

**AMENDMENT NO. 1
TO THE
TOWN OF SOMERS
EMPLOYEES' PENSION PLAN**



The Town of Somers Employees' Pension Plan, as amended and restated effective September 1, 2011 (the "Plan"), is hereby amended effective July 1, 2022 pursuant to Section 10.1 of the Plan, as follows:

I.

Article VI, Section 6.1 is deleted in its entirety and replaced with the following Section 6.1:

6.1 Vesting.

(a) Except as provided for in subsection (b) below, a Participant shall become vested in his or her benefit under the Plan in accordance with the following schedule:

<u>Years of Service</u>	<u>Percentage Vested</u>
Less than 5 Years	0%
5 or more Years	100%

Notwithstanding the foregoing, the vested percentage of any Participant who is credited with less than five (5) Years of Service as of August 31, 2011 shall be determined under the terms of the Plan in effect on such date, provided that such Participant shall be one hundred percent (100%) vested upon attainment of five (5) Years of Service.

A Participant who is employed by the Town on his or her Early Retirement Date or ceases to be employed by the Town due to his or her death, shall be treated for purposes of this Section 6.1 only as though he or she has completed five (5) Years of Service regardless of his or her actual Years of Service on his or her date of termination.

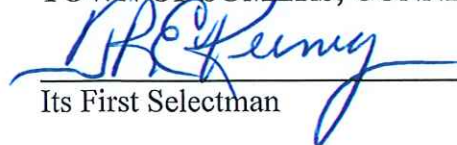
(b) Beginning on or after November 16, 2021, any Participant that is an elected official employed full time by the Town shall become vested in his or her benefit under the Plan upon completion of either two full two-year terms or four consecutive years of service to the Town in their elected role.

II.

If there shall be any inconsistency between the provisions of this Amendment No. 1 and the provisions of this Plan, this Amendment No. 1 shall control.

IN WITNESS WHEREOF, the Town of Somers, Connecticut has caused this Amendment No. 1 to be executed by its duly authorized officer on this 27th day of January, 2022, effective as hereinabove set forth.

TOWN OF SOMERS, CONNECTICUT



Its First Selectman

**TOWN OF SOMERS BOARD OF SELECTMAN
REGULAR MEETING MINUTES
January 27, 2022
6:00pm
Town Hall Lower Level Auditorium**



A.) CALL TO ORDER: First Selectmen Tim Keeney called the meeting to order at 6:04pm.

- a. Pledge of Allegiance – All members participated in the Pledge of Allegiance.
- b. Roll Call: First Selectman Tim Keeney, Selectmen Bill Meier and Bob Schmidt, CFO Michael Marinaccio, Assistant Finance Director Brian Wissinger, Social Services Director Allison Maynard, DPW Director Todd Rolland and Resident Mr. David Butler.

B.) PUBLIC COMMENT:

- a. Public Comment:

Mr. David Butler of 237 Mountain View Road Somers, CT requested to voiced his concerns about the Gate at Field Road Park being closed. He was told that the gate is closed Thanksgiving through April and was told people were driving on the grass and tearing it up. Mr. Butler asked if the gate can be unlocked the reasons that were given to him, did not make sense to him.

Todd Rolland DPW Director provided some history as to why the gate is closed in the winter season. The main reason was because of vandalism. After Sandy Hook the gate behind the High School is always locked when school is in session as well the lower gate by the ball field. After opening day in April the gates are open after school is out of session. The reason they are locked at 3pm, staff leave the park at 3:pm and head back to DPW to finish up. Mr. Rolland respectfully requested if this is something the Board is considering changing he would like to get the Resident Troopers opinion. A lengthy discussion followed.

C.) EXECUTIVE SESSION: NONE

D.) PRESENTATIONS BY THE FIRST SELECTMAN:

Mr. Schmidt would like to invite Rachel St'Germain to a future Selectmen's meeting to publically congratulate her. She is a finalist of the prestigious Gatorade National Girls Cross Country Award. She now was named Connecticut Cross Country Player of the year and she is the first female runner from Somers to win this award in 37-year history. The award recognizes not only outstanding athletic excellence but also high standards of academic achievement exemplary character on and off the field.

