

**Board of Selectmen  
Regular Meeting  
Tuesday, January 28, 2020**

**MINUTES**

**Present:** First Selectman Dan Jerram, Selectman Alesia Kennerson, Selectman David Rosengren, Administrative Assistant Christine Hayward.

**Others Present:** Approximately 30 members of the Public; Open Space members Jean Darlington and Bill Michaud.

First Selectman Jerram called the meeting to order at 7:06 PM.

**Update regarding proposed Multi-Use Trail – public presentation date:**

First Selectman Jerram presented a rendering of a proposed trail route that begins in the downtown area (Callahan Park) and goes through the village center down to the Satan's Kingdom Recreation Area and then through the Nepaug Forest with the goal of eventually connecting to the Farmington River Trail in Canton.

A public presentation will be held on Thursday, February 13 at 6:30 PM at town hall to introduce the concept to town residents. Feedback from residents is being requested so that the trail committee will know what is important to them.

**Follow up discussion of Asset Evaluation Team presentation to BOS (January 13):**

First Selectman Jerram stated that the Asset Evaluation Team (AET) had given an overview of their research and fact finding that led to their recommendation to consider the sale of the water and wastewater assets of the Town of New Hartford. The next step in the process is for the AET to get the word out to the citizens of New Hartford and offer public presentations so that residents can become informed of this proposal. A draft mailing was presented at a recent meeting of the AET. Additional work needs to be done on the mailing prior to distribution. Selectman Rosengren questioned how the mailer will be finalized. Mr. Jerram replied that he will work with staff to complete the mailer, just as has been done in the past with other mailings; most recently the mailer that was completed a couple of years ago to address the consideration of closure of the Bakerville School. Jerram stated that there is a communications line item in the budget that has \$4,000 for this expense. Mr. Rosengren asked if the Selectmen would be involved in the process. Mr. Jerram replied that he could contact the Administrative Assistant and go through her if he wanted to provide input, but there would be no formal meeting to address the mailer. He stated that he would not be able to meet individually with him but he could "go through Christine."

Selectman Rosengren stated his concern with the timeframe that is being proposed for a possible vote on this matter. He stated that the Asset Evaluation Team has had 3 years to be able to gather facts and research the matter and he is of the opinion that the public should have an equal amount of time to consider the matter. He commented that there have been statements made that the town is putting information on a special page on the website so that the public will have access to information, yet this has not been completed. The First Selectman replied that the page is being developed, it is taking some time to gather everything and put it on the site. Mr. Rosengren stated that he did not want public

presentations to begin unless all of the information is available to the public at the same time. Selectman Kennerson opined that it may be more beneficial for residents to hear a presentation first and then spend time looking at documents. Mr. Rosengren suggested that a “show and tell” type of presentation be done first – one where the information is presented and no questions are allowed. He stated that there may be a need for more than three presentations, adding that there is so much information to digest that most people will not be able to formulate questions the first time they hear a presentation. Mr. Jerram replied that the public will have an opportunity to hear a presentation to the Board of Finance at their meeting on February 11, 2020. This could be a “show and tell” meeting. This will be a meeting where the AET will present information to the Board members and presumably only the board members will be able to ask questions. This meeting is in addition to the public presentations that will be scheduled.

At this point in the meeting, in deference to the public in attendance at the meeting, First Selectman Jerram suggested that Opportunity for Public Comment be added to the agenda of the meeting.

**MOTION:** by Kennerson to add Opportunity for Public Comment as Item Number 3 on the agenda, item to follow “follow up discussion of Asset Evaluation Team presentation to BOS and to precede Operations Updates” on the agenda; seconded by Rosengren.

*Unanimous.*

WPCA Chairman/Asset Evaluation Team Member Denton (Bud) Butler spoke to the Board. He wanted to clarify that even though the Asset Team was formed 3 years ago, it was important to note that they have not been meeting every night for 3 years on the matter. He keeps hearing “they had three years to work on this” and he stated that there was a very long period of time where the AET was waiting for responses on certain matters; i.e. responses to RFP and a response to a question posed to the USDA regarding forgiveness of grant repayment.

Resident Bill Baxter stated his opinion that the sale of assets should be handled at a different time than the town budget. He stated that this is a complicated and controversial matter and the focus should be on the water and sewer issue as an individual concept.

Resident Mary Beth Greenwood asked who would be presenting at the information sessions and wondered if consideration could be given to having some kind of panel presentation. The First Selectman replied that the Asset Evaluation Team will be the ones to present the information and take questions.

