

**TOWN OF NEW HARTFORD
SPECIAL TOWN MEETING
Town Hall – Senior Center
Tuesday, June 29, 2021**

First Selectman Dan Jerram called the meeting to order at 7:01 PM. He welcomed everyone back to an in person meeting. He asked all present to participate in the Pledge of Allegiance.

First Selectman Jerram opened the floor to nominations for Moderator. Motion Noel Gauthier, second Tom Buzzi to nominate Alesia Kennerson for Moderator. Seeing no other nominations, First Selectman Jerram entertained a motion to close nominations. Motion Greg O'Brien, second Robbin Goodskey to close nominations. Motion approved by voice vote. 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**

The Board of Selectmen of the Town of New Hartford, CT 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 Tuesday, June 29, 2021, 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 election of a representative to serve as a member on the Stanclift Cove Authority; term to expire June 30, 2024.
2. To take such action as the voters deem best with respect to the acceptance of an FM Global Fire Prevention Grant in the amount of \$2500 awarded to New Hartford Fire Marshal's Office for the purchase of a laptop, iPad, printer and camera.
3. To take such action as the voters deem best with respect to the adoption of an ordinance entitled "Ordinance Concerning Appointment of a Town Clerk;" 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 adoption of an ordinance entitled "Ordinance Concerning Operation of Food Trucks;" 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 acceptance of a certain piece or parcel of land located in the Town of New Hartford, County of Litchfield and State of Connecticut and designated as "319,880 SQ. FT OR 7.343 ACRES 'OPEN SPACE' TO BE GRANTED TO TOWN OF NEW HARTFORD" on a map entitled "RECORD SUBDIVISION MAP, Prepared for: BRYAN DOUGLAS #190 STUB HOLLOW ROAD NEW HARTFORD, CONNECTICUT SCALE: 1" = 80' Date 3-3-2021 REVISED 3-8-2021:OPEN SPACE SIZE AND CONFIGURATION, REVISED 3-10-2021: DECREASED GRADING RIGHTS AND RIGHT TO DRAIN Prepared by Carmine J. Matrascia L.S. #70219, from Dufour Surveying LLC, 575 North Main Street, Bristol, CT which map is on file in the New Hartford Land Records as Map #2329, and to which reference is made.

Dated at New Hartford, Connecticut, this 22nd day of June, 2021.

Board of Selectmen

Daniel V. Jerram

Alesia R. Kennerson

Laura DiFelice Garay

Moderator Kennerson read the Return of Posting and Publication

**RETURN OF POSTING AND PUBLICATION
NOTICE OF SPECIAL TOWN MEETING
JUNE 29, 2021**

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 Tuesday, June 22, 2021 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, June 22, 2021.

Dated at New Hartford, CT, this 29th day of June 2021.

Daniel V. Jerram, First Selectman

ITEM NUMBER 1:

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, 2024.

Motion Annie Witte, second Greg O'Brien to nominate Penny Miller to serve as a member of the Stanclift Cove Authority with a term to expire on June 30, 2024.

Moderator Kennerson asked for any other nominations.

Motion Dan Jerram, second Annie Witte to close nominations. *Unanimously approved by voice vote.* Moderator Kennerson closed nominations and called for a vote.

All those in favor of electing Penny Miller to serve as a member on the Stanclift Cove Authority? *Unanimously approved by voice vote.*

Moderator Kennerson declared Penny Miller elected to the Stanclift Cove Authority.

First Selectman Jerram noted that Ms. Miller has been doing a great job on the Stanclift Cove Authority and asked for a round of applause as thanks for her ongoing service.

ITEM NUMBER 2:

To take such action as the voters deem best with respect to the acceptance of an FM Global Fire Prevention Grant in the amount of \$2500 awarded to The Town of New Hartford Fire Marshal's Office for the purchase of a laptop, iPad, printer and camera.

Moderator Kennerson explained that Fire Marshal Diorio applied for a Grant to be used to purchase equipment for the Office of the Fire Marshal. The funds will be issued to the Town of New Hartford and will be used to pay for the needed equipment. Since this grant is off budget and will result in funds being spent that were not part of the approved budget, it is necessary to get Town approval to spend the money. These are not taxpayer dollars, these will be additional funds.

Motion Bob Goodskey, second Keith Schauffler to accept the FM GLOBAL Fire Prevention Grant in the amount of \$2500 awarded to the Town to be used to purchase equipment for the office of the Fire Marshal.

