

TOWN OF NEW HARTFORD
SPECIAL TOWN MEETING
SENIOR CENTER/TOWN HALL
SEPTEMBER 14, 2017

A special town meeting of the electors and citizens qualified to vote in town meeting of the Town of New Hartford, Connecticut, was held in the New Hartford Town Hall, 530 Main Street, in the Town of New Hartford, Connecticut on Thursday, September 14, 2017 at 7:00PM.

First Selectman Dan Jerram called the meeting to order at 7:02 PM. He opened the meeting by asking all present to join in the Pledge of Allegiance.

First Selectman Jerram opened the floor to nominations for Moderator. Motion Noel Gauthier, second Carlene Jerram to nominate Alesia Kennerson as Moderator. First Selectman Jerram asked if there are any further nominations. Motion Jamie Hall second David Krimmel to close nominations. Motion to close nominations unanimously approved by voice vote. First Selectman Jerram then called for a vote on the motion to nominate Alesia Kennerson for Moderator. Motion unanimously approved by voice vote.

First Selectman Jerram then mentioned he would turn the meeting over to the Moderator.

Moderator Kennerson welcomed all present and thanked them for attending the meeting. She then mentioned that she typically would read the call of the meeting. As it is lengthy she asked if there were any objections to waive the reading of the Call of the Meeting. The text of the call included herein was available as a handout.

TOWN OF NEW HARTFORD
NOTICE OF A SPECIAL TOWN MEETING

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, that a Special Town

Meeting will be held on Thursday, September 14, 2017, at 7:00 PM in the Senior Center/Meeting Room of the New Hartford Town Hall, 530 Main Street, in New Hartford, CT for the following purposes:

1. To take such action as the voters deem best with respect to the adoption of an ordinance that establishes the Town Hill Cemetery Committee; such ordinance is on file for inspection in the Office of the First Selectman, 530 Main Street, New Hartford, CT 06057.
2. To take such action as the voters deem best with respect to the adoption of an ordinance entitled "Open Space Tax Abatement Ordinance;" such ordinance is on file for inspection in the Office of the First Selectman, 530 Main Street, New Hartford, CT 06057.
3. To take such action as the voters deem best with respect to the adoption of an ordinance entitled "Elderly and Disabled Tax Exemption Ordinance;" such ordinance is on file for inspection in the Office of the First Selectman, 530 Main Street, New Hartford, CT 06057.
4. To take such action as the voters deem best with respect to the repeal of "Ordinance relating to Board of Finance alternates;" such ordinance is on file for inspection in the Office of the First Selectman; 530 Main Street, New Hartford, CT 06057.
5. To take such action as the voters deem best with respect to the adoption of an ordinance entitled "Ordinance Establishing Alternates on the Board of Finance;" such ordinance is on file for inspection in the Office of the First Selectman; 530 Main Street, New Hartford, CT 06057.
6. To take such action as the voters deem best with respect to authorizing the First Selectman to enter into an agreement with Connecticut Green Bank approving the establishment of a program known as the Commercial Property Assessed Clean Energy (C-PACE) program. The proposed agreement is on file in the Office of the First Selectman, 530 Main Street, New Hartford, CT 06057.
7. To take such action as the voters deem best with respect to the acceptance of a parcel of land from Mary S. and Darrell H. Hoag to the Town of New Hartford known as "the old canal off Main Street and Wickett Street" as shown on a Map prepared by Dufour Surveying LLC dated 11-10-2016; such map is available for inspection in the Office of the First Selectman; 530 Main Street, New Hartford, CT 06057.
8. To take such action as the voters deem best with the election of a representative to serve as a member on the School Building Committee.
9. To take such action as the voters deem best with respect to the election of one member to the Stanclift Cove Authority, such term to expire June 30, 2019.
10. To take such action as the voters deem best with respect to the election of a representative to serve as a member on the Stanclift Cove Authority, term to expire June 30, 2020.

Dated at New Hartford, CT this 22nd day of August, 2017.

Board of Selectmen

Daniel V. Jerram

Alesia R. Kennerson

Laura DiFelice Garay

Hearing no objections she proceeded to the Return of Posting.

Moderator Kennerson noted that we are waiting for a guest speaker who is traveling some distance to be here and upon his arrival she would entertain a motion to modify the order of the agenda. She then 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 Wednesday, August 23, 2017 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, August 29, 2017.

Dated this 14th day of September, 2017.