Mr. Jerram informed those attending that the public presentations will be in a different format than what was presented to the BOS by the AET on January 6. A power point presentation is being developed so that the information can be presented in a user friendly manner. The First Selectman acknowledged that many people not directly receiving the benefit of water and/or sewer are not aware of the issues that are being discussed. There is an educational hurdle that has to be overcome.

Mary Rydingsward, a member of the Pequabuck River Watershed Association in attendance at the meeting, stated her concerns that the Asset Evaluation Team did not make many of their meetings available to the public. She stated that she has a great concern for the taxpayers because it appears that the objective of this committee was to design a sale and expand a system after a sale has occurred.

She is curious how the taxpayers will deal with this and looks forward to the public presentations where information will be shared. Resident Bill Michaud stated that he felt that it was important to facilitate community engagement with respect to the proposed sale. He stressed the importance of avoiding any bias in the process and hopes that the community will be given options to consider.

First Selectman Jerram addressed those assembled, stating that the public needs to be cognizant of the fact that “this Board” (referring to the Selectmen) cannot sell anything. He also stressed that this is not a decision that will be made at a town meeting – this is a matter that will go before a town vote at a referendum. There are also steps that need to be taken along the way – including recommendation by the Board of Selectmen, a positive consideration under 8-24 by the Planning and Zoning Commission and agreement by the Board of Finance to move this forward to the people to vote on it.

Resident Allison Greenlaw stated that it makes sense to allow for time for the people to learn about this matter. She questioned the timeline as to when a mailer would be distributed and when documents would be available for review on the website.

First Selectman Jerram replied that the plan is to have a document to the printer by the 10<sup>th</sup> of February so that it can be mailed to households in time to alert the public to the first presentation scheduled for February 20, 2020. Additional presentations have been tentatively scheduled for March 5 and March 19. Resident Pamela Thistlewaite asked if there has been a timeframe expressed by Aquarion for finalization of the potential sale; if it were to be approved. Mr. Jerram stated that there has not been a firm timeline expressed by Aquarion and he added that there are regulatory approvals that need to be acquired once there has been affirmative action on the matter and confirmed prior to any formal closing of the transaction.

Ms. Thistlewaite expressed her opinion that the size of the upgrade done to the wastewater treatment facility was a mistake and she doesn't want to “see another blunder that we have to pay for.” Mr.

Rosengren commented that he does not want to ignore history and repeat mistakes of the past. He echoed the sentiments expressed by Mr. Michaud regarding having options for consideration and added that he would like to see a legal expert weigh in on the proposal to sell an asset to a PURA regulated company. He would like to see the town retain someone with expertise in PURA matters. Mr.

Rosengren commented that the town should be seeking grant funding from places that offer grants to distressed areas of municipalities rather than consider a sale. Mr. Rosengren stated that volunteers do their best but they need to know their limitations and should seek expert advice when needed.

First Selectman Jerram challenged Mr. Rosengren's remarks stating that the Asset Evaluation Team has met with experts to seek their counsel and expertise. He stated that a meeting had been requested with PURA as a technical advice meeting and they did not offer any guidance. However, the meeting was advantageous because it provided an opportunity to connect with personnel from the Office of Consumer Counsel. The Department of Public Health and the Department of Energy and Environmental Protection have also been consulted. Jerram stated that the town attorney and an engineering firm have also been included in the process. Selectman Rosengren replied to Mr. Jerram's remarks stating that, ‘of course PURA did not offer advice, they cannot be predisposed to a matter that will eventually come before them.’

Resident Thomas Buzzi asked if there have been any other towns who have gone through this process of selling their water and/or sewer asset and what has been their experience? Mr. Jerram replied that when one looks at the neighboring communities, one can see that some are owned privately and some are town owned. Mr. Rosengren addressed Mr. Buzzi's question and stated that with respect to

ownership of sewer systems, Aquarion does not own a sewer system. Mr. Jerram replied that they may not own any, but Aquarion has run the Town of New Hartford Municipal Sewer system for several years and they have been a great operator.

Mr. Rosengren stated that he would like to see flexibility with the proposed schedule of presentations. He would like to have a panel included in the discussion. He stressed that he felt it is very important to have the website page fully loaded and complete with all of the information intended to be placed on the site prior to any discussion of presentation dates. He said that people need to have time to read through the information.

Selectman Kennerson agreed that if the mailer gets delayed and there is not sufficient notice to residents regarding the date of the first presentation, it should be rescheduled.

