

BOARD OF SELECTMEN  
TOWN HALL CONFERENCE ROOM  
AUGUST 03, 2016  
MINUTES

Present: First Selectman Bruce Farmer; Selectmen, Carol Walter, John Giannotti, William Fritz and Lynn Pinder

Everyone stood and pledged allegiance to the flag. The meeting was called to order at 8:00 AM. Farmer extended his condolences to the Vincent Family. Their son, Past Fire Chief Scott Andrews passed away after a long battle with cancer. Services are being held Saturday, August 6<sup>th</sup> at 11:00 am at the First Congregational Church.

**VISITORS**

No visitors wished to speak at this time.

**APPROVAL OF MINUTES – JUNE 29, 2016**

Fritz made a motion, seconded by Pinder to approve the minutes from June 29, 2016. Walter asked for the minutes to be amended under the visitors section. Walter would like the minutes to reflect that Hal Dolan and Matt Kennedy representing the WPCC also spoke about the makeup of the commission. Fritz made a motion, seconded by Pinder and approved the minutes as amended. The motion was unanimously approved.

**RESIGNATIONS AND APPOINTMENTS**

The board received a list of recommended reappointments from the Republican Town Committee. Included on the list was the reappointment of Jonathan Gordon as the library's representative to the Cable TV Advisory Board. Maribeth Breen, Director of the Henry Carter Hull Library notified the board that Jon Gordon has not been associated with the HCH Board of Directors for a long time. Gordon was not reappointed. Fritz made a motion, seconded by Pinder and unanimously approved the following reappointments.

Elizabeth Siegel – Cable TV Advisory Board Town – 6/30/18  
Sandra Allen – Design Review Board Alternate Seat– 6/30/19  
Maurice Carr – Economic Development Commission – 6/30/2020  
Bonnie Fillion – Board of Ethics – 6/30/2021  
Philip Sengle – Fair Rent Commission – 6/30/2020  
Greg Dwyer – Historic District Commission – 6/30/2021  
Lawrence Pilcher – Housing Authority – 6/30/2020  
John Neri – Housing Authority – 6/30/2021  
Christopher Jones – Inland Wetlands – 6/30/2020  
Christain Guelke – Water Pollution Control – 6/30/19

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**DISCUSSION ON CAPITAL EXPENDITURE COMMITTEE MEMBERSHIP**

The Capital Expenditure Committee current makeup is 2 representatives from the Board of Selectmen, 2 from the Board of Finance and 3 at-large members. Currently the Board of Finance only has one representative on the committee. On June 20<sup>th</sup> the Board of Finance voted unanimously to appoint Jack Scherban to the committee. No formal request to appoint Scherban was ever sent to the Board of Selectmen. The board discussed expanding the membership to 4 at-large members for a total of 8 members. Fritz, Pinder and Walter spoke against extending the membership. Giannotti and Farmer spoke in favor of increasing the membership. Fritz suggested appointing an alternate to the committee. Walter made a motion, seconded by Giannotti to keep the Capital Expenditure Committee membership at 7 and add an alternate seat *to be filled by an at-large member*. The motion was unanimously approved. The appointments will on next week's agenda.

**CVFD LENGTH OF SERVICE AWARDS PROGRAM (LOSAP)**

The board was presented with the draft ordinance to establishing a length of service awards program. The ordinance has been reviewed by town council. Giannotti requested to have a cost estimate available at the public hearing. Pinder made a motion, seconded by Giannotti to send the ordinance establishing a length of service awards program for the Clinton Volunteer Fire Department to public hearing. The motion was unanimously approved.

An Act Establishing a Length of Service Awards Program (LOSAP) for the Clinton Volunteer Fire Department

Section I – Terminology

- Defined Benefit – monthly contributions after 20 years of service at 65 years of age as described in Section III-A
- Defined Contribution - \$1,000.00 contribution annually to a 457E plan as described in Section III-B.
- The Plan – As described in Section III and referenced throughout the document
- Town – The “Town of Clinton”
- CVFD – The “Clinton Volunteer Fire Department”
- Participants – Those enrolled in the “Plan”

Section II – Eligibility

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Members of "CVFD" who have completed one (1) year of continuous service and meet the eligibility requirements set forth in the "CVFD Tax Abatement Ordinance" (attached), will be enrolled in the "Plan".

Section III – The Plan

- A. Members, who elected to enroll in the "Defined Benefit" plan in May 2015, will be eligible to receive a benefit of \$400.00 a month, after completing 20 years of service and reaching the age of 65. Each year of service must comply with requirements of Section II.

The benefit will be paid to the member until he or she is deceased, there are no survivor benefits.