Daniel V. Jerram, First Selectman

ITEM 1

To take such action as the voters deem best with respect to the adoption of an ordinance that establishes the Town Hill Cemetery Committee.

Moderator Kennerson requested to waive the reading of the proposed ordinance.

MOTION Jamie Hall second Madeline McClave to waive the reading of the Ordinance for the Town Hill Cemetery. Unanimously approved by voice vote.

The text of the ordinance included herein was available as a handout.

ORDINANCE ESTABLISHING THE TOWN HILL CEMETERY COMMITTEE

BE IT ORDAINED by the legal voters of the Town of New Hartford in meeting assembled:

1. All prior ordinances pertaining to the Town Hill Cemetery and Memorial Park Committee are hereby repealed as of the effective date of this ordinance.
2. The Town of New Hartford hereby establishes the Town Hill Cemetery Committee which shall consist of five (5) regular members who, subsequent to the initial appointments set forth in section 3 below, shall be appointed by the Board of Selectmen to six-year terms in accordance with the terms of this ordinance.
3. The initial members of the Town Hill Cemetery Committee and their respective terms shall be:

Donna Burdick	6-year term
Mary Lou Rayno	6-year term
Anne Hall	4-year term
Debra Lindell	4-year term
Mary Hainline (Sue) Hall	2-year term

4. Except for the commencement date for the terms of the initial five (5) members which shall be the effective date of this ordinance, the terms of office for all members of the Town Hill Cemetery Committee shall run from January 1 of the initial year of the term through December 31 of the last year of the term and until their respective successors are duly appointed and qualified. Appointments shall be made by the Board of Selectmen each December when one (1) or more terms are due to expire.
5. The Town Hill Cemetery Committee shall be subject to the provisions of C.G.S. §9-167a pertaining to minority representation.
6. The Town Hill Cemetery Committee is hereby authorized to superintend and oversee all of the operations and maintenance of Town Hill Cemetery; provided, however, that the Town of New Hartford shall retain the authority to manage all funds held in trust by the Town of New Hartford solely for the benefit of Town Hill Cemetery.
7. The Town Hill Cemetery Committee is hereby further authorized to appoint officers from its membership and to adopt, amend and repeal bylaws which regulate the governance of said Committee and rules and regulations which govern the use and operation of Town Hill Cemetery.

8. This ordinance shall become effective fifteen (15) days after its publication in a newspaper having circulation in the Town of New Hartford.

Moderator Kennerson asked for a motion to adopt the Ordinance Establishing The Town Hill Cemetery Committee.

Motion Carlene Jerram, second Linda Goff to adopt the Ordinance Establishing The Town Hill Cemetery Committee.

Moderator Kennerson asked the First Selectman to give a brief explanation of the proposed ordinance.

First Selectman Jerram explained that we have an old cemetery on Town Hill Road with an obsolete ordinance with lifetime terms for the members of the Committee most of whom are deceased. This ordinance will appoint the volunteers to specific terms, clarify the management of the cemetery funds and empower the people who have already been volunteering. Mary Lou Rayno added that the cemetery has been operating since 1735 and the operation needs to come under a proper ordinance.

Aulay Carlson inquired if the members of the Town Hill Cemetery Committee are volunteers. He noted that the Board of Finance Alternate ordinance does indicate that the members do not receive compensation. Mr. Jerram stated that all of our Boards and Commission are staffed by volunteers and since the ordinance does not indicate that the members are paid, therefore they are not paid.

Moderator Kennerson called for a voice vote.

Motion Carried Unanimously

Moderator Kennerson explained that she would entertain a motion to amend the agenda to move Item 6 to be heard next as a representative from Connecticut Green Bank has traveled quite a distance to be present to explain the program and answer questions.

Motion Linda Goff, second Mary Lou Rayno to amend the agenda to allow Item 6 to be heard second.

Madeline McClave asked for discussion and noted that the New Hartford Land Trust had delayed their Board Meeting to appear for Item 2 on the call. Tom Buzzi inquired about which item would take longer. The representative indicated that he had driven 90 minutes to get here and still had to drive 90 minutes back home.

Mr. Jerram indicated he did not believe either item would take long, but would depend upon the number of questions from the floor. Linda Goff commented that she felt we should defer to the residents.

Moderator Kennerson called for a vote on the motion to amend the agenda to allow item 6 to be heard second. Motion failed by show of hands.

Motion Jamie Hall, second Tim Goff to amend the agenda to allow Item 6 to be heard third. Motion carried by voice vote with one opposed.