Mr. Rosengren asked Mr. Jerram to indicate a launch date of the website AET documents. Mr. Jerram asked Administrative Assistant Hayward to answer the question. Mrs. Hayward replied that work was continuing on preparing the web page. She stated that it was a large project that was time consuming and was being addressed in addition to the daily responsibilities of those involved in its development. It is a “team effort” and is being done as quickly as possible. In response to Mr. Rosengren’s statements to hold off scheduling presentations until the webpage is fully uploaded, Ms. Hayward stated that there will be numerous documents available for review and it will be like ‘reading a book – chapters can be read one or a few at a time; the whole book does not need to be read in one night.’ She stated that she could not be certain when all of the documentation would be available on the site and she did not want to give a specific date and then be held accountable to that date. She said she felt like she was being “backed into a corner” with providing a specific date and she was not going to do that. She was not sure how much time it will take to complete the page because she cannot tell how much time will be available each day to work on the site. It was her opinion that there was enough information for people to start reading and it would be more helpful to go live with most of the information loaded and allow people to start reading before having to wait for all of the information to be uploaded especially since it is hard to pinpoint an exact date of completion.

At this point in the meeting, the First Selectman read the following Motion for consideration by the Board of Selectmen:

*The Board of Selectmen acknowledges that the Asset Evaluation Team has completed the charge as directed by the Board of Selectmen and has made a recommendation pertaining to the sale of water and wastewater assets to Aquarion Water Company in the amount of \$8,000,000 and the reinvestment of the proceeds. The Board recognizes and appreciates the three years of hard work, dedication and research that has gone into making this recommendation and as such the Board of Selectmen endorse this recommendation and agree that this proposal shall be presented to the public for their consideration. As such, public presentations shall be scheduled by the Asset Evaluation Team so that the public can receive the information they need to be able to make an informed decision on this complex proposal.*

**MOTION:** by Kennerson to endorse the statement as read by First Selectman Jerram; seconded by Jerram.

Selectman Rosengren stated that he did not agree that the AET has fulfilled the charge as directed by the Board of Selectmen. Mr. Rosengren quoted Mr. Butler as having stated at another meeting recently

that a task force had 'examined taking the operations back in house, but it was not the job of the AET to present conflicting solutions.'

Mr. Jerram called for a vote on the motion.

*AYE: Kennerson, Jerram*

*Opposed: Rosengren*

*Jerram declared the motion passed by a vote of 2:1.*

**Operations Updates:**

First Selectman Jerram presented operations updates to the Board of Selectmen.

*Tree trimming:*

Mr. Jerram stated that he had recently met with a representative from Eversource regarding tree trimming that will be done throughout New Hartford in the coming months. Eversource plans to trim trees located along 57 miles of the 84 miles of town roads. This is very extensive and more substantial than the trimming done in recent years. Much of this trimming is being done in response to the damage done to Ash trees by the Emerald Ash borer.

*RRDD- MIRA:*

Mr. Jerram informed the Selectmen that there will be an issue with increased costs associated with trash and recycling. RRDD has received notification from MIRA (Materials Innovation and Recycling Authority) that tipping fees could increase to \$145 per ton of trash disposal due to costs associated with upgrades to the plant facility in Hartford. MIRA is asking for participating towns to sign letters of intent to remain with MIRA. MIRA has stated that they have \$333 million worth of work to be done to renovate the waste to energy facility. Mr. Jerram stated that he has attended meetings at MIRA and does not feel that there is enough information at this time regarding actual costs and he is not in favor of signing any letters of intent at this time. The Selectmen agreed.

*Regional 7 costs:*

The First Selectman reviewed the Average Daily Membership numbers (number of students) used to determine the costs billed to New Hartford for its share of student expenses. For the 2019- 2020 fiscal year, New Hartford's ADM was 482. For 2020-2021, the ADM is 484. This shows a slight increase in the population for New Hartford, whereas Colebrook, Norfolk and Barkhamsted all show decreases. New Hartford was at 49.64% of student population and has now risen to 52.04%. This will mean an increase to New Hartford. This does not include costs associated with increase to the overall budget.

*Health Care costs:*

Due to the fact that the value of claims exceeded the value of premiums for health care in the consortium, it is anticipated that health care costs will rise this year. Mr. Jerram stated that the consortium is looking at other carriers as a way to soften the increase.

