

**Board of Selectmen  
Regular Meeting  
April 27, 2021**

**MINUTES**

**Present:** First Selectman Dan Jerram, Selectman Alesia Kennerson, Selectman Laura Garay, Town Clerk Deborah Ventre, WPCA Chairman Denton (Bud) Butler, Member of the Press Kathryn Boughton (Republican – American), Administrative Assistant Christine Hayward.

First Selectman Jerram called the meeting to order at 7:00 PM.

He welcomed those present back to “in person” meetings; stating it had been a yearlong recess from in-person meetings due to COVID. He noted that Town Hall has been very busy; it has been open every day and was not closed during the Pandemic. It is nice to see people coming in to get beach passes, to reserve kayak slips, get building permits and conduct other business. Holding in person meetings helps to send a message to the public that it is safe to come back to town hall.

The First Selectman commented that it was also nice to see Selectman Garay, noting that although she had participated in the remote meetings, it was a pleasure to actually be able to see her in person.

Denton Butler, present in the audience asked if it might be possible to change the order of the agenda items and move item 6 (Request from WPCA Chairman Denton Butler regarding transition team for asset sale) up to number 1 so that he could be present for that discussion and then allow him to leave the meeting at the conclusion of that discussion. The Selectmen had no objection to adjusting the sequence of the agenda items – no formal motion was made; consensus achieved.

**Request from WPCA Chairman Denton Butler regarding transition team for asset sale:**

First Selectman Jerram acknowledged receipt of an Email sent by Mr. Butler to the Board of Selectmen requesting appointment of the Water Pollution Control Authority to act as the transition team during the process of finalizing the sale of the assets to Aquarion Water Company. First Selectman Jerram informed the Board he has been gathering information requested by the town attorney. Attorney Roraback will be performing due diligence checking deeds and easements to be sure that everything is properly transferred at the time of sale. Butler stated that post transition there will continue to be responsibilities that the WPCA will need to be involved in, such as collection of past due receivables as these are due to the WPCA. Additionally, the WPCA can continue to interface with the Department of Energy and Environmental Protection to seek funding from the priority list for sewer expansion. Mr. Jerram asked Mr. Butler if he was also suggesting that the WPCA be the Building Committee when it comes time to expand the sewer lines in the Pine Meadow area. Butler replied that he, himself, has extensive experience on several building committees including the wastewater treatment plant upgrade, renovations to Ann Antolini School, and School Security Upgrades and wants to continue to be involved in the sewer expansion project. He is not suggesting that the entire WPCA be the building committee, but would recommend that a couple of the members serve on the Building Committee along with the First Selectman and perhaps one or two others. Butler suggested that the committee include 3-

5 people maximum. However, it is his opinion that the WPCA is the logical entity to act as the Transition team during the time of sale. The WPCA is responsible for oversight of the operations and should continue in that role. They can be available for assisting to see that the transfer goes smoothly and can assist with document gathering or answering questions during the transition.

The Selectmen agreed that the Asset Evaluation Team has completed their charge and fulfilled their obligation. Jerram stated that the AET no longer has any official duties. It is time to disband the committee. Mr. Jerram expressed personal thanks to Bud Butler, Joe Toro, Kim Estep and Tom Hart for their commitment.

**MOTION:** by Kennerson to disband the Asset Evaluation Team and thank them for their service, seconded by Garay.

Garay agreed that the charges of this committee have been fulfilled. She stated that as far as the make-up of the transition team is concerned, she feels that the WPCA should definitely be involved. They have intimate knowledge of the process and it makes sense to have them continue working on the next steps.

Notes of thanks will be sent to the members.

*Unanimous*

The Selectmen agreed that a charge needs to be developed for a post-sale transition team and that action should be taken to appoint a team soon. Further discussion regarding the charge should occur at the next Board meeting.

