

**Annual Town Meeting  
December 28, 2011**

Town Clerk, Debra H. Denette called the Special Town Meeting to order at 8:00 at the Town Meeting Hall, 492 Town Street, East Haddam. Approximately fifteen (15) people were in attendance. The Pledge of Allegiance was recited.

Edward Blaschik motioned to nominate Deb Denette as Moderator. First Selectman Mark Walter seconded the motion. Additional nominations were solicited, none were offered. Mr. Ed Blaschik motioned to close nominations, Mr. Walter seconded the motion. The motion closing nomination carried unanimously via voice vote. The Moderator called for a vote appointing Deb Denette to serve as Moderator, the motion carried unanimously via voice vote.

The Moderator briefly defined the rules of conduct and presented the call of the meeting. Selectman John Blaschik motioned to accept the call as presented, Bryan Perry seconded the motion. Mr. Walter moved to amend the call to change the date from February 1, 2012 to March 1, 2012 under item 3, point 6A. Mr. Perry seconded the amendment. The Moderator called for a vote on the amendment, the motion carried unanimously via voice vote. The Moderator than called for a vote on the call as amended, the motion accepting the call as amended carried unanimously via voice vote.

**Item 1:** Mr. Walter motioned, Mr. Perry seconded that the legislative body herein assembled accept the Annual Town Report for the fiscal year ended June 30, 2011. Mr. Walter noted that the Annual Report is dedicated in memory of Robert Cook, Ted Harris, Richard Hoffmann, Louis Soja, Sr., and Kate Swift. He also stated that the "theme" of this year's report was open space. No questions or comments were raised. The motion accepting the Annual Town Report for fiscal year ended June 30, 2011 carried unanimously via voice vote.

**Item 2:** Mr. Walter Motioned, Mr. J. Blaschik seconded that the legislative body herein assembled authorize the Selectmen to enter into all necessary agreements with the Transportation Commissioner of the State of Connecticut for the receipt of State Aid for town highways in accordance with the General Statutes of Connecticut. Mr. Walter commented that this year's amount will be slightly over \$166,000. No questions or comments were raised. The motion authorizing the selectmen to enter into all necessary agreements with the Transportation Commissioner of the State of Connecticut for the receipt of State Aid for town highways in accordance with the General Statutes of Connecticut carried unanimously.

**Item 3:** Mr. Walter motioned, Selectman Emmett Lyman seconded, that the ordinance entitled "East Haddam Volunteer Fire Pension Plan", adopted December 13, 1990, is hereby amended to: (1) limit participation in the Volunteer Firefighters' Incentive Plan established by said ordinance to those persons who were eligible to receive a benefit from or participate in said Incentive Plan on December 31, 2011 or who had a vested benefit under said Incentive Plan on December 31, 2011; (2) exclude from participation in said Incentive Plan those individuals who become members of the East Haddam Volunteer Fire Department after December 31, 2011; (3) establish a new plan to provide length of service awards to those individuals who become members of the East Haddam Volunteer Fire Department after December 31, 2011; and (4) provide individuals who are participating in said Incentive Plan and who have five or less years of credited service under said Incentive Plan with a one-time opportunity to elect to participate in the new length of service award plan by waiving their rights to participate in and receive a benefit from said Incentive Plan, with the amendment of said ordinance to be effectuated by amending said ordinance to add a new Section 5 and a new Section 6 to as read as follows:

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the ordinance entitled "East Haddam Volunteer Fire Pension Plan", adopted December 13, 1990, is hereby amended by adding the following new section 5 and new section 6:

5. Limitation on eligibility to receive a benefit from or participate in the Volunteer Firefighters' Incentive Plan established by this ordinance. The only individuals who are eligible to receive a benefit from or participate in the Volunteer Firefighters' Incentive Plan established by sections 1 through 4 of this ordinance (the "Incentive Plan") are those individuals who were eligible to receive a benefit from or participate in the Incentive Plan on December 31, 2011 or who had a vested benefit under said Incentive Plan on December 31, 2011. Individuals who become members of the East Haddam Volunteer Fire Department after December 31, 2011 shall not be eligible to receive a benefit from or participate in the Incentive Plan with regard to volunteer services performed by such individuals for the East Haddam Volunteer Fire Department after December 31, 2011. All plan documents for the Incentive Plan are hereby amended to incorporate the provisions of this section 5.

