

**TOWN OF NEW HARTFORD
SPECIAL VIRTUAL TOWN MEETING
VIA ZOOM
Thursday, February 18, 2021**

First Selectman Dan Jerram called the meeting to order at 7:11 PM. He outlined the process for those in attendance to request the opportunity to speak.

First Selectman Jerram opened the floor to nominations for Moderator. Motion Laura Garay, second Greg O'Brien to nominate Alesia Kennerson for Moderator. Motion Aulay Carlson, second Mary Beth Greenwood to nominate Donna LaPlante for Moderator. Seeing no other nominations, First Selectman Jerram entertained a motion to close nominations. Motion Shelley Lloyd, second Aulay Carlson to close nominations. Motion approved by wave of hands. Mrs. LaPlante texted the First Selectman's office to indicate that she declined the nomination to serve as Moderator. First Selectman Jerram called for a vote on the motion to elect Alesia Kennerson Moderator. Unanimously approved.

Moderator Alesia Kennerson read the call of the meeting:

**TOWN OF NEW HARTFORD
NOTICE OF SPECIAL TOWN MEETING – FEBRUARY 18, 2021
NOTICE OF REFERENDUM – MARCH 6, 2021**

The Board of Selectmen of the Town of New Hartford, Ct hereby notifies all electors and citizens entitled to vote in Town Meetings in said Town of New Hartford, Connecticut that a Special Town Meeting will be held VIRTUALLY (via ZOOM) on Thursday, February 18, 2021, at 7:00 pm for the following purposes:

1. To hold a public hearing regarding the proposed sale of the water and wastewater assets of the Town of New Hartford.
2. To take such action as the voters deem best with respect to the election of one member to the Stanclift Cove Authority.
3. To adjourn said Special Town Meeting at its conclusion and to submit the question "Shall the Town of New Hartford (i) sell all the assets of the Town of New Hartford public water supply system and sanitary sewer system (the "Assets") to Aquarion Water Company of Connecticut or any parent, subsidiary or affiliate of Aquarion Water

Company of Connecticut (together, "Aquarion") for the contract price of not less than \$8,000,000, subject to usual and customary closing adjustments and costs of sale; (ii) appropriate so much of the sale proceeds as is necessary to repay in full the outstanding balance of all indebtedness pertaining to the Assets as of the date of sale owed to the United States Department of Agriculture, Rural Development, and to the Town of New Hartford; (iii) appropriate an amount not to exceed \$3,600,000.000 for the design and construction of extensions and improvements to the sanitary sewer system in the Pine Meadow area of the Town of New Hartford as shown on the schematic map entitled "New Hartford, CT Pine Meadow Residential Area Option P-2 Gravity Sewers with Pump Station, Portion of Easement 1 inch= 300 feet DRAFT May 2016" prepared by CDM Smith, a copy of which map is available for inspection in the office of the New Hartford First Selectman, or so much of said sanitary system extensions and improvements as can be designed and constructed for the sum of \$3,600,000.00; (iv) appropriate an amount not less than \$435,000 and not to exceed \$500,000.00 of the balance of the sale proceeds available after the appropriations set forth in subsections (ii) and (iii) above as determined appropriate by the Board of Selectmen to fund the subsidization of public water and public sewer use fees; (v) appropriate the balance of the sale proceeds not to exceed \$355,000 available after the appropriations set forth in subsections (ii), (iii) and (iv) above to subsidize sewer lateral connection fees and costs for new sanitary sewer system users as allocated by the Board of Selectmen; (vi) upon the approval of the Board of Finance, appropriate any balance of the proceeds of sale remaining after the expenditures set forth in subsections (ii)-(v) above as may be recommended by the Board of Selectmen for uses consistent with subsections (iii), (iv) and/ or (v) above; and (vii) authorize the Board of Selectmen to take any and all actions and execute any and all documents as said Board deems necessary or desirable to implement the foregoing resolution? to be voted upon using tabulators on Saturday, March 6, 2021 between the hours of 9:00 AM and 8:00 PM. Electors residing in the Voting District #1 shall vote at the New Hartford Town Hall, 530 Main Street in New Hartford. Electors residing in the Voting District #2 shall vote at the South End Fire House, 20 Antolini Road in New Hartford. Voters qualified to vote at town meeting who are not electors shall vote at their respective polling places. Absentee ballots will be available from the Town Clerk, 530 Main Street, New Hartford, CT and will be counted at Town Hall.