ITEM 2

To take such action as the voters deem best with respect to the adoption of an ordinance entitled “Open Space Tax Abatement Ordinance”.

Moderator Kennerson again asked to waive the reading of the proposed ordinance.

MOTION Bill Ducci, second Jamie Hall to waive the reading of the Open Space Tax Abatement Ordinance. Unanimously approved by voice vote.

The text of the ordinance included herein was available as a handout.

OPEN SPACE TAX ABATEMENT ORDINANCE

BE IT ORDAINED by the legal voters of the Town of New Hartford in meeting assembled:

1. The Town of New Hartford hereby establishes an open space tax abatement program pursuant to C.G.S. §12-129r, as the same may be amended from time to time, in accordance with the terms and conditions set forth herein.
2. (a) Any owner of open space land in the Town of New Hartford, including forest land, the preservation or restriction of the use of which would (A) maintain and enhance

the conservation of natural or scenic resources, (B) protect natural streams or water supply, (C) promote conservation of soils, wetlands, beaches or tidal marshes, (D) enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open spaces, (E) preserve historic sites, or (F) promote orderly urban or suburban development may apply to the New Hartford Open Space Preservation Commission for an abatement of real property taxes as provided in C.G.S. §12-129r in an amount not to exceed the fair market value of the conservation easement to be granted to the Town of New Hartford in exchange for said abatement.

(b) The amount of the tax abatement in the aggregate shall be determined by the Board of Selectmen. Said tax abatement shall be apportioned over a period of time not to exceed twenty (20) years as determined by the Board of Selectmen.

(c) No tax abatement under the terms of this ordinance shall be granted until the property owner has executed and delivered to the Town of New Hartford a conservation easement in form and content approved by the Board of Selectmen and has provided a certified appraisal performed by a duly licensed real estate appraiser of the fair market value of the property proposed for such abatement both with and without the conservation easement required hereunder.

(d) No tax abatement shall be granted hereunder until such abatement has been recommended by the Board of Selectmen to and approved at Town Meeting.

3. (a) All applications for tax abatement hereunder shall be submitted to the New Hartford Open Space Preservation Commission on forms supplied by the Commission.

The New Hartford Open Space Preservation Commission shall review each application and shall forward each such application to the Board of Selectmen within thirty (30) days of receipt, together with a recommendation from the Commission indicating whether or not the application meets the eligibility criteria contained in this section. Each such recommendation shall include specific reasons in support of the findings expressed therein.

(b) Upon receipt of an open space tax abatement application and the accompanying recommendation from the New Hartford Open Space Preservation Commission, the Board of Selectmen shall approve the application, reject the application or return the application to the Commission for further information. If an application is rejected, the Board of Selectmen shall state its reasons for rejection upon the record. The applicant

may file a revised application with the New Hartford Open Space Preservation Commission that addresses the reasons for its rejection by the Board of Selectmen.

4. Tax abatements granted pursuant to the terms of this ordinance may be assigned to any real property in the municipality owned by the applicant, including but not limited to the conserved property, at the time when the tax abatement is granted. Tax abatements granted pursuant to the terms of this ordinance may be transferred to subsequent owners of the real property subject to said abatement; provided, however, that the terms and conditions of said abatement shall not be amended or extended.

5. Tax abatements hereunder shall apply to real estate taxes on the October 1, 2016 grand list and thereafter.

6. This ordinance shall become effective fifteen (15) days after its publication in a newspaper having circulation in the Town of New Hartford.

Moderator Kennerson asked for a motion to adopt the Open Space Tax Abatement Ordinance.

Motion Tim Goff, second Greg O'Brien to adopt the Open Space Tax Abatement Ordinance.

Moderator Kennerson asked the First Selectman to give a brief explanation of this proposed ordinance.

First Selectman Jerram explained that the ordinance presented is a tool for the Open Space Preservation Commission to preserve land by abating taxes to the Town. Taxpayers will have the final say in whether properties are approved.

Aulay Carlson questioned whether this ordinance will reduce the amount of taxes collected in New Hartford. Mr. Jerram indicated only if the voters approve the ordinance. Mr. Carlson questioned the best or worst case scenario. Mr. Jerram indicated that the properties in town are diverse so impact cannot be predicted.

