

BOARD OF SELECTMEN
TOWN HALL CONFERENCE ROOM
AUGUST 31, 2016
MINUTES

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

Everyone stood and pledged allegiance to the flag. The meeting was called to order at 7:00 PM.

VISITORS

Hal Dolan inquired about the bulkhead. Kirk Carr spoke about the LOSAP Ordinance.

APPROVAL OF MINUTES – AUGUST 17, 2016

Walter made a motion, seconded by Giannotti to approve the minutes from August 17, 2016. The minutes were unanimously approved with one abstention from Pinder.

RESIGNATIONS AND APPOINTMENTS

Fritz made a motion, seconded by Walter to appoint Doug Traynor (R) to the Harbor Commission for a term until June 30, 2020. The motion was unanimously approved.

ENACT FIRE DEPARTMENT LENGTH OF SERVICE AWARDS PROGRAM (LOSAP) ORDINANCE

Pinder made a motion, seconded by Fritz to enact the Fire Department Length of Service Awards Program (LOSAP). The motion was approved with a vote of 3 in favor (Fritz, Pinder and Farmer) and 2 abstentions (Giannotti and Walter). Giannotti and Walter did not attend the public hearing so they abstained from voting.

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”

BOARD OF SELECTMEN
TOWN HALL CONFERENCE ROOM
AUGUST 31, 2016
MINUTES

Section II – Eligibility

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

BOARD OF SELECTMEN
TOWN HALL CONFERENCE ROOM
AUGUST 31, 2016
MINUTES

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

BOARD OF SELECTMEN
TOWN HALL CONFERENCE ROOM
AUGUST 31, 2016
MINUTES

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.

CERTIFIED RESOLUTION FOR THE CT DOT MASTER MUNICIPAL AGREEMENT FOR PRELIMINARY ENGINEERING PROJECTS

Pinder made a motion, seconded by Giannotti and unanimously approved the certified resolution for the CT DOT Master Municipal Agreement for Preliminary Engineering Projects.

RESOLUTION

RESOLVED, that the Honorable Bruce N. Farmer, First Selectman, is here by authorized to sign the agreement entitled "Master Municipal Agreement for Preliminary Engineering Projects".

Adopted by the Board of Selectmen of the Town of Clinton, Connecticut, this 31st day of August 2016.

SELECTMEN'S REPORTS

This past Sunday the board attended the Morgan School Open House and Ribbon Cutting Ceremony. Every member of the board thanked the building committee for all their hard work and dedication to the project.

BOARD OF SELECTMEN
TOWN HALL CONFERENCE ROOM
AUGUST 31, 2016
MINUTES

Reported by Fritz

- The Morgan School Open House and Ribbon Cutting Ceremony - The event was very well attended. Over 1,000 people walked through the halls of the new school.

Reported by Giannotti

- Giannotti spoke about Monday night's Planning & Zoning meeting

Reported by Walter

- Walter thanked everyone involved in putting together the 2nd Annual Summer Fest & Fire Works Festival. Pinder reported that the Chamber of Commerce raised enough money to cover all expenses for this year.
- Last week Walter attended the Department of Public Health Drinking Water State Priority List public hearing regarding funding for the Rocky Ledge project.
- WPCC Amendment 7B – The Board of Selectmen approved \$88,703 for CDM Amendment 7B. In August 2015 the Board of Finance approved \$44,400 which was only half of the funding request. The Water Pollution Control Commission will be on the September 19th Board of Finance agenda asking for the additional \$44,400. If approved it will have to go to a town meeting for approval.

Reported by Farmer

- Farmer attended the memorial service for former First Selectman George Kinsley. George Kinsley was First Selectman from 1965-1967.
- Farmer attended the National Incident Management System (NIMS) course
- RiverCOG Meeting – State is proposing an increase in the Shoreline East fares and 9 Town Transit fares. There was also a proposal to begin charging for parking at local train stations.

ADJOURN

Fritz made a motion, seconded by Pinder and unanimously adjourned the meeting at 7:30 PM.

Respectfully submitted,

Mary Schettino