

**Board of Selectmen
Special Meeting/Virtual via ZOOM**

Tuesday, December 8, 2020

MINUTES

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

Others present (not a complete list due to joining at various times of the meeting and some participants attended by phone which does not identify the attendee).

Regina Wexler, Shaw Izikson, Bruce Delaini, Elizabeth Domas, Mary Beth Greenwood and others

First Selectman Jerram called the meeting to order at 6:03 PM and noted that this meeting was a Special Meeting and therefore would be limited to the items on the posted agenda only.

Appointments to Boards and Commissions:

First Selectman Jerram stated that he had reached out to those Board and Commission members whose terms are expiring at the end of the year to see if they were interested in being reappointed. There are a couple of individuals who had decided not to seek reappointment which will leave some vacancies on some Boards/Commissions that will need to be filled at some point.

MOTION: by Kennerson to reappoint Christine Ringuette to continue to serve as a member of the Commission on Aging, for the term 01/01/2021 - 12/31/2023; seconded by Jerram.

Unanimous.

MOTION: by Kennerson to reappoint Alison Murdock to continue to serve as a member of the Conservation Commission for the term 01/01/2021 - 12/31/2023; seconded by Rosengren.

Mr. Jerram stated that Ms. Murdock has served as a member on this Commission since the early 1980's and thanked her for her years of service.

Unanimous.

MOTION: by Kennerson to reappoint John H. Casey AND John Burdick to continue to serve as members of the Economic Development Commission for the term 01/01/2021 - 12/31/2025; seconded by Rosengren.

Mr. Jerram stated that both Mr. Casey and Mr. Burdick have been valued members of the EDC and thanked them for their willingness to continue to serve.

Unanimous.

MOTION: by Kennerson to reappoint William F. Baxter to continue to serve as an alternate member of the Economic Development Commission for the term 01/01/2021 - 12/31/2025; seconded by Rosengren.

Mr. Jerram thanked Mr. Baxter for his willingness to stay on as an alternate member of the EDC.

Unanimous.

MOTION: by Kennerson to reappoint Gary Colbert to continue to serve as a member of the Historic District Commission, for the term 01/01/2021 - 12/31/2025; seconded by Jerram.

Mr. Rosengren commented that he did know Mr. Colbert and abstained from the vote.

AYE: Kennerson, Jerram

ABSTAIN: Rosengren

MOTION: by Kennerson to reappoint Steven Unger AND Nancy Schroeder-Perez to continue to serve as members of the Inland Wetlands Commission for the term 01/01/2021 - 12/31/2023; seconded by Rosengren.

Mr. Jerram commented that Mr. Lou Moscaritolo was not seeking reappointment on this Commission and noted that he had been a valuable member of the Commission and his presence would be missed.

Unanimous.

MOTION: by Kennerson to reappoint Madeline McClave to continue to serve as a member of the Open Space Preservation Commission for the term 01/01/2021 - 12/31/2023; seconded by Rosengren.

Mr. Jerram stated that Ms. McClave is a passionate preservationist and is a valued member of the Open Space Commission.

Unanimous.

MOTION: by Kennerson to reappoint Terrence Moreschi, Jr. to continue to serve as an alternate member of the Open Space Preservation Commission for the term 01/01/2021 – 12/31/2023; seconded by Jerram.

First Selectman Jerram referred to Mr. Moreschi as “an alternate emeritus” and publicly acknowledged the many years of service Mr. Moreschi has provided to the Town.

AYE: Kennerson, Jerram

ABSTAIN: Rosengren

MOTION: by Kennerson to reappoint Anne Hall AND Debra Lindell to continue to serve as members of the Town Hill Cemetery Committee for the term 01/01/2021 - 12/31/2026; seconded by Rosengren.

Mr. Jerram stated that the members of this committee maintain the Cemetery on Hoppen Road and thanked them for their work.

Unanimous.

MOTION: by Kennerson to reappoint Michael LeClaire AND Joseph Toro to continue to serve as members of the Water Pollution Control Authority for the term 01/01/2021 - 12/31/2023; seconded by Jerram.

First Selectman Jerram stated that Mr. LeClaire and Mr. Toro and the other members on the WPCA have done great work.

AYE: Kennerson, Jerram

ABSTAIN: Rosengren

Mr. Jerram stated that all appointees will need to be sworn in.