Jean Cronauer, Chairman of the Open Space Preservation Commission asked Bill Michaud to give background on the extensive work that has gone into preparing this ordinance. Mr. Michaud shared that there is a handout giving an overview of the program (Attachment 1) and noted that this has been in the works since 2005. One of the difficulties of preserving open space is the need to raise funds up

front. This proposal permits the preservation of open space without cash up front by abating taxes over a period of up to twenty years. A landowner would approach the town with a proposal for a conservation easement and the payment for the preservation would be through tax abatement. The Open Space Preservation Commission would evaluate the proposal for compliance with statutory criteria and if deemed worthy would present to the Board of Selectmen. After appraisals and negotiation between the landowner and Board of Selectmen, the proposal would be presented to the voters for approval at Town Meeting. At this time it is unknown if there is a project that would utilize this ordinance.

Jamie Hall noted that many of his points had been covered but he would like to add that this ordinance and the ideas behind it go back a long time. He noted that a study some years ago showed that a typical subdivision would cost the town 80% more than it brings in as tax revenue. He outlined an example of the cost of the abatement versus the cost of a potential subdivision.

Regina Wexler expressed that she was concerned about item number 4 and asked for an explanation of how the abatement could be applied to multiple properties. Mr. Jerram described an example where a property owner might own multiple properties and the taxes on a desirable parcel are not sufficient to make the conservation easement appealing so the town could offer the abatement on other properties owned by that individual. Ms. Wexler inquired why the easement value could be higher than the value of the property.

Jamie Hall explained further that he owns 2 parcels in town – one of which has a house and various other buildings taxed at \$16,000 per year. He also owns 55 acres which is under PA 490 so taxes are only \$5,500 per year. The tax abatement is more appealing to apply to the parcel with all the buildings although the conservation easement would be placed on the 55 acres.

Chris Brooks questioned paragraph 2(a)(F) and wondered what kind of safety mechanism the town has to ensure the property is not developed. Mr. Michaud explained that the conservation easement is the method by which the town would prevent future development of that property. Jean Cronauer added that there are many questions that will be worked out but unless this ordinance is passed there will not be an opportunity to do so. They envision only one or two abatements per year at the most. She noted that we do not have a budget yet

and things will be tight going forward. This will not apply to just any property, only those with a very high conservation value. She promises that the Commission would keep the public informed.

Bill Ducci indicated that the question tonight is whether we want this tool available for our Board of Selectmen and Open Space Preservation Commission. Pat Spaziani asked if the property owner has the option to take the tax abatement or a payout and if not is there the possibility of losing potential properties. Ms. Cronauer stated that each deal is unique and the property owner would have the option. Mr. Michaud indicated that there are definitely options when a landowner approaches them about possibly preserving their land. This ordinance is not limiting anything it is providing another option. Aulay Carlson asked about the unintended consequences of this ordinance and the financial impact on the mill rate of other properties. Mr. Jerram noted that without a proposal for a potential abatement there are no specific numbers for impact on the mill rate. Those values will be available when any potential property under consideration is presented to the town for approval.

Jim Fitzgerald asked Mr. Ducci to clarify where the ordinance has the proposed property go through the Board of Finance. Mr. Jerram clarified that tax abatements are not spending appropriations and therefore do not go through the Board of Finance.

Motion Tom Buzzi second Linda Goff to close discussion. Unanimously approved by voice vote.

Moderator Kennerson called for a voice vote.

Motion Carried by voice vote and show of hands with 5 Opposed

ITEM 6

To take such action as the voters deem best with respect to authorizing the First Selectman to enter into an agreement with Connecticut Green Bank approving the establishment of a program known as the Commercial Property Assessed Clean Energy (C-PACE) program.

Moderator Kennerson asked to waive the reading of the proposed resolution.

The text of the resolution included herein was available as a handout.

TOWN OF NEW HARTFORD

RESOLUTION TO APPROVE

COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY (“C-PACE”) AGREEMENT

WHEREAS, Section 16a-40g, as amended, of the Connecticut General Statutes (the “Act”) established a program, known as the Commercial Property Assessed Clean Energy (C-PACE) program, to facilitate loan financing for clean energy improvements to commercial properties by utilizing a state or local assessment mechanism to provide security for repayment of the loans; and

WHEREAS, the Act authorizes the Connecticut Green Bank (the “Green Bank”), a public instrumentality and political subdivision of the State charged with implementing the C-PACE program on behalf of the State, to enter into a written agreement with participating municipalities pursuant to which the municipality may agree to assess, collect, remit and assign, benefit assessments to the Green Bank in return for energy improvements for benefited property owners within the municipality and for costs reasonably incurred by the municipality in performing such duties; and

Whereas, the Commercial Property Assessed Clean Energy (“C-PACE”) Agreement (the “C-PACE Agreement”) between the Town of New Hartford and the Green Bank, as attached hereto, constitutes the written agreement authorized by the Act.

