

**MONROE TOWN COUNCIL
Monroe, Connecticut
DRAFT MEETING MINUTES**

March 23, 2015– 8:00 PM – Council Chambers

Present: Chairman Frank Lieto
Vice Chairman Enid Lipeles
Councilmember Deborah Heim
Councilmember Phyllis Kansky
Councilmember Kenneth Kellogg
Councilmember Raymond Knapp, Jr.
Councilmember Dee Dee Martin
Councilmember Sean O'Rourke

Absent: Councilmember Kevin Reid

Also Present: First Selectman Stephen J. Vavrek

A regular meeting of the Monroe Town Council was held on Monday, March 23, 2015 at 8:00 p.m. in the Council Chambers of the Monroe Town Hall.

CONSENT CALENDAR

Motion to approve the minutes and voting record of the Regular Town Council Meeting held on March 9, 2015 (Session 2015-05).

Motion to approve the Pitney Bowes Lease Agreement Renewal for Digital Mailing System (Postage).

The Consent Calendar was passed unanimously to the March 9, 2015 Town Council Meeting.

COMMUNICATIONS

Memo from the First Selectman to Town Council Chairman dated March 12, 2015 regarding a Bid Waiver for the Selection of Crowley Ford for Parks & Recreation.

Memo from First Selectman Vavrek to Town Council Chairman dated March 12, 2015 regarding a donation to the Webb Mountain Discover Zone.

Letter of Opinion from Town Attorney John Fracassini to First Selectman Vavrek and copied to Town Council Chairman dated March 10, 2015 regarding C-MED Agreement.

PUBLIC PARTICIPATION - None

APPOINTMENTS

Motion: (E. Lipeles)

To approve the appointment of Jen Pinto (R) of 17 Driftwood Drive to the Parks and Recreation Commission for a term ending October 21, 2015. Ms. Pinto replaces the vacancy created by the resignation of Brenda Schultz.

Second: (K. Kellogg)

Discussion: Jen has lived in Monroe for 17 years. She is employed as a Police Officer in Stamford. She has been very active with her family in the activities of the town especially with the programs offered by the Parks and Recreation Commission. She will be a great asset to the Parks and Rec Commission.

Motion passed 8-0

Motion: (E. Lipeles)

To approve the appointment of Shannon Monaco (R) 39 Pinto Lane to the Board of Education for a term ending November, 2015. Ms. Monaco replaces Darrel Trump who has resigned.

Second: (K. Kellogg)

Discussion: Shannon has lived in Monroe for virtually her entire life. She is employed by Caldwell Banker as a realtor. Shannon has been very active in town and has a long list of volunteer activities, including organizing food drives for the food pantry, blanket drive for Masuk FBLA, Monroe Little League, Sprint for Monroe, Jockey Hollow school plays, and room representative at various grade levels. In addition, she has been a Parent Council Rep, on PTO for Stepney, Fawn Hollow, and Masuk. She has been a very active participant in Project Warmth. Shannon already is a familiar face at Board Of Education meetings, and we believe she will be a great asset to the Board.

Motion passed 8-0

ACTION ITEMS

Town Council Committee on Finance, Education, Health & Public Safety Matters

Councilmember Heim reported a meeting was scheduled for March 24, 2015 but has been rescheduled to March 31, 2015 at 7:00 p.m. Councilmember Kellogg stated the EMS Commission meeting was cancelled due to weather conditions. The next scheduled meeting is Wednesday, March 24, 2015.

Town Council Committee on Planning & Zoning, Public Works and Parks & Recreation Matters

Councilmember O'Rourke reported the sub-committee has not met. He noted the next scheduled meeting for Parks and Recreation will be Monday, April 6, 2015. Councilmember O'Rourke stated they are waiting for further information on maintenance to the firehouses before he is able to report. Councilmember Kansky reported she went to the Inland/Wetlands Commission meeting and had a public hearing on the property located at 288 Monroe Turnpike for the construction of a proposed daycare center.

Town Council Committee on Legislative & Administrative Matters

Councilmember Martin reported they met on Thursday to cover contracts and agreements that are included in this agenda tonight. She noted wage adjustment and purchasing policy will remain on the agenda. The next scheduled meeting has not been set.

