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DRAFT MINUTES
GENERAL COUNSEL COMMISSION
REGULAR MEETING OF MAY 18, 2015

Present: Councilwoman and Chairwoman Mary Bartolotta, Councilman Daley, Councilman Giuliano, Councilman Chisem, and Councilwoman Kleckowski. Staff: Director Morey and Attorney Wisneski. Attorney Brig Smith was present during the discussion of the Segal Report. Public: Chief Robert Kronenberger and Faith Jackson, Director of Human Relations.

**Call to Order:**

Meeting was called to order at 7:03 p.m.

**Public Comment:**

Faith Jackson, the Director of Human Relations for the City, spoke on agenda item #5A – the Personnel Rules. She became aware that the Commission wanted to add language to the Personnel Rules that put in a time frame for the completion of her investigations. She explained her workload and the diversity of the complaints that she receives. Given the fact that the complaints are varied both in substance and in the amount of time needed to address them, she expressed her concern about adding language to the Personnel Rules imposing a ninety day time frame for the completion of an investigation. She explained that such a time frame is unworkable, especially without a possibility for an extension. Councilwoman Bartolotta asked Director Jackson to stay through for the Commission's discussion of the Personnel Rules. Director Jackson agreed to do that.

**Approval of Minutes:**

Councilman Daley made a MOTION to approve the Minutes from the April 20, 2015, Special Meeting. The Motion was seconded by Councilwoman Kleckowski. The Motion passed unanimously.

**New Business:**

**A. Ordinance – Long Hill Estate Authority (§9-13 & §9-18)**

Attorney Wisneski explained that her office had received a letter from the Chair of the Long Hill Estate Authority who was asking for some minor changes to the current ordinance. He asked that the address be changed from City Hall's address to that of the Wadsworth Mansion. He also wanted to change the terms for board members from two successive three year terms to three three-year terms. Councilman Dailey made a MOTION to approve the ordinance. The Motion was seconded by Councilman Giuliano. The Motion passed unanimously.

**B. Ordinance – Open Space Trust Fund (§47-44 - §47-8)**

Attorney Wisneski explained that the Mayor had announced recently his hope to establish

an Open Space Trust Fund through this ordinance, and to name it after the late local environmental activist, Katchen Coley. Under Connecticut statute, municipalities can set up these funds so that individuals may donate money to them, the Council can appropriate money into the fund, and, in the future, the fund may be able to generate its own income through investments to purchase open space in our City. Councilman Giuliano proposed a change in Section 47-45, subsection B. He proposed that the word "shall" in the first sentence be changed to "may."

Councilman Daley made a MOTION to approve the proposed change. The motion was seconded by Councilman Giuliano. The Motion passed unanimously. Councilman Daley then made a motion to approve the ordinance with the change. The Motion was seconded by Councilman Giuliano. The Motion passed unanimously.

### C. Ordinance – Notices and Signs (§214-12 & §214-13)

There was some discussion about the proposed changes. They originated out of the Public Works Commission. That Commission hoped to make the ordinance consistent with the Department's current practices when it comes to signs and the approval of meetings and events. Attorney Wisneski also explained that her office had advised taking out the prohibition against posting political signs or holding political meetings in certain city parks because that prohibition could be construed as content discrimination. Some discussion ensued on how long signs should be held before being disposed of by the Public Works Department when they are improperly placed on City property. The consensus was that the Department should hold the signs for 7 "business" days.

Councilman Chisem made a MOTION to add "business" after the number 7. The motion was seconded by Councilwoman Kleckowski. The Motion passed unanimously. Councilman Daley also made mention that the title for Section 214-13 no longer made sense in light of the proposed changes. He made a motion to change the title to "Meetings and Events." Councilwoman Kleckowski seconded the Motion. The Motion passed unanimously.

