

**Board of Selectmen
Regular Meeting
September 27, 2016**

MINUTES

Present: First Selectman Dan Jerram, Selectman Laura Garay, Selectman Alesia Kennerson; WPCA and School Building Chairman Bud Butler; Members of the Public Mary Beth Greenwood, Tom Buzzi; Administrative Assistant Christine Hayward.

First Selectman Jerram called the meeting to order at 7:02 PM.

Due to a lengthy agenda, the Selectmen agreed to move the approval of minutes to the end of the meeting.

Opportunity for Public Comment

No one expressed a desire to speak at this point. Mr. Jerram noted that comment was welcome during the meeting.

Bud Butler – Antolini School Project update

Bud Butler, Chairman of the Antolini School Project, was present to provide an update to the Board regarding the status of the School Project. Mr. Butler noted that the roof portion of the project is almost complete. During the winter, it was noted that falling snow and ice from the roof could become hazardous. Butler noted that it has been found that TPO roofs (a type of material used) tend to have slippery surfaces. A request to add roof guards was accomplished via a change order; with Butler noting that the original quoted price was very high and he was able to renegotiate to a better price (\$212,000 down to \$92,300.) Another hurdle to overcome with getting the guards approved was to get approval by the State to have this change order considered as an approved expense for the project; allowing it to be subject to partial reimbursement in accordance with the funding guidelines. An onsite meeting was held with officials to show them the issue. As a result of that meeting, it has been approved as a Change Order item and installation of the guards will be forthcoming. Due to the nature of the work and the distraction it would cause were it to be done during school hours, it has been scheduled to be completed during non-school hours, which will result in some overtime expenditures for labor costs; but it has been deemed to be in the best interests of the students to do it then.

Mr. Butler noted that overall, the project has come in under budget and there has been some discussion regarding additional items to be added to the current scope. He noted that some had questioned the possibility of the installation of solar panels. Investigation of that request found that the projected cost would be close to \$1 million and it was learned that the State would not consider this to be an ‘add on’ to the existing project; they would require it to be ‘stand alone’ which would require all new approvals. Addition of air conditioning in the multi-purpose room and gymnasium/cafeteria was also raised as a possibility as well as the addition of a ‘portico’ at the school drop off area. These requests were submitted for a quote to the contractor; however, no recommendation for consideration is being sought

Minutes – Board of Selectmen 09/27/16 p. 2.

at this time due to the unrealistic quote obtained. Mrs. Kennerson asked if air conditioning would be considered a reimbursable expense under the school construction project funding guidelines for the project. Mr. Butler replied that remains to be seen but he would get a definitive answer prior to proceeding with any kind of change order request. Butler noted that once he had something formal to consider for approval, he would return to the Board of Selectmen.

Mr. Butler stated that a dedication plaque has been placed in the circle at Antolini School near the American Flagpole in honor of Mr. Roy Litchfield, former Chairman of the School Building Committee, who passed away earlier this year.

First Selectman Jerram expressed his appreciation to Mr. Butler; thanking him for all of the hours and hard work he has dedicated to the School Building project.

Bud Butler- Water Pollution Control Authority Updates; including extension study and any recommendations made by the Clean and Wastewater Asset Evaluation Team upon which to consider:

Mr. Butler was called upon by First Selectman Jerram to provide information regarding the Water Pollution Control Authority, for which he also serves as Chairman. He had planned to review the extension analysis and line repair document that had been written by CDM Smith; but stated that it would be best to defer that to a future meeting with a less aggressive agenda.

Chairman Butler reminded all of the Public Informational Meeting that will be held on September 29 at 7:00 regarding the potential sale of the water and wastewater assets. A request for proposal has been prepared and is ready for possible release. The Asset Evaluation Team has had some good dialogue throughout the preparation of the document. Members of the Team feel that it is important to have a public informational meeting to allow public comment and input prior to the advertising of this request for proposal. Butler noted that it is important that the public recognize and understand that releasing such a request for proposal is not a guarantee of a sale of the assets. This RFP request is a tool to investigate the option of “Can the water and sewer services be provided at more affordable rates to the users of the systems?” Once a proposal is received, it will be scrutinized to see what advantage a sale would bring. There will be dialogue between the committee and the proposer so that the committee will have the information it needs to decide whether or not to move a proposal forward to the Board of Selectmen for review and consideration. If the Board of Selectmen feel that it would be beneficial to sell the systems, there would need to be planning and zoning referral and a town meeting and then referendum vote.

Mr. Butler stated that the purpose of the public meeting on Thursday will be to have a question and answer session so that the residents of town will understand what this proposal is all about. The Asset Evaluation Team wants to make sure that the taxpayers have a thorough understanding of what is being sold and why.

