

**Board of Selectmen
Regular Meeting
VIRTUAL
January 25, 2022**

MINUTES

Present (Virtually): First Selectman Dan Jerram, Selectman Alesia Kennerson, Selectman Laura Garay; Administrative Assistant Christine Hayward.

Others Present (virtually): Members of the Public Charlie Neale, Mary Beth Greenwood, Denton Butler, Elizabeth Domas; Member of the Press Kathryn Boughton (Republican- American).

First Selectman Jerram called the meeting to order at 7:07 PM.

He stated that the “final draft” of the Asset Sales Agreement had just been received via email this evening. It has been forwarded to the members of the Board, but they have not had a chance to review the document. Therefore, any discussion related to the document this evening will be brief. Members of the public wishing to review the final version of the sales agreement with Aquarion Water Company can request a copy by contacting the First Selectman’s office.

Mr. Jerram stated that drafting this agreement was a large undertaking. It took longer than originally anticipated due to having to do a lot of research to make sure that deeds, easements, assignments and mapping were all properly reviewed and confirmed. The town attorney wanted to be certain that the transfer of the assets would be complete and accurate. There were a lot of loose ends to tie up, but he is now confident that the document meets the needs of both the buyer and the seller.

Operations updates:

Asset Sale Agreement

First Selectman Jerram stated that the asset sale agreement has consumed many hours of his time the past few weeks. He said that it is great to have this hurdle behind him. He repeated that copies of the agreement are available by request.

Completion of this mutually agreed upon contract allows the next phase of the process to begin. The town and Aquarion will go before PURA for regulatory approval of the sale.

COVID

Distribution of COVID test kits and masks has been successful. Many residents have taken advantage of the free test kits and masks supplied by the State. Mr. Jerram noted that Penny Miller has been assisting with the distribution process in the Selectman’s Office. Her help has been extremely appreciated.

Audit:

The fiscal year 2020-2021 Audit has been completed and is ready for review by the Board of Finance. There were no findings reported; however, there were some minor recommendations made regarding time card approval and building permit processes. The Auditors had concerns with delayed communication between departments during the last audit which transferred over into this audit. They felt that the assessor’s office was not getting timely information regarding the status of open permits

which would then have a negative impact on the Grand List. Software for permitting was looked into however, implementation of the software required an increase in permit fees which required Town Meeting approval. COVID restrictions made it difficult to have Town Meetings which resulted in a delay in moving forward with funding for the software. Additionally, the structure fire that destroyed the New Hartford House located at 526 Main Street presented a whole different level of administrative involvement which kept the Selectman's Office busy and just not enough time to continue the investigation of the software.

Surdam House:

As mentioned at a prior meeting, the "Surdam House" on East Cotton Hill Road has been turned back to the town. It is now vacant and the town highway department has completed cleaning out things left behind. Mr. Jerram encouraged the Selectmen to contact him to set up a time to tour the home. He stated that the Board will need to define a path for what will be done with the structure.

Budget:

Budget timeline has been approved and Mr. Jerram stated that the Board will need to start meeting to create the budget.

ARPA update:

The "final rule" for use of the COVID/ARPA Funds has been received. A change has occurred where there is no longer the need to calculate lost revenue by Municipalities receiving less than \$10,000,000 in funding in order to spend the money. As long as there is a tangible link to a government service, there is no need to justify the expense.

Fiberoptics upgrade:

First Selectman Jerram mentioned that an upgrade to fiberoptics is almost complete at town hall. The IT consultant had recommended that an upgrade be considered, especially with the future requirement for processing/storing police body cam footage. Selectman Garay asked about the cost for the upgrade to fiber optics; Jerram replied that it was approximately \$10,000 and there will also be an increase in monthly expenditures for internet services. Garay asked if this expense would meet the definition of broadband expenses and therefore be eligible for ARPA funding. Mr. Jerram replied that it probably would meet the parameters for installation, but the monthly fees will be ongoing and part of the budget.

Discussion of Asset Sale:

Asset Purchase Agreement:

The Asset Sales/Purchase Agreement is complete as mentioned at the beginning of the meeting. This will not be discussed in detail at this meeting due to the fact that the agreement was not distributed to all to allow time to review. First Selectman Jerram asked the Selectmen how much time they will need to review the agreement and when they might be ready to discuss the document. He encouraged the Selectmen to send questions to the Administrative Assistant in advance of the next meeting so that answers can be ready for the meeting. The Selectmen agreed to meet on Tuesday, February 1 at 6:30.