E.) CONSENT AGENDA

- a. BOARDS AND COMMISSIONS: APPOINTMENTS/RESIGNATIONS

- b. Discussion and Possible Action on a Youth Services Advisory Board Recommendation:
Allison Maynard, Social Services Director presented the need to establish a Youth Services Advisory Board. Ms. Maynard explained this is the first year Somers has received these funds. A lengthy discussion followed.

- Mr. Meier asked the Board to consider an ordinance for this advisory Board pursuant to the Charter section 5 23. A discussion followed.

Mr. Meier made a motion to request from the Director of Social Service to draft an ordinance to present to the Board of Selectmen to establish a Youth Services Advisory Committee, seconded by Mr. Schmidt. The motion passed.

F.) OPPORTUNITY TO ADD URGENT AGENDA ITEMS

Mr. Meier would like to add an agenda item setting a date for a Town Meeting for the Appropriation to fund distinct employee severance payment fund, seconded by Mr. Keeney. The motion passed.

Mr. Meier made a motion to add an agenda item Discussion and possible action regarding request for information from members of the Board of Selectmen to Town Directors and employees, seconded by Mr. Schmidt. The motion passed.

1. Set a Date for a Special Town meeting:

Mr. Meier made a motion to set the Special Town Meeting Date for February 10, 2022 at 7:00pm, seconded by Mr. Schmidt. The motion passed.

2. Discussion and Possible Action Regarding Request for Information from Members of the Board of Selectmen to Town Employees.

Mr. Meier proposed a draft Proposed Policy of Somers Board of Selectman Information Requests by Members of the Board of Selectman to Town Employees, the Somers Board of Selectman values transparency, collaboration and unity of effort. In order to allow Board of Selectman members the opportunity to gather information essential to their role, Board members may contact Directors, and in some cases, other town staff, to gather information about town department operations and make requests for information. Directors are expected to cooperate and provide information requested in a timely manner. If the Director has concerns regarding a request, the Director can notify the First Selectman who can determine if the request should be brought to the Board of Selectman for review. This policy will not be interpreted to limit or constrain the duties and responsibilities of the Board of Selectman and the First Selectman contained in the Town Charter and CT General Statutes. A lengthy discussion followed.

Mr. Meier made a motion to that enact the Proposed Policy of Somers Board of Selectman Information Requests by Members of the Board of Selectman to Town Employees and that the distribution and execution of the policy be held in abeyance until a consultation is made with the Town Attorney and Myself, Mr. Meier will to contact the Town Attorney and to request an opinion in writing that will be provided to the Board citing specific concerns regarding the charter and conflicts that exists between policy and the charter. Such report will be delivered no later than February 15, 2022, seconded by Mr. Schmidt. Mr. Keeney opposed the Motion. Motion Passed.

G.) FINANCE REPORT

a. Transfers/Amendments

b. CFO Finance Report – Mr. Marinaccio updated the Board on the Appropriation. Mr. Marinaccio asked Mr. Wissinger to read aloud the motion that was made by the Board of Finance.

Joe Tolisano made a motion for the Board of Finance to appropriate the full amount of the compensatory benefits payout \$130,056.15 from the General Fund into the Retirement Funds sub-account for the following individuals: Ann Logan, Bud Knorr, Marie Caron, and Steve Jacobs, it being the recommendation of the BOF that all four former employees be paid in full, but that in all events the former salaried employees be paid without delay. It is further ordered that there shall be an independent audit of the facts and circumstances related to the decision of the Selectmen to refuse to pay compensatory benefits as claimed by the former First Selectman, Bud Knorr, relating to unused sick time, pending the need for additional documentation. The independent auditors shall be selected by the Chief Financial Officer and confirmed by the BOF. The auditors shall be authorized to engage and rely upon the opinions of independent legal counsel or of governmental agencies having expertise in the subject matter. Any individual whose claim is not to be substantiated in full by the audit shall have an opportunity to deliver any evidence or other information to the auditors for their consideration prior to the filing of their final report. Any final payout recommended by the audit shall be effected, subject to review by the Board of Selectmen, with notice to the Board of Finance, seconded by Bill Salka. There was no further discussion and a unanimous decision followed.

