

**Board of Selectmen
Special Meeting - VIRTUAL
Tuesday, June 1, 2021**

Present: First Selectman Dan Jerram, Selectman Alesia Kennerson, Selectman Laura Garay (in at 7:13), Member of the Press Kathryn Boughton, Administrative Assistant Christine Hayward

First Selectman Jerram called the virtual meeting to order at 6:40 PM. It was noted that Selectman Garay had indicated that she would be present at the meeting; however, due to a conflict, she was not in attendance at the start of the meeting. The Selectmen moved the order of the agenda items to allow time for Ms. Garay to log into the meeting.

Request for Refunds:

First Selectman Jerram stated that there were requests for refunds presented by the Tax Collector that were for reimbursement of property taxes and motor vehicles taxes:

Richard Doyle/RC Homes LLC	72 North Harwinton Ave; Terryville, CT, 06786	\$3,953.72
Kerry Guilfoyle & Damon Bean	251 Cedar Lane, New Hartford, CT 06057	\$1,346.50
ACAR Leasing LTD	P.O. Box 1990, Fort Worth, TX 76101	\$318.31
ACAR Leasing LTD	P.O. Box 1990, Fort Worth, TX 76101	\$184.43
CAB East LLC	2975 Breckinridge Blvd, Duluth, GA 300096-4977	\$29.28
Erin Dorman	64 Blackbridge Rd, New Hartford, CT 06057	\$28.40
Edward Follert	P.O. Box 264, New Hartford, CT 06057	\$13.78
Jeffrey Sikes	151 Maple Hollow Rd, New Hartford, CT 06057	\$30.17
CORELOGIC	P.O. Box 9202, Coppell, TX 75019-9760	\$2,608.30
CORELOGIC	P.O. Box 9202, Coppell, TX 75019-9760	\$3,912.99
CORELOGIC	P.O. Box 9202, Coppell, TX 75019-9760	\$4,899.27
Alan Goldberg	9 Spencer Brook Road, New Hartford, CT 06057	\$137.83
USB Leasing LTG	1850 Osborn Ave., Oshkosh, WI 54902-6197	\$155.99
Daniel Helt	14 Gray Road, New Hartford, CT 06057-3014	\$8.43
Enterprise FM Trust	9315 Olive Blvd, Saint Louis, MO 63132-3211	\$259.68
CORELOGIC	P.O. Box 9202, Coppell, TX 75019-9760	\$1,477.29
GRAND LIST 2018		
Kerry Guilfoyle & Damon Bean	251 Cedar Lane	\$1,329.80
Winifred Pratt	220 Main ST, Unit 4C, New Hartford, CT 06057	\$226.88

MOTION: by Kennerson to approve the requests for refunds as recommended by the Tax Collector; seconded by Jerram.

Unanimous.

MOTION: by Kennerson to approve the minutes of the Board of Selectmen meeting dated April 13, 2021, as presented, seconded by Jerram.

Unanimous

MOTION: by Kennerson to approve the minutes of the special Board of Selectmen meeting dated May 17 2021, as presented, seconded by Jerram.

Unanimous

Operations updates:

Mr. Jerram informed the Board of the structure fire that occurred across the street from Town Hall. He stated that the response from neighboring communities was awesome. There were several different fire companies that responded. He praised the efforts of the New Hartford Village Fire Department and specifically stated “Hats off to Chief Worsman and his team,” noting that Chief Worsman took the lead on command for this incident. The Fire Marshall and Building Inspector were also involved.

Usually on Memorial Weekend, the Dave Childs Fishing Derby is held. This year, however, it had to be pushed off to another date. Events are just starting to be held again, post-Covid, and it is still difficult for many to get ‘back to normal’ which makes it hard to plan events. It was also hard to plan to run this event on Memorial Weekend when there are other activities being held – i.e. Race Around the Lake and the traditional Memorial Day Ceremonies. A lack of volunteers to assist in running events also makes it hard to plan something on Memorial weekend when so much is happening. First Selectmen Jerram has discussed this with Grady Allen at Upcountry and has suggested perhaps the event could be held on July 4 weekend. Mr. Allen will think about it, but he has his own concerns regarding having enough help to run the event.

Rails to trails was supposed to meet this Thursday; however, it will need to be cancelled due to lack of quorum. It’s hard to find mutually agreeable meeting times, especially during the start of the summer months.