Damon Bean asked if there are any strings attached to the grant that the Town would need to do to receive these funds. Mr. Jerram indicated that the only restriction is that the Town needs to purchase the computer equipment specified for the Fire Marshal's use.

Tom Buzzi asked if this grant is related to the ordinance discussed at a prior Board of Selectmen's meeting. Mr. Jerram indicated that the Burn Ordinance is being prepared for presentation at a Town Meeting in the fall, but this grant is not related to that ordinance. The plan for the ordinance is to give some enforcement to the burn officials and police for individuals who do not obtain a permit.

Aulay Carlson asked how long the town has been aware of the request for this Grant. Mr. Jerram noted that Fire Marshal had applied for the grant, but we were only awarded this grant about two weeks ago and wanted to take advantage of the timing of this Town Meeting. It will be presented to the Board of Finance at their next meeting.

Kerry Guilfoyle inquired about the role of the Fire Marshal and what this grant would do for our Fire Departments. Mr. Jerram clarified that this equipment is for our Fire Marshal who is a Town employee and inspects properties for fire safety.

Daria Hart inquired if this grant is not approved this evening would the Fire Marshal request that the Town purchase this equipment using taxpayer funds. Mr. Jerram indicated that is a reasonable assumption and would recommend that this grant be accepted.

Moderator Kennerson called for a voice vote. *Unanimously approved.*

ITEM NUMBER 3:

To take such action as the voters deem best with respect to the adoption of an ordinance entitled "Ordinance Concerning Appointment of a Town Clerk;" such

ordinance is on file for inspection in the Office of the First Selectman; 530 Main Street, New Hartford, CT 06057

MODERATOR Kennerson read the proposed Ordinance:

**ORDINANCE CONCERNING
APPOINTMENT OF A TOWN CLERK**

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

1. The term of office for the New Hartford Town Clerk which began on the first Monday of January 2018 following the 2017 regular municipal election shall end upon the expiration of the elected term on January 2, 2022. Upon adoption of this ordinance, the position of Town Clerk will no longer be an “elected” position and as such will not appear on the ballot for the regular municipal elections on November 2, 2021. As of January 3, 2022, the position of Town Clerk will become “appointed” as provided for in this ordinance and authorized by Connecticut State Statute 9-185. The Board of Selectmen shall appoint the town clerk for a term commencing on January 3, 2022. Thereafter, the newly elected Board of Selectmen at its first regular meeting after every other regular municipal election shall appoint the Town Clerk.
2. The term of office for the Town Clerk shall be four (4) years commencing on a date provided by the Board of Selectmen in its resolution of appointment and ending when a successor has been duly appointed and has qualified.
3. Any vacancy in the office of the Town Clerk shall be filled by the Board of Selectmen.
4. In accordance with a Memorandum of Understanding between the Town of New Hartford and the National Association of Government Employees Local RI-231, upon the appointment by the Board of Selectmen, this position shall be a full time Town of New Hartford town hall employee and therefore shall be subject to the terms and conditions of employment as outlined in the National Association of Government Employees (NAGE) Local RI-231 Collective Bargaining Agreement.

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

Motion Greg O’Brien, second Lynn Florio to approve the Ordinance entitled Ordinance Concerning Appointment of a Town Clerk.

Moderator Kennerson opened the floor for discussion.

Greg O'Brien stated that over the past several weeks he has heard discussions about politics. When he first moved to town 15 years ago, he came to Town Hall and Donna LaPlante was one of the first people that he met. He noted that the Town was blessed to have Donna as Town Clerk for nearly 30 years. Debbie Ventre worked side by side with Donna for nearly nine years before being appointed as Town Clerk upon Donna's retirement. He noted that in all that time, his interactions with the office were not based upon politics. He fully supports this ordinance as protection for Debbie Ventre and whomever may hold the position after her.

First Selectman Jerram commented that when the Tax Collector ordinance was approved a few years ago he stated that we would be back to Town Meeting to address this. He noted that by our Town Counsel's advice, the Selectmen cannot end an elected term. We are addressing this now in order to decide this before the electoral process starts. It would not be appropriate to have a question addressing this on the November ballot when the Town Clerk position is also being voted upon.

John Wilhelm commented that this is again the consolidation of another office at Town Hall and asked if the Town Clerk becomes an appointed position whom does the Town Clerk report to. Mr. Jerram noted that all employees of the Town report to the First Selectman whether himself or his successor. He expressed that there will be a job description and accountability for performing those responsibilities. There is no consolidation of the office.