NOW, THEREFORE, BE IT RESOLVED:

(a) that we, the participants of the Town Meeting constituting the legislative body of the Town of New Hartford do hereby approve the C-PACE Agreement, and

(b) that Daniel V. Jerram, First Selectman is hereby authorized and directed, on behalf of the Town, to execute and deliver the C-PACE Agreement, substantially in the form attached to this Resolution, for the purposes provided therein, together with such other documents as he or she may determine to be necessary and appropriate to evidence, secure and otherwise complete the C-PACE Agreement.

Moderator Kennerson asked for a motion to approve the resolution.

Motion Tim Goff, second Jean Cronauer to approve the resolution authorizing the First Selectman to enter into an agreement with Connecticut Green Bank approving the establishment of a program known as the Commercial Property Assessed Clean Energy (C-PACE) program.

Moderator Kennerson recognized Mr. Jerram who explained that the Green Bank loans money to businesses to make energy efficient improvements with loan payments collected by the tax collector. He then introduced Nicholas Zuba of Connecticut Green Bank to explain the Commercial Property Assessed Clean Energy (C-PACE) program. Jean Cronauer asked if this program would apply to homeowners. Mr. Zuba indicated it is only for commercial properties but they do have a separate program for homeowners.

Tom Buzzi asked how the program is funded. Mr. Zuba indicated they are privately funded and have interest rates ranging from 5.5% to 6.5 %.

Noel Gauthier inquired why the organization cannot be paid by check rather than via the tax collector. Mr. Zuba indicated that the property is collateral and security and statutorily it was set up for collection thru the tax collector. Green Bank will pay the town \$500 to cover any additional work on the part of the tax collector for each loan closing. Mr. Gauthier inquired who pursues default. Mr. Zuba stated that Green Bank does. Tim Goff inquired if there are any fees to the Town and Mr. Zuba responded no. David Rosengren questioned the priority of the mortgage. Mr. Zuba indicated that any prior mortgage on the property would have to consent to C-PACE taking the priority position. Mr. Rosengren inquired if the mortgage has any authority under statute to have priority over municipal liens. Mr. Zuba indicated that town real estate taxes have priority, but C-PACE would have priority over water and sewer assessments.

Jennifer Benaitis questioned who are the investors holding the portfolio to fund these loans. Mr. Zuba noted that most investors are private but the Green Bank does hold some of their transactions. Some have been sold down to investors. Green Bank is a statewide administrator of this program and these are very long

term investments. Ms. Benaitis questioned if there is a specific rate of return for their investors – she wondered if there is a guaranteed rate as that would impact the rate charged to local companies. Mr. Zuba regrettably did not have an answer to that question.

Moderator Kennerson asked if there were any further questions on this item.

Hearing none, she Kennerson called for a vote by show of hands.

Motion Carried with 2 opposed.

ITEM 3

To take such action as the voters deem best with respect to the adoption of an ordinance entitled “Elderly and Disabled Tax Exemption Ordinance”.

Moderator Kennerson asked to waive the reading of the proposed ordinance.

The text of the ordinance included herein was available as a handout.

ELDERLY AND DISABLED TAX EXEMPTION ORDINANCE

BE IT ORDAINED by the legal voters of the Town of New Hartford in meeting assembled:

1. The Town of New Hartford hereby establishes a tax exemption pursuant to C.G.S. §12-129n, as the same may be amended from time to time, with respect to real property owned and occupied as a principal residence by elderly or permanently disabled resident taxpayers who qualify for this tax exemption in accordance with the terms of C.G.S. §12-129n.
2. The tax exemption authorized by this ordinance is available only to resident taxpayers who have qualified as set forth in Section 1 above who have been taxpayers of the Town of New Hartford for the ten (10) years immediately preceding the receipt of the tax benefit as herein provided.
3. (a) The property tax relief resulting from the tax exemption herein authorized, together with any such relief received by any such qualified resident taxpayer pursuant to §§129b to 12-129d, inclusive, and §12-170aa, shall at no time exceed in the aggregate the total amount of the tax which would, in the absence of the property tax relief resulting from the application of the provisions of §§12-129b to 12-129d, inclusive, §12-129n and §12- 170aa, be laid against taxpayer.

