

Town of East Windsor
Special Town Meeting
March 29, 2011

A Special Town Meeting of the Town of East Windsor was held at the Town Hall, 11 Rye Street, Broad Brook, CT on March 29, 2011. The meeting was called to order by First Selectmen, Denise Menard at 7:31P.M. Motion was made by Linda Sinsigallo and seconded by Gilbert Hayes to nominate Denise Menard to preside as Moderator. Denise Menard declined. Motion was made by John Burnham and seconded by Gilbert Hayes to nominate Richard Pippin, Jr. to preside as Moderator. Linda Sinsigallo made a motion to have nominations cease, seconded by Gilbert Hayes. Both motions passed unanimously. Town Clerk, Joanne M. Slater read the call to the meeting. Town Clerk Joanne M. Slater introduced Assistant Town Clerk, Lynn Lemieux. Moderator, Richard Pippin, Jr. read the statement of eligibility to vote.

The following resolution was introduced and read by Kathleen Pippin.

Item #1: Resolved: To amend an ordinance entitled "ORDINANCE ESTABLISHING RETIREMENT SYSTEM FOR OFFICERS AND EMPLOYEES OF THE TOWN OF EAST WINDSOR", ORDINANCE 70-1. Copies available in the Town Clerk's office.

The full ordinance is as follows:

"ORDINANCE ESTABLISHING RETIREMENT SYSTEM FOR OFFICERS AND EMPLOYEES OF THE TOWN OF EAST WINDSOR"

Ordinance 70-1 is amended by adding the following new sections at the end thereof:

Section 1. Pursuant to the provisions of Section 7-450 of the Connecticut General Statutes as amended, there shall be established in the Town of East Windsor a retirement system for officers and employees and their beneficiaries.

Section 2. There is created in the Town of East Windsor a retirement board, established as the "Pension Board" in accordance with the East Windsor Charter. Members of the retirement board shall be appointed in accordance with the Charter and shall serve without pay or other remuneration.

Section 3. The retirement system for officers and employees and their beneficiaries shall be governed by the terms and conditions of the retirement and OPEB plans. The Town shall serve as the Plan Administrator of the retirement plan and shall have such powers and duties as set forth in the retirement plan with respect to the administration of the retirement plan, including, but not limited to, providing all proper instructions and directions to the Trustee regarding disbursements from the retirement plan. The retirement board shall have the responsibility for oversight of the investment of the retirement plan.

Section 4. Pursuant to the provisions of Section 7-450(a) of the Connecticut General Statutes, as amended, there shall be established in the Town of East Windsor a Trust Fund ("OPEB Trust") to hold and invest all contributions and assets of the Town's retiree health care plan ("OPEB Plan"). The Board of Selectmen of the Town shall have the authority to amend or terminate the OPEB Trust.

Section 5. The OPEB Trust shall be for the purpose of funding current and future post employment health care benefits for eligible retired employees in accordance with the OPEB Plan. The OPEB Trust may also be for the purpose of funding any other post employment health and life plans as the Town may establish.

Section 6. The Town shall serve as the Plan Administrator of the OPEB Plan and shall have such powers and duties as set forth in the OPEB Plan and the OPEB Trust with respect to the administration of the OPEB plan, including, but not limited to, providing all proper instructions and directions to the

Trustee regarding disbursements from the OPEB Trust. The retirement board shall have the responsibility for oversight of the investment of the OPEB Trust.

The foregoing shall become effective fifteen (15) days after the publication thereof in a media having circulation in East Windsor.

Kathleen Pippin moved that the foregoing resolution be adopted, seconded by John Burnham. No discussion followed.

The resolution passed unanimously.

The following resolution was introduced and read by Gilbert Hayes.

Item #2: Resolved: To approve an ordinance entitled “ TOWN OF EAST WINDSOR RULES OF PROCEDURE AND GROUNDS FOR REMOVAL OF APPOINTIVE BOARD AND COMMISSION MEMBERS”. Copies available in the Town Clerk’s office.

The full ordinance is as follows:

“Town of East Windsor Rules of Procedure and Grounds for Removal of Appointive Board and Commission Members”

Resolved that:

Each member of a board, commission or committee shall faithfully perform the duties of his office and shall make a significant contribution to the work of his board, commission or committee. No member shall permit his personal interest or prejudices to affect his actions or decisions in the service of the town. Failure not to perform may result in removal.