Selectman Garay commented that she was glad that such a meeting was being held so that the people will know the facts. She noted that there are those who think that a reservoir is being sold and those that think the Farmington River supplies the drinking water. It will be good for the public to gain a better understanding of the systems.

Minutes – Board of Selectmen 09/27/16 p. 3.

Operations updates:

First Selectman Jerram commented on the tragic accident that had occurred on Route 44 that involved two pedestrians (residents of Pine Meadow Section of New Hartford), one of whom who died due to the injuries sustained. He stated that thoughts and prayers were with the family and noted that the accident remains under investigation. It is very upsetting to the community as a whole. Jerram noted that the Town has spoken with the State of CT Department of Transportation and has asked that the 'memorial' that exists at the site be allowed to remain for a while, as the family has found some comfort in its presence.

Updates included:

Carpenter Road Bridge – after a delay caused by new Legislation that requires review and approval by the Commission on Human Rights and Opportunities for all state funded contracts, things are moving forward. Work could not begin until the town received formal approval from CHRO that it was “ok to award the contract.” Pole relocation is still being arranged. It is difficult to get all of the utility companies to schedule their work in such a manner that allows things to be done in a reasonable timeframe.

Pavilion – site preparation has been completed, piers are being set this week.

New Harford Day – not a great weather day, attendance was affected; but still an enjoyable event. Sally O’Neill and Mary Lee Dunn were recognized by First Selectman Jerram for their 30+ years of service to this event.

Paving and Chip Sealing: Holcomb Hill Road, Birdsvie Avenue, and Behrens Road were chip sealed; paving on the lower end of Cotton Hill , Honey Hill and Elizabeth occurred; Cotton Hill is complete; Honey Hill and Elizabeth still need the final coat.

Refunding and Refinancing: The Bond Anticipation Notes mature in November. However, projects are still not completed (Antolini School upgrades and Carpenter Road Bridge); therefore refinancing will occur. The Public Offering Statement has been updated; this requires a lot of time to gather updated facts and figures and compile the information into a document that is reviewed by potential investors.

Jerram noted that a “mini economic boom” has been occurring for the past several months. 8 new homes plus some larger additions have been permitted. Northwest Gymnastics has appeared before Zoning for approval; and will occupy the remainder of the available space at the former Waring Building. Demolition of the former Mobil Gas station is underway; which will allow for the new building to be completed.

Minutes – Board of Selectmen 09/27/16 p.4

The new Zoning Official (new since March) provides “by the book” oversight of the Zoning Regulations. Her attention to detail may not be appreciated by some, but she is following the regulations as they were intended to be followed and as approved by the Zoning Commission. Jerram noted that there are always complaints to field when there is a change in personnel who provide oversight. As developers and contractors get used to requirements needed to gain approvals, things quiet down. Jerram noted his support for enforcing what needs to be enforced and conducting business the way it needs to be conducted.

Mr. Jerram informed the Board that the newly hired Building Inspector (new in July) has been extremely busy. There is a lot of activity in the Building Office and the demands for inspections are great. There has been turnover in the Building Inspector position and Jerram noted that he is very pleased with the current inspector and it is his hope that this individual remains with the town. However, the individual has expressed that part time is not enough for him; he needs a position with benefits and full time hours. The First Selectman indicated that he is reaching out to other towns to see if there could be some kind of sharing of a full time position. He advised the Board that he may be back to discuss this issue further with the Board at a future meeting. Jerram noted that this is a competent individual who is working out extremely well; is well liked and respected and he does not want to lose him and have to find another replacement.

Mr. Jerram stated that the Bakerville Library Car raffle was a success once again. All tickets were sold.

The West Hill Lake drawdown plans may be affected by the drought conditions. Concern has been expressed that if the dry conditions persist and a drawdown of 3 feet occurs, the Lake may not be able to recover. The Lake Associations may decide to wait a year and have the drawdown occur next year. Jerram noted that there are residents who received permits from Inland Wetlands to be able to perform repairs; but he noted that those permits are good for 5 years. Selectman Kennerson asked if the permit holders would receive notification that the drawdown would not occur and would be told that their permits would remain valid.

Mr. Jerram asked Chairman Butler if any complaints had been received by residents concerned about lack of water. Butler replied that the wells are very deep and stated that there had not been any adverse impact on water availability.

First Selectman Jerram stated that he had received an update from Tom Shiel from Milone & MacBroom regarding the status of their work on the feasibility of the Satans Kingdom Trail. Mr. Shiel will meet with the Rails to Trails committee within the next couple of weeks.

The Town is still waiting for final written approval from the DOT regarding their review of the electrical plan for the lights to be added on Route 219 near the Funeral Home and Library.

Minutes – Board of Selectmen 09/27/16 p.5

The Pat Keener Memorial – funded by private contributions – has been put in place by the river. Mr. Jerram noted that, although concerns were expressed by the Board of Selectmen with respect to the chosen location of the Memorial, the Memorial has been installed in the spot recommended by the artist of the sculpture. The First Selectman commented that since this was funded by private donations, he did not feel that the town should overrule their decision regarding the location.