Aulay Carlson asked how long the town has had an elected Town Clerk. Mr. Jerram responded since the town was founded. Mr. Carlson questioned why the need to change this now. He is not aware of a school for Town Clerks, but there is one for Town Managers. Mr. Jerram noted that it is certainly feasible that we will transition to a Town Manager in the future. Mr. Jerram further commented that our town seems to lose staff every six months as they leave for a position in another town that pays more. We were fortunate to have the continuity of Donna LaPlante and Linda Sheffield serving for the time that they did. However, times are changing and this is an opportunity to ensure professionalism in the office. Mr. Carlson clarified that he does support the ordinance.

Tom Villanova stated that he totally supports the idea but is concerned about a potential conflict in that the Town Clerk needs to be reappointed every municipal election. He questions whether there is an opportunity for a subsequent board to appoint a different individual. Mr. Jerram responded that by making the position a union position there will be protections for that individual and they can only be terminated for cause. Mr. Villanova noted that the reappointment process implies that there can be a change in personnel. Mr. Jerram clarified that the four year term is based upon the existing position and needs to remain, but the union offers protection for the person in the role.

Daria Hart noted that she had mixed feelings about this position and liked the fact that we elect the Town Clerk. She has watched this office evolve and it takes 3 years to become certified as a Town Clerk. She fears that if it remains elected that someone could decide "I could do that job" but run without any experience or credentials. She has worked closely with the Town Clerk's office and suggests that the Town Clerk staff be cross trained as Election Moderators so that they have a better understanding of the Election process. She expressed that it is important that the Assistant Town Clerk also be certified and questioned if the current Assistant is taking the classes to become certified. Mr. Jerram indicated that she has started the process to become a certified town clerk.

Bill Baxter spoke in opposition to the ordinance based upon his 50 years of experience in town. He noted that people are elected because they represent the town, and believes that we lose the opportunity for open discussion periodically by closing the process to the general population. He expressed that we have to be careful to not lose sight of the democratic process at every level of our town. He believes that over the years the individuals who have been elected have been committed and competent.

Bernadette Gresczyk asked if we really think that the person who issues dog licenses and marriage licenses and takes care of the documents needs to be political? She thinks not.

Mary Beth Greenwood asked about the four year appointment process and questioned what the process would be for soliciting candidates for the position if the Town Clerk were to leave. Mr. Jerram noted that per the union the position

would be posted internally and then if a qualified candidate is not identified the position would be recruited outside.

Lynn Florio commented that she has been an Assistant Town Clerk in Torrington for sixteen years. She noted that other than Debbie she is the only other certified Town Clerk in New Hartford. The Town Clerk's office has to adhere to hundreds and hundreds of statutes – there is a lot more to the job than dog licenses and marriage licenses and more complicated than people realize. If you're not sure, come spend some time with us and see the thousands of pages of statutes that we have to follow. It is not a political office and if it remains elected it has the chance of becoming a popularity contest.

Greg O'Brien commented that he meant no disrespect in his reference to dog licenses and marriage licenses. He noted to Lynn that he thanks her for her service in Torrington. It is foolish to politicize the role of Town Clerk in New Hartford.

Moderator Kennerson asked if there are any further questions, hearing none she called for a vote on the Motion.

Motion Passed with one opposed.

ITEM NUMBER 4:

To take such action as the voters deem best with respect to the adoption of an ordinance entitled "Ordinance Concerning Operation of Food Trucks;" such ordinance is on file for inspection in the Office of the First Selectman; 530 Main Street, New Hartford, CT 06057

MODERATOR READ the proposed Ordinance:

ORDINANCE CONCERNING - OPERATION OF FOOD TRUCKS

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

Definition of a Food Truck

"Food Truck" means any Department of Motor Vehicle (DMV) registered van/truck, DMV registered towed trailer or DMV registered "mobile unit" used for the preparation, serving and

sale of any type of food or drink (including alcoholic beverages) to individual patrons. Any “point of sale” catering operations provided by a Food Truck on public property (including commercial establishments) shall be subject to the terms and conditions included below. Food Trucks that are privately contracted to cater private events (i.e. birthday, graduation, anniversary parties etc.) on private property (or commercial property used to host a private event) are not subject to this ordinance.