The downtown Memorial Day celebration usually held on the Pine Meadow Green was moved to the inside of St. Johns Church due to weather. It was a nice ceremony; and Mr. Jerram expressed his thanks to Reverend Sandra for welcoming all into St Johns. This Pine Meadow service was followed by the 11:00 service at the Town Hill Memorial Bell. Mr. Jerram remarked at how nice it is to see folks back in person at these events.

First Selectman Jerram informed the Selectmen of an act of vandalism that occurred in the Town Hall Parking Lot. The Police are investigating damage to a police car. A large boulder was thrown at the police car several times, causing damage in a couple of different places. The front windshield was smashed and there is denting to the side door and the hood. The windshield has been repaired and the mechanic is getting estimates for body repairs. This incident may lead toward a discussion regarding security; however, such a discussion would be held in Executive Session.

A boundary line adjustment needs to be completed for a property on Gillette Road. This is an agreement that was approved at town meeting many years ago and was never fully completed. The agreement needs to be modified with new signatures on the document because the First Selectman has changed since the deed was first created. The Town Attorney says it is ok to proceed without going back to town meeting since the position of First Selectman was the authorized signer, not the specific individual serving in office at the time.

First Selectman Jerram informed the Selectmen that the grant agreement contract has been received and needs to authorization by the Board to execute the document.

MOTION by Kennerson to authorize the STEAP GRANT Resolution for the Brodie Park Restrooms, seconded by Garay.

Unanimous

Beekley Views Property at Town Hill. This application for consideration by the Wetlands Commission has been taken off of the agenda for this month due to concerns that have been expressed by neighboring property owners regarding the location of the proposed driveway. The abutting neighbors are concerned that the driveway and parking lot will interfere with their privacy and are also concerned with having members of the public so close to their property. Mr. Jerram will have the consultants review the proposal again and see if there might be a workable alternative.

Accrued time: First Selectman Jerram discussed with the Board members his concern with funding the accrued time payouts for those employees who have earned those benefits. A cash flow crunch occurs with these employees who have earned “pay-outs” when they retire because there is no funding in the budget to pay these expenses. He stated that there are excess funds in the pension line that could be used now to offset future liability of expenses that would be incurred at the time of retirement of long standing personnel. Pay out of earned time for eligible employees is just one of the two unbudgeted expenses that will occur when these retirements do happen. There will also be training expenses incurred to train new employees when long standing employees who have specific positions decide to retire. Jerram stated that making partial payment now will reduce the total expense later.

Kennerson stated that she does not have concerns with the idea, understands that the DPW and the police have other personnel who can step in and assume the responsibilities whereas there is no duplication of personnel in the head bookkeeper position or the administrative assistant. These are singular positions where there is no back up. They function independently and there is no one else who performs their duties. She is more concerned with the logistics of how to train someone when it happens; asking if there are any written procedure manuals that would serve as guides for training.

Mr. Jerram explained that in order to move ahead with any kind of buy out, there would need to be record keeping of how many days are being bought out so that there would not be duplicate payment. It is good practice to reduce the liability that is not going to go away – it gets more expensive every year.

A request from the Chairman of the Water Pollution Control Authority asking for the implementation of a post-sale transition team has been received. The request is that the current WPCA act as this team. Jerram stated that a charge should be developed for this team and that it should be created by looking at the approval that was granted at Referendum regarding the sale of the assets. The charge should reflect what the voters approved and should be consistent with the steps outlined in the ballot question. Mr. Jerram asked that the Selectmen give this some thought and be ready to discuss this at the next Board of Selectmen meeting.

Discussion of proposed tax abatement for proposed Senior Housing Development:

First Selectman Jerram reminded all that there had been a discussion at a prior Board of Selectmen meeting regarding the plan of a developer to construct a senior development into town. This developer has asked for consideration of a tax abatement while in construction phase. Jerram stated that such a discussion regarding a tax abatement should be considered in open session, not executive session. He clarified for the Selectmen that the parcel in consideration is the “Kerrin and Kerrin” vacant land parcel on Route 44 and the developer is Tim Bobroske, owner of the senior housing complex in New Hartford.