Discussion of Tax Abatement procedure:

First Selectman Jerram commented that included within the Asset Sales/Purchase agreement is reference to a tax abatement for Aquarion. Jerram stated that part of the negotiation with Aquarion

includes a 10 year cap on taxes at \$10,000. Jerram stated that it is important to keep in mind that if there is no abatement for taxes, Aquarion rates would need to increase to cover the added expense of taxes due to the Town. Jerram said this would be counterproductive to the purpose of the sale – which is to provide rate relief to current users. He stated that income from taxes paid by Aquarion to the town was never factored into any budget. There is also another request for tax abatement for a proposed housing development. There was conceptual approval of the tax abatement by the Board of Selectmen; but Attorney Roraback has recommended town meeting approval. The First Selectman reviewed the statutes regarding tax abatements; there are protocols that must be followed. Mr. Jerram suggested that the action of the board should be to seek guidance from counsel regarding how to move forward with these abatements. Jerram stated that neither entity is currently a tax paying entity, therefore there is no loss of revenue at this time.

MOTION: by Kennerson to seek written guidance from counsel regarding procedures required to implement tax abatements – for the proposed housing development and for Aquarion; seconded by Garay.

Unanimous

Discussion of the ARPA requests:

First Selectman Jerram informed the Board that the requests were placed in categories; using the term “buckets.”

Mr. Jerram would like to review the requests and get some sort of approval from the Board of Selectmen on some of the expenses so that they can move forward to the Board of Finance for consideration. The First Selectman stated that he is in full support of an ambulance, with a projected cost of \$75,000. He commented that another request in the emergency services ‘bucket’ was undefined. The fire department did not put a dollar figure on their request for HVAC improvements. Selectman Kennerson suggested that there be outreach to entities that did not define a specific amount. Selectman Garay reviewed the requests listed as non-profit relief (small) and commented that she is reluctant to approve funding at this point because she would like to wait and see if other smaller groups will be reaching out for consideration of funding. She doesn’t want to leave anyone out and would prefer that there be more time for additional requests.

Mr. Jerram replied that the water study, scouts, food pantry and Winchester Youth Services Bureau all seem to have merit with their requests. The scouts are always asked to assist in parking at events; they serve the community. Jerram stated that West Hill Lake funding is near and dear to “my heart.” He also would like to support the Food pantry at St Johns, suggesting that some of the funds be used to purchase gift cards from the local grocery store and then donate them to the Food Pantry. This would also help a local business.

Garay stated that she is cautious of spending “dribs and drabs.” She confirmed that she supports the ambulance and is in support of the school requests.

Discussion occurred as to the best way to distribute the funding.

Kennerson stated that they should look at the requests and see what they can approve this evening.

Jerram stated being on the list is not a guarantee of funding.

Jerram supported \$187,400 for the roof and HVAC units for local schools. He has not heard of any of the

other towns supporting use of the ARPA funds to pay for the HVAC request for Regional, therefore did not include this in the list of considerations.

Jerram stated that MS4 mapping should be included in the upgrade of GIS mapping, for which he has placed \$50,000 of suggested funding. New Hartford is required to have a GIS mapping of all of the underground piping that exists in town as well as pass an elicit discharge ordinance to limit washing machines hooking up to the drainage system. Jerram stated that the town is not in complete conformity with MS4 at this time. There is work to be done. He informed the Selectmen that the neighboring town of Burlington has been sued by the Long Island Sound “watchdogs”— ‘Save the Sound’ for non-conformity. In addition to the need to add the drainage network to the maps, Jerram noted that the parcel mapping needs to be updated. Much of the current mapping is not correct; there are many maps that need to be changed. Making the maps more accurate will also benefit emergency services. Having a good map base will help in future map layering.

The First Selectman stated that he would like to add funding for the administrative expenses that are being incurred to promote and implement ARPA. The mailing that was sent to all households to encourage participation at the ARPA public meetings was an unanticipated expense to the budget and is eligible as a use of the funds. The average mailing cost (preparation plus postage fees is \$1200 - \$1500). Additionally, there are administrative tasks that need to be performed (i.e. reporting, record keeping) and there is need for additional staffing to assist in taking on these extra responsibilities. The Selectmen agreed to set aside \$10,000 in funding to pay for these additional expenses.

Mr. Jerram added that would also like to have the Selectmen consider adding funding for a new plow truck. Selectman Garay asked if this truck would be in addition to the truck already in the capital plan. Mr. Jerram replied that he would like this to be an additional purchase at a cost of \$200,000.