(b) Any property tax relief granted pursuant to the terms hereof shall be in addition to any such property tax relief which a recipient hereunder received or is eligible for under the provisions of §§12-129b to 12-129d, inclusive, and §12-170aa.

4. Computation of Benefits

(a) The Assessor shall determine whether each applying taxpayer is entitled to tax credit under this article and shall compute the amount of tax credit to which each qualified taxpayer is entitled and advise the Tax Collector in what amount to reduce the amount of tax levied against the taxpayer.

(b) The amount of credit available to a qualified taxpayer who also qualifies for tax credits from the State of Connecticut shall be equal to the percent of credit granted by the state applied to the remainder of the bill.

(c) If, during a tax year, a qualifying taxpayer dies leaving a spouse who would also qualify under this article, the surviving spouse shall be entitled to receive the remaining benefits for that tax year.

5. The Town of New Hartford Assessor is hereby authorized to implement and administer the tax exemption program set forth in this ordinance in accordance with the provisions of C.G.S. §12-129n.

6. The tax exemption authorized hereunder shall first become effective for taxes due on the October 1, 2017 Grand List.

7. This ordinance shall become effective fifteen (15) days after its publication in a newspaper having circulation in the Town of New Hartford.

Hearing no objection Moderator Kennerson proceeded. She asked for a motion to adopt the Elderly and Disabled Tax Exemption Ordinance.

Motion Tim Goff second Bill Michaud to adopt the Elderly and Disabled Tax Exemption Ordinance.

Moderator Kennerson asked the First Selectman to give a brief explanation of this proposed ordinance.

First Selectman Jerram explained that we have a number of low income individuals who file through the state program for assistance with their taxes. Currently each receives an exemption of about \$500 to \$600. There are approximately 50 individuals who meet the income requirements for the State

program who would receive an additional town benefit which doubles the state option.

Aulay Carlson questioned the process and whether this ordinance has been recommended by the Board of Finance. Mr. Jerram indicated that the process was to establish a Board of Selectmen subcommittee to evaluate the cost. The committee determined that the cost would be approximately \$30,000 to \$35,000 per year and that was provided to the Board of Finance. Report was filed in the town clerk's office with the Board of Selectmen's minutes

Ben Witte asked in what form the report was presented to Board of Finance. Mr. Jerram clarified that the report would have been forwarded at the time of the meeting.

Regina Wexler asked if this is an income based program not asset based and define senior age wise. Mr. Jerram indicated that the maximum income level is \$42,000. He deferred to Beth Paul, former New Hartford Assessor who indicated it is not asset based at all.

Jean Cronauer commented that she is very pleased to see something like this come forward and we need to do something like this for our seniors.

Moderator Kennerson called for a voice vote with show of hands.

Motion Carried with 1 Opposed

ITEM 4

To take such action as the voters deem best with respect to the adoption of an ordinance entitled "Repeal of Ordinance Relating to Board of Finance Alternates".

Moderator Kennerson asked to waive the reading of the proposed ordinance. The text of the ordinance included herein was available as a handout.

REPEAL OF ORDINANCE RELATING TO BOARD OF FINANCE ALTERNATES

BE IT ORDAINED by the legal voters of the Town of New Hartford in meeting assembled:

1. The ordinance identified as 78-3 adopted at Special Town Meeting held on June 1, 1978 relating to the appointment of alternate members of the Board of Finance is hereby repealed.
2. This ordinance shall become effective fifteen (15) days after its publication in a newspaper having circulation in the Town of New Hartford.

Hearing no objections, Moderator Kennerson asked for a motion to adopt the Repeal of the Ordinance relating to Board of Finance Alternates.

Motion Tim Goff, second Mary Lou Rayno to adopt the Repeal of the Ordinance relating to Board of Finance Alternates.

Moderator Kennerson asked the First Selectman to give a brief explanation of this proposed ordinance.

First Selectman Jerram noted that the prior ordinance dates back to 1978 and includes provisions for the Board of Selectmen to appoint which is now illegal. He noted that moving to the new ordinance will increase the number of alternate members to three and minority representation will apply.

Ben Witte agrees with having minority representation on the Alternate Board but believes that could be done with the existing system.

Tom Buzzi asked what happens if the present ordinance is repealed but the new ordinance is not approved. Mr. Jerram indicated that if you are leaning toward keeping only two members then the existing ordinance should not be repealed. However by making this change we are guaranteeing that each party will have representation on the alternate board.