*Highway budget:*

First Selectman Jerram said that the Overtime line item has not been used for the past few weeks, so that is helpful in keeping that line item in check for now. Contacted Services was used to fund expenses associated with the maintenance of some fire ponds that exist in town. He explained that these are large underground cisterns that are in place in some subdivisions that are available to use as a water source in the event of a fire. Due to a regular lack of maintenance, there were 3 cisterns that needed some sizeable repairs/maintenance. Selectman Jerram said that this has been a gray area as far as responsibility for maintenance – they are required as part of subdivision requirements, but the

responsibility for maintenance has not been spelled out. It is necessary to hire a contractor to perform the inspection and repair due to the fact that certification in confined space entry is needed to access the cisterns.

*Sand/salt:*

Selectman Kennerson asked if there appears to be any savings associated with the use of increased salt versus sand during storms. Mr. Jerram replied that it really is just shifting the costs from one item to another. Sand expense may decrease, while salt expense will increase. It is too early to tell whether there will be any savings from this change in operations.

*Assessor Software:*

The IT consultant for the Town has informed the First Selectman that during his attempt to upgrade all town computers to Windows 10, it came to his attention that the current Software used by the Assessor's Office is not compatible with Windows 10 and it, too, needs to be upgraded. Consultation with the Software company has confirmed this and they have provided a quote of \$14,000 for the new software. Mr. Jerram stated that there are capital funds remaining from the revaluation and he would like to seek approval from the Board of Finance to use \$6,835 that remains in capital to be used toward the cost of the software upgrade; noting that they are both Assessor expenses.

**MOTION:** by Kennerson to request from the Board of Finance the use of the remaining \$6835 from the capital revaluation expense for costs associated with Vision Appraisal Software upgrade; seconded by Rosengren.

*Unanimous.*

*Trees:*

The Recreation Commission has recommended the removal and subsequent replacement of 2 trees within Brodie Park. Mr. Jerram explained that there is a line of Norwegian spruce trees in South Brodie. There are 2 that have been strangled with vines and are not healthy. The trees have been posted for removal. Jerram stated that the Recreation Commission is charged by ordinance to care for the parks and he will respect their recommendation to remove the trees. There is a plan to replant trees to replace those that are removed.

*Gazebo at Antolini School:*

A request has been made by Rebecca Wipperman, a resident and member of a Girl Scout troop to construct a gazebo/outdoor classroom at Antolini School. She has received approval from Principal Amanda Shaw and has also received zoning approval. Rebecca is doing this project in order to fulfill requirements for the Gold Award, the highest achievement within the Girl Scouts. The First Selectman applauded her desire to work towards this prestigious award and has approved her request to construct this structure with the understanding that it is compliant with building codes and zoning regulations.

*Region 7 sewer:*

Mr. Jerram informed the Board that the Town of Barkhamsted has requested to connect a sewer lateral from the Barkhamsted commercial plaza located on route 44 to the sewer lateral that connects to Regional 7 in order to be able to connect to a sanitary sewer system. The Plaza is currently serviced by septic and this is no longer adequate. A sewer connection is needed in order for the owners of the plaza to be able to allow any additional businesses to occupy the plaza. The Regional 7 school board recently voted on this request and Town of New Hartford representatives voted no, as did other members which resulted in non- approval of the request. Barkhamsted intends to pursue this matter and would like an

opportunity to bring it before the Board once again. Mr. Jerram stated that New Hartford has personal experience with the potential pitfalls of sewers that are not located within the roadway. He said that he was discussing this matter with this Board just to create awareness of the situation as he expects that there will be continued discussion on the topic.

**Budget Preparation/Capital Budget 2020-2021:**

The First Selectman informed the Selectmen that there will be need to schedule special meetings in order to develop the budget. He stated that the month of February begins the time to devote to the budget. The Selectmen agreed to meet for a special meeting on Tuesday, February 4, 2020 at 5:30 PM. Mr. Jerram reminded all that the town audit will show historical data if there is interest in that.

Mr. Jerram distributed a revised proposed capital plan. He stated that he had a request from the highway superintendent for three pieces of equipment that total \$435,000. Mr. Jerram commented that the average for the entirety of the capital request has been around \$376,000. Therefore, this will need to be narrowed down. He has included \$200,000 to replace the older plow truck. He has allocated \$60,000 for the repair of the roadside mower. \$10,000 has been added for a charging station for electric vehicles. Town hall equipment has been entered as \$25,000. Mr. Rosengren asked if this plan has been revised since the meeting on January 2, 2020. Mr. Jerram replied that it has been. This is the plan that he would like to see brought before the Capital Expenditures Advisory Commission. Jerram stated that the CAP-EX committee will review the plan sometime prior to the March 10 Board of Finance meeting where Capital budgets will be presented to the Finance Board.