Voters approving the sale shall vote "Yes," Voters opposed to the sale shall vote "No."

Dated at New Hartford, CT this 2nd of February, 2021.

Daniel V. Jerram, First Selectman
Laura DiFelice Garay, Selectman

Alesia Kennerson, Selectman
Deborah M. Ventre, Town Clerk

Moderator Kennerson read the Return of Posting and Publication

**RETURN OF POSTING AND PUBLICATION
OF NOTICE OF SPECIAL TOWN MEETING**

I, Daniel V. Jerram, First Selectman of the Town of New Hartford, Connecticut, hereby certify that I caused a copy of the foregoing Notice of the Special Town Meeting to be posted on the Town signpost on Thursday, February 4, 2021 and also published in the Republican-American, a newspaper published in Hartford, Connecticut and having a general circulation in the Town of New Hartford, on Thursday, February 4, 2021.

Dated this 18th day of February, 2021.

Daniel V. Jerram, First Selectman

ITEM NUMBER 1:

To hold a public hearing regarding the proposed sale of the water and wastewater assets of the Town of New Hartford.

Moderator Kennerson explained the expected rules and conduct for this public hearing. She clarified that NO VOTE regarding the proposed sale of water and wastewater assets would be occurring at this meeting. She stated that she would ask the First Selectman to provide a short presentation regarding the proposed sale. Following the presentation, the public will be permitted to comment and submit questions. There will be a time limit of 2 minutes per speaker which will initially be limited to residents and taxpayers. All speakers must state their name and address for the record prior to speaking. If time permits and there are any non-residents who wish to comment, there will be an allocation of 30 seconds given to them to state their comment. Moderator Kennerson stressed that all speakers should be polite and courteous and noted that anyone deemed to be abusive or who exceed their time will be muted.

Moderator Kennerson asked First Selectman Jerram to begin his presentation. First Selectman Jerram reminded those present that there have previously been numerous public presentations of this material initially in person prior to Covid and then virtually as well as presentations to Board of Finance, Planning & Zoning Commission and the WPCA. The powerpoint presentation was shared to the screen which detailed the assets included in the sale (well houses, the sewer

plant, common equipment, collection system (sewer), distribution system (drinking water), water tanks and right of way access to facilitate both operations. Formal acceptance would occur if approved at referendum.

Mr. Jerram outlined the Plan development and implementation throughout the process noting that it has been approved by the Asset Evaluation Subcommittee, the Water Pollution Control Authority, the Board of Selectmen, the Board of Finance and Planning and Zoning Commission in their capacity as Aquifer Protection Agency. He noted that the Aquifer Protection Agency supports the proposed expansion into Pine Meadow. The final step will be the town side referendum scheduled for March 6th.

He further detailed the planned use of the proceeds to repay outstanding debts, sewer system expansion, and customer rate subsidies as well as connection assistance. A map showing the proposed sewer extension area in Pine Meadow with 106 potential connections was also projected as a concept design of the area of homes to be connected.

The next steps were outlined including the Referendum on Saturday, March 6th. If approved, formal application will be submitted to PURA to approve the sale. Additionally, the Department of Energy & Environmental Protection and the Department of Public Health would need to approve the sale. The approval process could take 6 to 12 months. A water rate analysis showing the Eastern Division rate that would be joined being substantially lower than the current New Hartford rates. A state map was shown with neighboring towns labeled showing those towns who have a private or municipal water system. The majority of our neighboring towns that are not controlled by MDC are privately held.

Mr. Jerram concluded his presentation with a reminder that the referendum will be held two weeks from this Saturday on March 6th from 9 am to 8 pm. He suggests that anyone seeking additional information review the data posted to the town website at www.newhartfordct.gov/potential-water-sewer-asset-sale. Those with specific questions may also call Town Hall at 860-379-3389.

Following the conclusion of the presentation, Moderator Kennerson explained how attendees can let her know that they wish to present public commentary. For people who are dialing in and do not have access to the hand raise icon, they

can call the town hall main number at 860-379-3389 and let Christine know that they wish to speak.