6. Establishment of East Haddam Length of Service Award Plan for Volunteer Members of East Haddam Volunteer Fire Department

(a) Statement of Purpose. In recognition that the public interest, safety, and welfare will be promoted and advanced through the retention and recruitment of volunteer members for the East Haddam Volunteer Fire Department (the "Department") and through the encouragement of active involvement by those volunteer members in the fire fighting and prevention services which the Department provides to the Town of East Haddam (the "Town"), it is in the best interests of the Town to establish a system which will provide length of service awards to the following active volunteer members of the Department (the Eligible Volunteers"): (i) active volunteer members of the Department who become members of the Department after December 31, 2011 and who meet the eligibility requirements for participation set forth in the plan documents for the length of service award system; and (ii) active volunteer members of the Department who became members of the Department on or before December 31, 2011 and who have five or less years of credited service under the Volunteer Firefighters' Incentive Plan established by sections 1 through 4 of this ordinance (the "existing Incentive Plan") and who do not have a non-forfeitable interest or vested interest in any accrued benefit under the existing Incentive Plan and who no later than March 1, 2012 waive all benefits and rights which they may be entitled to under the Town's existing Incentive Plan and who meet the eligibility requirements for participation set forth in the plan documents for the length of service award system.

(b) Establishment. Pursuant to Sections 7-148(c)(5)(A) and 7-148(2) of the Connecticut General Statutes, the Town establishes a system for providing length of service awards to the Eligible Volunteers and such system (the "LOSAP") is intended to be a length of service award plan as defined in section 457(e)(11)(A)(ii), section 457(e)(11)(B), and section 457(e)(11)(C) of Title 26 of the United States Code, as amended, and any successor sections.

(c) The First Selectman is empowered, authorized and directed to enter into and execute on behalf of the Town a plan document for the LOSAP and such other such documents and agreements as may be required to establish and maintain the LOSAP, such plan document and such other documents and agreements to become effective after approval by the Board of Selectmen and the Board of Finance.

(d) The LOSAP shall be administered by the Plan Administrator as defined in the plan document for the LOSAP. The adoption of this section 6 of this ordinance shall constitute a specific delegation to the Plan Administrator, pursuant to the Board of Selectmen, to accept the responsibilities of and to perform the duties of the Plan Administrator in the administration of the LOSAP and to exercise the powers and rights of the Plan Administrator to administer the LOSAP.

(e) The Town shall enter into a trust agreement establishing a trust (the "LOSAP Trust") to receive contributions from the Town to fund the length of service awards under the LOSAP. The trustee shall be a trustee approved by the Plan Administrator of the LOSAP. The trustee shall disburse funds from the LOSAP Trust in accordance with the provisions of the trust agreement, Connecticut law and this section 6 of this ordinance.

(f) The Town may periodically contribute to the LOSAP Trust such amounts of cash as may be determined and approved by the Board of Selectmen and the Board of Finance to fund the length of service awards which have been credited under the LOSAP to the accounts of the Eligible Volunteers under the plan document for the LOSAP.

Mr. Walter advised that the ordinance amendment changes the pension plan from a designed benefit to a designed contribution. He stated that the current plan is funded via life insurance policies taken out on the fire fighters. Responsive to inquiry from Mr. T.J. Tarbox, Mr. Walter advised that this plan will have no change in benefit to existing fire fighters, but will impact volunteer fire fighters who begin after January 1, 2012. There being no additional comments or questions, the Moderator called for a vote on the amendment to the ordinance. The motion passed unanimously.

**Item 4:** Walt Parkus motioned, Mr. Lyman seconded that the legislative body herein assembled accept a grant in the amount of \$10,000.00 from the State of Connecticut, Department of Emergency Management and Homeland Security for equipment, training and exercise program (revenue account 79-431510-G1103 and expense account 79-541750-G1103). There was no discussion on acceptance of the grant. The motion carried unanimously via voice vote.

**Item 5:** Mr. Walter motioned, Craig Mansfield seconded, that the legislative body herein assembled accept the following resolution:

**"Resolved,** That the Town Meeting of the Town of East Haddam hereby ratifies the action of the Connecticut River Valley Council of Elected Officials to become a council of governments at their meeting of July 27, 2011, toward that end, the Connecticut River Valley Council of Elected Officials formally adopted Sections 4-124i to 4-124p, inclusive, of the Connecticut General Statutes, in accordance with the procedures set forth in Section 4-124j of the Connecticut General Statutes, and that this newly established council of governments be called the Lower Connecticut River Valley Council of Governments."

Mr. Walter stated that this action, needed by 11 of 17 towns in the district will merge two regional planning organizations into one council of government. He stated that this will avoid the State redistricting the organization. Mr. Walter stated that small towns often end up lumped with the larger cities, this is an effort by the group of small towns, to keep the regionalization between like towns, rather than geographically. Mr. Tarbox clarified that this was being done in anticipation of the State mandating the district, similar to what happened with Probate. There being no further discussion, the motion ratifying the Connecticut River Valley Council of Elected Officials action to become a council of governments carried unanimously via voice vote.

