

**TOWN OF NEW HARTFORD
ANNUAL TOWN MEETING
SENIOR CENTER/MEETING ROOM
TOWN HALL
APRIL 24, 2018**

First Selectman Dan Jerram called the meeting to order at 7:28PM. First Selectman Jerram opened the floor to nominations for Moderator. Motion Noel Gauthier, second Greg O'Brien to nominate Alesia Kennerson for Moderator. Hearing no further nominations, First Selectman Jerram entertained a motion to close nominations. Motion Martha Steenburgh, second Elizabeth Thorpe to close nominations. Unanimously approved by voice vote.

First Selectman Jerram called for a voice vote on the motion to elect Alesia Kennerson Moderator. Unanimously approved.

Moderator Alesia Kennerson stated that copies of the call of the meeting are available for the public and inquired if there is anyone present who needs a copy.

Moderator Kennerson noted that this is a long agenda and since there are copies available for public use she would entertain a motion that public reading of the Notice of the Annual Town Meeting be waived. Motion Denton Butler, second Madeline McClave to waive the reading of the Notice of the Annual Town Meeting. Moderator Kennerson called for a voice vote. Unanimously approved.

Moderator Kennerson read the Return of posting and Publication.

**RETURN OF POSTING AND PUBLICATION
OF NOTICE OF ANNUAL 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 Annual Town Meeting and Notice of Referendum to be posted on the Town signpost on Thursday, April 12, 2018 and also published in the Hartford Courant, a newspaper published in Hartford, Connecticut and having a general circulation in the Town of New Hartford, on Tuesday, April 17, 2018.

Dated this 24th day of April, 2018.

Daniel V. Jerram, First Selectman

ITEM NUMBER 1:

a.)To take such action as the voters deem best with respect to the repeal of the ordinance entitled “Ordinance Creating the New Hartford Land Preservation Fund and Open Space Preservation Commission” approved on September 24, 2002 and effective on October 18, 2002.

b.)To take such action as the voters deem best with respect to the repeal of the ordinance entitled “Amendment to Ordinance Creating the New Hartford Land Preservation Fund and Open Space Commission” approved on April 22, 2014 and effective on May 10, 2014.

c.) To take such action as voters deem best with respect to the adoption of an ordinance, entitled “Ordinance Updating the New Hartford Land Preservation Fund and Open Space Preservation Commission;” such ordinance is on file for inspection in the Office of the First Selectman, 530 Main Street, New Hartford, CT 06057.

Moderator Kennerson announced that she would entertain a motion to remove this agenda item from the call of this meeting due to the fact that there have been some concerns raised regarding some of the language changes that are part of the updated ordinance. These concerns were discussed with the Town Attorney and it is his recommendation that this item be removed to allow for some additional changes to be made to the ordinance. This item will become an agenda item at a Special Town Meeting in the future.

Motion Bill Michaud, second Rusty Warner to remove Item Number One from the Call of the Annual Town Meeting. First Selectman Jerram noted that there were some concerns with the language proposed by the Town Attorney and there is sufficient time to review and modify the language prior to a Special Town Meeting in about six weeks.

Keith Schaufler inquired if the Land Preservation Fund and Open Space Preservation Commission are a government entity. First Selectman Jerram noted that yes – this is an appointed Board. Mr. Schaufler inquired if they are subject to Freedom of Information. First Selectman Jerram confirmed that they are.

Moderator Kennerson called for a voice vote on the Motion to Remove Item 1 from the Call of the Annual Meeting. Unanimously approved.

ITEM NUMBER 2 : To take such action as the voters deem best with respect to the adoption of an ordinance entitled “Ordinance Concerning the Right to Farm,” such ordinance is on file for inspection in the Office of the First Selectman, 530 Main Street, New Hartford, CT 06057.

Moderator Kennerson announced that copies of the Ordinance (Attachment 1) have been made available to the public and she would entertain a motion to waive the reading of the proposed ordinance.

Motion Peter Anderheggen, second Elizabeth Thorpe to waive the public reading of the Right to Farm Ordinance. Moderator Kennerson called for a voice vote. Unanimously approved.

Moderator Kennerson asked for a motion to adopt the Ordinance entitled “Ordinance Concerning the Right to Farm”.

Motion Marty Post, second Carlene Jerram to adopt the Ordinance entitled “Ordinance Concerning the Right to Farm”.

Moderator Kennerson asked First Selectman Jerram to comment on this ordinance. He noted that this ordinance is proposed upon the recommendation of the Planning & Zoning Commission under the action items of the Plan of Conservation and Development. This ordinance legally protects farmers from complaints about some regular farming activities that may be perceived as nuisances by other residents. Other area towns have also passed similar ordinances.

Noel Gauthier inquired if there have been complaints in town about these types of issues. Mr. Jerram replied that there have not been complaints in recent years, but this is a proactive effort to protect our rural character.

Elizabeth Thorpe asked if the ordinance could be amended to include language prohibiting industrialized farming in town. First Selectman Jerram commented that there are controls in place through Planning & Zoning which would prevent this.