**Discussion of Tax Abatement for Senior Housing:**

First Selectman Jerram informed his Board members that he has been meeting and talking with a developer who is pursuing construction of Senior Housing on a parcel of land in New Hartford. A letter of intent has been signed with the property owner and the developer has asked if a tax abatement could be considered by the Selectmen. Mr. Jerram stated that he has discussed this request with the town attorney and has learned that CT General Statute 7-498 allows the Selectmen to offer tax abatement for purposes of development. Questions were asked regarding the identity of the individual proposing this plan. Mr. Jerram replied that he cannot divulge specific details at this time but stated that he has had numerous interactions with the individual and there has been discussion for several years trying get this type of development. It has now come closer to reality.

Selectman Garay asked if this Statute was used when Canterbury Village was built. Jerram replied, that to the best of his knowledge, it was not. Mr. Jerram provided some details of the proposal. The developer has indicated that there will be 100+ units; with a maximum of 150 units. It will be staged, phased development. 40 in first year, 40 in second and balance after that. Developer has discussed specifics with the land owner and will be bringing forth an application for consideration to the WPCA. The developer has asked the WPCA for some considerations of modifications to their current regulations. Executive Session was held to negotiate potential considerations by WPCA. WPCA has researched what they can and cannot allow with respect to changing rules and regulations to accommodate a developer's request. There is unanimous consent by WPCA to endorse the proposal. Selectman Garay expressed her pleasure that this type of development is being discussed. She stated, "I don't think anyone will be more pleased than I will if this comes to fruition." Garay reminded all that Senior Housing has been one of her priorities for several years. She has been very vocal about the need for Senior Housing, and feels that there needs to be options for those residents who want to downsize, but still want to remain in town.

Kennerson commented that looking at a tax abatement for this project could open the door to being able to offer tax abatements for other projects. Jerram stated that the goal for a tax abatement would be to strike a balance to provide a developer the reason to build in New Hartford, but be mindful of the taxpayers and the revenues to be received. It needs to provide fairness to everyone. Garay stated “thank you for working on this project and showing action that this Board has a commitment to our Seniors.” Town Clerk Debbie Ventre, present in the audience, was asked for her thoughts on this project. She replied that she was initially concerned when the Selectmen mentioned tax abatement, but once she understood that it is an incentive to help the project move forward and when she realized that this project is being proposed to include additional users on water and sewer services, she feels it is a win/win.

**Operations Updates:**

First Selectman Jerram informed the Board that there has been a change to the 1.09 tax increase, 30.96 mill rate due to the fact that Region 7 met and reduced their proration to New Hartford to a new total of \$10,218,206.00. This change will reduce the overall tax increase to under 1%. Board of Finance will meet to consider this change and may adopt a revised budget figure that will go to the budget referendum. The Selectmen endorsed making this adjustment prior to the referendum.

**MOTION:** by Garay to recommend to Board of Finance to adjust Region 7 assessment to \$10,218,206.00 in the proposed budget, thereby reducing tax increase to under 1%, seconded by Kennerson.

*Unanimous*

Mr. Jerram updated the Board on several areas:

***Parks/Recreation:***

Kayak rentals are almost sold out. Brianna Boyajian build new racks for her Eagle Scout Project. Revenues have jump started the program account this year which is really needed due to loss of income last year.

Painting of the Field House at Brodie is a left over capital project from last year, will be completed soon. Cub scout cabin, preschool cabin and Berkshire hall were all painted last year.

Sk8 Park was vandalized last year – zero tolerance for vandalism. Many inquiries asking where the Sk8 Park jumps were; they had been removed temporarily and have now been reassembled and put back in place. The dedication plaque that was installed to thank those responsible for the Sk8 Park has faded, and is barely readable, Jerram hopes to have it replaced.

***Highway:***

Ramstein cross pipes are being installed prior to paving. The State will be paving Route 219 at intersection of Route 44 up to Farmington River Turnpike. A Preconstruction meeting will be held on Thursday.

***Insurance Claim:***

Jerram has been working on filing a claim for \$18,000 losses to WPCA during Storm Isaias. Power surges caused loss of equipment. Cross claims between FEMA and CIRMA.

***Water System Start up:***

Water System at Browns has been completed – Seasonal Startup has been completed. Water system is compliant.

***Town Hall Staff:***

As mentioned at a prior meeting, there are several new employees at town hall. They are all doing well and adjusting to their responsibilities.