Ordinance

1. Any Food Truck must have a current certificate of operation from the Farmington Valley Health District and must conform to all rules and regulations of the Farmington Valley Health District.
2. Any owner and/or operator of a Food Truck must have a current State of Connecticut Sales and Use Tax Permit issued by the Connecticut Department of Revenue Services (mobile pubs classified as “food trucks” for this purpose must also show liquor license issued by Department of Consumer Protection).
3. A permit to operate a Food Truck must be applied for and obtained from the First Selectmen’s office. Permit applications must list the proposed street address with a map of Food Truck placement on property. The applicant must also include the proposed date(s) and hours of operation. Any owner and/or operator of a Food Truck denied a permit by the First Selectman may appeal the decision to the Board of Selectmen. Any decision made by the Board of Selectmen shall be in its sole discretion and judgment and shall be final.
4. The owner and/or operator of any Food Truck must obtain written permission from land/business owner where the Food Truck is seeking to operate and obtain permission from any “Brick and Mortar” food businesses located within 250’ of the proposed area of operation of the Food Truck. 250’ will be measured from the main entrance of said “Brick and Mortar” businesses to the proposed location of the Food Truck.
5. No Food Truck may operate on town or state-owned property unless it is for a town sponsored event or a non-profit event with permission from the First Selectman.
6. Food Trucks may not be stored on host property beyond the length of permit. The only exceptions would be for Food Trucks used in town-sponsored events or weather related transportation delays (snow storms, etc.).
7. Food Trucks shall not use “amplified” speakers for music or hawking.
8. Food Trucks are responsible for providing trash receptacles and are also responsible for removing all their own trash daily.
9. All Food Trucks must pay a fee determined in accordance with the fee schedule set forth below.
10. The town will not allow more than two (2) Food Trucks within 1500’ of any other permitted Food Truck at the same time unless approved by the First Selectman. Town

sponsored events as well as non-profit events approved by the First Selectman or Board of Selectmen are excluded.

11. Any Food Truck not registered in New Hartford shall be limited to a maximum of eighteen (18) permits in one calendar year. Food trucks registered in New Hartford will have no limits as to the amount of days of operation but must obtain a permit for each day. Any out of town Food Truck requesting more day permits than stated above would have to come to a Board of Selectmen monthly meeting and explain why they would seek permission to have more dates. Any decision made by the Board of Selectmen shall be in its sole discretion and judgment and shall be final.
12. Any Food Truck operating without a day permit would be fined \$100 for the 1st offense, \$200 for second offense and on a third offense permission to operate in New Hartford would be denied for (1) calendar year from date of most recent offense.
13. Hours of operation will be no earlier than 8am and no later than 10pm.
14. Any complaints about a Food Truck operation will be brought to the attention of the First Selectman. Including but not limited to noise, smell, appearance, or any other issues and/or complaint that may arise. At such time the First Selectman may, in his/her sole discretion and judgment, terminate said Food Truck's ability to obtain any additional permits within the applicable calendar year. In his/her discretion, the First Selectman could determine that the said owner and/or operator of the Food Truck would have to appear in front of the First Selectman before being allowed to operate within the Town of New Hartford again.

Fee Schedule

Food Trucks owned or operated by residents of New Hartford (registered to addresses located within the Town of New Hartford - not including Post Office Boxes). Weekdays = \$15 per day for Monday-Thursday or \$30 for the 4 days combined. Weekends = \$20 per day for Friday-Sunday or \$30 for the 3 days combined (considered one permit). Annual Fee = \$450.

Food Truck not owned or operated by residents of New Hartford (registered to addresses outside the Town of New Hartford). Weekdays = \$25 per day for Monday-Thursday or \$50 for the 4 days combined. Weekends = \$25 per day for Friday-Sunday or \$50 for the 3 days combined (considered one permit).

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

Motion Carlene Jerram, second Greg O'Brien to approve the Ordinance entitled Ordinance Concerning Operation of Food Trucks.

Moderator Kennerson asked First Selectman Dan Jerram to explain why the ordinance is being considered.

First Selectman Jerram noted that most of our ordinance reviews are conducted by Town Counsel. We are currently operating under a 1939 Peddler's ordinance dealing with door to door sales. This revised ordinance offers protection to our brick and mortar restaurants and local food trucks while minimizing some of the workload at town hall by offering multi-day permits.

Daria Hart asked about the fee schedule being focused on residents and wondered about businesses. Would businesses be considered residents. Mr. Jerram replied that yes property owners would qualify for the resident rate. Mrs. Hart questioned why residents would need to go back repeatedly instead of purchasing a season pass. Mr. Jerram responded that the new ordinance provides for an annual permit.