Mr. Jerram informed the Board that a delay in the processing of line item transfers had occurred due to unnecessary confusion occurring regarding the interpretation of votes taken at the Board of Finance meeting. Some town hall staff provided their own legal interpretation of votes, which resulted in information being included (via post script) to minutes indicating that an opinion was given that rendered the vote to be a vote that did not pass. It then became necessary to request legal assistance so that the matter could be resolved. It was necessary to wait for a legal opinion which resulted in not being able to complete necessary accounting procedures for audit preparation. Mr. Jerram stated that he has asked that no legal interpretation be provided by staff; noting that his office stands ready to provide assistance from the town attorney as needed when a legal interpretation is required.

Discussion of Special Town Meeting; consideration of agenda items and possible dates:

First Selectman noted that there are still several items pending that need to be brought before Town Meeting for consideration. He noted that setting a date for the meeting has been delayed due to conflicting schedules and difficulty the “i’s dotted and the t’s crossed” for some of the issues. The items that are still under consideration include:

Town Hill Cemetery - formal appointment of members and clarification of the role the town plays with respect to the operations.

Elderly Tax Abatement

Open Space Tax Abatement

Board of Finance – alternate position (minority representation)

CT Green Bank

Acquisition of Open Space

Donation of “aqueduct” area in Pine Meadow

Food Truck Ordinance – this is a new request from a new business in town who would like to have the opportunity to contract with a Food Truck on occasion to be available for food purchase at his location.

Mr. Jerram noted that in addition to the above items, there may be a request to consider an overlay district for West Hill Lake.

Resignations/Appointments to Boards and Commissions (Inland Wetlands, Conservation Commission):

Mr. Jerram announced that his office had received a letter of resignation from Wayne Ryznar, a long time member on the Inland Wetlands Commission. He noted that a replacement candidate has stepped forward and is interested in being appointed to serve on the Commission.

Minutes – Board of Selectmen 09/27/16 p.6

MOTION: by Kennerson to accept, with regret and thanks to him for his years of service to the Inland Wetlands Commission, the resignation of Wayne Ryznar; seconded by Garay.

Unanimous.

MOTION: by Garay to fill the vacancy created by the resignation of Wayne Ryznar and to appoint Steven Unger to serve as a member of the Inland Wetlands Commission; term to expire December 31, 2017; seconded by Kennerson.

Mr. Jerram noted that Mr. Unger has stated that he will not be available to attend the October 2016 meeting due to a conflict; but he is eager to as a member of the Commission. Jerram stated that Mr. Unger has been active in the West Hill Pond Association and as such will bring personal knowledge of his experiences with lake matters to the Board.

Unanimous.

Mr. Jerram informed the Selectmen that he has been corresponding with resident Tony Mitchell, who has expressed his interest in serving as a member of the Conservation Commission. This individual has been endorsed by the Chairman to serve on the Commission.

MOTION: by Garay to appoint Tony Mitchell to fill a vacancy and serve as a member of the Conservation Commission; term to expire December 31, 2018; seconded by Kennerson.

Unanimous.

Resolution- Refunding Bonds: To consider and act upon a resolution to authorize the issuance of bonds to refund various of the Town's outstanding bonds

First Selectman Dan Jerram stated that the Bond Anticipation Notes (BANs) used as temporary financing for the Antolini School upgrades and the Carpenter Road Bridges come due in November. Due to the fact that the projects are not yet completed, there is a need to "roll over the BANs." This refinancing measure will prevent the General Fund from having to cover the expenses. At the same time that the refinancing is occurring, it also makes sense to look at some of the debt that is outstanding. Dennis Dix, the Town's financial advisor, has done the research and has provided information that shows that there could be \$150,000 in savings over the life of the existing debt if refunding is a chosen path. Therefore, consultation has occurred with Town Treasurer and it has been decided that this option should move forward. This will require a Resolution being passed by the Board of Selectmen. Jerram noted that the original authorization to finance the projects authorizes the Board of Selectmen to refinance without

Minutes – Board of Selectmen 09/27/16 p.7

needing additional Town Meeting approval, as long as the additional appropriation is not being exceeded. Jerram noted that the timeline for repayment of the debt remains the same. Selectmen Garay stated that she saw no reason not to proceed if there is an opportunity to save the residents of the Town of New Hartford money in the long run. Mrs. Kennerson agreed. Mr. Jerram informed the Selectmen that bond counsel has prepared the necessary resolution that needs formal approval by the Board in order to move forward. Mr. Jerram read the entirety of the Resolution aloud and stated that the resolution would be attached to the minutes, as required.