Appointment of Interim Assessor:

First Selectman Jerram stated that the prior Assessor left over a year ago. He noted that former Assessor and current town resident Beth Paul has done a tremendous job in helping out with the ‘mini-crisis’ of staffing this office. Beth has been providing oversight to the Assessor in training in the office. Recently, Rae Ann Walcott was recommended by Beth to be the Assessor to be on staff to train Elizabeth Domas, the current Assessor trainee. Rae Ann has over 20 years of experience and is currently the Assessor in Woodbury. Jerram noted that Rae Ann is only helping out for a few months as she does not have the time to take on additional responsibilities. Mr. Jerram stated that it is a requirement to appoint the Assessor who will have the obligation of signing the Grand List. He recommended that Rae Ann be appointed for a term to last until the end of March. Mr. Jerram explained that due to training, Elizabeth has a modified work schedule which allows her the flexibility to meet with Rae Ann and get training when Rae Ann is available.

MOTION: by Kennerson to appoint Rae Ann Wolcott to serve as Interim Assessor through the end of March 2021; seconded by Jerram.

Ms. Kennerson stated that she is comfortable with appointing Ms. Wolcott since she comes recommended by a former Town of New Hartford Assessor.

Unanimous.

2021 Meeting Schedule:

MOTION: by Kennerson to approve the Board of Selectmen 2021 Meeting Schedule as presented, seconded by Rosengren.

Unanimous.

2021 Holiday Schedule:

MOTION: by Kennerson to approve the 2021 Town Hall Holiday Schedule as presented, seconded by Rosengren.

First Selectman Jerram informed the Board that the Holiday Schedule has remained the same for several years; there are no additions or subtractions to the schedule.

Unanimous.

Consideration/possible action of updated motion for proposed sale of Water and Wastewater Assets:

First Selectman gave a brief summary of events leading to the revision of the original motion related to the proposed sale of the water and wastewater assets. He stated that the Board of Finance had some concerns with the original motion that had been approved and recommended to the Board of Finance. Mr. Jerram said that he had met with Board of Finance member Dan Charest and the town attorney and a revised motion was prepared that it is being put forth for consideration this evening. He stated that exhibits have been added and specific dollar amounts have been inserted into the motion. First Selectman Jerram stated that there are five components to the motion; 1.) the proposed sale; 2.) disposition of debt; 3.) installation of sewers in the Pine Meadow Area 4.) subsidization of rates; 5.) connection assistance.

Mr. Rosengren stated his objection to the fact that exhibits mentioned in the motion were not readily available with the Board of Selectmen agenda on the town website. Mr. Rosengren said that he felt that the public was denied the right to have the documents in their hand during this discussion. First Selectman Jerram replied that the attachments and the motion are available on the town website, albeit with the Board of Finance meeting agenda, but asserted that was sufficient as the Executive Order regarding attachments does not discern where they should be posted.

It was noted that the motion being considered was posted on the website and therefore available to the public in its entirety.

MOTION: by Kennerson to approve the language of the revised motion regarding the sale of the water and wastewater assets with a date of December 8, 2020; seconded by Jerram.

Jerram opened the floor for discussion. He thanked Mr. Charest for working on the motion and hoped that it met the needs of the Board of Finance.

Selectman Rosengren questioned the ownership of the future Pine Meadow sewer extension. He asked Mr. Jerram when Aquarion would be taking over that ownership. Mr. Jerram replied that he did not have an exact date and he could not recollect what might have been stated by Aquarion. Mr. Rosengren stated that it was his understanding that the new lines would be owned by the Town for a period of years. He asked Mr. Jerram to answer the question of how many years the town would have to own the lines. Mr. Jerram responded that the goal of the Town would be to transfer ownership of the lines to Aquarion as soon as possible. Mr. Rosengren expressed concern that the town would be owning the lines, but Aquarion would be reaping the benefit from collecting the fees from the users during a period of time when they did not have ownership. Selectman Kennerson interjected that this might be a concern that could be addressed in an operational agreement with Aquarion. The agreement could address the responsibility of the maintenance of the lines during the period of time when the Town retains physical ownership of the line. First Selectman Jerram explained that the goal of the plan is to create a long term partnership with Aquarion for the benefit of the users. The water source will be protected, the rates will be lowered, connection assistance will be available as part of the proposal.