*Carpenter Road Bridge:*

LaRosa, the contractor for the Carpenter Road Bridge had submitted a claim for legal fees to be paid by the town. This was denied. Interrogatories for the case have been answered; no time frame as to when this will move forward. There is a phone conference scheduled to answer any questions the court has before moving this forward.

Reimbursement of Carpenter Road Bridge is still pending, the town has reached out to DOT to check on status of the reimbursement request. DOT is still working remote, things move slowly right now.

*Brodie bathrooms:*

Grant application is sitting at DEEP, waiting for signatures.

*Cedar Lane Bridge:*

approved at Inland Wetlands; The area from the southern edge of the bridge to Route 202 will be paved following completion of bridge. This section of roadway has numerous potholes and this will provide relief to those who drive this section frequently.

*Beekley Views:*

Application for parking area at Beekley Gardens is going to Inland Wetlands in June. Approval is being sought for the gravel parking area. This parcel of land is leased to the town for 50 years. A discussion with abutting land owner Anne Bailey led to donation of 7.3 additional acres of land to make total of almost 40 acres of open space. This parcel has beautiful views.

*Pension fund:*

Current portfolio is at \$5.5 million. It is at an all time high. Hooker and Holcomb do a great job managing the fund.

*Compensated Absences:*

First Selectman Jerram informed the board that he has some concerns with the unfunded liability of paying out accrued time when a long time employee resigns/retires. He stated that there have been several long term public works employees who have retired and the overall liability has reduced. He noted that most times when someone retires, there is a lapse in rehiring in order to pay for the unfunded liability. The wage line item is used to cover the costs, so the position remains vacant until the liability is covered. This has worked in the positions that have been vacated as there are other positions that can cover the loss. However, there are a few positions where there is no coverage and the employees in those positions – namely, the Bookkeeper and the Selectman's Administrative Assistant do not have back ups. They work independently and have no coverage to handle the majority of their responsibilities. Those positions cannot be left vacant. Therefore, he would like to have Selectmen consider a proposal to buy down the accrual now. This would reduce the liability later on and there would not be a need to use the wage line item to cover the accrued expenses. He stressed that there cannot be a vacancy in the chief financial officer for several months. There will be a need to train someone prior to the actual retirement. There is no redundancy in the bookkeeping/accounting department and it will take time to train a replacement. Kennerson asked if there are some written instructions regarding processes. Jerram replied that there are procedures, but in person training will be needed. First Selectman Jerram would like the Selectmen to consider being able to buy down some of the liability if there is extra funding towards the end of the fiscal year. He stated that he will also discuss this with the Board of Finance.

**Town Meeting Date and items:**

*Appointment of Town Clerk:*

First Selectman remarked that there has been brief discussion by the Selectmen in the past regarding appointment of Town Clerk versus elected position. There was no need to consider making a change in the process at a time when there was a long standing competent Town Clerk. Now that there has been a retirement of that individual, it is a good time to consider a change. Jerram stated that he has had conversation with the current Town Clerk – Debbie and she is not against seeking an Ordinance for appointment of this position. The Selectmen have appointed Debbie through the remainder of the current elected term and it would be his intent to continue to appoint her to the position if an Ordinance were adopted. Jerram noted that this change from elected to appointed was done with the Tax Collector position and it has been a success. Jerram stated that he has a draft ordinance for consideration (based on Tax Collector); the difference being that the Town Clerk would be a 4 year appointment. This position would be a Union position and changing to appointed rather than elected provides stability and continuity in the office. The politics is taken away from the position when it is appointed. Kennerson agreed that it is a good idea, no opposition was noted.

*Community Club Parking Lot:*

There was a change in board membership that delayed coming to a final agreement last year. The Board had requested that the town take over the electric bill for their lights. COVID then interrupted any further meetings to discuss the proposal. The Town is seeking a long term lease for the land to construct a parking lot. Butler asked who benefits from the additional parking. Jerram commented that there is a shortage of parking downtown when there are events. The Library will be moving forward with their proposed expansion, which may result in increased parking needs. Jerram also stated that parking along Central Avenue is problematic.

