

**TOWN OF LITCHFIELD  
ANNUAL TOWN MEETING  
JANUARY 13, 2015**

The Annual Town Meeting for the Town of Litchfield was held on Tuesday, January 13, 2015 at the Litchfield Intermediate School Auditorium. First Selectman Leo Paul, Jr. called the meeting to order at 7:01 pm. There were approximately 12 people present. Lisa A. Losee, Town Clerk, served as Clerk.

Motion was made by David T. Wilson that Cleve Fuessenich serve as Moderator, seconded by Joe Manes. There were no other nominations. It was so voted unanimously that C. Fuessenich preside as Moderator. Motion carried.

J. Manes made motion to waive the reading of the Call, a copy of which was made available to all those in attendance. Motion was seconded by Diane Knox. All voted in favor and the motion carried. The Moderator waived the reading of the Call.

The Moderator stated that the Return of Posting and Publication thereof, on file and of record, states that said Notice, bearing the written signatures of a majority of the Board of Selectmen, had been posted on the Town's signpost or other exterior place near the office of the Town Clerk on December 23, 2014 and a copy thereof had been published in the Republican American, a newspaper having substantial circulation in said Town, in its issue of December 26, 2014.

The Moderator stated that persons eligible to vote at Town Meetings are (i) any person who is an elector of the Town of Litchfield and (ii) any citizen eighteen years of age or more who, jointly or severally, is liable to the Town of Litchfield for taxes assessed against him or her on an assessment of not less than One Thousand Dollars on the last completed grand list of the Town, or who would be so liable if not entitled to an exemption under subdivision (17), (19), (22), (23), (25) or (26) of Section 12-81 of the General Statutes.

The Moderator read Item I: To authorize the Board of Selectmen to borrow money temporarily in anticipation of taxes and other municipal revenues, to enable the town to pay budgeted expenditures as they fall due, provided, however, that any funds for the cost of such borrowing shall also have been duly appropriated.

J. Manes motioned to approve Item I, seconded by Barbara Putnam. There was no discussion. By hand count the vote was 11 in favor, 0 against and 1 abstention. The motion carried.

The Moderator read Item II: To consider and act upon supplemental appropriations from Account 01-1001-45005-000 (Fund Balance) to Account 01-9501-58101 (Various Capital Projects) in the amount of \$987,272 and to Account 01-9501-58103 (Municipal Pension) in the amount of \$250,000 for a total of \$1,237,272, as recommended by the Board of Finance.

A copy of the requested transfers was made available to all those in attendance.

Beverly Manes made motion to approve the transfers as recommended, seconded by John Campbell. There was no discussion. By hand count the vote was 11 in favor, 0 against and 1 abstention. The motion carried.

The Moderator read Item III: To appropriate a sum of \$9,000 to Account 01-1401-52105 (Planning & Zoning Legal Services and \$15,000 to Account 01-1403-52105 (Zoning Board of Appeals Legal Services), the source of funds for such appropriation to be by way of transfer from Account 01-1903-51703 (Contingency), as recommended by the Board of Finance.

A copy of the requested transfers was made available to all those in attendance.

D. Wilson made motion to approve the transfers as recommended, seconded by D. Knox. There was no discussion. All voted in favor and the motion carried.

The Moderator read Item IV: To appropriate a sum of \$148,867 to supplement prior appropriations to purchase a vehicle for the Northfield Fire Department.

A copy of the requested transfer was made available to all those in attendance.

J. Campbell made motion to approve the transfer as recommended, seconded by B. Manes. B. Putnam asked for clarification on the reason for the additional funding request. First Selectman Leo Paul explained that it was necessary for the Town to approve the additional funding but that the actual cost to the Town would be less than originally appropriated because the Northfield Fire Department had secured a grant to help offset costs. It was further explained in the handout made available to all in attendance. All then voted in favor and the motion carried.