**Item 6:** Mr. Walter motioned, Sandra Hajek seconded that the legislative body herein assembled accept the following resolutions:

RESOLVED, That the Town Meeting, pursuant to the recommendation of the Planning and Zoning Commission and Board of Selectmen, hereby authorizes the acceptance of two certain conveyances, to wit:

1. The conveyance from Edward Development Company, LLC to the Town of East Haddam of that portion of property known generally as Meadow Brook Drive and shown and designated as "Meadowbrook Road" on a certain map entitled "Road "As-Built" "Meadow Brook Subdivision" Prepared for Edward Development Company, LLC, Meadow Brook Road, East Haddam, Connecticut, Scale 1"=50' dated May 11, 2006 and revised to January 26, 2009." Said map being on file with the Town Clerk of the Town of East Haddam.

2. A certain Drainage Easement from Donna Confrancesco to the Town of East Haddam, 20' in width as shown on a certain map entitled "Compilation Plan "proposed Drainage Easement" Lot #1 Meadow Brook Subd. Meadow Brook Road East Haddam, Connecticut Scale 1"=20' Dated Nov. 4, 2008." Said map being on file with the Town Clerk of the Town of East Haddam.

No questions or comments were raised. The motion accepting the two conveyances carried unanimously via voice vote.

**Item 7:** Mr. Mansfield motioned, Mr. E. Blaschik seconded that the legislative body herein assembled accept a grant in the amount of \$27,600 from the State of Connecticut Department of Transportation, entitled "FY 2012 Comprehensive DUI Enforcement Program", and to amend the 2011-2012 budget accordingly (revenue account 744-424420 and expense account 744-514403). Mr. Mansfield noted that the grant basically covers 85 8 hour shifts dedicated to DUI enforcement. Mr. Tarbox encouraged better police rapport with the community. The motion accepting the FY2012 Comprehensive DUI enforcement Program grant carried unanimously via voice vote.

**Item 8:** Mr. Mansfield motioned, Mr. J. Blaschik seconded that the legislative body herein assembled accept a grant in the amount of \$480.92 from the Connecticut Fair Plan (Anti-Arson Committee) for the purpose of purchasing needed equipment relating to the prevention, investigation or prosecution of arson fires, and to amend the 2011-2012 budget accordingly (revenue account 701-410155 and expense account 742-574601). Responsive to inquiry from Mr. Blaschik, Mr. Newt Angersola advised that a digital camera will be purchased with the grant funds. The motion accepting the Connecticut Fair Plan grant carried unanimously via voice vote.

**Item 9:** Mr. Walter motioned, Mr. Lyman seconded that the legislative body herein assembled approve a supplemental appropriation in the amount of \$26,100 to the Animal Control Capital Buildings budget (847-570703) for the purpose of improvements to the Dog Pound facilities.

Mr. Walter advised that the 1960's building is in serious need of code upgrades, he stated that bids came in much higher than anticipated for completion of the upgrades. The regionalization efforts in the dog pound may offer opportunity for some of those funds to be recaptured. Responsive to inquiry from Mr. E. Blaschik, Mr. Walter advised that there is currently an agreement with East Hampton that shares our dog pound, and earns East Haddam \$5,000 annually. The contract is for 3 years. The motion authorizing a supplemental appropriation in the amount of \$26,100 for improvements to the dog pound facilities carried with Mr. Tarbox casting the one negative vote. The motion carried.

**Item 10:** Dave Shelberg motioned, Chris Behilo seconded that the legislative body herein assembled approve a supplemental appropriation in the amount of \$60,589 to 712—Town Counsel (\$28,753) and 754—Snow Removal (\$6,532) and 25-115160-25790—Reserves-Education (\$25,304) for the 2010-2011 Budget. Mrs. Varricchio reviewed the specifics of the overages to town counsel at the request of Mr. Tarbox. It was noted that overall the 2011 budget was not overspent, however, the above noted line items went over budget, and for truer accounting are being presented. The supplemental appropriation carried with Mr. Tarbox casting a negative vote.

**Item 11:** Mr. Lyman motioned, Mr. Behilo seconded that the legislative body herein assembled approve a transfer in the amount of \$66,845 from the General Fund (781-579790) to the Board of Education Capital Reserve Fund (25-115160-25790) designating \$35,000 for the high school water system and \$31,845 for future capital expenditures. Mr. Walter explained that unutilized budgeted funds from BOE go back into the general fund. This takes the amount required to go back into the general fund and puts it into boe capital. The incentive for the BOE to not "use it or lose it" was noted. The motion carried unanimously via voice vote.

Upon a motion made by John Blaschik, seconded by Mr. Angersola, the meeting adjourned at 8:30 pm.

Attest: Debra H. Denette, East Haddam Town Clerk