Linda Goff asked David Rosengren as Chair of the Democratic Town Committee to share his thoughts on this proposal. Moderator recognized Mr. Rosengren. He stated that he could not speak for the Town Committee but he believes that this appears to be a fair compromise in accordance with the minority representation statutes.

Regina Wexler suggested that the new ordinance be passed prior to repealing the existing ordinance. Mr. Jerram indicated he would be open to that. He shared that he believes this is a fair process that ensures representation for all parties

and the minority party can designate someone to fill in if they are unable to attend a meeting. Moderator Kennerson noted that a Motion was already on the floor and discussion ensued on whether tabling the motion or withdrawal was an appropriate next step.

Motion Linda Goff, second Aulay Carlson to move the question. *Motion carried unanimously*

Moderator Kennerson called for a vote by show of hands.

Motion Carried with 6 Opposed

ITEM 5

To take such action as the voters deem best with respect to the adoption of an ordinance entitled “Ordinance Establishing Alternates on Board of Finance”.

Moderator Kennerson asked to waive the reading the proposed ordinance. The text of the ordinance included herein was available as a handout.

ORDINANCE ESTABLISHING ALTERNATES ON BOARD OF FINANCE

BE IT ORDAINED by the legal voters of the Town of New Hartford in meeting assembled:

1. CREATION. There shall be three (3) alternate members of the Board of Finance who shall be electors and taxpayers of the Town of New Hartford and shall hold no salaried municipal office.
2. ORGANIZATION. The two (2) existing alternate members of the Board of Finance shall continue to serve until the 2017 regular biennial Town election and until their successors are duly elected and qualified. The Board of Selectmen shall within thirty (30) days of the effective date of this ordinance appoint one (1) new alternate member of the Board of Finance to serve until the 2017 regular biennial Town election and until a successor is duly elected and qualified. The panel of three (3) alternate members of the Board of Finance shall be subject to the provisions of C.G.S. §9-167a pertaining to minority representation.
3. ELECTION. Commencing with the 2017 regular biennial Town election, and at each regular biennial Town election thereafter, each of the three (3) alternate members of the Board of Finance shall be elected to serve a two-year term until the next regular biennial Town election and until their respective successors are duly elected and qualified.

4. MINORITY REPRESENTATION. The designation of one or more alternates of the Board of Finance to act for an absent or disqualified member shall be subject to the provisions of §9-167a pertaining to minority representation.

5. NO COMPENSATION. No alternate member of the Board of Finance shall receive any compensation from the Town for his or her services in that capacity.

6. This ordinance shall become effective fifteen (15) days after its publication in a newspaper having circulation in the Town of New Hartford.

Hearing no objection, Moderator Kennerson asked for a motion to adopt the Ordinance establishing Alternates on the Board of Finance.

Motion Aulay Carlson, second Tim Goff to adopt the Ordinance establishing Alternates on the Board of Finance.

Moderator Kennerson asked the First Selectman to give a brief explanation of this proposed ordinance.

First Selectman Jerram added a point of clarification that the ordinance had been in process for some time. Although the ordinance reads that the Board of Selectmen will select the third member, they have agreed to just allow 3 members to be elected on Election Day.

Tom Buzzi questioned whether the lottery needed to be redone. Mr. Jerram clarified that currently there are five candidates and no additional candidates will be added but electors will vote for three Alternate Members of the Board of Finance on Election Day.

Hearing no other questions, Moderator Kennerson called for a vote by show of hands.

Motion Carried with 2 Opposed

ITEM 7

To take such action as the voters deem best with respect to the acceptance of a parcel of land from Mary S. and Darrell H. Hoag to the Town of New Hartford

known as “the old canal off Main Street and Wickett Street” as shown on a Map prepared by Dufour Surveying LLC dated 11-10-2016.

Moderator Kennerson asked for a motion to approve the acceptance of a parcel of land from Mary S. and Darrell H. Hoag to the Town of New Hartford known as “the old canal off Main Street and Wickett Street” as shown on a Map prepared by Dufour Surveying LLC dated 11-10-2016.

Motion Laura Bedford, second Darrell Hoag to approve the acceptance of a parcel of land from Mary S. and Darrell H. Hoag to the Town of New Hartford known as “the old canal off Main Street and Wickett Street” as shown on a Map prepared by Dufour Surveying LLC dated 11-10-2016.

