

**TOWN OF SOMERS
BOARD OF SELECTMEN
Special Meeting Minutes
Tuesday, November 20 2018
7:00pm
Town Hall**

Call to order: First Selectman Knorr called the meeting to order at 7:00pm.

Pledge of Allegiance: All members participated in the Pledge of Allegiance.

Members Present: First Selectman Bud Knorr, Selectmen Kathy Devlin and Tim Potrikus CFO Michael Marinaccio, Town Clerk Ann Logan, Registrar of Voters and Moderators along with many concerned citizens.

Review and up-date on the revised vote tallies from the November 6 election on question #6:

Mr. Knorr stated that we he will read the Letter from the Town Moderators before the Board take comments from citizens. **(see attached)**. Mr. Knorr asked the Moderators and or Registrars if they would like to comment. Mr. David McCaffrey commented that the Statement that was read is correct.

Mr. Knorr addressed the explanatory text and said the changes were approved on October 23, 2018 Board of Selectmen Meeting. Mr. Knorr read aloud the explanatory text for question No. 6 & 7. **See attached**. Mr. Knorr asked Ms. Logan to provide additional background regarding the explanatory text process.

Ms. Logan confirmed that the BOS voted to have the Town Attorney and the Town Clerk work on the questions and the BOS did vote on the approved explanatory text regarding question No 6 & 7 on Oct. 23rd.

Mr. Potrikus Made a motion to open the floor for public comment, seconded by Mr. Knorr. The motion passed.

David Marty 50 Springfield Road, asked how long was the explanatory text posted on the Town Website and why is the need for explanatory text needed.

Mr. Potrikus commented that One Question could have been asked. But they thought that would have been an ambiguous way to ask the question. That's why they directed the Town Clerk go for the 3 specific questions.

Tim Keeney – He commented that he language on the ballot was misleading. he feels that the majority of people are not going to read explanatory text nor should they be held accountable to read the explanatory text. He believes it's substitute error and not a clerical error; and it would appear that whoever put in this position it would have the appearance of illeginencey in regards to that position because I don't think the public knew what they were voting on.

Ed Sawicki Long Hill Drive. Said that the 6 &7 were tied together and the charter would have to change, because 7 did not pass. He feels it was not a valid question, because it would require a charter change. There was an informal poll taken on Facebook and that poll 135 answered no and one person voted yes.

Joan Sizer 50 whisper Woods feels the same as Tim Keeney, she stated not everyone has internet. The actual wording on the Ballot was misleading, the word remain was misleading. The wording should have said that it was a new position.

Dan Madden 25 Turnpike Road. If the question was worded like the explanatory text it would have been clear. I agree with Mr. Sawicki that 6&7 are tied together.

Bob Chester 19 Mansfield thanked the BOS for not putting just one question on the ballot. However, the wording on the ballot was not clear to residents and the word remain was confusing.

David Pinney 214 Maple – appreciation to the BOS for taking comments. Mr. Pinney suggested that the BOS revisit the process and consider a vote in May.

Barbara Capuano 687 Hall Hill Road – She explained that she received many phone calls about the question and found the question herself to be confusing. She Recommended re visiting this at referendum.

David Mc Caffrey - there was no formal recount – it was a clarification of tabulators requested by the Secretary of State's Office.

Ralph Williams 34 Springfield Road – He explained that 6 & 7 should have been one question. He agrees the wording was bad. He stated that residents new that those questions were for change, there were large signs around Town telling people to vote no on 5, 6, 7. He finds it very unlikely that 2400 people didn't understand what they were voting for.

Andy Rocket 24 Blue Ridge Mountain- He remarked people make mistakes and understands that things happen. With regards to the vote, in his opinion he feels the wording was not great but good enough for people to understand and he does not support a re-vote.

Carl Landolina arrived at this time.

Susan Peck Sky Ridge Drive, she knew exactly what she was voting no for. She asked about the time frame on question Number 6.

Mike Bushior question 6 was flawed. He commented that there should be another vote and do not take action on this position until then.

Jim Formica – he believed that the question was poorly written.

Jim Radawicz Gulf Road – if feels the question was misleading. 6 passed 7 did not, how are you going to handle these results.

Mike Parker Mansfield Road – He feels the question was poorly written and if this comes to the BOF to fund this position he will vote no.