Mr. Jerram informed the Board that the parcel of land is currently appraised at \$415,500.00 but is categorized as Forestland and therefore is being assessed at \$3400. The parcel is generating roughly \$250 in tax dollars per year right now. Any development of this parcel will increase the taxes.

Jerram commented that skyrocketing prices in lumber is prohibitive to a developer right now. Many developers are holding off on doing any building due to the expenses. Jerram asked, ‘should we freeze the assessment at 100,000 for 5 years (\$3000 in taxes); and give the developer a chance to recoup expenses?’ He stated that the property has been fallow for many years, there has been low taxes – no revenues being seen by the town. He noted that this proposed development will require little services from the town (no school children) and therefore a tax abatement would not be harmful to the economics of the town.

Selectman Kennerson replied that she felt that \$100,000 assessed for 5 years sounds reasonable. She questioned when this development might begin. First Selectman Jerram explained that the developer will be spending roughly \$200,000 + in design and engineering and that he will hold off on starting the process until he knows if there will be some sort of tax abatement offered. Additionally, he has been discussing some modifications to some of the regulations currently in effect by the WCPA regarding water service hookups. The WPCA has been working diligently to see if they can offer some mutually agreed upon changes.

Selectman Garay stated that she would be in favor of offering abatements in phases, noting that things change and should be reviewed at stages. Mr. Jerram agreed, stating that this request for tax abatement needs to make sense to all involved. He noted that working with the developer is valuable to being able to have our seniors stay in town. The Selectmen all agreed and supported moving forward with the concept of developing a tax abatement for consideration; stating that a 15 million dollar development can be a win for the town.

Town meeting dates and items for agenda:

The Selectmen reviewed possible dates for a Special Town Meeting, with Mr. Jerram suggesting the date of June 29. A Call of Meeting could be developed for the regular Board of Selectmen to approve on June

22. There are a few items that need to be wrapped up with some assistance/input from the Town Attorney. Mr. Jerram stated that it is his preference that Food Trucks be regulated by zoning regulations; but he will give the Zoning Commission a chance to weigh in on this. He intends to have them review the proposed ordinance and let them decide whether they would like to see an Ordinance in place or modify zoning regulations to address this. The First Selectman stated that he had met with the owners of Brewery Legitimus to give them a chance to provide their input regarding a Food Truck Ordinance. Jerram explained his concern to them that there are three restaurants in town that have recently closed and therefore he needs to be mindful of the brick and mortar establishments. These establishments pay taxes that are a larger expense than what it costs for Food Trucks to operate. The owners stated their concern that they need Food Trucks because they are in competition with other breweries in the area. Food Trucks have become part of the draw of going to a brewery. They have created a large event room and as currently written the proposed ordinance is restrictive to food truck use for private events being held at the same time as having one for the brewery. They expressed concern about Food Trucks having to have a State of CT tax permit, stating that they may use trucks that are registered out of state. They also expressed concern regarding the language that stated food trucks could not be stored on host property. They questioned what would happen if there was a winter storm and the owner of the food truck wanted to leave the vehicle on the premises because of concern for travel. Selectman Garay stated that she felt there might be some need for some clarification of what constitutes storage. The owners also questioned the need for daily permits, preferring to have a weekend permit; Selectman Kennerson stated that there could be an allowance for a three day permit for the weekend to be considered as one day. This is an area that needs to be reviewed. First Selectman reiterated that it is important to protect brick and mortar restaurants; if establishments can have food trucks every day on the weekend, it can make it difficult for the restaurants. The First Selectman stated that he would prefer that food truck regulations would be handled as a zoning matter. He did not feel that food truck permits should be everyday business for the Selectman's office; he can understand the special events but not the day to day. Currently, the peddlers permit ordinance is being used for the issuance of permits for food truck. Selectman Garay cautioned that this Board cannot put the needs of one business above another. Food trucks and restaurants are both businesses, just different types. She stated that it is important not to stifle creativity. Balance is the key. The First Selectman will make changes to the proposed ordinance and have it ready for consideration at the next meeting. In the meantime, he will present the Ordinance to the zoning commission for their review. He will ask them to decide whether they feel it is best to address this topic through regulations or by ordinance.

MOTION: by Garay to adjourn at 8:11PM, seconded by Kennerson.

Unanimous

Respectfully Submitted, Christine Hayward, Administrative Assistant