- c. Presentation and approval of scheduled payments

Mr. Meier made a motion to approve the authorization of scheduled payments in the amount of \$90,521.96, seconded by. The motion passed.

H.) UPDATES FROM BOARDS AND COMMISSIONS - None

I.) PENDING BUSINESS

- a. Discussion and possible action on approving recommended Vendor for Police Body Cameras and other equipment. Received Attorney Comments. Contract is with Vendor for revisions.
- b. Discussion and possible action on Town staffing and reorganization i.e. Sanitarian, Town Engineer/Land Use Department.
- c. Pension Plan Amendment – Section 6.1 –Finance Dept.

Mr. Meier made a motion to approve the Pension Plan Amendment in Section 6.1 as presented, and authorize the First Selectman to sign the Amendment, Seconded by Mr. Schmidt. The motion passed.

Mr. Meier wanted to be clear the intension is not to make this retroactive, this change is going forward for any official elected and taking office on or after November 16, 2021 and will not be applied retroactively to any prior elected person.

J.) NEW BUSINESS

- a. Discussion and possible action to Authorize the First Selectmen to sign letters of Agreement between the Town of Somers and Eversource.

Made a motion to authorize the First Selectmen to sign the letters of agreement between the Town of Somers and Eversource these two letters of agreement are required to move the LED relamping project for the fired Department and the Department of Public Works, seconded by Mr. Meier. The motion passed.

- b. Budget Workshop

1. Selectmen's Budget - Ms. LaFleur presented the FY 2022/23 Selectmen's Budget for consideration. A discussion followed.
2. Registrar of Voters- N/A

K.) APPROVAL OF MINUTES

Approval of Minutes of January 6, 2022 Regular Meeting of the Board of Selectmen.

The Board of Selectmen waives the reading of the minutes of the Special Meeting from January 6, 2022 and that minutes of said meeting be approved.

Mr. Schmidt a motion to approve the minutes of January 6, 2022, seconded by Mr. Meier. The motion passed.

Approval of Minutes of January 13, 2022 Regular Meeting of the Board of Selectmen.

The Board of Selectmen waives the reading of the minutes of the Regular Meeting from January 13, 2022 and that minutes of said meeting be approved.

Mr. Schmidt made a motion to approve the regular minutes of January 13, 2022 as proposed, seconded by Mr. Meier. the motion passed.

Approval of Minutes of January 13, 2022 Special Meeting of the Board of Selectmen.

The Board of Selectmen waives the reading of the minutes of the Special meeting from January 13, 2022 and that minutes of said meeting be approved.

Mr. Schmidt made a motion to approve the special meeting minutes of January 12, 2022 as proposed, seconded by Mr. Meier. The motion passed.

Approval of Minutes of January 20, 2022 Regular Meeting of the Board of Selectmen.

The Board of Selectmen waives the reading of the minutes of the Regular meeting from January 20, 2022 and that minutes of said meeting be approved.

Mr. Schmidt made a motion to approve the minutes of January 20, 2022 as proposed, seconded by Mr. Meier. the motion passed.

Todd Rolland Director of Public Works provided an update on the upcoming Storm for Friday and Saturday. There will be a parking ban on Saturday, Mr. Rolland informed the Resident Troopers office of the parking ban and provided a list of addresses that are regular offenders.

L.) ADJOURNMENT

Mr. Meier made a motion to adjourn the meeting at 7:58, seconded by Mr. Schmidt. the motion passed.

Respectfully Submitted,

Kim LaFleur-Recording

Minutes are not official until accepted at a subsequent meeting.