

**TOWN OF NEW HARTFORD
SPECIAL TOWN MEETING
Town Hall – Senior Center
Tuesday, September 15, 2021**

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

First Selectman Jerram opened the floor to nominations for Moderator. Motion Noel Gauthier, second Greg O'Brien to nominate Alesia Kennerson for Moderator. Seeing no other nominations, First Selectman Jerram entertained a motion to close nominations. Motion Carlene Jerram, second Polly Pobuda to close nominations. Motion *unanimously approved* by voice vote. First Selectman Jerram called for a vote on the motion to elect Alesia Kennerson Moderator. *Unanimously approved.*

Moderator Kennerson reminded all present that under the Governor's orders any individuals present who are not vaccinated are required to wear a mask. Anyone who is vaccinated is not required to wear a mask.

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 Wednesday, September 15, 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. As recommended by the Board of Finance, to take such action as the voters deem best to seek an additional appropriation in the amount of \$225,000 for non-reimbursed expenses related to the demolition, removal of debris and site restoration at properties known as 2 Bridge Street and 526 Main Street.

2. As recommended by the Board of Finance, to take such action as the voters deem best to accept the STEAP Grant in the amount of \$89,700 and to authorize the expenditure of such funds subject to reimbursement upon completion of the project.

3. As recommended by the Board of Finance, to take such action as the voters deem best to seek an additional appropriation in the amount of \$55,000 to purchase a replacement police vehicle.

Dated at New Hartford, Connecticut, this 7th day of September, 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
SEPTEMBER 15, 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 Wednesday, September 8, 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 Wednesday, September 8, 2021.

Dated at New Hartford, CT, this 15th day of September 2021.

Daniel V. Jerram, First Selectman

Moderator Kennerson announced that prior to attending to the business on the agenda, she would like to submit the Minutes of the Board of Finance for the Special Meeting dated August 31, 2021 into the record (Exhibit 1). The Minutes show the approvals granted by the Board of Finance as they relate to the various issues on the agenda.

Moderator Kennerson recognized that Chief Worsman and Captain Goodskey were present and asked for a round of applause in thanks for their actions in the New Hartford House Fire. Members applauded and gave a standing ovation.

ITEM NUMBER 1:

As recommended by the Board of Finance, to take such action as the voters deem best to seek an additional appropriation in the amount of \$225,000 for non-reimbursed expenses related to the demolition, removal of debris and site restoration at properties known as 2 Bridge Street and 526 Main Street.

Moderator Kennerson asked for a motion to address this matter. She paused to explain for those who might be new to the Town Meeting process that motion and second are the first step to open discussion on a topic.

Motion Greg O'Brien, second Bob Goodskey to authorize an additional appropriation in the amount of \$225,000 for non-reimbursed expenses related to the demolition, removal of debris, site restoration and costs associated with temporary housing for displaced tenants at properties known as 2 Bridge Street and 526 Main Street.

Moderator Kennerson asked First Selectman Jerram to explain the details of this request.

First Selectman Jerram referenced a spreadsheet (Exhibit 2) posted to the screen behind him detailing the expenses. Once the fire was contained, the Fire Marshal and Building Inspector deemed the building to be unsafe. The owner had no experience with demolition so the Town intervened to assist in having the building torn down, stabilized and remediated to mitigate the risk and prevent any loss of life or additional damage to surrounding buildings. Connecticut Uniform Relocation Act provides that the owner and Town need to step in to provide temporary housing when a tenant loses their home. He explained that any unreimbursed expenses must be paid within 30 days and a lien can be filed against the property to protect the Town's interest. This appropriation is needed to allow the Town to be prepared to act quickly to meet the statutory timelines to pay the bills and lien the property.

Greg O'Brien commented that on the morning of August 10th, the welcoming sentry of New Hartford disappeared in a matter of hours. He shared a Republican American headline from the next day "We lost everything". He noted that he is present to support this measure and would like to applaud and thank the Board of Selectmen and Christine Hayward for what has been accomplished in the 36 days

since this tragedy. All the actions taken during that time have been to protect the safety of the residents and find housing for the tenants who have been displaced. Mr. O'Brien requested a round of applause for the actions of the team.

Paul Grinvalsky who has also been displaced by a fire in his building across the street asked about the cost for Eversource to cut off the power the night of the fire. Mr. Jerram indicated that no bill has been received. He would like to recognize the single lineman who was present that evening who disconnected all the transformers to be able to restore power to the rest of the grid and get the public wells running. Mr. Jerram noted that Eversource and Torrington Water Company also deserve thanks for their actions that evening.

Earl MacInnes asked about insurance coverage on the New Hartford House relating to debris removal. Mr. Jerram noted that debris removal expense was a separate item and was \$140,000. That item was paid in full. Mr. MacInnes noted that \$160,600 has been paid by the insurance policy and asked how much is available to be paid.

Mr. MacInnes asked if any of the tenants had renter's insurance. Typically, a renter's policy includes relocation coverage. First Selectman Jerram noted that the statutes are clear that even if a tenant has coverage for their belongings there is still a \$4,000 liability per tenant to the property owner and/or the Town. Mr. MacInnes noted that he is not questioning statute but rather looking for a source of income to reimburse the town. Mr. Jerram noted that all funds expended will be reimbursed by a lien against the property.