*Building permit software:*

An ordinance is needed to add a fee to the current land use permit and building fees schedules to cover the additional cost of new software. This software will allow for online permitting and will increase efficiency in the office, as well as increased convenience for those wishing to obtain permits. Many towns use this software and it has proven to be a useful tool.

*Food trucks:*

Food trucks have become very popular and there is a need to regulate how, where and when they may operate. The Planning and Zoning Commission opted not to regulate these in the past, therefore they remain a grey area and are currently authorized under a peddlers permit. Many towns have passed specific ordinances to address food trucks. Selectman Jerram stated that the Board of Selectmen should draft an ordinance and then present it to the Planning and Zoning Commission to see if they want to regulate it through specific regulations or leave it to an ordinance.

*Abandoned Dwelling Ordinance:*

First Selectman Jerram stated this ordinance will take some time to consider because it has to be written in a manner that is sensitive to situations that may be hardships to residents. He is not looking to enact an overall blight ordinance, but feels that a mechanism in place to address homes that appear to be abandoned with no upkeep might be in order. There are several properties in neighborhoods where it seems like owners have 'walked away' and have made no provision for maintenance and have let things go. An ordinance might allow for some intervention to occur or at least provide a mechanism for accountability of maintenance.

The Selectmen briefly discussed some options for a meeting date – June 17 and June 24 were mentioned as possibilities if the ordinances can be ready for public vote at that time.

**Appointments to Boards and Commissions:**

First Selectman Jerram informed the Board that he had received a request from local resident Dawn Whelan seeking the Board of Selectmen's endorsement to appoint her to serve as the representative from New Hartford on the board of the Northwest Connecticut Economic Development Commission. She attends the meetings regularly would love to be the liaison for New Hartford.

**MOTION:** by Kennerson to appoint Dawn Whelan to NWCT EDC for the term as determined by the organization, seconded by Garay.

*Unanimous.*

**Acknowledgement of resignation of P&Z member David Krimmel:**

First Selectman Dan Jerram wanted to publicly acknowledge receipt of the resignation letter submitted by Planning and Zoning member David Krimmel. Mr. Jerram recognized David's volunteer service to the community and thanked him for his service to the town.

Selectman Kennerson added that "David is a long-time volunteer and is part of the fabric of the community as a whole. People like that should be recognized for their service."

Selectman Garay added that "David always had a rational and reasonable sense of what he would like to see happen in the town; his goal was always to continue to make this a wonderful town. I thank him 150% for what he gave to this town."

**Discussion of pesticide use by Eversource:**

The First Selectman stated that he was contacted by resident who was concerned about the use of a pesticide/herbicide by Eversource to stop root growth. The product is called Pathfinder. This is known to kill fish and she expressed concern that this is used near West Hill. She asked that the First Selectman investigate this to see if this use can be stopped. Mr. Jerram contacted Eversource and learned that Municipalities cannot regulate blanket use of this product throughout town; but the town can regulate its use on town property. Residents can also individually request that this use stop on their property. Jerram suggested to this resident that she bring this issue forth to the West Hill Property owners and then they can make their decisions regarding its use. If is harmful to environment, Kennerson agrees that it should stop and would like to consider banning its use on town property, but she felt that there should be additional investigation into what this is and what it does before making a policy. She would like to readdress this at a future meeting when there may be more information to share.

**Other Business:**

Consolidation of Fire Districts

Selectman Garay informed the Board that she had attended the meeting of the Pine Meadow Fire District where they discussed the topic of consolidation. She gave the Selectmen a brief summary of what transpired at the meeting, stating that there were only a few members of the voting public present. Those that attended did vote to support the move toward consolidation with the Village Fire District.

**Executive Session:**

**MOTION:** by Kennerson to enter Executive Session at 9:30 pm for the purpose of discussion related to negotiation of a tax abatement; seconded by Garay.

*Unanimous*

(Jerram, Garay, Kennerson entered into Executive Session. Hayward was invited into the Session)

The Executive Session ended at 10:00 PM. No action taken.

**MOTION:** by Kennerson to adjourn at 10:00 PM, seconded by Garay.

*Unanimous.*

*Respectfully Submitted,*

*Christine Hayward, Administrative Assistant*

No attachments