

TOWN OF STONINGTON
SPECIAL TOWN MEETING
August 26, 2013

A Special Town Meeting of the Town of Stonington was called to order at 7:10 p.m. on August 26, 2013 at the Stonington High School auditorium, 176 South Broad St., Pawcatuck, CT, by First Selectman Ed Haberek, Jr. Also, in attendance were Selectmen George Crouse and Glee McAnanly and Town Attorney Tom Londregan.

Peter Tacy nominated Ted Ladwig for Moderator and being properly seconded, was unanimously elected Moderator of the meeting. Town Clerk, Cynthia Ladwig served as Clerk.

There being no objection the Moderator dispensed with the reading of the Call of the meeting, recorded immediately preceding these minutes.

The Moderator asked for a motion to waive the reading of all the Resolutions. Motion was made and seconded. All were in favor.

The Moderator asked for a motion on the first item on the Call. Being properly seconded, First Selectman Haberek presented and read the following resolution:

BE IT HEREBY RESOLVED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL MEETING DULY ASSEMBLED:

To consider and vote on a resolution to adopt an Ordinance of the Town of Stonington, CT, to establish a defined contribution retirement plan for eligible employees of the Town of Stonington. The Defined Contribution Plan will be a qualified plan under Section 401 (1) of the Internal Revenue Code. The specific terms of the defined Contribution Plan shall be adopted by the Board of Selectmen of the Town in a separate plan document to be effective September 15, 2013.

Being properly seconded, the Moderator opened the floor to discussion. Discussing the Resolution was Joe Larkin, Maryanna Stevens, Director of Finance, Paula Thompson, Selectman Glee McAnanly, John Larkin and Bill Sternberg. Hearing no further discussion, the Moderator asked for a vote on the resolution. The resolution passed by a voice vote.

The following is the Ordinance that was passed.

"ORDINANCE FOR THE ESTABLISHMENT OF A DEFINED CONTRIBUTION RETIREMENT PLAN"

WHEREAS, it is the intent of the Town of Stonington to establish a defined contribution plan for eligible employees; and

WHEREAS, in accordance with Conn. Gen. Stat. § 7-450, any municipality or subdivision thereof may, by ordinance, establish pension, retirement, or other postemployment health and life benefit systems for its officers and employees and their beneficiaries;

THEREFORE, BE IT RESOLVED

The Town of Stonington is adopting the following ordinance effective immediately upon approval at town meeting.

(a) *Establishment of Plan.* In accordance with Conn. Gen. Stat. §7-450(a), the Town shall establish a defined contribution retirement plan known as the Town of Stonington Defined Contribution Plan ("Defined Contribution Plan") for certain employees of the Town. The Defined Contribution Plan is intended to be a qualified plan under Section 401(a) of the Internal Revenue Code. The Town shall have the authority to amend or terminate the Defined Contribution Plan.

(b) *Terms of the Plan.* The specific terms of the Defined Contribution Plan shall be set forth in a separate plan document adopted by the Board of Selectmen of the Town.

(c) *Effective Date.* The Defined Contribution Plan shall be effective September 15, 2013.

The Moderator asked for a motion on the second item on the Call. First Selectman Haberek presented and read the following resolution:

BE IT HEREBY RESOLVED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL MEETING DULY ASSEMBLED:

To consider and vote on a resolution to adopt an Ordinance of the Town of Stonington, CT, for the amendment and restatement of Retirement Plan to cease eligibility for new hires and to make other changes to bring the Plan into compliance with current laws and regulations. The specific terms of the Amendment and Restated Plan shall be adopted by the Board of Selectmen of the Town in a separate document to be effective September 15, 2013.

Being properly seconded, the Moderator opened the floor to discussion. Speaking on the resolution was George Sylvestre and Bruce Barth the Town's pension attorney. Hearing no further discussion, the Moderator asked for a vote on the resolution. The resolution passed by voice vote.

The following is the ordinance that was passed.

"ORDINANCE FOR THE AMENDMENT AND RESTATEMENT OF RETIREMENT PLAN"

WHEREAS, the Town of Stonington has established a defined benefit plan for eligible employees, the Town of Stonington Retirement Plan ("Plan");

WHEREAS, the Town desires to amend and restate the Plan to generally cease eligibility for new hires, make certain other changes and make changes to bring the Plan in compliance with current laws and regulations;

WHEREAS, the Board of Selectmen intend to approve the amendment and restatement of the Plan at a subsequent meeting; and

WHEREAS, the Plan requires that any such amendment be approved by Town Meeting.

THEREFORE, BE IT RESOLVED

The Town of Stonington is adopting this ordinance effective September 15, 2013

The Moderator asked for a motion on the third item on the Call. First Selectman Haberek presented and read the following resolution:

BE IT HEREBY RESOLVED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL MEETING DULY ASSEMBLED:

To consider and vote on a resolution to amend the Stonington Harbor Management Ordinance of the Town of Stonington, CT, Article 4, Section 5, E Mooring Permit Fee, Private Mooring Fee to increase from \$20.00 to \$50.00. Said amendment is pursuant to Article 5, Section 2 of the Ordinance.