Trumbull/Monroe Health District

Councilmember Knapp reported they did not meet and the next meeting has not been scheduled. He noted March is National Nutrition Month. The Health District still has free nutrition education kits available. Visit the TMHD from 8:30 a.m. - 4:30 p.m. He also reported cholesterol screenings are still available by appointment and will take place at the Trumbull

Monroe Health District offices, 2 Corporate Drive, Suite 116, Trumbull. Contact the Health District for a listing of dates. Councilmember Knapp concluded by stating the Health District is now in the process of renewing food service licenses for Trumbull and Monroe. The license is issued from April 1, 2015 to March 31, 2016. As of July 2, 2015, the license will be transferred to either the town of Trumbull or Monroe.

First Selectman's Update

First Selectman Vavrek reported after the last Town Council meeting and reviewing the minutes, he realized the word "interviewing" was used repeatedly with the Health Districts. He noted he has met with other Districts, but did not interview anyone. First Selectman Vavrek stated he has consulted with some District employees entailing workloads, time limits, and working conditions. He needed to reiterate that he has not met nor spoken to the current Director in regards to dissolving of this District. He made it clear no job offers have been made to anyone but he does believe in keeping as many employees as possible for continuity. He would like a consultant to come in to make sure everything is done right for the town of Monroe. Councilmember Martin questioned if he will be keeping the current employees as discussed at the last meeting. First Selectman Vavrek felt the need to have a consultant act as "another pair of eyes" to ask questions and make sure everything is done right, although he would like to see the current employees stay. He assured Councilmember Martin that he has not interviewed anyone. Councilmember Martin questioned where we stand now since the last meeting. First Selectman Vavrek noted there was a good indication of people who want to work with us and what we can offer them. He noted the Consultant would be paid from the contingency line. Councilmember Martin noted the District would be dissolved the end of June and wanted to know if the consultant and everything else would be in place. First Selectman Vavrek stated the names should be chosen on the Board by then. Councilmember Martin also wanted to know if the First Selectman had any indication where the Monroe District would be housed. First Selectman Vavrek stated in the Senior Center where the nurse will be and personnel will be in house. Councilmember Kansky wanted it clarified if we were just hiring a consultant and going full search for all individuals to make up a department or just the Director. First Selectman stated personally just the Director, but noted many people have come in and expressed interest, noting the Consultant will do the framework. Chairman Lieto noted it is a great idea moving forward to establish this department with qualified individuals with certain knowledge in the particular fields.

AMEND AGENDA

Motion: (E. Lipeles)

To include under Communications (D) the memo Amended Bid Waiver.

Second: (D. Heim)

Discussion: Chairman Lieto noted a recent memo was received on an Amended Bid Waiver: Proposals-EMS Facility Study. The memo dated March 2, 2015 has been replaced with a new Amended Bid Waiver dated March 23, 2015. Chairman Lieto noted the original approval did not reflect the entire request from Councilmember Kellogg, Chairman of the EMS Facility Workgroup, and the prior paperwork did not match up to the consensus. Councilmember Kansky noted for the benefit of the town, we should have the departments in the future use the bid process.

Motion passed 8-0

UNFINISHED BUSINESS

Monroe Local Health

Chairman Lieto noted First Selectman Vavrek covered his plan on the Monroe Local Health thoroughly on his First Selectman update.

C-MED Tower Agreement

Motion: (E. Lipeles)

To approve, adopt and authorize the First Selectman to execute on behalf of the Town of Monroe the agreement between the Town of Monroe and the Southwestern Regional Communications Center also known as CMED to connect to the Town of Monroe's emergency radio system housed within the Monroe Police Department.

Second: (D. Heim)

Discussion: Chairman Lieto noted this contract was discussed with L&A, approved, and be presented to Council. L&A requested the FCC licenses be presented to the town and verify prior to the First Selectman's execution. Town Attorney, John Fracassini, did tract down the licenses and forwarded to Councilmember Martin. Chairman Lieto noted once this agreement is in place, the address to which these licenses are registered to will be changed.

Motion passed 8-0

Bundle Billing Agreement Town of Monroe/Monroe EMS and Valley EMS

Motion: (E. Lipeles)

To approve, adopt and authorize the First Selectman to execute on behalf of the Town of Monroe the agreement between the Town of Monroe/Monroe Volunteer EMS and Valley EMS regarding Bundle Billing.

