

**Board of Selectmen  
Regular Meeting  
January 23, 2024**

**MINUTES**

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

**Others Present:** Members of New Hartford Village Fire Department Tax Abatement Committee John Ryan, Jennifer Worsman, John Wabrek, Frank Galliher; Members of the Village Fire Department Kevin Parsell, Bob Goodskey, Chris Sterpka, Fire Chief Mark Worsman (in at 7:40 PM); Members of South End Fire District Commission Steve Sekulski, Mike Sekulski, Member of the Public Jay Bailey.

First Selectman Jerram called the meeting to order at 7:01 pm.

**Discussion of Request from New Hartford Village Fire Department for consideration of a tax abatement program for Volunteer Firefighters:**

Mr. Jerram informed the Board that committee members from the New Hartford Village Fire District tax abatement committee were present this evening to request that the Board of Selectmen consider the implementation of a tax abatement for fire department volunteers. Mr. Jerram introduced John Ryan, Jennifer Worsman, Frank Galliher, and John Wabrek to the Board. Fire Department Member John Ryan presented some basic information regarding this request. He stated that the committee has been working for more than a year to develop a proposal for consideration. Mr. Ryan explained that the purpose behind offering relief on property taxes is to encourage participation and to support what we have – noting that it is getting tougher to get volunteers. A Statute enacted in 1999 provides up to \$2000 abated as outlined. Currently, there are 39 New Hartford Fire volunteers out of 49 who would be considered to be eligible for an abatement plus additional eligible volunteers serving on the ambulance (36 members out of 47 meet eligibility at this time). Mr. Ryan did not have exact numbers for South End Fire District, but he estimated the cost at \$26,000. The total estimated cost for 2023 would be \$137,000 based on his research. Eligibility is determined by the number of qualifying participation hours. Those individuals who act as supporting the mission of the organizations are also eligible (i.e. those who work behind the scenes – helping with technology, fundraisers, etc). Canton adopted a policy for abatements in June of 2023. Burlington, Simsbury and Harwinton provide abatements that are based on hours of service. Mr. Ryan explained that there is computer software that can keep track of the hours of service that would be used to determine eligibility. This tax abatement would be in addition to any benefits that are already being received as “pay per call.”

Mr. Ryan commented that an abatement is capped at \$2,000 by Statute. It does allow for more than one family member in a household to receive an abatement; therefore, if a husband and wife are both volunteers who meet the threshold for abatement, they would each be eligible for an abatement. It was noted that renters who reside in town and serve as a volunteer would be limited to getting an abatement on car taxes since they do not own property in town. First Selectman Jerram mentioned that it was his understanding that the Statute does allow for towns to enter into Municipal agreements, not that he was proposing to consider this; just offering as clarification.

Selectman Kennerson questioned whether the firefighters are seeking payment from the town or would an abatement be applied to their taxes. She noted that the Statute addresses abatement and wanted to

be certain that was what was being discussed. Mr. Ryan stated that there are several volunteers who do not reside in New Hartford, but the discussion with the town was for an abatement. Mr. Jerram noted that many towns that offer this kind of abatement are towns that do not have fire districts that are taxing authorities. He stated that the Fire Districts in New Hartford collect taxes on their own and asked if the Fire District had considered providing the abatement on the fire taxes. Selectman Kennerson commented that the two districts would need to let the public know what types of incentives/bonuses/stipends are currently already being distributed to members.

Mr. Ryan stated that the fire departments are providing a valuable service to the town. South End Fire is currently averaging roughly 130 fire calls per year and the Village Fire Department is averaging over 300. The cost for a full time firefighter is about \$100,000 and this does not include the cost of health care benefits. Ryan reiterated that an abatement would be an incentive to keep the current volunteers and also to entice new membership. Firefighter Sterpka interjected that there are many duties that are required to keep a department running. He stated it is not only about “active fire calls,” it also is about the training needed to respond to calls, the hours dedicated to maintaining the equipment, the time spent raising funds to be able to purchase additional equipment and gear not paid for with taxpayer revenues. The volunteers are not only serving at fires, they have other required obligations. Selectman Kennerson asked how the fire department felt about those volunteers who do not have a property tax liability in New Hartford. She asked if the district would provide some kind of compensation for those volunteers if the town took care of those with tax liability. Ryan responded that they could consider this.