The First Selectman would like to hold (earmark) funds for the sewer expansion project; suggesting \$360,000 for this use.

Mental health assistance had support from residents who attended the public meetings. Mr. Jerram stated that he will be participating in a conference call tomorrow with Farmington Valley Health District and he plans to ask them for recommendations for agencies that provide mental health assistance. He hopes to learn what is available in the area. Selectman Garay asked if MCAA or McCall has reached out for funding? Mr. Jerram replied that there has been no direct communication and reiterated that he hopes to learn more about mental health assistance through the health district.

The Selectmen discussed the request from Pleasant Valley Children’s Center for funding to purchase the building they are currently renting. The First Selectman informed the Selectmen that the transaction has been completed. The building has been purchased. Selectman Kennerson stated that she would support providing funding to them if there is still a need. However, she does not support giving them funds if they will “sit in the bank.” She would like to know if there is a specific use of the funds if they were granted to them.

The libraries received support for funding. Mr. Jerram supports \$100,000 for the Beekley Library so that they could finish their addition and include space for the Beekley collection. The Bakerville Library should get \$50,000; and use it for improvements to their additional space known as “the annex.”

Kennerson agreed that the libraries help the community. The Selectmen agreed that the libraries have served as “hubs” for the town for years. Expansion of the Beekley Library will be a positive addition for

the center of town after suffering the loss of the New Hartford House. Garay agreed with the point about the center of town needing a lift and agrees with the funding levels.

Jerram would like to have “strings attached” to the funds. If these construction projects do not move forward, the funds will not be granted. The Selectmen do not want the funds to be sitting in the bank account for an unspecified amount of time and not being used in a manner consistent with what the funds were given for.

Dan would like to see a minimum of \$250,000 put towards the parks. He stated that hundreds of people use Brodie Park each week and it is the ‘jewel of New Hartford.’ He also would like to see improvements at Browns Corner which sees huge usage from April to November. Upgraded bathrooms and field improvements would be a good use of funds.

Selectman Garay questioned Rails to Trails and asked why isn’t there money put into this initiative.

Jerram replied that Rails to Trails is still in a planning phase and there are Grant funds that are being used. Jerram asked rhetorically if New Hartford voters will support millions of dollars to create the trail (3 million dollars for 2,000 feet of space.) The challenge with getting an approval is that 75% of the trail is sidewalk next to the highway. He asked “would approval be granted by homeowners to have sidewalks in front of their homes that have little frontage.” Jerram stated that there is \$30,000 of funding into capital to use for rails to trails. Garay commented that she would like to fund projects that “give the biggest bang for the bucks.” Garay said that the trail will provide opportunities for several age groups; allowing for more outside activities. These types of activities have been shown to decrease depression and anxiety. She commented that there was outpouring of support for the trail. Jerram countered that if the trail winds up being mostly sidewalk, there may not be continued support. It was noted that the final plan has not yet been received; therefore there aren’t any ‘real’ numbers to consider.

Kennerson asked how much funding is Garay seeking? Garay would defer to the trails committee to recommend a funding level. Jerram replied that the least expensive portion of the trail was estimated to be \$900,000. Garay would like to get some additional figures for the trail spur. She noted that the longer the delay in building this trail, the more expensive it gets. She would like to have a vision for the trail. She wants to figure out how to get this done. Selectman Kennerson commented that she is not willing to commit to \$900,000. Jerram suggested that funding for this be a secondary bucket item, need to be funding this with grants. Garay said that this is a bucket of money that is available now. The Board agreed to put \$200,000 on hold for Rails to Trails.

Although there have not been any requests by individuals for individual relief, the First Selectmen suggested holding \$20,000 aside to be used for resident relief. With regards to business relief, Jerram suggested \$25,000 and stated that the Board will need to come up with a plan for use of this funding. Jerram commented that consideration should be given to putting aside funds for a Senior Center (\$100,000) and funds for the driver of the Van (\$10,000) – which is seeing increased use due to “single trips” during COVID; no sharing of space. The Board would like to “hold” \$100,000 for the Senior Center. Engaging the services of a town planner has been suggested. Jerram stated that it might be necessary to look at the zoning regulations to see what may need to be changed to allow a broadened use of buildings in the downtown area. There are empty buildings that once housed office space. However, due to remote workplace, these offices may not be needed. He suggested \$5,000 and the Board felt it should be increased to \$10,000; but placed on hold at this time.