Members of each board, commission and committee shall regularly attend meetings. If a member shall fail to attend a majority of meetings in a year, or shall have four (4) consecutive unexcused (not excused by the chairman, or his designee, of the board, commission or committee), the chairman, or his designee shall send a certified letter asking for his/her resignation. If such member fails to submit his resignation, within ten (10) days of notice such chairman, or his designee, shall submit a written request for removal of said Member to the Board of Selectmen and the Board of Selectmen shall proceed as described below.

Pursuant to Town Charter Section 7-1 (H) written complaints or requests for removal must be filed directly with the Board of Selectmen, hand delivered or mailed to the Town Hall. Said complaints and requests for removal must be signed. Complaints or requests for removal will be reviewed in executive session by the Board of Selectmen at their first scheduled meeting following receipt of notification to determine whether removal is appropriate. Pursuant to Connecticut General Statutes Sections, 1-200(6) and 1-231 the Member who is the subject of the written complaint or request for removal shall be given notice of the executive session, and under the Statute has the right to have the discussion held at an open meeting. The Member shall be given reasonable notice of the meeting, and the reasons for the executive session, and will be provided with a copy of the complainant’s letter during the executive session.

If it is found that the complaint or request for removal does not warrant removal, a letter from the Board of Selectmen will be sent so informing the complaining party and the subject Member.

If it is determined, that removal is warranted the Board of Selectmen shall serve the member being removed with a written statement explaining the reasons for removal by certified mail, to the last address of record. The Board of Selectmen shall transmit to the Member the reasons for removal within fifteen (15) business days of reaching its decision. The statement shall clearly define why the Member is being removed.

The Member being removed may request a hearing. If the Member being removed desires a hearing the Member must request that hearing within fifteen (15) business days of receipt of written notice of the Board of Selectmen's decision. After the Member requests a hearing, the hearing shall be held at the next regularly scheduled meeting of the Board of Selectmen. The Board of Selectmen must be notified by certified mail at 11 Rye Street, Broad Brook of the Member's request for a hearing. The Member requesting a hearing shall not be removed until such hearing has been held. The hearing shall be in executive session unless the Member elects to have it at a public session pursuant to Connecticut General Statute Section 1-200(6). At the end of the hearing before the Board of Selectmen in executive session/or during the open meeting the Board of Selectmen shall vote as to whether the Member is to be removed. Removal of the Member will require the affirmative vote of no less than four (4) of the five (5) Members of the Board of Selectmen. The Subject Member will be given written notice of the decision reached by the Board of Selectmen by certified mail and this decision by the Board of Selectmen shall be final. The written notice of decision by the Board of Selectmen shall issue from the Board of Selectmen within fifteen (15) business days of the hearing at which the decision was reached.

The procedures to be followed at the hearing requested by the Member shall be determined by the Board of Selectmen, with the advice of the Town Counsel, and said procedures will be governed by the nature of the circumstances surrounding the complaint giving rise to the removal procedures.

Gilbert Hayes moved that the foregoing resolution be adopted, seconded by John Burnham. No discussion followed.

The resolution passed unanimously.

The following resolution was introduced and read by Carol Madore.

Item #3 Resolved: To transfer \$1,146.00 from Contingency (2195/203) to Registrar of Voters/Supplies (1050/615). I move the foregoing resolution be adopted. Carol Madore moved the resolution, seconded by John Burnham. No discussion followed.

The resolution passed unanimously.

The following resolution was introduced and read by Bonnie Yosky.

Item #4 Resolved: To transfer \$22,399.00 from Public Safety Safety/Pension Plan (2195/203) to Town Property (1085/595). I move the foregoing resolution be adopted.

Bonnie Yosky moved the resolution, seconded by Gilbert Hayes. The following discussion followed:

Bonnie Yosky: Are the funds that we are transferring the money from, going down to zero?

