

Legal Notice  
Special Town Meeting  
Thursday, October 21, 2021  
Town Hall Auditorium

A Special Town Meeting will be held at the Somers Town Hall, 600 Main Street, Somers, CT on Thursday, October 21, 2021 beginning at 6:00 pm

1. Elect a Moderator
2. Vote on an appropriation of \$130,980 from the General Fund for Separation Payouts
3. Adjournment

Dated at Somers, CT this 14<sup>th</sup> day of October, 2021

Board of Selectmen  
C.G. Bud Knorr Jr., First Selectman  
Timothy Potrikus  
Timothy Keeney

Publication Date: Friday, October 15, 2021

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Special Town Meeting Minutes  
Thursday, October 21, 2021

The Special Town Meeting of October 21<sup>st</sup> was called to order at 6:02 pm by Selectman Keeney with approximately 39 residents in attendance. Town Clerk A.Logan was requested to read the legal notice.

1. Elect a Moderator – A motion was made by K.Devlin, seconded by J.Radziewicz to nominate T.Keeney as moderator. No other nominations – motion unanimously voted to approve T.Keeney Moderator.
2. Appropriate of \$130,980 from General Fund for Separation Payouts – a Motion was made by T.Potrikus, seconded by W.Meier for purposes of discussion. CFO M.Marinnacio was requested to provide an overview of the appropriation.
  - a. The appropriation is a financial obligation by the Town
  - b. The payout is a condition of employment as explained in the Employee Handbook
  - c. The amount was approved by both the Brd of Selectmen and Brd of Finance. However, the Charter and State Statute requires approval by Town Meeting for monies in excess of \$20,000
  - d. An Ordinance is currently being reviewed by the Town Attorney to establish a fund specifically dedicated to the holding on monies for separation payouts
  - e. What needs to be recognized is the town's obligation and not 'who' or 'how much'
  - f. The current money distribution will be transferred into the Fund and held until payment is made

*S.Kraskinski* – who has the responsibility to track the First Selectman's time, i.e. sick, vacation, personal, etc. M.Marinnacio responded that everyone fills out a timesheet, the agenda is not to discuss individuals but to appropriate funds which the Town is legally obligated to pay

*J.Radiewicz* – Stated the Town Meeting Legal notice is to be published with 5-day notice and two (2) of the employees are not long term employees. He also questioned who signs the First Selectman's timesheet. B.Wissinger responded a legal notice was published in the Journal Inquirer on 10.15.2021, posted on the board outside Town Hall, and noted on the Town website.

*W.Meier*, Board of Finance member – Requested the details of the appropriation; Employee Handbook Pg 9 indicates the First Selectman's timesheets are to be signed by the Board of Selectmen; Pg 22 explains the time granted to staff based on years of service; questioned how the monies were determined/allocated and if the numbers were 'estimates'? W.Meier suggested that the appropriation not be approved at this time, since the number were calculated in August; and another Town Meeting be scheduled with more accurate numbers. Believes there is an

administrative issue regarding timesheets. The funding is definitely a Town obligation where it is paid from the General Fund or a separate fund.

*D.Marti* – can there be a compromise to the appropriate of monies

*K.Devlin* – Supports the Board of Selectmen in the creation of a special fund specifically and solely for the purpose of meeting the Towns obligation on separation payouts based on the Employee Handbook.

*S.Peck* – Requested a confirmation of the facts as she understood them: the monies being requested from the general fund are unallocated and available for use, the 20,000 was approved by the Board of Finance, any monies over 20,000 must be approved at Town Meeting, Separation Fund is a separate account t reserved for nothing else; once the Fund exists, the Finance Board will provide, thru actuaires, an amount of monies to be deposited for potential retirees, payments of sick and/or vacation times and refunded pension amounts if staff member was not vested.

*J.Radiewicz* – believes it is a good idea to delay any approval of appropriation until new figures have been calculated vs. August calculations

*R.Williams* – Appropriate the monies now, elected officials are employees, the policy can be changed or modified to adjust how accumulated time is paid out or used, the appropriate, if in excess, can be ‘seed’ money for the new Fund. There is no reason this approval should not take place this evening.

*W.Meier* – Questioned the origin of the Employee Handbook and when did the First Selectman become eligible for sick/vacation payouts. There was an Employee Handbook dated 2017 and an amended one dated 2020 and no official copy of the 2020 Handbook was received by staff or for filing in the Town Clerk’s office. There is verification of the 2017 Handbook be adopted by the Board of Selectmen, however there appears to be no adoption by the BOS for the 2020.

*C.Stebbins* – Is in favor of appropriating the monies this evening however, would vote no for the monies to sit in the General Fund to be appropriate for another purpose at a later date.

Moderator ask for any further comments or questions. No others in attendance expressed their interest in speaking, therefore, the Moderator requested a vote be taken by hand. The Town Clerk and Town Attorney tallied the votes by a show of hands. 11 votes to appropriate the monies and 17 not to appropriate. Motion defeated

### 3. Adjournment

A motion was made by T.Potrikus, seconded by K.Devlin and unanimously voted to adjourn the Special Town Meeting of October 21, 2021 at 6:50.p.

Respectfully submitted

Ann Marie Logan, CCTC  
Town Clerk - Somers