replied that this billing is allowed by law. The fees pay for maintenance and capital improvements. The hydrant and line costs have increased since the sale of the water and sewer company due to the services now being owned by a public utility company – there are rates that are established by PURA. If repairs are required to the hydrants or the lines, Aquarion will repair at their expense.

**Request for Tax Refunds:**

First Selectman Jerram presented request for Tax Refunds that have been recommended by Tax Collector Tolly Gibbs.

Hyundai Lease Trust	\$420.16
US Bank National Association	\$996.92
VW Credit Leasing Ltd	\$476.84
Floyd or Kelly Harrison	\$36.02
Lemieux Mechanical LLC	\$238.34

**MOTION:** by Kennerson to approve the refunds as presented by The Tax Collector; seconded by Greenwood. *Unanimous.*

**MOTION:** by Kennerson to adjourn at 9:01 PM, seconded by Greenwood. *Unanimous.*

Respectfully Submitted, Christine Hayward, Executive Assistant

**Attachments** (available from the Town Clerk upon request)

DRAFT Charge AND Amended and approved Charge of Pine Meadow Building Committee (2 documents)