Christina Sayer, co-owner of Brewery Legitimus mentioned how grateful they are to be celebrating their fifth year in this beautiful town. She expressed appreciation that they were able to have food trucks Thursday thru Sunday at no cost during the pandemic. She noted that they do not own a food truck, they outsource their kitchen to food trucks and only bring in the best of the best. They are a manufacturing facility and a pub room. She would like to see an ordinance that allows restaurants and breweries to outsource without such onerous fees. When they opened five years ago they were one of 34 breweries in the state, there are now 125 breweries increasing their competition. She noted that food trucks are an integral part of their business but this ordinance would cost them \$6,000 annually and the limit on out of town trucks would be detrimental to them. There are not many food trucks available and with additional breweries and wineries open there is more competition to schedule them.

Chris Sayer, co-owner of Brewery Legitimus commented that they have to pay the fee for the food truck due to the competition because otherwise they would not come. They try to schedule the best of the best and rotate among a specified group of food trucks. It is also a positive for their business to offer different types of food on different days. He questioned the distinction between public and private property. Mr. Jerram noted that no food truck operating in town would be exempt. Any food truck conducting point of sale transactions would be

required to obtain the permit. However, a food truck that is located on private property for a catered event does not require a permit because they would not be conducting point of sale transactions. He noted that the 18 permit limit could be adjusted upon contacting the First Selectman's office. The fees under this ordinance would actually be lower than the 1939 ordinance.

Damon Bean asked about the reasoning behind the limit of 18 permits. Mr. Jerram explained that they had sampled other ordinances that provided for 12 and that was increased based upon feedback from Chris and Christina Sayer.

Greg O'Brien questioned why a food truck could be 250 feet from a brick and mortar business but the food trucks need to be 1500 feet apart. Mr. Jerram replied that the theory is to protect brick and mortar businesses from food trucks setting up close to them and limiting the number of food trucks within the vicinity thereby avoiding flooding the market with food trucks to the detriment of the restaurants. The idea is to strike an appropriate balance.

Daria Hart expressed concern that there is no distinction between a restaurant and an existing ongoing business and giving those businesses some leeway to keep their business open. She suggests that if a local business is bringing in food trucks even if they are rotating food trucks they should simply pay the annual fee. She believes we should do everything possible to keep businesses flourishing in this town. Mr. Jerram noted that the definition in the ordinance indicates that the food truck has to be registered in town. He noted that the Planning & Zoning Commission reviewed this matter and believed that the ordinance was the way to go.

Christina Sayer asked Mr. Jerram how many food trucks are registered in New Hartford. Mr. Jerram indicated that they are none currently, but the current ordinance is inflexible because there are no provisions for resident versus non-residents.

Mrs. Sayer noted that at their current schedule of food trucks four days per week, this ordinance would cost their business \$6,500 per year. If they were to open seven days per week, it would cost them over \$10,000. They do not currently schedule the same food truck 4 days in a row because their customers like the variety of different types of food each night.

Chris Sayer questioned whether this ordinance would actually reduce the traffic in the Town Hall to obtain the permits.

Mary Beth Greenwood commented that it appears that the fees are the issue and questioned how they compare to surrounding towns in the state. Mr. Jerram noted that the annual fees for out of town fees were an option, but with a new food truck that could be opening in town the Board of Selectmen decided not to offer it.

Daria Hart asked if it is acceptable to amend the ordinance as presented at this town meeting. Mr. Jerram noted that modification of the fees would be possible but not the legalities. Mrs. Hart asked if the ordinance could be amended to say that an established brick and mortar business could purchase an umbrella fee of \$450 for the year. While she supports the premise of the ordinance she would like to protect the brick and mortar businesses and she will propose an amendment at the appropriate time. Mr. Jerram noted that the ordinance regulates food trucks not businesses.

Mrs. Hart asked that the ordinance be tabled until the Town Attorney can be consulted to modify the language to offer an annual fee for food trucks at brick and mortar businesses. Moderator Kennerson noted that in the past we have been advised that items cannot be tabled. The vote would be for or against the motion.

Christina Sayer commented that the fees are pretty much in line with surrounding towns and maybe a little bit better. She noted that it does take some of these food trucks time to travel to our location because New Hartford is remote from where the trucks are located. She suggested that the last sentence of the definition be modified to indicate Food Trucks that are contracted on private property or by businesses of New Hartford are not subject to this ordinance. She and Chris expressed that this could open opportunities to bring in food trucks for other businesses. Mr. Jerram sought clarification that they are seeking to have food trucks at no fee. Moderator Kennerson reiterated that the ordinance will still be voted upon and if it does not pass could be revisited at a future Town Meeting.