Regina Wexler inquired if this ordinance applies only to existing farms and not to someone who decides to raise sheep in their backyard. First Selectman Jerram noted that a property would need to be classified as a farm in order to be protected.

Aulay Carlson commented that there is nothing in this ordinance to prevent a large scale farming organization from coming in and creating an environment that residents would not like. He cited an example of a 1000 head pig farm. Mr. Jerram indicated that he does not believe there is anything in our existing zoning regulations which would prevent that now. He sees this ordinance as a proactive measure to protect our community farms.

Anne Hall noted that this ordinance does not override the Zoning or Inland Wetlands regulations or Farmington Valley Health or Metropolitan District and all those entities would have a say in whether a large scale entity could move into town.

Jean Cronauer spoke in favor of this ordinance stressing the importance of the diversity in farming organizations and the protections afforded by this ordinance.

Keith Schaufler inquired if the oversight commissions mentioned in item 4 are state or federal agencies. First Selectman Jerram responded that they are state agencies and the ordinance is based upon state statute.

Moderator Kennerson requested a motion to amend the ordinance to include language indicating the effective date will be 15 days after publication in a newspaper having general circulation in the town.

Motion Reggie Smith, second Marty Post to amend the ordinance. Unanimously approved by voice vote.

Moderator Kennerson called for a voice vote on the motion to adopt the Ordinance Concerning the Right to Farm. Unanimously approved.

ITEM NUMBER 3: To take such action as the voters deem best with respect to the acceptance of a parcel of land situated on the roadway known as Evergreen Crossing, located in the Town of New Hartford, County of Litchfield and State of Connecticut, and being shown and designated as Open Space # 2; 103,984 +/- S.F. 2.39 +/- AC., Subdivision "Evergreen Crossing" Lepore and Sons LLC Ramstein Road New Hartford, Connecticut" Hrica Associates LLC Engineers Surveyors Date 6/2/2015 Revisions 7/1/2015, 7/4/2015, 9/25/2015 Map # 0424 Scale 1" = 80', which map is on file in the New Hartford Town Clerk's Office as Map # 2270; and to which map reference is hereby made for a more particular description.

Moderator Kennerson asked for a motion to approve the acceptance of land on Evergreen Crossing as shown on Map #2270. (Attachment 2)

Motion Denton Butler, second Noel Gauthier to approve the acceptance of land on Evergreen Crossing as shown on Map #2270.

Moderator Kennerson asked First Selectman Dan Jerram to explain the purpose of this item.

First Selectman Jerram shared that the Open Space Parcels 1 and 3 have been transferred to the Land Trust. Parcel 2 is to be transferred to the town together with the access easement to maintain the drainage for the Storm Water Basin to be accepted in Item Number 4.

Moderator Kennerson called for a voice vote on the motion. Unanimously approved.

ITEM NUMBER 4: To take such action as the voters deem best with respect to the acceptance of a "Storm Water Basin Access and Maintenance Easement to be granted to the Town of New Hartford; Area 32,214 +/- S.F. 0.74 +/- Ac." being shown on a certain map or plan entitled Modification of Subdivision "Evergreen Crossing" Lepore and Sons LLC Ramstein Road New Hartford, Connecticut" Hrica Associates LLC Engineers Surveyors Date 6/2/2015 Revisions 7/1/2015, 7/4/2015, 9/25/2015 Map # 0424 Scale 1" = 80', which map is on file in the New Hartford Town Clerk's Office as Map # 2270; and to which map reference is hereby made for a more particular description.

Moderator Kennerson asked for a motion to approve the acceptance of a Storm Water Basin Access and Maintenance Easement to the Town of New Hartford as shown on Map #2270.

Motion Bill Michaud, second Noel Gauthier to approve the acceptance of a Storm Water Basin Access and Maintenance Easement to the Town of New Hartford as shown on Map #2270.

Moderator Kennerson asked First Selectman Dan Jerram if he wanted to add anything. He noted that the town must maintain the storm water basin which was a condition of their subdivision approval.

Moderator Kennerson called for a voice vote on the motion. Unanimously approved.

ITEM NUMBER 5: To elect a representative to serve as a member of the Stanclift Cove Authority; term to expire June 30, 2021.

Moderator Kennerson asked for nominations for the election of a member to the Stanclift Cove Authority with the term to expire June 30, 2021.

Motion Annie Witte, second Carlene Jerram to nominate Penny Miller to serve on the Stanclift Cove Authority with the term to expire June 30, 2021.

Hearing no further nominations, Moderator Kennerson asked for a motion to close the nominations.

Motion Peter Anderheggen, Second Martha Steenburgh to close nominations. Unanimously approved by voice vote.

Moderator Kennerson called for a voice vote to elect Penny Miller as a member of the Stanclift Cove Authority. Unanimously approved.

ITEM NUMBER 6: To elect a representative to serve as a member of the Stanclift Cove Authority; term to expire June 30, 2020.