Second: (D. Heim)

Discussion: Chairman Lieto stated this agreement was covered by Attorney Fracassini's Letter of Opinion in regards to all the contracts dated March 19, 2015. The negotiations on these Agreements including the Valley EMS/Town of Monroe, Monroe Volunteer EMS Supplemental Paramedic Intercept Service Agreement, and the Valley EMS Agreement with the Town of

Monroe involving comments, conversations and emails between his office, John Quinlavin and David Ferris of the Monroe Volunteer Emergency Services, Kenneth Kellogg, Town Council, Robert Pettinella of Valley Emergency Medical Services, Inc., Robert Ziegler of Emergency Resource Management, LLC, Ronald Bunovsky, Interim Finance Director, and Heidi Meade of the Finance Department. Chairman Lieto thanked everyone for all their hard work.

Motion passed 8-0

Valley EMS/Town of Monroe, Monroe Volunteer EMS Supplemental Paramedic Intercept Service Agreement

Motion: (E. Lipeles)

To approve, adopt and authorize the First Selectman to execute on behalf of the Town of Monroe the agreement between the Town of Monroe/the Monroe EMS and the Valley EMS, Inc./Emergency Resource Management LLC (Monroe Volunteer EMS Supplemental Paramedic Intercept Service Agreement).

Second: (D. Heim)

Discussion: Chairman Lieto noted the same comments to this agreement.

Motion passed 8-0

Valley EMS Agreement with the Town of Monroe

Motion: (E. Lipeles)

To approve, adopt and authorize the First Selectman to execute on behalf of the Town of Monroe the agreement between the Town of Monroe and Valley Emergency Medical Services, Inc.

Second: (D. Heim)

Discussion: Chairman Lieto again noted this agreement was covered by Town Attorney, John Fracassini's Opinion letter dated March 19, 2015.

Motion passed 8-0

NEW BUSINESS

Town of Monroe/Wells Fargo Retirement Income Plan Trust Agreements

Motion: (E. Lipeles)

To approve, adopt and authorize the First Selectman to execute on behalf of the Town of Monroe the agreement between the Town of Monroe and the Wells Fargo retirement Income Plan Trust.

Second: (D. Heim)

Discussion: Chairman Lieto noted L&A did meet and reviewed this agreement and there was a referral supported by Town Attorney, John Fracassini and Ron Bunovsky. Mr. Bunovsky, present at this meeting forwarded it to John Galiette who is involved with the pension plan. Mr. Bunovsky noted the agreement has been entered with the FIA, and Wells Fargo will be the trustee for the plan assets. He noted the plan assets will not be transferred over until May, 2015. Mr. Bunovsky read the following points from John V. Galiette (a) Wells Fargo will be a directed, nondiscretionary trustee, and will not exercise discretion with respect to the investment of Plan assets or with respect to the management of the Plan. The investment of Plan assets will be subject to the direction of the Town or an investment manager appointed by the Town. However, Wells Fargo will still be a fiduciary because it will have custody of the assets of the

Plan and, by means of that custody, exercises control over the disposition of the Plan's assets. (b) Several sections of the Trust Agreement require the Town to indemnify Wells Fargo for losses that Wells Fargo may incur in acting as trustee under the Trust Agreement. (c) The Trust Agreement provides that the Town can authorize Wells Fargo to join in any class action lawsuit regarding assets of the Plan. However, the Trust Agreement states that Wells Fargo will automatically opt-into such a class action lawsuit unless the Town notifies Wells Fargo otherwise. (d) The Trust Agreement provides that Wells Fargo will receive as additional compensation any "float" on any uninvested cash held by the Plan. (e) The Trust Agreement provides that the trustee can resign or be removed on thirty days prior written notice. Although the Trust Agreement could be modified to include a longer notice period, a thirty day period is generally considered reasonable. (f) Because the Plan is a governmental plan, it is not subject to ERISA. (g) The Trust Agreement provides that Wells Fargo will receive fees, directly and indirectly, from the mutual funds in which the Plan invests and from investment advisers and service providers of such funds. You should confirm that the total compensation to be received by Wells Fargo is reasonable and comports with your understanding. (h) Because the Town is a governmental entity, the Town does not file an income tax return on which it deducts its contributions to the Plan. Mr. Bunovsky also commented on the Disclosure Statement.

