

**Board of Selectmen  
Special Meeting  
July 31, 2018**

**Minutes**

**Present:** First Selectman Dan Jerram, Selectman Alesia Kennerson, Selectman Eric Claman, Member of the Press Kathryn Boughton (Republican American); Members of the Public; Jean Darlington (out at 8:40 PM), Madeline McClave (out at 8:40 PM), Anne Hall (out at 8:40 PM), Caren Ross (in at 8:10 PM. out at 8:40 PM), WPCA Chairman Bud Butler (out at 8:40 PM), Donna LaPlante, Dan LaPlante; Guest Linda Francois, Attorney for New Hartford Land Trust (out at 8:40 PM); Administrative Assistant Christine Hayward.

First Selectman Jerram notified those in attendance that the meeting would start a little late due to the fact that Selectman Claman had been detained, but was on his way.

First Selectman Dan Jerram called the meeting to order at 7:14 PM.

**Minutes:**

All agreed to move this item to the end of the agenda.

**WPCA Chairman Bud Butler re: updates**

Chairman Butler presented information regarding the financial health of the WPCA to the Selectmen. He noted that the trend of decreased water consumption which has led to a decrease in revenues is continuing. Butler stated that liens are placed on properties that have outstanding balances. He commented that there is one commercial property that "continues to use the WPCA as a 'personal bank' and most recently had a balance due of \$10,000. Since there are tenants in the building, the WPCA cannot shut off services and must continue to provide water. Selectman Kennerson asked if there is any option available for the WPCA to use so that payment can be received. Butler replied that foreclosure of the property is the only option. Butler did inform the owner that the option would be pursued and the owner then made a payment of \$4,000 which is a start, but it remains to see if a payment plan will be adhered to.

Butler informed the Board that the WPCA has been delinquent in their payments to their contracted operators (Aquarion Water and Torrington Water Company). Debt service payments that were scheduled for payment were covered because it is a priority to pay those since they are automatic withdrawals from the account.

Mr. Butler notified the Selectmen that the WPCA will not be able to fulfill its obligations with regards to the debt service payment to the Town. He asked the Selectmen to consider another temporary suspension of that obligation.

The Board did not take any action on that request at this time; preferring to discuss it as an agenda item for the next Board of Selectmen meeting. They also plan to revisit the restructuring of the debt service obligation that has been in place for the past five years.

**Review of Deeds to complete the acquisition of Butler Farm and Riverview Trail:**

First Selectman Jerram stated that the Town has approved the appropriation for the acquisition of the Michael Butler Farm. The Town Attorney has recommended that a second step be added to the process of acceptance – review of the deed and granting authorization to the First Selectman to ‘close the deal’. The deed between the State and the owner of the property has been executed by the property owner and has been approved by the State. This deed should be formally accepted at a Special Town Meeting. A second deed; the deed that grants the trail to the Town should also be accepted at a Special Town Meeting. The owners of the parcel have asked that a fence be installed in some areas along the trail so as to provide protection to the residence and to the farming that will continue to occur on the large parcel. The deed also specifies that a conduit will be put in place that can be used by the farm to access the river for irrigation purposes. This conduit will allow for piping to be placed under the trailway so as to avoid a potential trip hazard. The town crew will be able to install this conduit. A bench and a kiosk will be installed by the owner and the trail will be named by the owner. The Selectmen reviewed the deed to be sure that it was in the best interest of the Town. Selectman Claman asked if bike use was a prohibited use on the trail. Mr. Jerram replied that in the original proposed deed, it had been a restricted use; however, by mutual agreement it has been changed and bike use is now allowed. Mr. Jerram mentioned that a concern of his was that the map/survey for this trail refers to the trail as “proposed walk path” – Mr. Jerram has asked that there be some language inserted into the deed that shows that this trail can be for more than just walking. His concern is that someone will take the term “walk path” literally and will object to other uses.

Jerram reiterated that the purpose of taking these deeds to Town Meeting is to be able to complete the transaction of parcels of land that have already been approved by the Town to purchase.