Greg O'Brien commended all who have been a part of this five year process in looking out for the best interest of everyone in the Town and expressed appreciation for the countless hours and commitment to this process.

Noel and Karen Gauthier also expressed appreciation to Dan and his team and Denton Butler and his team for all the work that has gone into this so far. Mr. Jerram noted that the Asset Evaluation subcommittee members include Bud Butler and Joe Toro who also serve on the WPCA, Kim Estep and Tom Hart, private citizens and himself who have donated countless hours to working on this process since 2016.

Mary Beth Greenwood noted that she lives on South Road but owns a business on Bridge Street. She read a statement commenting that this town-wide referendum will decide a question that directly impacts the small customer base on the water and sewer system. She stated that this is the case because the water and sewer and systems have not been treated as a shared public investment in New Hartford. She suggests all residents should recognize that well-functioning and cost effective utilities are key to economic development opportunities and business expansion prospects in any town. However, leaving the funding of this system to the small customer base in New Hartford has limited the funding of the water and sewer system and therefore limited economic development prospects as well. She believes that the system could be treated as a shared public investment with a shared contribution from general taxpayers. After so many years this would be a difficult proposition. This option has not been presented to a town wide vote and sadly the sale has become a default option. She stressed that this has all been done at the expense of the small customer base. As a result, she has concluded that the Town does not deserve to own the system any longer. She noted that the provisions of the sale must be carried out in a timely and equitable manner to immediately benefit the small customer base. She suggests that a representative body of users have input into the process.

Aulay Carlson shared a statement about the decision made some years ago to expand the water and sewer system with the hope that the expansion would enable economic growth. At the time, it was decided that only the users would

bear the cost. He noted that he previously questioned why millions of dollars have been given to the library and yet the Town cannot support the cost of the water and sewer system. He further commented on the Board of Education budget and funding for excess school buildings for student enrollment and falling test scores. He expressed concern that neighbors will go into debt to connect to the system and possibly lose their homes.

Bill Michaud noted that like the last two speakers he strongly opposes the sale of the water and sewer assets. As former Chairman of the WPCA he advocated to expand the sewer system in order to make the rates more affordable for the small user base. There are investments that need to be made to make this system sustainable into the future. He does not believe that our water should be sold to fund those expansions.

Mr. Jerram noted that while he respects the residents who have commented and we can all agree to disagree. He encourages everyone to review the sale material posted on the Town website. He mentioned that there were a couple of comments about not investing in the system. The operation of the WPCA is controlled by Ordinance 1986-1 which indicates that the system itself has to maintain a break-even operation with guidance from counsel. Day to day operations must maintain as break-even which is extremely difficult to the point that they do not have disposable income to be able to make the debt services payments for the past 3 years. The debt service is not the issue, it's the cost of administration of the system. Larger entities have the larger resources and expertise in all the areas to be able to better support the system and the users.

Sue Lundin apologized for joining the meeting late and asked who would incur the cost of connecting New Hartford Elementary School to the sewer line when the line is expanded. Moderator Kennerson asked First Selectman Jerram to respond. Mr. Jerram responded that it would be the Town's responsibility.

Erik Perotti noted that as a resident directly impacted by this sale, he is grateful for the potential support to connect to the system and thanked all those involved for making this possible. Mr. Jerram noted that in many communities there are heavy connection fees for homeowners to connect to this system. This plan protects the wells that feed this system without instituting large connection fees or benefit assessments.

Moderator Kennerson asked for a final comments.

Mr. Jerram commented as a private citizen that it is critical that residents take the time to review the data on the town website and listen to the recorded meetings. Residents should take the time to research and make an educated decision prior to voting.

Laura Garay questioned whether a newsletter will be going out for anyone who does not have electronic capabilities. Mr. Jerram noted that the Town has developed a notice of referendum postcard – it is not intended to be an informational flyer. The postcard merely announces the referendum vote to ensure it is neutral in tone.

Ms. Garay asked if the postcard will include the Town Hall phone number if people cannot obtain information electronically. Mr. Jerram confirmed that it will.

Moderator Kennerson closed the public hearing and moved on to Item Number 2.

ITEM NUMBER 2:

To take such action as the voters deem best with respect to the election of one member to the Stanclift Cove Authority.