The Selectmen agreed that the abatement would be something that they would be willing to bring before the public for consideration. Since it has tax implications for all taxpayers, it needs to be discussed.

First Selectman Jerram stated that he would contact the town attorney and bring this request for an abatement to him so that he could draft a document for consideration. Mr. Jerram stated that he hoped that this might be an item for consideration on the April Town Meeting, but the agenda for that meeting is already quite full. He stated he would try to squeeze it in, if possible.

**Discussion of possible supplemental appropriation to Fire Departments for Fire Protection Charges:**

First Selectman Jerram informed the Selectmen that since the sale of the water and sewer assets to Aquarion, the Village Fire Department has received invoices for fire protection fees that are higher than what they were when they were billed by the New Hartford WPCA. The Fire Department did not budget for a large increase in these fees as they were unaware of what the impact of the sale would be on these charges. The sale occurred after their budget was set and the Fire Department is now caught without having the funds to pay the bills. They have come to the town for assistance with this matter. Mr. Jerram noted that the town budget has been paying for a portion of the fees assessed for the waterline and hydrants located in the South End Fire district on Whitbeck Road for many years. That waterline was installed many years ago, under a prior administration, to provide clean water from Torrington to contaminated wells in Harwinton. It passes through New Hartford and there was an agreement made with the South End Fire Department and Home Depot that the charges incurred for the waterline and hydrants would be shared with the town. The Waterline is not owned by the Town of New Hartford – it was installed by Torrington Water Company as a way to solve a public health issue in a neighboring town. Since that time, there has been a line item in the budget to cover a portion of the expenses. Taxpayers

pick up a portion of these costs as a general government expense. Jerram stated that since the town is covering a portion of this waterline expense, it seems only fair to assist the Village Fire Department with the expense they now face. He suggested that the line item be increased in the future to cover the costs. Selectman Kennerson commented that she was not in favor of adding liability to the budget in perpetuity. She felt that the town should never have been “stuck” with paying toward the Whitbeck Water line when it was installed and stated that she could not support paying the fees for the Village Fire District forever. However, she was not opposed to finding a way to help them out this one time. Jerram commented that there are some ARPA funds remaining from the library that had been set aside for new construction. This construction did not happen and some of the funds were used to pay for a new roof, but there is a balance of unexpended ARPA funds. These excess funds could be reallocated to cover additional costs in the Emergency Services line of ARPA funding, if agreed to by this Board. Selectman Greenwood asked if the rules for the use of ARPA funds allowed such a transfer. Kennerson replied that the rules for Municipalities who received less than \$10,000,000 in ARPA funding are less stringent and this would be an approved use of excess funds originally dedicated to another project. It would need to be authorized by the Board of Finance, but the Selectmen can make the recommendation. First Selectman Jerram commented that he had also heard from the Pine Meadow Farms Homeowners Association regarding their concern with the increase in fire protection fees. They received an invoice which was higher than what they had budgeted. The Chairman of the Association had asked if there was any chance that the town could help with the bill. The Selectmen were sympathetic to the association but were in agreement that the “hit” to the Association was not as significant as what the fire district was facing. They also noted that the fire protection charges to the Fire District benefit protection to the entire district and the residents and businesses within the district. The invoice to Pine Meadow is specific to their association. They supported the Fire District request and noted that if the Fire District did not have to implement a special assessment to cover the extra unbudgeted expense, it would be a “win for everyone in the district” and therefore, the homeowners in Pine Meadow farms are, in fact, also receiving a benefit by having this expense covered at this time.