**Review of proposed Conservation Easement:**

First Selectman Jerram introduced Madeline McClave, President of the Land Trust to the Board and Ms. McClave then introduced Linda Francois, an attorney who the Land Trust has been consulting with to develop an easement for the Butler Farm Trail. The proposed draft easement is in the format that is typically used for CT Open Space parcels. There is a lot of “boilerplate” language included in the document, along with some specifics for the particular parcel. The intent of this conservation easement is to minimize the impact to the Farmington River. The Land Trust will work with the Town to insure that the parcel of land is used for the purpose and in a manner that the townspeople intended it to be. Mr. Jerram noted that it is the Town who maintains the operations of the trail; The Town will be granting an easement to the Land Trust. The Land Trust will contract for some baseline reporting to be done on the property. The Land Trust will provide assistance with the removal of invasive plants. A quick review of some portions of the proposed easement was undertaken by the Selectmen, with some questions being posed to Ms. McClave and Attorney Francois. First Selectman remarked that he

would like to be able to have some type of language inserted into the easement that would allow for restoration of the banking if, at some point in the future, the river divided the property into 2 halves. He noted that it would be “quite difficult” to have a trail if that were to happen. He stated that there are some areas of the trail that are already narrow and his concern was that the path of the river and future erosion could someday compromise the trail. Ms. Hall, seated in the audience expressed her concern that permitting would need to be obtained prior to anyone doing anything to the riverbed. Mr. Jerram replied that he was well aware that any type of restoration would require permitting and it was not his intent to circumvent any required approvals.

Ms. McClave asked that the Selectmen consider a request for the Land Trust to place some signage at the trailhead that thanked the donors who helped the Land Trust achieve their fundraising goal to assist in the purchase of the Michael Butler parcel. Mr. Denton Butler (Bud) spoke on behalf of the owner and replied that there may be a spot at the kiosk that would be appropriate for this use.

The Selectmen completed their cursory review of the proposed document and stated that they will take the time to review it more thoroughly and will discuss at their next meeting.

**Set Special Town Meeting date and time:**

First Selectman Jerram read the Call of the Special Town Meeting and asked for a motion to approve the date and time.

**MOTION:** by Kennerson to set a Special Town Meeting for Wednesday, August 8, 2018 at 7:15 in the Senior Center/Meeting Room to address the items as listed on the Call of the Meeting; seconded by Claman.

First Selectman Jerram pointed out that the start time is a little later than the norm, due to space availability. Jerram commented that there will be a need for an additional Special Town Meeting once the Conservation Easement for the Butler Trail has been agreed to by the Board.

*Unanimous.*

**Operations Updates:**

*Route 44 paving:*

First Selectman Jerram announced that the State Department of Transportation has begun the repaving of Route 44/Main Street. Milling of the surface is the first step, with paving scheduled to be completed by the end of August. Crews are working at night so that there are fewer disturbances to daily traffic pattern.

*Equipment:*

The trucks that were approved to be purchased with Capital funds have arrived and are in use. The trailer that was approved to be purchased with Capital funds that remained from a prior year has been received and the lawn tractor that was also approved has been ordered but has not yet been received.

*Paving:*

Portions of Winchester, Cedar Lane and Niles Road have been paved, (the entirety of these roads is not being done – only small areas) along with the repaving of the Basketball and Tennis Courts located in Callahan Park. Pioneer Drive and Loomis Heights will be done at a later date. Johnnycake Lane needs a cul-de-sac at the end to allow for town trucks to properly turn around when plowing/maintaining this road. An easement is needed from the property owners abutting this area. Drainage will also need to be completed prior to repaving. West Road needs telephone poles relocated, trees cut and additional drainage prior to completing the second phase of paving this roadway.

*Rails to Trails:*

Rails to Trails representatives have had a couple of meetings with abutting property owners to explain the overall plan for a proposed trail. A few more meetings will be scheduled, but things are moving in the right direction with informing abutters of what the plan is. This is just the first step of informing abutters – there will be additional opportunities to promote and discuss the proposed trail to the public. Pizza Pete has opened his outdoor patio in the center of town. Jerram stated that this is a great addition to the town. He noted that it was the Board of Selectmen (Board member Garay prior to Claman's term) that advocated for this and helped support the cause.