Moderator Kennerson explained that the Towns of New Hartford and Barkhamsted jointly operate a beach on MDC Land along Lake McDonough called Stanclift Cove. A board consisting of 6 members called the Stanclift Cove Authority provides oversight regarding policies and operations of this beach area. Each town elects 3 members to this Board. A term of office is 3 years. There has been a vacancy on this Board and New Hartford resident Aaron Jack has expressed interest in filling this vacancy. Is there anyone interested in nominating Aaron Jack to fill a vacancy and serve as a member of the Stanclift Cove with a term to expire on June 30, 2023?

Motion Penny Miller, second Greg O'Brien to nominate Aaron Jack to serve as a member of the Stanclift Cove Authority with a term to expire on June 30, 2023.

Mr. Jerram clarified that although it is a 3 year term, this seat has been vacant and this term would expire on June 30, 2023. Moderator Kennerson asked for any other nominations to fill the vacancy.

Motion Dan Jerram, second Greg O'Brien to close nominations. Unanimously approved by show of hands. Moderator Kennerson closed nominations and called for a vote.

All those in favor of electing Aaron Jack to serve as a member on the Stanclift Cove Authority? Unanimously approved by show of hands.

Moderator Kennerson declared Aaron Jack a member of the Stanclift Cove Authority and welcomed him to his new role.

ITEM NUMBER 3:

To adjourn said Special Town Meeting at its conclusion and to submit the question

"Shall the Town of New Hartford (i) sell all the assets of the Town of New Hartford public water supply system and sanitary sewer system (the "Assets") to Aquarion Water Company of Connecticut or any parent, subsidiary or affiliate of Aquarion Water Company of Connecticut (together, "Aquarion") for the contract price of not less than \$8,000,000, subject to usual and customary closing adjustments and costs of sale; (ii) appropriate so much of the sale proceeds as is necessary to repay in full the outstanding balance of all indebtedness pertaining to the Assets as of the date of sale owed to the United States Department of Agriculture, Rural Development, and to the Town of New Hartford; (iii) appropriate an amount not to exceed \$3,600,000.00 for the design and construction of extensions and improvements to the sanitary sewer system in the Pine Meadow area of the Town of New Hartford as shown on the schematic map entitled "New Hartford, CT Pine Meadow Residential Area Option P-2 Gravity Sewers with Pump Station, Portion of Easement 1 inch= 300 feet DRAFT May 2016" prepared by CDM Smith, a copy of which map is available for inspection in the office of the New Hartford First Selectman, or so much of said sanitary system extensions and improvements as can be designed and constructed for the sum of \$3,600,000.00; (iv) appropriate an amount not less than \$435,000 and not to exceed \$500,000.00 of the balance of the sale proceeds available after the appropriations set forth in subsections (ii) and (iii) above as determined appropriate by the Board of Selectmen to fund the subsidization of public water and public sewer use fees; (v) appropriate the balance of the sale proceeds not to

exceed \$355,000 available after the appropriations set forth in subsections (ii), (iii) and (iv) above to subsidize sewer lateral connection fees and costs for new sanitary sewer system users as allocated by the Board of Selectmen; (vi) upon the approval of the Board of Finance, appropriate any balance of the proceeds of sale remaining after the expenditures set forth in subsections (ii)-(v) above as may be recommended by the Board of Selectmen for uses consistent with subsections (iii), (iv) and/ or (v) above; and (vii) authorize the Board of Selectmen to take any and all actions and execute any and all documents as said Board deems necessary or desirable to implement the foregoing resolution? to be voted upon using tabulators on Saturday, March 6, 2021 between the hours of 9:00 AM and 8:00 PM. Electors residing in the Voting District #1 shall vote at the New Hartford Town Hall, 530 Main Street in New Hartford. Electors residing in the Voting District #2 shall vote at the South End Fire House, 20 Antolini Road in New Hartford. Voters qualified to vote at town meeting who are not electors shall vote at their respective polling places. Absentee ballots will be available from the Town Clerk, 530 Main Street, New Hartford, CT and will be counted at Town Hall.

Voters approving the sale shall vote "Yes," Voters opposed to the sale shall vote "No."

Moderator Kennerson declared the meeting adjourned to Referendum at 8:27 PM.

A True Copy

Attest: Deborah M. Ventre
Town Clerk