Being properly seconded, the Moderator opened the floor to discussion. Discussing the resolution was Sherman Crites, Stonington Harbor Management Commission member, Joe Larkin, Eric Donch, Stonington Harbor Master, John Larkin, Peter Tacy, Stonington Harbor Management Commission member, Paula Thompson and Steve Larkin. Being no further discussion, the Moderator called for a vote on the Resolution. The Resolution passed by a show of hands 17 in favor, 6 opposed and 1 abstention.

The following is the amendment to the Ordinance that passed.

Stonington Harbor Management Ordinance

Art. 4 Sec. 5 Application for Mooring Permit

E. Mooring Permit Fee. The Stonington Harbor Management Commission shall establish a fee schedule for a permit for a mooring location or any other activity within the scope of the Stonington Harbor Management Plan. The fee schedule shall be within the limits set by the CT

General Statute 22a-113s, be approved at a Town Meeting, and will be published annually by September 1. If a revised schedule is not set by September 1 and approved by a Town Meeting, the previous fee schedule shall govern until so approved. The schedule will be posted in the office of the Town Clerk for Stonington and Stonington Borough.

A fee in accordance with the following fee schedule shall accompany each mooring permit application:

- Private Mooring Fee: \$50.00
- Special Purpose Mooring Fee: \$20.00
- Commercial Mooring Fee: \$100.00

The Moderator asked for a motion on the fourth item on the Call. First Selectman Haberek presented and read the following resolution:

BE IT HEREBY RESOLVED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL MEETING DULY ASSEMBLED:

To consider and vote on a resolution to adopt an ordinance of the Town of Stonington, CT providing for a tax exemption filing extension for Davis Standard pursuant to CT General Statute Section 12-81k. This ordinance will allow Davis Standard, LLC to file for an exemption for machinery and equipment for the 2012 Grand List.

Being properly seconded, the Moderator opened the floor to discussion. With no one commenting on the Resolution, the Moderator called for a vote. The Resolution passed by voice vote with 1 abstention.

The following is the Ordinance that was passed.

AN ORDINANCE OF THE TOWN OF STONINGTON, CT, PROVIDING FOR AN EXTENSION OF TIME UNDER CT GENERAL STATUTE §12-81k FOR DAVIS STANDARD, LLC TO FILE FOR AN EXEMPTION FOR MACHINERY AND EQUIPMENT FOR THE 2012 GRAND LIST.

WHEREAS, Davis Standard, LLC is a corporation with a research and development center located in Pawcatuck, CT; and

WHEREAS, as a result of a recent change in ownership, Davis Standard, LLC failed to file an exemption request form with the Town of Stonington; and

WHEREAS, Davis Standard, LLC has placed controls and procedures in place to ensure that there will be no further late filings of the exemption request forms; and

WHEREAS, Public Act 03-269 of the Connecticut Legislature, codified as General Statute §12-94e, allows a municipality by vote of its legislative body to grant an extension of time under Connecticut law for an applicant to file late for said exemption; and

WHEREAS, the municipality finds that the failure to file the exemption on time does constitute a hardship for Davis Standard, LLC; and

WHEREAS, the municipality finds that Davis Standard, LLC has made significant investments in manufacturing equipment in new and newly acquired equipment so as to continue manufacturing business and jobs to the Stonington area and therefore finds there to be a net benefit to the economic development of the Town of Stonington;

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL TOWN MEETING DULY ASSEMBLED THAT:

Section 1. That the ordinances of the Town of Stonington be amended by adding a section to read as follows:

Davis Standard, LLC shall be granted an extension of time until thirty (30) days from the date of the passage of this ordinance by the Town Meeting to claim the exemption from property tax

under the provisions of Subsections (72) or (76) of the General Statutes §12-81 for the October 1, 2012 Grand List.

Section 2. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

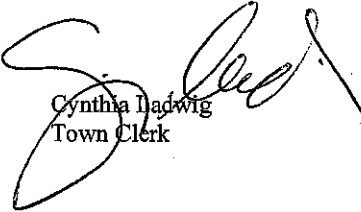
Section 3. If any provision of this ordinance or the application thereof is held to be invalid such invalidity shall not affect other provisions or applications of any other part of this ordinance which can be given effect without the invalid provisions of applications; and to this end the provisions of this ordinance and the various applications thereof are declared to be severable.

This Ordinance shall become effective following approval by Town Meeting and fifteen (15) days after publication in a newspaper having a substantial circulation within the Town of Stonington.

Being no further business on the Call of the Town Meeting, the Moderator declared the meeting adjourned at 7:50 p.m.

/s/ Cynthia Ladwig
Clerk of the meeting

Received for record this 27th day of August, 2013.


Cynthia Ladwig
Town Clerk