### D. Job Description – Firefighter

Chief Kronenberger explained that the proposed changes, which pertain to when an individual could receive EMT certification, are intended to provide more Middletown residents with an opportunity to become part of the force. Director Morey explained that there has been more of an effort to recruit within the City for both the Fire Department and Police Department. Councilman Dailey made a MOTION to approve the ordinance with changes. The motion was seconded by Councilman Giuliano. The Motion passed unanimously.

## Old Business

### A. Personnel Rules – Proposed Changes

Director Morey went through some of the changes she had made since March based on the Commission's review. The Commission agreed to provide an extension as needed for Director Jackson's complaint investigations. The Commission asked her to work with the Mayor's office to draft a document for this purpose. Councilman Chisem made a MOTION to approve with changes.

The motion was seconded by Councilman Kleckowski. The Motion passed unanimously.

**B. Segal Report Update**

Each Commission member received a hard-copy of the Segal Compensation Report. Attorney Smith went through his executive summary briefly and through the time frame for review and comment. Several questions were asked about whether the study considered the City's benefit package when determining if employees are comparably compensated. Attorney Smith explained that the benefit package was not part of the assessment though that information may be available through other sources. Councilwoman Bartolotta stated that she wanted to make sure that everyone knows the time frame for providing their comments to Segal and she expects Segal to answer any and all questions about the report and to be at City Hall for as long as necessary for its presentation and to answer questions. This presentation is now scheduled for July 6, 2015.

Councilman Daley made mention that the study showed that Middletown pays its employees at 90% of the market rate at the market survey mid-point and that we didn't seem to be too far off from other municipalities, especially if you consider the City's rich benefit packages. The Commission concurred.

Attorney Smith also brought to the Commission's attention that he felt that he was in a difficult position given some of Segal's recommendations. His office, through the HR Division, had put out the RFP to hire a company to do a compensation study and to make recommendations as to appropriate salaries and revisions to job descriptions. Segal recommended some upgrades within the Office of the General Counsel, including the positions of Human Resources Director and the three attorney positions. Attorney Smith stated that he would have preferred if the report did not include those recommendations. While Segal came up with those recommendations independently, it still made him feel uncomfortable. The Commission requested that Segal further extrapolate during its presentation as to how it came up with those recommendations so that they may be thoroughly vetted.

The Commission stated that the report would require significant review and consideration before it decided how it would proceed.

**Other**

**A. Vacancy Report**

Director Morey reported that the PD is currently at full staff. We are still having problems hiring for the nurse supervisor position at the BOE. If someone is not in that position by the next meeting, the Commission wants someone from the BOE to report to the meeting for a discussion.

**B. Legal Bills** – None to discuss

**C. Planning Office Positions**

Councilwoman Kleckowski asked Director Morey to explain why there was a difference

with the salaries from the Planning Department between this year and last year. Director Morey explained that the Deputy Position was being paid more because the individual who took that position used to be the Director of Emergency Management and had given up that position to take the Deputy Position. To make up for that loss of income, the Deputy was started at a higher step. The Council members expressed their concern regarding starting someone at a higher step. There was a discussion about whether the individual was required to give up the DEM positon or whether it was his choice. There also was discussion that this position is a Teamsters position and the administration has the ability to start individuals at a higher step. The Commission expressed its frustration on this matter and will be more aware with appointments in the future.

**D. BOE Grant Writer Positions**

Councilwoman Kleckowski wanted an explanation as to why the Grant Writer position at the BOE is not a city position. Director Morey explained that under charter, we do not have authority over certified positions and that this was a certified position. Some discussion ensued as to which entity required the certification. Under the Charter, the certification must be required by the State Board of Education. The staff explained that this position has been a BOE position since 2000. It was not part of the litigation between the City and the Board in 2010. The BOE recently hired someone to the position. The Commission suggested that this remain on our radar and if the position opens up again, we may want to investigate the matter further.

**Adjournment**

MOTION to Adjourn by Councilman Giuliano, seconded by Councilman Chisem. Motion was unanimous and meeting ended at 8:45 p.m.