The Moderator read Item V: To adopt an amendment to the Town of Litchfield Amended and Restated Municipal Employees' Retirement Plan to conform the Plan eligibility and employee contribution terms to the terms of the Collective Bargaining Agreements, specifically limiting participation in the Plan to eligible employees hired prior to the dates specified in the Agreements and Plan amendment and requiring employee contributions as noted in the Agreements and the Plan amendment. This amendment will limit participation in the Plan to existing participants, as of the dates noted, with eligible new hires being covered under the Town Defined Contribution Plan.

A copy of the full text of the Amendment was made available to all those in attendance.

The Moderator stated that a portion of the amendment provides for the 'pick-up' of the contributions as pre-tax, by requiring the Town to make the Employee Contribution, which of course is supported by the reduction in compensation of the Participants. The Town is taking advantage of a tax code provision to provide that the employee

contributions in the amendment are pre-tax, and that the amendment includes the requirements related to turning the contributions into a pre-tax contribution by the Town.

D. T. Wilson motioned to approve the amendment as written, seconded by D. Knox. There was no discussion. By hand count the vote was 11 in favor, 0 against and 1 abstention and the motion carried.

There being no further business to conduct, D. T. Wilson made motion to adjourn the meeting, seconded by B. Putnam.

The meeting was adjourned at 7:17 pm.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lisa A. Losee".

Lisa A. Losee  
Town Clerk

# Memorandum

**Date:** January 12, 2015

**To:** Town Meeting

**From:** Rosalie Bouchard, Director of Finance

**Re:** Fiscal Year 2014/2015 Supplemental Appropriations of \$1,237,272

The Town's \$4,927,000 General Fund Unassigned Fund Balance is in a strong position at 17.8% of revenues/transfers in at June 30, 2014. The Board of Finance voted to use \$1,237,272 of that fund balance to make supplemental appropriations as follows: \$2,500 to the 2013-14 Capital Improvement Plan (01 9501 58101), \$484,772 to the 2014-15 Capital Improvement Plan (01 9501 58101), \$500,000 for a one-time oil tank replacement (01 9501 58101) and \$250,000 to the Municipal Pension Plan (01 9501 58103).

I recommend this request be funded as follows:

**Appropriation Requested:**

Fund Dept Object		(Decrease) Debit	(Increase) Credit
FROM 01 1001 45005 000	Use of General Fund Unassigned Fund Balance	1,237,272	
TO 01 9501 58101	Transfer to Capital Projects		987,272
TO 01 9501 58103	Transfer to Municipal Pension		250,000

After this supplemental appropriation is approved, the General Fund Unassigned fund balance will be \$3,689,728 or 12.9% of the current year adopted budget.

Attachment

Exhibit B.

# Memorandum

**Date:** January 12, 2015

**To:** Board of Finance / T.M

**From:** Rosalie Bouchard, Director of Finance

**Re:** Fiscal Year 2014/2015 Budget Transfer #1 for \$24,000

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Dennis Tobin, Land Use Administrator has requested a budget transfer of \$24,000 in to the Planning and Zoning Legal Services Line (1401-52105) for \$9,000, and Zoning Board of Appeals Legal Services Line (1403-52105) for \$15,000. These transfers are due to ongoing Stop & Shop legal expenses, a court enforcement action, and a residential nonconformity appeal.

I recommend this transfer request be funded as follows:

**Budget Transfer Requested:**

	Fund	Dept	Object		(Decrease) Debit	(Increase) Credit
FROM	01	1903	51703	Contingency	24,000	
TO	01	1401	52105	Planning & Zoning Legal Services		9,000
TO	01	1403	52105	Zoning Board of Appeals Legal Services		15,000

After this transfer is approved, the Contingency balance will be \$66,000.

Attachment

Exhibit C.

## Memorandum

**Date:** January 12, 2015

**To:** Town Meeting

**From:** Rosalie Bouchard, Director of Finance

**Re:** Fiscal Year 2014/2015 Supplemental Appropriations of \$148,867

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The Board of Fire Commissioners has been authorized to spend \$500,000 by the Town to purchase a vehicle for the Northfield Fire Department. In addition, they secured a grant toward the purchase of the vehicle for \$358,625. The total vehicle cost is \$648,867. Since the Town is a signatory to the contract in the amount of \$648,867, an additional appropriation to cover the cost of the vehicle is requested in the amount of \$148,867. The Town will expend only \$290,242 (Total cost \$648,867 - \$358,625 grant).