Tim Keeney Maple Street – wording was misleading. Big question is the course of action as to what is possible because it was a legitimate vote. 15% or more sign a petition to have another Charter Commission and another vote to have

Joan Sizer – recommended resubmitting the question to the referendum for another vote worded clearly. She feels there was no bad intensions by the Board of Selectmen and would like them to consider another vote.

Ralph Williams - The proposal was to have the first Selectmen minimally compensated or not compensated with a minimal amount of office time. He feels that the Referendum would not have the same turnout as the November Election considering historical Referendum attendance.

Joan Rivard – is it possible for the BOS to withdraw the question or does a petition need to be submitted.

Carl Landolina commented on Agenda Item Review and up-date on the revised vote tallies from the November 6 election on question #6:

Attorney Landolina stated there is no way a vote can be overturned by the Board of Selectmen.

Whenever there is a major change to the charter it takes a year. Essentially you have allowed this position to be created, however until it's funded it doesn't exist. The only way it can be funded it would have to be added to the budget.

By voting no on No. 7 the position of the First Selectmen would not change.

Charter – the chart is clear and there are 2 ways to start a Charter Commission, BOS initiated the Charter Commission. Citizens can also petition for a Charter Commission they would need 10% of 6000 voters to initiate the BOS to look at a new Charter Revision Commission for a specific question. There is a core requirement is the question would have to be approved/overturned by 900 people. These kinds of changes are usually done at a general election because there is no core requirement. Mr. Williams is correct even though you give the Commission charges they have free range to come up with what they want.

Mr. Potrikus thanked all of the Moderators and Registrars for all their hard work during the 2018 November Election.

Proposed 2019 Holiday Schedule:

Mr. Potrikus made a motion to approve the proposed 2019 Holiday Schedule, seconded by Mrs. Devlin. The motion passed. See Attached

Proposed 2019 Referendum Schedule:

Mrs. Devlin made a motion to approve the proposed 2019 Referendum Schedule, seconded by Mr. Potrikus. The motion passed. See Attached

Proposed 2019 Board of Selectmen Meeting Schedule:

Mr. Potrikus made a motion to accept the scheduled as proposed for purposes of discussion, seconded by Mrs. Devlin. Mr. Potrikus proposed the 2019 meeting be changed to the first and third Thursday of the Month, seconded by Mrs. Devlin. The motion passed.

Staffing – DPW Plow Drivers: Mr. Rolland requested to hire Seasonal Plow Drivers,

Mrs. Devlin made a motion to approve the recommendation to hire the on call seasonal plow drivers, seconded by Mr. Potrikus. The motion passed.

Boards and Commissions – Appointments & Resignations –

Mrs. Devlin made a motion Steven Getman to the Advisory Committee for Seniors, seconded by Mr. Potrikus. The motion passed.

Mrs. Devlin made a motion to accept the resignation Michelle Young from the EDC, seconded by Mr. Potrikus. The motion passed.

Approval of Payments:

Mrs. Devlin made a motion to approve the authorization of scheduled payments in the amount of \$269,811.33, seconded by Mr. Potrikus. The motion passed.

Adjournment:

Mrs. Devlin made a motion to adjourn the meeting at 7:13 pm, seconded by Mr. Potrikus. The motion passed.

Respectfully Submitted,

Kim LaFleur-Recording

Minutes are not official until accepted at a subsequent meeting.

Monday, November 13, 2018

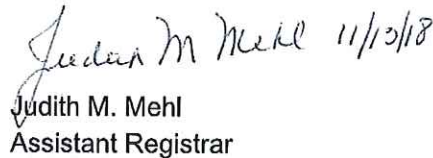
This statement is to inform the Town of Somers of three clerical errors which occurred during the calculation of the election results for November 6th. These errors occurred in the results for Questions #1, #6 and the Attorney General position. These numbers were submitted by a non partisan moderator and assistant registrars at 1:30AM on Wednesday morning after these individuals had been working at the polls since 5AM Tuesday. These numbers were calculated and submitted with integrity and in good faith by individuals of multiple parties.