Moderator Kennerson asked for nominations for the election of a member to fill a vacancy on the Stanclift Cove Authority with the term to expire June 30, 2020?

Hearing no nominations. Moderator Kennerson noted that the vacancy remains to be filled at a later date.

ITEM NUMBER 7: Upon the recommendation of the Board of Finance, to take such action as the voters deem best with respect to an appropriation not to exceed \$241,000.00 for the purpose of the acquisition of an agricultural easement and riverside trail located on Black Bridge Rd, on property known commonly known as "Michael Butler Farm" as shown on a map entitled "Michael D. Butler, Trustee; total acres owned: 93.6 +/- total restricted farmland acres: 85.5 +/-; 45 Black Bridge Rd, New Hartford, Connecticut; prepared for State of Connecticut Department of

Agriculture Farmland Preservation Program; such map is available for review in the Office of the First Selectman.

Moderator Kennerson announced that this item has been removed from the Call of this meeting in accordance with Connecticut General Statutes 7-7 and has been taken by the Board of Selectmen to a Referendum to be held on May 8, 2018 between the hours of 6:00 a.m. and 8:00 p.m. 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 their respective polling places. The question to be voted upon shall be placed on the ballots as:

“Shall the Town of New Hartford appropriate an amount not to exceed \$241,000 for an agricultural easement and riverside trail on property commonly known as “Michael Butler Farm”?

Voters approving the question will vote “Yes” and those opposing the question will vote “No.”

Moderator Kennerson asked if the Open Space Preservation Commission would like to address the audience. Bill Michaud spoke on behalf of the Commission and shared that one of the primary duties of the Commission is to identify land that should be protected in the Town and bring that to the attention of the residents of the Town. He shared that the parcel being considered is a true gem and several organizations have come together to find a way to preserve this piece at no cost to taxpayers. The parcel is the peninsula between the east and west branches of the Farmington River. Since the river itself is a huge asset to the town, this parcel has great preservation value. There are two parts to the project: 1) an agricultural easement held by the Connecticut Department of Agriculture on 85.5 acres and 2) the purchase of 8.1 acres for a riverfront trail. The trail property will be owned by the town, but the New Hartford Land Trust will hold a conservation easement on this parcel. His presentation included photographs from a recent trail walk. He cited benefits of both aspects of the project and elaborated on the collaborative funding that has been proposed. He highlighted how the New Hartford Land Trust

(a private non-profit organization) has committed to fund the purchase of the trail parcel at \$41,310.00 and the Connecticut Farmland Preservation Trust has committed \$25,000 toward the protection of this property. Mr. Michaud further detailed how the Land Preservation Fund receives funding from Open Space fee in lieu of payments and PA 490 penalties. Attachment 3 is a summary sheet which was distributed to attendees.

Keith Schaufler inquired if this presentation is available on the website. First Selectman Jerram indicated that he can email the presentation to Mr. Schaufler.

Jean Cronauer commented that she would like to thank the Butler family and all the Open Space Commission members who have worked tirelessly to bring this project forward for consideration.

Nancy Linton questioned the expectation of when the \$148,000 would be paid back to the Town. First Selectman Jerram noted that this is not the first time the town has loaned funds to the Land Preservation Fund. He would estimate that it should be paid back in 5 to 6 years. He further commented that he would commend the Land Trust for their efforts to reduce the amount of funding needed from the town.

Aulay Carlson questioned who will own the land. Mr. Michaud responded that Michael Butler will continue to own the land and pay taxes on it. The agricultural easement will extinguish the right to develop that land or use it for anything but agricultural purposes. The town would own the 8.1 acres along the river. Mr. Carlson inquired if the deeds are in place and surveys have been done. First Selectman Jerram indicated that the state has surveyed the property and copies can be made available in the Town Clerk's office. Deeds will not be prepared until after approval.

Noel Gauthier inquired about the \$148,000 being borrowed and what that will be used for. First Selectman Jerram clarified that those funds would be loaned from the fund balance and payments would be made toward the property over a couple of years. The payments and receivables would be tracked in the annual audit.

Greg O'Brien commented that as a 13 year resident of town, he has noticed huge success in neighboring Canton/Collinsville on their Rails to Trails project with the number of people who come in and use the trail and then visit local businesses. He believes that we need to do this project as a first step in our own Rails to Trails

project. Once people see the beauty of our Town for All Season they will want to return.

Moderator Kennerson noted that there is a public walk of the property scheduled for Sunday, April 29th at 1:30 pm. First Selectman Jerram shared that if anyone will not be able to vote at the Referendum, the Town Clerk and Assistant Town Clerk have absentee ballots available.

Moderator Kennerson announced that having no other business to discuss, she would entertain a motion to adjourn this meeting to a referendum to be held on May 8, 2018.

Motion Greg O'Brien, second Carlene Jerram to adjourn to referendum.
Unanimously approved.

Meeting adjourned at 8:35 PM.

A True Copy

Attest: Donna N. LaPlante
Town Clerk