Denise Menard: This has to do with the adoption of the 2% budget. The 2% money was put into a special contingency fund. There were some accounts that should have been lower this year than last year and some that should have been higher than last year, but they were all funded at last years rate. The Selectmen tried in July to take all those pockets of excess money out and put them in the contingency fund so they would know exactly what they had. Then they would have transferred money to some of these accounts that are now up to have more accurately funded them at the beginning of the year. It was the Board of Finance suggestion instead to wait until we needed that money and then take it from the account with the excess money. The general fund budget is not anticipated to be overspent.

Katherine Kneeland: Noticed that a lot of these items are going to salary positions. The salary positions would have already been set in the budget. Why the salary increases, even though it's not necessarily an increase, but why wasn't it budgeted accordingly with the budget that was passed?

Denise Menard: Lets say I got the increase of 2% in my salary over last years salary. This years budget is the same as last years, so that increase was not put in there until the Board of Finance felt that as we got our salary lines spent down, we could do it. We have a lot of union contracts. If a bargaining unit had a 3% increase in their contract, we would have to honor that contract. If it was level funded last year the Board of Finance felt that we should wait until we got closer to the end of the year and there might be some savings. There were a couple of part time employees who were gone and a full time employee who left. We are now getting closer to the end of the year where we think our staffing is going to stay where it is right now. We know where we are as far as how much we have spent on salaries to this date. We need to make up the difference for the next 4 months.

Katherine Kneeland: My concern is if a certain department is budgeted X amount of dollars and you go to Y and Z, then eventually it comes back to the taxpayers to try to make up for next year.

Denise Menard: We are not going over any budget.

Katherine Kneeland: One of the biggest concerns is that we have a lot of elderly people in town and they don't get increases. Social Security hasn't gone up for two years. Everything goes up in price. Taxes went up even though it was only 2% and the make up of the other 6%, which makes it 8%. There are a number of discrepancies in the budget.

Denise Menard: It's a 2% increase in the budget. That is a default budget that was put in by the Charter.

Katherine Kneeland: As a taxpayer I am looking at the potential for another increase in the next 3 to 5 years because you are going to say, you forgot about something. I hear that they went up another \$1,100 on the salaries because they took it from the pension fund that may not even be here next year, like you said.

Denise Menard: The piece that is missing as far as understanding the complex budget process for last year is that the budget numbers that were transferred now, are what the Board of Selectmen basically, but not totally, recommended throughout the budget process and what actually went to referendum and to the Board of Finance. The Board of finance are the ones who forwarded it to the referendum. It was not in addition to what we thought we would have, it was what we thought we would need for this coming year. The town government side of the budget, by adopting the 2% budget and by our budget failing, had a 1.5% or 1.6% increase in our budget we proposed last year. It gave the town government side an increase that we weren't even asking for. By charter it says that we get a 2% increase, so the budget that we had planned for last year that we had presented to the voters last year is less than what we actually got.

Katherine Kneeland: Has a concern about the money that comes out of Conservation of Health/Pension to salaries. If you add them all up they add up to \$31,000. It doesn't seem like much to someone who's dealing with millions, but when every little penny adds up in a retired persons pocket and they have no increases.

Richard Pippin, Jr.: We're dealing with the same exact amount of money, were just taking it from the right pocket and putting it into the left.

Denise Menard: The Actuaries set the pension debt. Last year according to the Actuaries we have been touted as one of the towns that are doing it right. We are fully funding our Pension Fund. Last year our bill was \$829,769 on the town government side of the pension plan. This doesn't include the Board of Education or the W.P.C.A. A couple years ago when the market dumped and our pension fund got hit with that, the following year we had this big number. The Actuaries said that you could smooth it so that you don't get hit so hard on the upside or the downside. When the market crashes you don't get hit as hard. They smooth it out and they take it over a 5 yr average knowing that your going to keep the money in there. You can amortize your pension debt over a longer period than you do now. It's like taking a 15yr mortgage and making it a 30yr mortgage, so your payments are smaller. Last year our number was \$829,769, its also the number that what we had plugged in that spot for this year. Our actual debt is \$441,685. This has been paid in full. That is a difference of \$388,000. We already knew that when we recommended the budget last year that we have a cost savings there. The trash contract, lights and heat went up. That comes out of the savings; it doesn't come out of the pension fund. That money is

budgeted. It was budgeted last year at a higher level. We are taking that excess money and re-distributing it.