On Wednesday the Secretary of State asked for a detailed breakdown of all Yes and No questions to be submitted by 4PM on Friday. Two Assistant Registrars of different parties rechecked all results totals. Due to the wet ballots jamming tabulator #1, 2 tabulators were used for the election, resulting in 2 tapes needing to be added for the results. At this time a clerical error was discovered for State Question #1. It was determined that the absentee ballot count was included twice in the total. The original number was Yes: 3402, No: 529. The new totals were Yes: 3402, No: 501. The count for the Attorney General position for Susan Hatfield increased from 2660 to 2671. Neither of these corrections impacted the outcomes. A clerical error was also discovered for the Yes vote for Question #6. Question #6 was originally calculated as yes: 1289, no: 1669. The new total was determined to be 2456 Yes votes. The No votes remained unchanged at 1669. The clerical error occurred when the Yes votes from one tape were inadvertently added to the blank ballot count from the second tape.

At this point the Assistant Registrars notified the Registrar of Voters that there was a discrepancy. The new numbers were submitted to the Secretary of State and the Town Clerk was notified. Due to the Town Hall hours and the holiday, the Moderator, Assistant Registrars, Registrar of Voters and Town Clerk notified the First Selectman of the clerical errors at the opening of business on Tuesday, November 13th.

Respectfully Submitted,

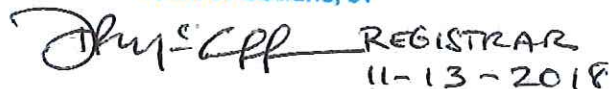

Karen J. Hocking
Moderator


Judith M. Mehl
Assistant Registrar


Lucille L. Furey
Assistant Registrar


Helene B. Orefice
Assistant Registrar




REGISTRAR
11-13-2018

Question No. 6: Shall the town remain guided by an elected Board of Selectmen with an appointed Chief Administrative Officer reporting to the Board of Selectmen?

EXPLANTORY TEXT: Under the current Charter, the First Selectman is the Chief Executive and Administrative Officer in the Town. The proposal would create a new position called Chief Administrative Officer, appointed or removed by the Board of Selectmen. The majority of the day-to-day First Selectman duties would be transferred to the Chief Administrative Officer. The BOS will maintain Policy Development, Hiring and Firing, and Financial Oversight.

Question No. 7: Shall the Town Charter be amended to remove the provision for the election of a First Selectman and Board of Selectmen and in its place provide for the biennial election of a three-member Board of Selectmen each serving a two year term, who shall select a Chairperson from among themselves?

EXPLANATORY TEXT: This proposed amendment is made in conjunction with Question No. 6. Under the current Charter, the Board of Selectmen consists of an elected First Selectman and two other elected Selectmen. The proposal eliminates the election of a separate First Selectman. The Board of Selectmen, consisting of three individuals, would be elected and would choose among themselves, a chairman. The chairman would act as the head of the Board. The proposed change will become effective at the end of the current elected term.

**TOWN OF SOMERS
INTEROFFICE MEMO**

DATE: 11/13/18
TO: ALL TOWN OF SOMERS EMPLOYEES
CC: BOARD OF SELECTMEN
FROM: KIM LAFLEUR
RE: 2019 HOLIDAY SCHEDULE

Please keep this as notice of the 2019 Holiday schedule. Town Hall and non-essential operations will be closed for business on these dates.

TOWN OF SOMERS - 2019 HOLIDAY SCHEDULE

HOLIDAY	OBSERVED ON
New Year's Day	Tuesday, January 1, 2019
Martin Luther King, Jr. Day	Monday, January 21, 2019
Lincoln's Birthday	Tuesday, February 12, 2019
Washington's Birthday	Monday, February 18, 2019
Good Friday	Friday, April, 19 2019
Memorial Day	Monday, May 27, 2019
Independence Day	Thursday, July 4, 2019
Labor Day	Monday, September 2, 2019
Columbus Day	Monday, October 14, 2019
Veterans' Day	Monday, November 11, 2019
Thanksgiving Day	Thursday, November 28, & Friday Nov 29 th
Christmas Day	Wednesday, December 25, 2019

The first Holiday (New Year's) for 2020 falls on Wednesday, January 1, 2020.

Floating Holiday's - Please Note floating holiday's must be used within the 2019 calendar year and be noted on your time card as a Floating holiday

2019 Referendum Schedule

BOF Public Hearing – Town Hall	4/23/2019
Annual Town Meeting – Town Hall	5/7/2019
Referendum – Town Hall	5/14/2019