*Senior Van:*

The Senior Van has a driver! After a long search and advertising, a couple of individuals have expressed interest in sharing this position. A Senior trip is planned for August 14 and the driver has been secured for this trip. Jerram commented that he had been in discussion with residents at the local private Senior Housing complex, Canterbury Village, to see what their needs are regarding transportation. Responses will be used to assist in the planning of the use of the van.

*Resignation of Senior Director:*

Senior Director Jean Barnicoat has submitted a letter of resignation effective September 27, 2018. First Selectman Jerram stated that Jean was the first Senior Director hired for New Hartford and has held the position for 11 years. He publicly thanked her for her years of service to New Hartford Seniors. Selectman Claman questioned if there would be any changes made to the duties of the position, specifically wondering if there would be more of a focus on having the Director be more responsible for things that the First Selectman has been taking on; such as the outreach he recently did with respect to questioning Seniors at Canterbury Village regarding their thoughts on the Senior Van. Jerram replied that the position will be reviewed prior to posting and there may be some changes/additions and stated overall that it will be an interesting process. It has been a difficult challenge to get New Hartford Seniors involved in attending programs and this is an opportunity to review current practice. He defended his outreach, stating that the First Selectman is always involved in outreach as part of daily responsibilities.

*Asset Evaluation Team:*

First Selectman Jerram informed the Selectmen that it had been planned to open the Water and Wastewater Asset Evaluation Team meeting to the public. The negotiations had been fairly complete and the team felt that Executive Session was no longer warranted; however, a “curve ball” was thrown regarding the negotiations and there is still some need to remain in Executive Session until some questions can be answered. There is continued discussion, so things are still moving along.

*Carpenter Road Bridge:*

Jerram announced that the permits for the Carpenter Road Bridge have all been finally approved and have been forwarded to the Town. This has been a long and complicate process, but it appears that things can now move forward. The Attorney is now talking with the contractor to develop a timeline for completion. Jerram noted that the original timeline forwarded to him for review and acceptance was rejected – it was not what it needs to be.

*Signage:*

Selectman Claman asked to address a couple of operational items. He questioned the ‘green sign’ out in front of the Town Hall, stating that it is in disrepair. Jerram replied that the sign was an Eagle Scout project donated several years ago and has served a useful purpose. He agreed that it does need a coat of paint and some new support; but manpower and resources are limited and projects are prioritized. He stated that it will be attended to but cannot guarantee a timeframe. Selectman Claman asked for a motion that would direct the First Selectman to fix the sign and guarantee a timeline of completion. The motion did not receive a second and therefore it was not acted upon. Selectman Kennerson commented that she does not believe that it is the role of the Board of Selectmen to delve into daily operations or create mandated operational timelines for the First Selectman to follow. That is within the purview of the First Selectman. Policy is within the Board’s purview, not operations. Mr. Claman then questioned the status of the “Welcome to New Hartford” sign that has been missing on Route 202 as one enters into New Hartford from Canton. The First Selectman replied that it was replaced earlier in the day. It had been ordered a while ago and is now installed.

*Communications:*

A third concern expressed by Claman was the issue of communication. He stated that it is his belief that the Town should be doing a better job with communicating with its residents. He suggested increased signage for events like the Farmers Market and also would like to see the resurrection of newsletters. He stated that “we direct people to get their information from the website, but we should be getting the news out to them; not making them come to us.” Selectman Claman stated that there was no recreation camp brochure this year and questioned “how can we make people more aware of what we have to offer?” Mr. Claman stated that he was on the Recreation Commission several years back, the recreation flyer always had a lot of opportunities for programs and events listed in it. Jerram replied that it may have had a lot of content, but very few programs actually ran due to low interest. Mr.

Jerram also stated that the current Recreation Director is part time and the current Director has her hands full and does a good job. He noted that camp enrollments, even minus a paper brochure, are very good. Claman commented that perhaps the part time position “shouldn’t be part time.”

**Minutes:**

**MOTION:** by Kennerson to approve the minutes dated May 22, 2018 as presented; seconded by Claman.

*Unanimous.*

**MOTION:** by Kennerson to adjourn at 9:23 PM; seconded by Claman.

*Unanimous.*

*Respectfully Submitted,*

*Christine Hayward, Administrative Assistant*