Selectman Rosengren said he thought that there was \$25,000 in the plan for a truck wash. Mr. Jerram replied that it has been removed because there are existing funds this year that have not been used yet and he is still uncertain as to what kind of a study the Board of Finance is requesting. Selectman Rosengren stated that he wants the \$25,000 in the current year to be allocated for a garage study.

**MOTION:** by Kennerson to approve the 2020-2021 Capital Plan as presented and move it forward to the Capital Expenditures Advisory Committee for review; seconded by Rosengren.

Mr. Jerram stated that he was fairly certain that the Board of Selectmen will be revisiting this capital proposal because inevitably the Finance Board will ask that it be cut; but he wanted to present what the Board feels are necessary capital projects. Mr. Rosengren reiterated his earlier statement that he wants to be sure that the \$25,000 originally set aside for a truck wash bay is not lost and will remain available for use for a garage study.

*Unanimous*

**Open Space Tax Abatement Program:**

Bill Michaud and Jean Darlington, members of the Open Space Preservation Commission, were present to present to the Selectmen information regarding the process for applying for consideration of a tax abatement in exchange for preservation of open space. Mr. Michaud explained that this is another way that people can preserve land without the town/commission having to pay cash for the transaction. They distributed a program description and a notice of intent form that would be used by interested parties. Since any approval of an abatement will require town meeting approval, the Selectmen discussed the timeline for receipt of a request. They agreed that there should be time for review of an application so that it can be completed and voted on in conjunction with the annual budget referendum.

It was decided that applications will be due in September of any given year in order to be acted upon in May.

**MOTION:** by Kennerson to approve the Open Space Tax Abatement Program with applications to be due in September; seconded by Rosengren.

*Unanimous.*

Mr. Michaud commented that there may need to be some assistance by legal counsel if donation of land is part of the transaction. Mr. Jerram stated that was understood and legal assistance would be provided if necessary. Ms. Darlington said that there may be need to modify the document as time goes on and they gain experience with the process.

**Requests for Refunds of Taxes:**

No Requests were submitted.

**Correspondence:**

A resignation has been received from Kathy White, member of the Commission on Aging. The Selectmen acknowledged her resignation with public thanks for her service to this Commission.

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

Selectman Rosengren distributed a supplement to the garage proposal he had submitted at the January 2, 2020 Board of Selectmen meeting. Mr. Rosengren stated that he has spoken with Alan Borghesi of Borghesi Construction and to John Miller, President of Nickerson Construction to gather information regarding pricing for construction projects. He requested that a plan for a new town garage be developed. Mr. Rosengren commented that the cost of failure to store and maintain equipment properly can be substantial. He said that the current garage needs to be replaced; stating that 'we need to get rid of the blight that is in the middle of the downtown.' Mr. Rosengren has visited the Town of Barkhamsted garage site and has spoken with Rich, the highway superintendent in Barkhamsted. He informed the Board that the garage is configured differently to allow front and rear entry of vehicles. It provides for better use of existing space. Mr. Rosengren said that the Town of New Hartford would not need 10,000 square feet of space; 5,000 square feet would be sufficient. He added that engineers would need to be consulted to make best use of the space and make it efficient. He encouraged the Board to consider developing a plan.

First Selectman Jerram said that engineering design costs and land costs are not included in the garage proposal put forth by Selectman Rosengren. Mr. Rosengren replied that is why he would like to have a preliminary plan drawn up. Mr. Jerram stated that there has been a plan previously explained to Mr. Rosengren and that plan is that the garage property should be developed in concert with development of the Hurley property. Jerram further stated that the current garage is operational. Mr. Rosengren replied that he is putting forth a recommendation that has been part of the Plan of Conservation and Development for years. He asked for support from the Board for a proposal that is consistent with the Plan of Conservation and Development. The discussion on this subject ended.

Mr. Rosengren gave Mr. Jerram a summary of procedures for rules regarding conducting town meetings. He requested that consideration be given to rules of parliamentary practice so that everyone knows what the rules are.

**Approval of Minutes:**

This agenda item was not addressed and was deferred to the next meeting.

**MOTION:** by Kennerson to adjourn at 9:45 PM, seconded by Rosengren.

*Unanimous.*

*Respectfully Submitted,*

*Christine Hayward, Administrative Assistant*

*Attachments:*

*Capital plan dated 1/28/2020*

*Supplemental Report on New Town Garage Proposal; prepared by David Rosengren dated 1/27/2020*

*DRAFT Open Space Preservation commission Tax Abatement Program Notice of intent*

*DRAFT Open Space Preservation commission Tax Abatement Program Description*