**MOTION:** by Kennerson to make a recommendation to the Board of Finance to reallocate \$25,000 from the library ARPA funds to the Emergency Services ARPA line item in order to issue payment to the Village Fire Department to pay for fire protection charges incurred from Aquarion Water Co, Inc.; seconded by Greenwood.

Mr. Jerram commented that the increase in water protection fees occurred because the New Hartford WPCA had undercharged for many years because they were cognizant of the difficulty people had paying the water bills. Fire Protection rates did not allow for any capital improvements to be made to the system. Aquarion has rates that have been approved by PURA because they are obligated to make capital investments.

*Unanimous.*

**Discussion of ordinances to consider for adoption at Annual Town Meeting in April (abandoned premises ordinance, Air BnB/short term rentals – best way to proceed?)**

The Selectmen turned their attention to the items that are slated to be addressed at the Annual Town Meeting in April.

First Selectman Jerram commented that at the Town Meeting, he will be formally asking the town to approve, for the record, all of the transactions that occurred with the sale of the water/sewer assets. There will be general discussion of the transaction at the Town Meeting so that the sale is documented in the Town Meeting minutes in perpetuity. The Sale has been completed and does not need to be approved – he just wants it to be recorded in town minutes.

He also intends to discuss the dissolution of the Pine Meadow Fire Department so that there is a formal record to that transaction, as well.

One of the items on the meeting call will be the acceptance of a deed for an open space parcel on Barella Road that was never formally transferred to the town by the developer. This is unfinished business from many years ago, during a prior administration. Mr. Jerram tracked down the developer and has had a deed signed that will be recorded with the Town Clerk to complete the requirements of that subdivision.

Another acceptance of Open Space parcels on Evergreen Crossing will be an additional agenda item. The First Selectman stated that he hopes to have the abandoned premises ordinance drafted and ready for discussion at the Town Meeting; but that may not be ready.

The Volunteer Tax Abatement will be sent to the Town Attorney and hopefully will be ready for discussion in April at the Town Meeting.

The Selectmen briefly discussed short term rentals and agreed that this issue can be complicated. There are many Air BnB's operating in town- but not all are known to the town. There should be some form of regulations that would serve to protect neighboring property owners. The Selectmen decided that it would be advantageous to have a study group/small committee charged with looking into this matter.

**Operations updates:**

First Selectman Jerram updated the Board members on various matters related to operations.

*2023-2024 Budget:*

The 2023-2024 budget is in good shape. Highway Overtime is about 40% expended, sand and salt still has funding remaining. Winter is not over yet, but hopefully there won't be too many additional storms.

*Brodie Bathrooms:*

The Brodie Bathrooms are going well – the winter has been mild, allowing for progress to be made. It is anticipated that they will be done for the summer.

*STEAP Grant – Town hall parking lot/fire access improvements*

The townhall parking lot and fire safety improvements STEAP grant project is still in development stage. The plans will go to Inland Wetlands for approval next month. This project includes the new landscaped driveway that will allow fire trucks to get access to the river if needed for water supply during a major fire in the downtown area. Town hall parking lot will be resurfaced as part of the project.

*Capital Funds:*

Capital funds are being used to replace underground oil tanks for town hall. Downtown improvements capital funds have been used to repair failing sidewalks. There will need to be additional funding put into place to cover the town's share of the STEAP grant. The highway department has asked for funding

for a front end loader and a woodchipper. The woodchipper has limped along for several years as this funding has been reallocated for other equipment in prior budgets.

*Miscellaneous items:*

The body cameras for the police have been received. There will need to be training on the use and storage and redaction of the video from the cameras. Jerram noted that the technology needed to be compliant with this mandate is expensive.

Early Voting will be implemented as required for the Presidential Preference Primary. This is another mandate that will cost the taxpayers.

The Audit is in final stages of completion -it was very complicated this year due to a lot of grants received by the town and BOE.