The Selectmen discussed that not all proposals should be voted on at one time. If there are some that

are ready for approval by the general public, then those should move forward before others that are more of a ‘placeholder.’

MOTION: by Kennerson to approve the list of 20 ARPA items totaling \$1,009, 400 to the Board of Finance for approval, seconded by Garay.

Unanimous.

Opportunity for Public Comment:

Board of Finance member Charlie Neale stated that overall, a good discussion occurred regarding the ideas/suggestions for use of the ARPA funds. However, he would like to see more proactive strategic thinking -- He asked “what do we think the town really needs?” He would like to see an investment in larger projects and would have preferred that formal decision regarding moving the funding forward be held back until there was additional discussion. Mr. Jerram replied that Mr. Neale will have an opportunity to weigh in at the Board of Finance meeting. If the Board of Finance does not support the funding as presented, it goes back for further discussion.

Mary Beth Greenwood commented that she also was pleased with the level of discussion that occurred. She wanted to speak in favor of continuing to support the sewer project and stated that she was glad to see it getting support with ARPA funds.

Appointments to Boards and Commissions:

First Selectman Jerram informed the Selectmen that there are 2 vacancies on Inland Wetlands and there are 2 individuals who have stepped forward and volunteered to serve.

Inland wetlands:

MOTION: by Garay to appoint Ira Kline and Charles Blow to serve on the Inland Wetlands Commission; both terms ending December 31, 2023.

First Selectman Jerram informed the Board members that due to an oversight in recording the appointment of Brian Douglas to serve as member of Recreation Commission, he was asking that they “re-do” the appointment.

Recreation:

MOTION: by Kennerson to appoint Brian Douglas to serve as a member on the Recreation Commission; term to expire December 31, 2026; seconded by Garay.

Approval of Tax Refunds:

2018 Grand list:

Lynn or Robert Gastia	Motor Vehicle	5.23
Wayne Horn	Motor Vehicle	39.93
Jacob Maendel	Motor Vehicle	14.70
Kevin Gaffney	Motor Vehicle	8.50

2019 Grand List:

Fair Titling Trust	Motor Vehicle	229.97
Wayne Horn	Motor Vehicle	8.83

2020 Grand List:

Nissan Infiniti Lt	Motor Vehicle	197.79
Richard J. Marshall	Motor Vehicle	5.47
David R. and Brittney M. Abrmczyk	Property	2703.92
Hyundai Lease Titling Trust	Motor Vehicle	322.19
Piotr Gawlik	Motor Vehicle	304.88

MOTION: by Kennerson to approve the tax refunds as recommended by Tax Collector; seconded by Garay.

Unanimous.

Volunteer Recognition:

First Selectman Jerram informed the Board that he has been working on a volunteer recognition project for the pavilion. The pavilion will be called the “Friends of New Hartford Pavilion” Each year, the Board of Selectmen will discuss who should be recognized. Volunteer activities are not limited to municipal boards and commissions. Volunteer work encompasses any and all community involvement.

Mr. Jerram put forth the following individuals for consideration for 2021:

Daria Hart, William Baxter, Ted Stoutenberg, David Krimmel, Terence Moreschi.

Mr. Jerram stated that Ms. Hart has given years and years of service for Stanclift Cove, was a member and Chairman of the WPCA, volunteered to do the town website for many years, among other activities. Ted Stoutenberg has been a member of Planning and Zoning for nearly 40 years. David Krimmel has served on zoning, town historian and Economic Development. Terry Moreschi has done over 30 years of volunteer service.

MOTION: by Garay to recognize Daria Hart, William Baxter, Ted Stoutenberg, David Krimmel and Terence Moreschi as exemplary volunteers for the year 2021 for Town of New Hartford, seconded by Kennerson.

Unanimous.

Correspondence:

Troop 19 and Troop 2019 submitted requests for funding through ARPA

DOT sent notification regarding changing of light bulbs in the signal lights in New Hartford

Minutes:

No action

Executive Session related to real estate:

MOTION: by Kennerson to enter into Executive Session at 9:58 PM, seconded by Garay for the purpose of discussion related to real estate.

Jerram, Garay, Kennerson, Hayward entered into Executive Session.

Executive Session ended at 10:25.

No action taken

MOTION: by Garay to adjourn at 10:25 PM, seconded by Kennerson.

Respectfully Submitted,

Christine Hayward, Administrative Assistant

Attachment to Minutes:

ARPA Fund Recommendations list dated 1/25/2021