**AMENDMENT TO THE  
TOWN OF LITCHFIELD AMENDED AND RESTATED  
MUNICIPAL EMPLOYEES' RETIREMENT PLAN**

1. Effective July 1, 2012, Section 1.18, Eligible Employee is amended to read as follows:

“Eligible Employee” means a person employed by the Employer other than:

- (a) Persons participating in or eligible to participate in the State of Connecticut Teachers Retirement System;
- (b) Elected Selectmen of the Employer, provided that the First Selectman shall be an Eligible Employee;
- (c) Employees hired on and after July 1, 2012, except in the case of Employees covered by the Litchfield Town Highway/Sewer Employees Union Local 1303-094 of Council 4 AFSCME, AFL-CIO Collective Bargaining Agreement effective July 1, 2013 (Highway/Sewer Employees), such date shall be July 1, 2013.
- (d) Employees who elect, pursuant to Section 3.4, to transfer their Accrued Benefit in the Plan to the Town Defined Contribution Plan.”

2. Effective July 1, 2012, Section 3.1 is amended to read as follows:

“Any Eligible Employee who has completed one year of Eligibility Service and has attained age 18 shall be eligible to participate hereunder as of the Effective Date of Participation described in Section 3.2. No Employee may become a Participant in the Plan as of July 1, 2012, and in the case of Highway/Sewer Employees, July 1, 2013. However, any Employee who was a Participant prior to said dates shall continue to participate in the Plan as such Plan may be amended from time to time.”

3. Effective July 1, 2012, (July 1, 2013 in the case of Highway/Sewer Employees), Section 3.4, Termination of Eligibility, is amended to add item 6. to paragraph (a) as follows:

“6. As of July 1, 2012 (July 1, 2013 in the case of Town Highway/Sewer Employees) Participants who are not vested may elect to participate in the Town Defined Contribution Plan, in which case the value of their Accrued Benefit under the Plan shall be transferred to the Defined Contribution Plan. Such election shall be made at the time and in the manner prescribed by the Administrator. Such value shall be the Actuarial Equivalent of their Accrued Benefit.”

4. Effective July 1, 2015 Section 4.1, Payment of Contributions is amended as follows:

Contributions from Participants shall be required in accordance with the following Schedule:

- (a) Effective July 1, 2015, 1% of a Participant's Annual Compensation;
- (b) Effective July 1, 2016, for Highway/Sewer Employees, and all other Participants not covered under a Collective Bargaining Agreement, 2% of a Participant's Annual Compensation.

The Employer shall pay to the Trustee from time to time such amounts in cash as the Administrator and Employer shall determine to be necessary to provide the benefits under the Plan determined by the application of accepted actuarial methods and assumptions. The method of funding shall be consistent with Plan objectives.

5. Effective July 1, 2015 the following is added to Section 4.1 of the Pension Plan:

"Pursuant to the provisions of Section 414(h)(2) of the Code, the Town shall "pick-up" and pay the mandatory Participant Contributions described in (a) and (b) above which would otherwise be payable by Participants on an after tax basis. Contributions, although designated in the Plan as Participant Contributions, shall be paid by the Town in lieu of Participant Contributions. The source of such mandatory Participant Contributions shall be a corresponding reduction in the Annual Compensation of the Participant for whom the Town pays such mandatory Participant Contributions. The reductions in Annual Compensation shall not reduce the Participant's Annual Compensation for purposes of computing benefits under the Plan. The Contributions from Participants shall be treated as Employer Contributions under Code Section 414(h)(2) for the purposes of Article VI, Code Section 415 Limitations. Under this provision Participants shall not have the right to designate the Participant Contributions as post-tax contributions, nor shall they have the ability to receive such Contributions as cash."

This Amendment was approved by the Town at its Annual Meeting on January \_\_, 2015.

By: \_\_\_\_\_  
Leo Paul, Jr., First Selectman

Date: \_\_\_\_\_