Moderator Kennerson asked for questions from other residents present. Hearing none, she allowed Mr. MacInnes to continue. Mr. MacInnes questioned whether that lot remains a buildable lot. Mr. Jerram indicated that the foundation remains but he would not presume to answer on behalf of the Planning & Zoning Commission. There is a meeting next week with the owner and a building engineer.

Jack Casey commented that there is a State Statute that permits the owner to rebuild on the same footprint within a year.

Daria Hart commented that she lives right down the street and would like to commend the Town for taking action so quickly to remove the risk of the building shell and the debris prior to the torrential rains that could have washed the asbestos into the wild and scenic Farmington River. Mr. Jerram noted that the Town is fortunate to have good attorneys and engineers who offered their counsel in this process. It was a very difficult decision to remove the remainder of the landmark, but noted that the vibration from any of the trucks that typically travel along Route 44 would likely have caused the remaining structure to collapse.

Bob Martin questioned the claims of the tenants and subrogation against their policies. Mr. Jerram noted that the three tenants in the other building who sustained water damage are being handled separately. Mr. Jerram commented that the Board of Selectmen seek approval from the Board of Finance for unusual expenses.

Ben Witte asked if the requested approval is for the \$225,000 or \$63,285 that remains to be paid.

Motion Ben Witte, second Jack Casey to amend the motion from the requested \$225,000 to \$63,285 to cover the yellow highlighted items on the spreadsheet.

Moderator Kennerson asked for any further questions. Mr. MacInnes questioned who actually owns the building. Mr. Jerram responded that he believes it is DHA Properties LLC. Mr. MacInnes commented that the lien is only enforceable when the property is sold. Mr. Jerram noted that Statute 49-73e specifies that these liens take priority over any other encumbrances and assumes first position ahead of any mortgages.

Sue Lundin asked for clarification as to whether the revised number of \$63,285 applies to only the first item on the agenda. Mr. Jerram confirmed that it does.

Moderator Kennerson reread the amended motion to authorize an additional appropriation in the amount of \$63,285 for non-reimbursed expenses related to the demolition, removal of debris, site restoration and costs associated with temporary housing for displaced tenants at properties known as 2 Bridge Street and 526 Main Street.

Moderator Kennerson called for a vote by show of hands on the amended motion. *Unanimously approved.*

Daria Hart raised a point of order regarding voting on the motion to amend versus the amended motion.

Moderator Kennerson called for a vote by show of hands on the motion as amended. *Unanimously approved.*

ITEM NUMBER 2:

As recommended by the Board of Finance, to take such action as the voters deem best to accept the STEAP Grant in the amount of \$89,700 and to authorize the expenditure of such funds subject to reimbursement upon completion of the project.

Motion Mary Lou Rayno, second Elaine Murphy to accept the STEAP grant in the amount of \$89,700 and authorize the First Selectman to execute and deliver and all documents on behalf of the Town of New Hartford and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents and to authorize the expenditure of such funds subject to reimbursement upon completion of the project.

Moderator Kennerson asked First Selectman Jerram to explain this request.

First Selectman Jerram explained that the purpose of this grant is to build new outdoor restrooms at Brodie Park. The State STEAP grants are reimbursements of expenditures, so this motion will permit the expenses to be paid from the Town savings and then replenished when the grant funds are received.

Sue Lundin questioned whether the project should be specified in the motion. Mr. Jerram indicated that there is currently only one outstanding STEAP grant intended for the public restrooms at Brodie Park. The details of the project are available and outlined in the STEAP grant agreement.

Mary Beth Greenwood commented that she would like the identification number of the STEAP grant included in the motion being approved. DEEP A-00028201206 is the project number.

Motion Mary Beth Greenwood, second Sue Lundin to amend the motion to read: to accept the STEAP grant in the amount of \$89,700 and authorize the First Selectman to execute and deliver and all documents on behalf of the Town of New Hartford and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents and to authorize the expenditure of such funds subject to reimbursement upon completion of the project # DEEP A-00028201206.

Moderator Kennerson called for a vote on the amendment of the motion by show of hands. *Unanimously approved.*

Daria Hart commented that any motions brought to Town Meeting in the future should be more specific than referencing “the project”. She asked for time frame on completion of the project and Mr. Jerram indicated the end of next summer.

Moderator Kennerson called for a vote on the amended motion by show of hands. *Unanimously approved.*

ITEM NUMBER 3:

As recommended by the Board of Finance, to take such action as the voters deem best to seek an additional appropriation in the amount of \$55,000 to purchase a replacement police vehicle.

Motion Greg O’Brien, second Daria Hart to approve an additional appropriation of \$55,000 to purchase a replacement police vehicle.

Moderator Kennerson asked First Selectman Jerram to explain this request. Mr. Jerram noted that on Memorial Day weekend during the Race Around the Lake, someone smashed a rock into the windshield of the police vehicle parked behind

Town Hall. Rain got into the car and caused damage to the computer system so that the vehicle is considered a total loss. Due to the lead time to obtain a police cruiser, this appropriation is being requested ahead of the normal budget process to get in the queue which is currently a 22 week wait.

Moderator Kennerson called for a vote. *Motion passed by voice vote.*

Having no other business on the agenda, Moderator Kennerson requested a motion to adjourn the Special Town Meeting.

Motion Annie Witte, second Greg O'Brien to adjourn the Special Town Meeting at 8:01 pm. *Unanimously approved.*

A True Copy

Attest: Deborah M. Ventre
Town Clerk