Theodore Szymanski: My concern was that moving this money was depleting the pension fund.

Richard Pippin, Jr.: Absolutely not.

Denise Menard: The Board of Selectmen, Board of Finance and the Pension Board will not sway from fully funding the Pension Fund.

The resolution passed unanimously.

The following resolution was introduced and read by Linda Sinsigallo.

Item #5 Resolved: To transfer \$1,110.00 from Town Clerk/Salary FT (**1030/100**) to Town Clerk/Salary P/T (**1030/1010**). I move the foregoing resolution be adopted.

Linda Sinsigallo moved the resolution, seconded by Bonnie Yosky. No discussion followed.

The resolution passed unanimously.

The following resolution was introduced and read by James Richards.

Item #6 Resolved: To transfer \$60,000.00 from General Government/Pension (**1195/203**) to General Government/OPEB (**1195/207**). I move the foregoing resolution be adopted.

James Richards moved the resolution, seconded by Gilbert Hayes. No discussion followed.

The resolution passed unanimously.

The following resolution was introduced and read by Dale Nelson.

Item #7 Resolved: To transfer \$48,000 from General Government/Pension (**2195/203**) to General Government/OPEB (**1195/207**). I move the foregoing resolution be adopted.

Dale Nelson moved the resolution, seconded by Linda Sinsigallo. The following discussion followed:

Denise Menard: She would like to clarify this because this is a very large amount of money. It is \$108,000 when added to the previous resolution. This is a new line. According to the accountants to our auditors and GASB, which stands for government Accounting Standards Board, we have to do this. This was a planned thing that this money was budgeted.

The resolution passed unanimously.

The following resolution was introduced and read by Dale Nelson.

Item #8 Resolved: To transfer \$733.27 from Assessor/Salary P/T (**1035/101**) to Assessor/Salary F/T (**1035/100**). I move the foregoing resolution be adopted.

Dale Nelson moved the resolution, seconded by Bonnie Yosky. No discussion followed.

The resolution passed unanimously.

The following resolution was introduced and read by Paul Anderson.

Item #9 Resolved: To transfer \$1,782.73 from Conservation of Health/Pension (**5295/203**) to Assessor Salary F/T (**1035/100**). I move the foregoing resolution be adopted.

Paul Anderson moved the resolution, seconded by Bonnie Yosky. No discussion followed.

The resolution passed unanimously.

The following resolution was introduced and read by Paul Anderson.

Item #10 Resolved: To transfer \$3,401.00 from Conservation of Health/Pension (**5295/203**) to Selectman F/T (**1010/100**). I move the foregoing resolution be adopted.

Paul Anderson moved the resolution, seconded by Linda Sinsigallo. No discussion followed.

The resolution passed unanimously.

The following resolution was introduced and read by Katherine Kneeland.

Item #11 Resolved: To transfer \$791.00 from Conservation of Health/Pension

(5295/203) to Town Property/Salary F/T (1085/100). I move the foregoing resolution be adopted.

Katherine Kneeland moved the resolution, seconded by Dale Nelson. No discussion followed.
The resolution passed unanimously.

The following resolution was introduced and read by Katherine Kneeland.

Item #12 Resolved: To transfer \$325.00 from Conservation of Health/Pension (5295/203) to IT Consultant/Salary (8425/101). I move the foregoing resolution be adopted.

Katherine Kneeland moved the resolution, seconded by Bonnie Yosky. Discussion followed.
The resolution passed unanimously.

The following resolution was introduced and read by Carol Madore.

Item #13 Resolved: To transfer \$140.00 from Registrar of Voters/Conf. & Training (1050/325) to Registrar of Voters/ Local Primary (1050/811). I move the foregoing resolution be adopted.

Carol Madore moved the resolution, seconded by Bonnie Yosky. No discussion followed.
The resolution passed unanimously.

The following resolution was introduced and read by Gilbert Hayes.

Item #14 Resolved: To transfer \$500.00 from Registrar of Voters/Postage (1050/545) to Registrar of Voters/Local Primary (1050/811). I move the foregoing resolution be adopted.

Gilbert Hayes moved the resolution, seconded by Alan Baker. No discussion followed.
The resolution passed unanimously.

