

**Board of Selectmen
Special Meeting
Thursday, January 5, 2017**

MINUTES

Present: First Selectman Dan Jerram, Selectman Alesia Kennerson, Selectman Laura Garay; Member of the Press Kathryn Boughton (Republican-American) (out at 7:00 PM); Administrative Assistant Christine Hayward.

First Selectman Jerram called the meeting to order at 6:05 PM. He noted that this was a Special Meeting of the Board of Selectmen with the focus of the meeting to be on Capital Planning. However, there were a few minor items to address prior to discussion of the 5 year capital plan.

Exclusive Service Area Update/possible modification of ESA:

First Selectman Jerram explained to the Selectman that the Water Utility Coordinating Committee (WUCC) has compiled maps of each town showing the ESA declarations made for those areas. In the Town of New Hartford, there are several entities that have declared areas of town as their “exclusive service area.” The WUCC is requesting that the towns and these entities try to come to amicable agreements with respect to any conflicts.

Mr. Jerram reminded the Board that the Town submitted an ESA declaration for the area currently serviced by the WPCA sewer service area as shown on a proposed updated sewer service area map currently awaiting formal approval from CT Department of Environmental Protection. Other areas of town were left as ‘Exclusive Unassigned’ with the request made to the WUCC that these areas remain undesignated. The town also noted in its declaration letter that New Hartford would not support any other utility making a claim to any of the unassigned areas.

However, contrary to New Hartford’s wishes, other utilities did, in fact, make claim to areas outside of the Exclusive Service Area designated by the Town. Torrington Water Company designated an area in the area of the Whitbeck Waterline and also an area that encompasses a portion of Niles Road, Cedar Lane and the Cedar Swamp out to the border of Torrington. Aquarion has designated the entire town. Mr. Jerram stated that, as requested by the WUCC, he had met with representatives from those two companies to discuss their declarations. Both representatives from those companies stated that they needed to declare those areas in order to protect their interests in future service to New Hartford.

Mr. Jerram explained that the initial intent of not having the Town of New Hartford declare the entirety of the Town as its ESA was so as not to mislead constituents into thinking that the town would be seeking to expand its water system to all areas of Town. The Town has no desire nor the means to do this. Initial counsel given to towns was to declare areas as Exclusive unassigned if there was no intent to develop them in the near future. However, since other utilities have laid claim to those areas, it

would be best, in order to protect the town's interest to modify the original scope and increase the Exclusive Service Area to include all areas of town (with the exception of parcels that are owned by the State of CT.) Protection of these areas could occur through zoning practices. Zoning has the power to designate areas as "utility avoidance" areas.

MOTION: by Kennerson to modify the existing Exclusive Service Area for the Water Utility Coordinating Committee to include the entirety of the Town of New Hartford with the exception of areas of land owned by the State of Connecticut; seconded by Garay.

Kennerson and Garay commented that based on the information given today regarding designation by other entities and in order to provide protection to the town, it seems to be the best route to take. Garay noted that "if we need to modify at some point in the future, then we can handle it at that time." Kennerson agreed, adding that this designation "suits our needs at this time."

Unanimous.

Letter to Board of Finance re: policy for fund balance; line item transfers:

First Selectman Jerram informed the Selectmen that he had written a draft letter to the Board of Finance regarding the issue of creating a policy with respect to general fund balance. Jerram shared the proposed letter with the Board and asked for their comments. Jerram explained that the purpose of the letter is to have the Board of Finance codify a policy as to what percentage of fund balance to budget should be in the general fund. During the recent refinancing, it was suggested to Mr. Jerram and Town Treasurer Gordon Ross that there be a firm policy in place with respect to fund balance. It was noted that having such a policy has a positive effect on credit rating while the absence of such a policy can have a negative effect. Therefore, it is good financial practice to have a policy.

Jerram noted that there have been discussions in the past at Board of Finance meetings (generally during budget season) regarding the General Fund. Having a policy in place that establishes guidelines could be a benefit when making financial decisions. The Selectmen agreed that this letter should be forwarded to the Board of Finance for consideration, acknowledging that the Finance Board would be the ones to establish the percentage and implement the policy. Mr. Jerram will prepare a final copy of the correspondence and have it ready for signature early next week.

A second letter that the First Selectmen presented for consideration was a letter regarding the decision made by the Board of Selectmen to not approve any line item transfers at this time. Jerram recalled that there were 3 line items that were over expended, but stressed that the departments from which they came are all under budget. He stated that the purpose of the letter was to inform the Board of Finance that they are aware of some overages, but do not feel that any action is warranted at this time. The Board members agreed and approved the letter. Mr. Jerram will prepare a final copy of the correspondence and have it ready for signature early next week.

Appointment to Advisory Commission on Capital Expenditures

Mr. Jerram explained that this agenda item was included on the agenda prior to a conversation with the town attorney seeking clarification of an existing ordinance. The First Selectman explained that there is an existing ordinance that outlines the process for reviewing capital expenditures. This ordinance dictates the make-up of the committee. The ordinance names specifically that the First Selectman is a member of the committee, and states the other members that are appointed by their respective commission/board to serve. Therefore, there is no need to appoint the First Selectman as a member of this Commission.

Discussion/Action of Capital Plan:

The Board of Selectmen reviewed and modified the 5 year capital plan. They discussed the present and future needs of the town. They noted that they needed to include items that were for the “good of the town.” They discussed the quality of life in New Hartford; expressing their belief that although Rails to Trails may not appeal to all residents, there are many that desire to have that type of system in New Hartford and therefore consideration should be given to this initiative. They discussed the need for repairing infrastructure, such as drainage pipes (specifically one on Bruning Road) in order to maintain roads that are hazard free. They discussed the fact that Stedman Road and Satan’s Kingdom Road are roads that are valuable to some residents; but noted that these roads are expensive and major repairs to undertake. They decided that the costs of the repair of those roads could not be included as Capital items due to the fact that they exceed the cost of any one year total capital appropriation. The Selectmen stated that a water line along Route 44 is something that the fire departments have requested for adequate fire protection. Replacement of vehicles, trucks and maintenance equipment at the town garage is necessary in order for the highway department to continue to provide service to the residents.

A new addition to the Capital Plan will be the inclusion of oil separator tanks to be installed at the Town Garage site. This is in response to a recent incident that occurred at the Town garage and is a measure being taken to rectify an existing problem. (January 5, 2017 Capital Plan attached)

MOTION: by Kennerson to approve the 5 year Capital Plan dated January 5, 2017 as completed; second by Garay.

Unanimous.

MOTION: by Kennerson to adjourn at 10:35 PM; seconded by Garay.

Unanimous.

Respectfully Submitted,

Christine Hayward, Administrative Assistant