MOTION: by Kennerson to approve the “Resolution of the Board of Selectmen of the Town of New Hartford authorizing the issuance of not exceeding \$2,300,000 refunding bonds for payment in whole or in part of the outstanding principal of and interest and any call premium on the Town of New Hartford’s \$4,275,000 General Obligation Bonds, issue of 1999 and \$3,187,000 General Obligation Bonds, issue of 2007, and costs related thereto.” seconded by Garay.

Selectman Kennerson stated that if it is under the advisement of the Town’s financial advisor, she approves the measure. Selectman Garay added that “it’s a good chunk of money to keep in our (the taxpayers of the Town of New Hartford) pocket.”

Member of the Public Tom Buzzi questioned if this refunding extends the life of the school loan for New Hartford Elementary School. Mr. Jerram replied that it does not change any timelines.

Unanimous.

Request for Refund of Taxes:

First Selectman Jerram stated that he had several requests for refunds for taxes to present for approval, as recommended by Tax Collector Linda Sheffield.

He noted that they were as follows:

MOTOR VEHICLE PROPERTY TAXES:

\$611.38 to Ally Bank due to sale of vehicle

\$26.95 to Jennie Day due to adjustment after payment due to sale of vehicle

\$310.17 to Honda Lease Trust due to sale of vehicle

\$198.91 to Brian Hurley due to prorated after payment received

\$533.05 to BMW Financial Services due to sale of vehicle

\$30.97 to Dannie and Marcia McMichael due to prorated after payment received (Acura RSX)

\$62.99 to Dannie and Marcia McMichael due to prorated after payment received (Honda element)

REAL ESTATE PROPERTY TAXES:

\$2,278.31 to CENLAR/CORELOGIC for HEBB due to overpayment received due to split assessment

MOTION: by Kennerson to approve the requests for refunds of taxes as presented by Tax Collector Linda Sheffield, seconded by Garay.

Unanimous.

Any Other Business to Come Before this Board:

Beach Stickers

Selectman Kennerson stated that she wanted to discuss the fact that there had been some concerns presented to her regarding non-sticker holders using Brodie Beach. She said that she had been contacted by some residents who were concerned that there were people using Brodie Beach who had not paid for stickers. She noted that both she and Dan Jerram had been up to the Beach on several occasions to do perform spot checks of vehicles. She noted that in a few instances, she had thought that there were cars without stickers; however, after conducting additional research (i.e. asking the sticker sellers, lifeguards or looking at different places on the car) she was able to find that the vehicle was accounted for and there was no issue.

Mr. Jerram relayed his own experiences and noted the same. There had been some times when he thought a vehicle did not have a sticker and then found that, for the majority of the time, there was a reason why (after discussing with sticker personnel). They both agreed that there may be a few vehicles ‘every now and then’ that slip by and there most likely are instances where there may be non-sticker holders accessing the beach; but overall, the beach personnel do a very good job of policing the stickers. Both Jerram and Kennerson noted that the beach was a very popular and busy spot this summer due to the extremely good summer weather that was present.

As an aside, Mr. Jerram commended Recreation Director Christy Tellier for having the lifeguards subjected to “re-testing” during the summer. Ms. Tellier contracted with an instructor to come to Brodie and observe and drill the lifeguards just to be certain that their skill level was where it needed to be.

8 Bridge Street:

Mary Beth Greenwood, owner of the apartments located at 8 Bridge Street questioned Mr. Jerram regarding the status of some sidewalk repair she had requested be completed to the steps that service 8 Bridge Street. First Selectman Jerram replied that the ownership of that elevated sidewalk/raised porch remains in dispute. He noted that in light of correspondence received from the Town Attorney (which he stated had been forwarded to Mrs. Greenwood), he was reluctant to make any repairs as this appears to be an encroachment on town property. There is a larger issue that needs to be addressed and that has to do with the instability of a retaining wall on the same property. The repairs that are needed to stabilize that wall could be difficult and expensive. Mr. Jerram noted that he will need to reconnect with the town attorney before making any decision regarding the matter.

Minutes:

MOTION: by Garay to accept the Minutes of the Special Board of Selectmen meeting held on June 13, 2016 as approved; seconded by Kennerson.

Unanimous.

Minutes – Board of Selectmen 09/27/16 p.9

MOTION: by Kennerson to accept the Minutes of the Special Board of Selectmen meeting held on July 19, 2016 as approved; seconded by Garay.

Unanimous.

MOTION: by Garay to accept the Minutes of the Special Board of Selectmen meeting held on August 11, 2016, seconded by Kennerson.

Unanimous.

MOTION: by Garay to accept the Minutes of the Special Board of Selectmen held on September 13, 2016, seconded by Jerram.

Unanimous.

MOTION: by Kennerson to adjourn at 9:25 PM; seconded by Garay.

Unanimous.

*Respectfully Submitted,
Christine Hayward, Administrative Assistant*