The following resolution was introduced and read by Kathleen Pippin.

Item #15 Resolved: To transfer \$100.00 from Registrar of Voters/Office Supplies (1050/610) to Registrar of Voters/Local Primary (1050/211). I move the foregoing resolution be adopted.

Kathleen Pippin moved the resolution, seconded by Carol Madore. No discussion followed.
The resolution passed unanimously.

The following resolution was introduced and read by Kathleen Pippin.

Item #16 Resolved: To transfer \$4,971.20 from Public Safety/Pension (2195/203) to Registrar of Voters/Local Primary (1050/811). I move the foregoing resolution be adopted.

Kathleen Pippin moved the resolution, seconded by Dale Nelson. No discussion followed.
The resolution passed unanimously.

The following resolution was introduced and read by Alan Baker.

Item #17 Resolved: To transfer \$4,000.00 from Public Safety/Pension (2195/203) to Registrar of Voters/Referendum (1050/812). I move the foregoing resolution be adopted.

Alan Baker moved the resolution, seconded by Dale Nelson. No discussion followed.
The resolution passed unanimously.

The following resolution was introduced and read by Carol Madore.

Item #18 Resolved: To transfer \$7,300.00 from Conservation of Health/Pension (5295/203) to DPW Salary F/T (3180/100). I move the foregoing resolution be adopted.

Carol Madore moved the resolution, seconded by Dale Nelson. No discussion followed.
The resolution passed unanimously.

The following resolution was introduced and read by Carol Madore.

Item #19 Resolved: To transfer \$1,200.00 from Conservation of Health /Pension

(5295/203) to DPW/P&R/F/T **(3180/111)**. I move the foregoing resolution be adopted. Carol Madore moved the resolution, seconded by Gilbert Hayes. No discussion followed.
The resolution passed unanimously.

The following resolution was introduced and read by Bonnie Yosky.

Item #20 Resolved: To transfer \$500.00 from Conservation of Health/Pension **(5295/203)** to DPW/Stand By Pay **(3180/109)**. I move the foregoing resolution be adopted. Bonnie Yosky moved the resolution, seconded by Dale Nelson. No discussion followed.
The resolution passed unanimously.

The following resolution was introduced and read by Bonnie Yosky.

Item #21 Resolved: To transfer \$2,510.00 from Conservation of Health/Pension **(5295/203)** to Human Services F/T Salary **(5235/100)**. I move the foregoing resolution be adopted. Bonnie Yosky moved the resolution, seconded by Linda Sinsigallo. No discussion followed.
The resolution passed unanimously.

The following resolution was introduced and read by Linda Sinsigallo.

Item #22 Resolved: To transfer \$2,300.00 from Conservation of Health/Pension **(5295/203)** to Planning F/T **(1124/100)**. I move the foregoing resolution be adopted. Linda Sinsigallo moved the resolution, seconded by Alan Baker. No discussion followed.
The resolution passed unanimously.

The following resolution was introduced and read by Linda Sinsigallo.

Item #23 Resolved: To transfer \$1,400.00 from Conservation of Health/Pension **(5295/203)** to Building F/T **(1125/100)**. I move the foregoing resolution be adopted. Linda Sinsigallo moved the resolution, seconded by Bonnie Yosky. No discussion followed.
The resolution passed unanimously.

The following resolution was introduced and read by James Richards.

Item #24 Resolved: To transfer \$1,310.00 from Conservation of Health/Pension **(5295/203)** to Senior Center F/T **(1130/100)**. I move the foregoing resolution be adopted. James Richards moved the resolution, seconded by Richard Coville. No discussion followed.
The resolution passed unanimously.

The following resolution was introduced and read by Richard Coville.

Item #25 Resolved: To transfer \$1,000.00 from Conservation of Health/Pension **(5295/203)** to Senior Center/Nutrition Manager **(1130/122)**. I move the foregoing resolution be adopted. Richard Coville moved the resolution, seconded by Dale Nelson. No discussion followed.
The resolution passed unanimously.

Paul Anderson made a motion to adjourn, seconded by Dale Nelson. The meeting adjourned at 8:15 PM.

Respectfully Submitted,
Joanne M. Slater, CCTC

Attest: _____
Town Clerk