Rosengren then asked who has the responsibility for the protection of the drinking wells, specifically asking if it is the users responsibility or the entire town. Mr. Jerram replied that the question was subjective and could be answered in several ways and added that this specific proposal offers that protection. Mr. Rosengren questioned the language of the motion with respect to the delegation of authority to spend money on connection assistance. He asked if a legal review had been sought to determine if the Board of Selectmen have the legal right to spend money in this way – questioning if that right to spend is held by the WPCA and the Board of Finance. Mr. Jerram stated that the town attorney had drafted this motion and therefore there is no need to ask for a legal opinion on the matter. Mr. Rosengren then stated that he would like to amend the motion and read into the record the following amendment to the motion:

MOTION: by Rosengren

Whereas the Asset Evaluation Team has publicly stated that its primary goal is to benefit the users of the sewer and water systems from the sale of those systems to a private company, the Aquarion Water Company; and Whereas it is therefore necessary for any Referendum language to adequately ensure that the sewer users, both current and future, are so protected and benefited; and Whereas the currently proposed Referendum language fails to accomplish the stated purpose of the sale to guarantee amounts to be allocated for the benefit of the sewer users; and Whereas, as acknowledged by the AET that the sale price has never been the subject of any negotiations with the proposed Buyer; and Whereas the AET has determined that the proposed Pine Meadow sewer line extension is in substantial part being proposed for the protection for the Town's Acquifer and is therefore a Town-wide responsibility and should not be bornesolely by the sewer users; NOW, THEREFORE, THE BOARD OF FINANCE HEREBY RECOMENDS THE FOLLOWING TO A TOWN MEETING: 1. The sale of all the assets (the "Sale") of the Town of New Hartford public water supply and sanitary sewer system (the "Assets") to Aquarion Water Company of Connecticut ("Aquarion") for the contract price of \$8,250,000; 2. The appropriation of so much of the sale proceeds as is necessary to repay in full all indebtedness pertaining to the assets owed to the United States Department of Agricultue, Rural Development; 3. The appropriation of not more than \$3,000,000 for the design and construction of a gravity sewer in strict and full accordance with a plan dated May 2016 for a P-2 gravity sewer drafted by CDM Smith ("Pine Meadow Extension), a copy of which is attached hereto; 4. All the remainder of the proceeds of sale to be used upon closing and thereafter for the benefit of the current and future users of the system to subsidize sewer rates for a period of not less than 5 years and to subsidize connection fees of any future users ordered to hook up to the Pine Meadow Extension.

There was no second to the amendment. First Selectman Jerram ruled that the amendment (which he stated was not an amendment but was an alternate stand- alone motion) had failed. He called for a vote on the original motion that remained on the floor.

In favor: Kennerson, Jerram
Motion Carries.

Opposed: Rosengren

At this point in the meeting, Mr. Jerram stated that the agenda allowed for a recess by the Board of Selectmen so that they could attend the Board of Finance meeting. He stated that the Board would reconvene following the adjournment of the Board of Finance meeting. Jerram called a recess at 6:53 PM.

The Board of Finance meeting was called to order at 7:06 PM. Minutes of the Board of Finance meeting for December 8, 2020 are on file. The Board of Finance Meeting was closed at 8:44 PM.

First Selectman Jerram reconvened the Board of Selectmen Meeting at 8:45 PM. It was noted that Selectman Kennerson was present, but Selectman Rosengren was absent. Mr. Jerram picked up the meeting at Item 6 – Minutes.

Minutes of November 10, 2020 BOS meeting:

MOTION: by Kennerson to approve the meeting minutes of the November 10, 2020 Board of Selectmen meeting; seconded by Jerram.

Unanimous.

Tax Refunds as submitted by Tax Collector:

It was noted that there were no Requests for Refunds of Taxes submitted by the Tax Collector at this time.

Discussion of Special Town Meeting/Public Hearing dates:

First Selectman stated that since the Board of Finance has accepted the proposal to sell the water and sewer assets, it will be necessary to call a public hearing/town meeting.

Ms. Kennerson stated that she thought it would be beneficial to send a mailing to residents to alert them to the public hearing and town meeting. She noted that during COVID, there are challenges due to not being able to hold in-person meetings. The Selectmen discussed developing a timeframe for consideration at the next Selectman's meeting for moving the proposal forward. Mr. Jerram stated that he would begin working on a draft mailing to be reviewed by the Selectmen at their next meeting.

MOTION: by Kennerson to adjourn at 8:52 PM, seconded by Jerram.

Unanimous.

*Respectfully Submitted,
Christine Hayward, Administrative Assistant*

ATTACHMENTS – available upon request in the Town Clerk's Office

MOTION re: proposed sale of water and wastewater assets

2021 Regular Meeting Schedule for Board of Selectmen

2021 Holiday Schedule