- B. Those members not electing to be in the "Defined Benefit" plan in May 2015 will be enrolled in a "Defined Contribution" (457E) plan.
- Members will receive a \$1,000.00 contribution to this fund for each year they meet the eligibility requirements of Section II. Commencing at the adoption date of this ordinance.
  - Members must have five (5) years of eligibility to be vested in the "Defined Contribution". \*See Section VIII "Leave of Absence/Break in Service" for exceptions.
  - Members must designate a beneficiary who will take over ownership of the plan upon member's death.
  - Members cannot contribute on their own behalf to this plan.

Section IV – Contributions

The Town will contribute the entire cost of the benefits and will retain an actuary to annually determine the appropriate amount necessary to fund the "Plan".

Section V – Leave of Absence/Break in Service

- A. Leave of Absence

A CVFD member who has been an eligible "Plan" participant may request a leave of absence in accordance with CVFD by-laws. If granted the member will not lose any past service counting towards the "Defined Benefit" or vesting in the "Defined Contribution". They, however, do not accumulate time during the "Leave of Absence".

- B. Break in Service

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A CVFD member, who is a participant of either plan and has met the eligibility requirements of Section II in the previous year, can request a "Break in Service". Upon their return, they will have their pre-break and post-break service aggregated for the purpose of eligibility and vesting.

\*"Breaks in Service" must be approved in accordance with CVFD by-laws.

Section VI – Change, Suspension or Termination

The Town expects to continue the "Plan" indefinitely but, as future conditions cannot be foreseen, the Town reserves the right to; suspend or discontinue the contributions and or terminate the "Plan" at any time. This must be done by a vote of the Town's legislative body following a public hearing.

At no time, however, may any part of the contributions made by the Town be used for purposes other than those provide for in the "Plan".

Upon termination or partial termination of the "Plan" or upon suspension of contributions to the "Plan", the assets of the "Plan" shall be allocated as follows;

First

Complete commitment to participants of the "Defined Benefit" already in pay status for that fiscal year.

Second

To participants of the "Defined Benefit" not in pay status: divide any remaining funds amongst them; pro-rated based on years of service and contribute that amount to a 457E, which they can convert via a 1035 rollover.

Third

Participants in "Defined Contribution" will be allowed to convert assets; if vested; via a 1035 rollover into personal ownership.

Any residual assets of the "Plan" remaining after all of the above conditions have been met, shall be returned to the Town.

Section VII – Miscellaneous

1. Participant Rights

All CVFD members participating in the "Plan" are volunteers in service of the CVFD. This "Plan" in no way shall be construed as a contract of employment between the Town and any CVFD member.

2. Assignment

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The interest of a participant in this "Plan" may not be assigned, sold, alienated, discounted or pledged as collateral for a loan or as a security for the performance of an obligation or for any other purpose whatsoever. No such interest shall be subject to attachment, garnishment, sequestration or other legal, equitable or other process.

3. Qualified Domestic Relations Order

Distribution to an "alternate payee" shall be permitted if such distribution is authorized by a "Qualified Domestic Relations Order" which will have the meaning as set forth under IRC section 414.

4. Applicable Law

This "Plan" shall be construed in accordance with the laws of the State of Connecticut, except when such laws are superseded by federal laws.

5. Important Plan Dates

- a) All benefits for plan A shall be retroactive to July 1, 2016 and based on member eligibility as of October 31, 2015 statistics.
- b) All benefits for plan B shall be deposited into the 457E member's account for year one (1) as soon as the accounts are established.
- c) For all following eligible years, the funds shall be deposited into the member's accounts by the third (3rd) week of July, of that calendar year.

In witness whereof, the Town of Clinton has adopted this "Length of Service Awards Program" on this \_\_\_ day of \_\_\_\_\_, 2016

**HISTORIC DOCUMENT PRESERVATION GRANT**

Fritz made a motion, seconded by Giannotti to accept the Historic Document Preservation Grant in the amount of \$4,000 with no matching funds required. The motion was unanimously approved.

**SELECTMEN'S REPORTS**

Reported by Fritz

- Fritz thanked the board for attending his mom's funeral services.

Reported by Pinder

- Pinder has been working with the Economic Development Commission and the Chamber of Commerce on the Small Business Seminar that scheduled for September 29<sup>th</sup> from 5-8pm.

Reported by Walter

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- Charter Revision Commission approved the concept of establishing a Fire Commission. The Fire Commission Study Committee will be meeting this week to review the language.

Reported by Farmer

- Clinton Family Day was held last weekend at the town beach. The event was a big success and Farmer thanked all the volunteers.
- Pleasant Valley, Kelseytown Road and Carter Hill Road Bridge update
  - The state has increased the reimbursement from 40 percent to 50 percent on the Pleasant Valley Bridge. The reimbursement for Kelseytown Road and Carter Hill Road remains at 80 percent.

**ADJOURN**

Pinder made a motion, seconded by Fritz and unanimously adjourned the meeting at 9:00 AM.

Respectfully submitted,

Mary Schettino