Councilmember Kansky questioned why the town is changing from Prudential to Wells Fargo. Mr. Bunovsky noted Prudential was acting in two capacities for the town, noting they were investing in the assets and acting as the trustee. Councilmember Kansky wanted to make sure this plan will be seamless, and the answer was it would be seamless. Mr. Bunovsky also read a letter from John Galiette regarding the revised draft of the proposed trust agreement between the Town of Monroe and Wells Fargo Bank N.A. relating to the Town of Monroe Retirement Income Plan. He noted the revised draft was attached, and incorporates all of the comments noted in his letter dated March 20, 2015, and modified in his email dated March 23, 2015. Mr. Bunovsky noted Mr. Galiette found it acceptable for the Town to adopt the Trust Agreement.

MOTION WITHDRAWN

Motion: (E. Lipeles)

To adopt the following resolution and authorize the secretary of the Town Council to execute same on behalf of the Town of Monroe.

Resolutions to be Adopted by the Town Council of the Town of Monroe

WHEREAS, the Town of Monroe (the “Town”) maintains the Town of Monroe Retirement Income Plan (the “Retirement Plan”) for the benefit of certain employees of the Town and the Board of Education of the Town; and

WHEREAS, it is desirable that the Town appoint Wells Fargo Bank N.A. (“Wells Fargo”) to serve as the directed trustee of the Retirement Plan and to replace and succeed the current trustee of the Retirement Plan.

NOW, THEREFORE, BE IT

RESOLVED: That Wells Fargo be, and hereby is, appointed to serve as the directed trustee of the Retirement Plan and to replace and succeed the current trustee of the Retirement Plan, effective as of April 1, 2015 (or, if later, upon the receipt by Wells Fargo of the assets of the Retirement Plan); and further

RESOLVED: That the trust agreement for the Retirement Plan between the Town and Wells Fargo, in the form presented to this meeting, be and hereby is approved and adopted, together with such modifications as in the opinion of counsel for the Town are necessary or desirable to effectuate the intention thereof and to comply with the requirements of the Internal Revenue Code of 1986, as amended; and further

RESOLVED: That the First Selectman of the Town or any other officer designated by the First Selectman be, and each of them hereby is, authorized and empowered, for and on behalf of the Town, to execute the trust agreement for the Retirement Plan, to execute such other documents, and to take any and all other actions which may be necessary or desirable to effectuate the intention of the foregoing resolutions.

Second: (D. Heim)

Motion passed 8-0

MVEMS/ERM Staffing Agreement

Motion: (E. Lipeles)

To approve, adopt and authorize the First Selectman to execute on behalf of the Town of Monroe the agreement between the Town of Monroe’s Volunteer emergency medical services and the Emergency Resource Management, LLC for staffing.

Second: (D. Heim)

Discussion: Chairman Lieto stated his comments to all the agreements are the same, but per Councilmember Martin’s comments on paragraph 12 and 13 be consistent at net 30.

AMEND MOTION

Motion: (D. Martin)

To approve, adopt and authorize the First Selectman to execute on behalf of the Town of Monroe the agreement between the Town of Monroe's Volunteer emergency medical services and the Emergency Resource Management, LLC for staffing so long as paragraph 12 and paragraph 13 are consistent with a net 30 for billing purposes.

Second: (D. Heim)

Motion passed 8-0

Donation to the Webb Mountain Discovery Zone

Motion: (E. Lipeles)

To accept the \$35,000 Donation for the Webb Mountain Discovery Zone.

Second: (D. Heim)

Discussion: Chairman Lieto noted a generous donation in the amount of \$35,000 was received by Charles Edgerton for the Webb Mountain Discovery Zone and is asking Council for approval.

Motion passed 8-0

Budget Referendum Voting Hours

Motion: (E. Lipeles)

To establish voting hours for the budget referendum and any subsequent referendum. The hours will be from 6:00 a.m. to 8:00 p.m. at all polling places.

Second: (D. Martin)

Motion passed 8-0

2ND PARTICIPATION - None

Next Town Council Meeting will be scheduled on April 13, 2015

ADJOURNMENT

Motion: (R. Knapp)

To adjourn the meeting at 9:10 p.m.

Second: (D. Heim)

Motion passed 8-0

Respectfully submitted,

Donna Cerreta
Town Council Clerk