Moderator Kennerson recognized Mr. Jerram who clarified that this area could offer an asset to the town as a parcel for a walking trail or a water and sewer line. Mr. Hoag has offered to donate this property so there is no cost to the town other than the cost of the survey. This transfer would include a small access right of way. Mr. Jerram shared a survey map commissioned by the town which shows the parcel to be acquired.

Jean Cronauer asked for the size of the property. Mr. Jerram indicated it is just over an acre in size, 1.087 acres.

Bill Michaud asked if the town has done an environmental assessment on the property. Mr. Jerram indicated that in historical record it has been an aqueduct and therefore no assessment has been done.

Polly Pobuda inquired if the 10 ft right of way is sufficient if this parcel is to be included in the trail system. Mr. Jerram indicated that this would need to be revisited when the time comes. Currently 10 feet comes close to the location of the Hoag’s garage and allows some screening of their property.

Tim Goff questioned the loss of tax revenue. Mr. Jerram indicated he believes it to be fairly nominal.

Debbie Ventre inquired if Planning & Zoning gave their 8-24 approval. Mr. Jerram clarified that Planning & Zoning has confirmed that acquiring this property

conforms to the Plan of Conservation and Development at their meeting of September 13, 2017. (Attachment 2)

Paul Pobuda inquired about abutting properties and the impact on drainage from those properties if the canal were filled in. Mr. Jerram indicated that the canal cannot be filled in due to flood plain restrictions so although some grading may take place it will never be filled in.

Moderator Kennerson asked if there are any further questions on this item.

Hearing none, Moderator Kennerson called for a voice vote with show of hands.

Motion Carried with 1 Opposed

ITEM 8

To take such action as the voters deem best with respect to the election of a representative to serve as a member on the School Building Committee.

Moderator Kennerson asked for nominations.

Pat Spaziani raised a Point of Order and noted that it was her understanding that the vacancy should be filled by a member or representative from the Board of Education.

Motion Dan Jerram, second Reggie Smith to nominate Pat Spaziani.

Motion Tim Goff, second Kelly O'Dell to nominate Tom Buzzi.

Moderator Kennerson asked if there are any further nominations. Motion Noel Gauthier, second Greg O'Brien to close nominations. *Motion to close nominations unanimously approved by voice vote.*

Mr. Jerram proposed that both members could be elected to the School Building Committee.

Motion Tim Goff, second Kelly O'Dell to modify the wording to elect two members.

Jennifer Benaitis, Chair of Board of Education objected to modifying the wording as the Board of Education has been told they had to wait until a town meeting to replace their representation on the School Building Committee.

Mr. Jerram indicated that they will have their representative even if both members are elected.

Jean Cronauer questioned if this is an ongoing committee. Mr. Jerram indicated it was created for the current project which is wrapping up.

Mary Lou Rayno inquired about the original number of members. Mr. Jerram noted that members there were originally five members but because of the resignation of the Board of Education representative and the death of one of the members there are two vacancies.

Tim Goff noted that there have been members of the School Building Committee who have not been active.

Polly Pobuda questioned if the original school building committee was elected at town meeting. Mr. Jerram confirmed that members were elected at Town Meeting.

Moderator called the vote on the motion to modify the wording. *Motion carried by voice vote and show of hands with one opposed.*

Moderator Kennerson then called for a voice vote to elect Pat Spaziani and Tom Buzzi as members of the School Building Committee.

Motion Carried Unanimously

ITEM 9

To take such action as the voters deem best with respect to the election of one member to the Stanclift Cove Authority, such term to expire June 30, 2019.

Moderator Kennerson asked for nominations.

Motion Dan Jerram, second Kelly O'Dell to nominate Carlene Jerram.

Moderator Kennerson then called for a voice vote to elect Carlene Jerram as member of the Stanclift Cove Authority, term to expire June 30, 2019.

Motion Carried Unanimously

ITEM 10

To take such action as the voters deem best with respect to the election of one member to the Stanclift Cove Authority, such term to expire June 30, 2020.

Moderator Kennerson asked Carlene Jerram to explain the responsibilities of the Stanclift Cove Authority as the governing body of the Stanclift Cove, a swimming area located on the MDC reservoir that is jointly operated by the Towns of Barkhamsted and New Hartford. Representatives from both towns are elected to serve on the Authority.

Moderator Kennerson asked for nominations.

There were no nominations from the floor.

Motion Dan Jerram, second Tom Buzzi to adjourn at 8:59 pm.

Unanimously approved.

A True Copy

Attest: Donna N. LaPlante, Town Clerk