The Tax Abatement for the proposed housing complex on Main Street near Dollar General/Food Town (Brigados) has been discussed and was conceptually approved, but now needs further modification. The Stormwater (MS4) report has been uploaded to the website for public viewing/comment. It will be filed with the Department of Energy and Environmental Protection in April. There are mapping requirements that will need to be done in order to gain compliance with the requirements of the permit. This has been listed in the report as “will be done.” All catch basins and outfalls need to be mapped in the ‘urban area’ (west hill area).

Trash and what to do with it will be problematic within a few years. The Municipal Solid Waste Contract that is in existence will expire in 2027. There are 3,000 tons of trash per year generated in New Hartford. New Hartford trash used to be trucked to Torrington and then to trash to energy plant in Hartford, but it now goes to Pennsylvania due to the closure of the Hartford plant. The Regional Council of Governments will be discussing how to proceed. One alternative might be to become a regional waste authority (several towns as members). The Torrington site might be an option. Kennerson asked, “What happens if the COG becomes a regional waste authority?” Jerram replied that you need a physical site to collect the waste (such as the Torrington site) and then need to find a place to ship it to. An administrator would need to be hired to handle the details.

First Selectman Jerram informed the Board that the Animal Control dog bite case is still ongoing. He hopes that mediation will end this week.

**Appointments to Boards and Commissions:**

Mr. Jerram told the Selectmen that the Zoning/Land Use officer has asked that the members of the Architectural review committee be reappointed by the Board. Apparently, there was an oversight and the members have had a lapse in their term. This committee will be needed in the coming weeks/months and Mr. Lucas wants to be sure that all members are properly appointed.

**MOTION:** by Kennerson to reappoint Architectural Review Committee members Bob Howson, Bill Baxter, Wes Marsh and Tom Buzzi for terms as specified by the land use officer; seconded by Greenwood.

*Unanimous*

**Requests for Tax Refunds:**

|               |    |          |
|---------------|----|----------|
| Acar Leasing  | MV | \$467.51 |
| Jason Carrier | MV | \$110.00 |

|                     |    |           |
|---------------------|----|-----------|
| Enterprise FM Trust | MV | \$941.57  |
| Enterprise FM Trust | MV | \$131.30  |
| Ryan D. Humphrey    | MV | \$398.40  |
| National Iron Bank  | MV | \$3892.61 |

**MOTION:** by Kennerson to approve the Tax Refunds as recommended by the Tax Collector; seconded by Greenwood.

*Unanimous*

**Opportunity for Public Comment:**

No Public Comment

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

First Selectman Jerram asked for a motion to enter into Executive Session at 8:55 PM to discuss a potential tax abatement for the proposed New Hartford Village Housing Development and also to discuss possible funding for potential real estate transaction related to town garage.

**MOTION:** by Kennerson to enter into Executive Session to discuss potential tax abatement and for the purpose of discussion related to possible real estate transaction; seconded by Greenwood.

*Unanimous.*

Jerram, Kennerson, Greenwood invited Hayward into Executive Session.

Executive Session ended at 9:30 pm.

No action was taken as a result of Executive Session.

**MOTION :** by Kennerson to adjourn at 9:30 pm, seconded by Greenwood.

*Unanimous.*

*Respectfully Submitted,*

*Christine Hayward, Executive Assistant*

*Attachments filed with the Town Clerk (available upon request):*

*Draft Tax Abatement Ordinance for New Hartford Volunteer Fire Dept, South End, New Hartford Amb.*

*Tax Abatement Ordinance for Canton Volunteer Fire and EMS Department Personnel*

*Town of Burlington – Chapter 269 Taxation/Tax Relief for Volunteer Firefighters*

*Public Act No. 21-83*

*General Statutes of CT Title 12 – Taxation; Chapter 203 – Property Tax Assessment*

*Office of Legislative Research – Tax Benefits For Volunteer Firefighters and EMS Personnel*