Michael Jerram noted that he would not oppose an amendment to the definition but would suggest that the definition specify food business.

Polly Pobuda expressed that she can see that a change like this could allow food trucks all over town for \$450 per year. She suggests that we go back and look at this further to see what can be done to keep the businesses we have and possibly grandfather in something that would help the brewery. She believes we need to vote and move on.

Ben Witte stated that it seems that the amendments are trying to take an ordinance to regulate food trucks and put the responsibility on the business owner. He agrees that the vote should be taken and then move on from there.

Daria Hart expressed that she believes this ordinance should be voted down. She believes this is a good ordinance, but does not believe that the definition should be modified to exempt the brewery rather there should be clearer language about established businesses in town.

Damon Bean commented that he thinks this ordinance is headed in the right direction but item 14 is too wide open with complaints being decided by the First Selectman and there should be established criteria and include the Board of Selectmen or additional people beyond just the First Selectmen.

Kerry Guilfoyle asked if there should be a different ordinance for wineries/breweries to establish how they handle food trucks rather than try to modify this one. Mr. Jerram replied that a food truck is a food truck and if it meets the definition this ordinance applies regardless of where the food truck is located.

Brian Watson suggested that the cap be raised to a number that is acceptable to Brewery Legitimus and place a cap on the fees paid by breweries.

Motion Ted Stoutenberg, second Polly Pobuda to move the question. *Motion passed by voice vote.*

Moderator Kennerson expressed appreciation for all comments and asked for a vote to adopt the ordinance. Daria Hart objected and noted that she had

previously stated she would motion to amend the ordinance. Moderator Kennerson noted that the motion to move the question had been approved so the opportunity to amend the ordinance had passed.

Motion failed by voice vote.

ITEM NUMBER 5:

To take such action as the voters deem best with respect to the acceptance of a certain piece or parcel of land located in the Town of New Hartford, County of Litchfield and State of Connecticut and designated as “319,880 SQ. FT OR 7.343 ACRES ‘OPEN SPACE’ TO BE GRANTED TO TOWN OF NEW HARTFORD” on a map entitled “RECORD SUBDIVISION MAP, Prepared for: BRYAN DOUGLAS #190 STUB HOLLOW ROAD NEW HARTFORD, CONNECTICUT SCALE: 1” = 80’ Date 3-3-2021 REVISED 3-8-2021:OPEN SPACE SIZE AND CONFIGURATION, REVISED 3-10-2021: DECREASED GRADING RIGHTS AND RIGHT TO DRAIN Prepared by Carmine J. Matrascia L.S. #70219, from Dufour Surveying LLC, 575 North Main Street, Bristol, CT which map is on file in the New Hartford Land Records as Map #2329, and to which reference is made.

Motion Tom Buzzi, second Greg O’Brien to accept the 7.343 acres ‘Open Space’ as designated on Map #2329 recorded in the New Hartford Land Records.

Moderator Kennerson asked First Selectman Dan Jerram to explain the reasoning for consideration of acceptance of this parcel of land.

First Selectman Jerram explained that this is a by-product of a subdivision approval. Anne Bailey is present who is making the donation to the town. Acceptance of this parcel is a condition of approval for the subdivision approval so that her daughter can build a home next to her. This parcel will join two public spaces for passive recreation and hiking.

Moderator Kennerson asked if there are any questions.

Anne Bailey mentioned that her late husband's ashes are in the stone wall which will be part of the town property and this will access the property that the Town has leased on Town Hill with the potential for a lovely walking trail.

Carlene Jerram expressed that she thinks it is awesome because of this connection to the property that is already being leased as a town park. She commented that she is looking forward to walking that area and thanked Ms. Bailey.

Moderator Kennerson asked if there are any further questions, hearing none she called for a vote on the Motion. *Unanimously approved.*

Ms. Bailey noted that she has photographs from when her grandfather acquired the property in 1910 so she will be passing along those photographs for inclusion in the kiosk that will be designed like the one at the Butler Trail.

Having no other business to conduct, Moderator Kennerson adjourned the Special Town Meeting at 8:57 pm.

A True Copy

Attest: Deborah M. Ventre
Town Clerk