

STATE OF CONNECTICUT
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES

REGULAR COMMISSION MEETING
21 GRAND STREET
HARTFORD, CT 06106

THURSDAY, JANUARY 12, 2006
2:00 P.M.

COMMISSIONERS PRESENT:

John Lobon, Chairman
Edward Mambruno
George Marshall
Edith Pestana
James L. Griffin
Benjamin Rhodes, Jr.
Larry Conaway
Andrew M. Norton
Gloria Mengual

STAFF PRESENT

R. Hamisi Ingram
Robert Brothers

. . . . Verbatim transcript of the Regular Commission meeting of the Commissioners on Human Rights and Opportunities, Thursday, January 12, 2006, 2:00 p.m. at the Offices of the CHRO, 21 Grand Street, Hartford, CT at which time the Commissioners, the CHRO Staff and public were represented as hereinbefore set forth

CHAIRPERSON LOBON: Good afternoon. I'd like to do some housecleaning things first. Those who are being represented here today who are organizations, if you have not signed in, would you please sign in? I would appreciate that as well.

Number two, I would ask that all Commissioners when they're making comments or asking questions, to utilize the mike, so

we can get clear information in relationship to our minutes. So, we need to use the mike at all times when possible. Thank you.

Good afternoon. I would like to open the hearing. The hearing is the State of Connecticut Commission on Human Rights and Opportunities regular Commission meeting, 21 Grand Street, Hartford, Connecticut, the large hearing room, it's Thursday, January 12th, 2006, two o'clock p.m. The meeting is now open.

Okay. I need someone to give a motion to approve the minutes from the last Board Meeting?

COMMISSIONER GRIFFIN: So moved.

CHAIRPERSON LOBON: Moved by Commissioner Griffin.

COMMISSIONER MARSHALL: Second.

CHAIRPERSON LOBON: Seconded by Commissioner Marshall.

All those in favor state aye.

(Whereupon all the Commissioners replied aye.)

CHAIRPERSON LOBON: Nays? Abstentions?

Aye's have it.

And can the record record them.

MR. INGRAM: Good afternoon, Mr. Chair and
Commissioner. Our first portion of the report will be by Mr. Bingham.

MR. BROTHERS: Excuse me, point of order. This may
be a time where you want to amend the agenda. There's a few things
that you want to amend the agenda for.

CHAIRPERSON LOBON: Okay.

MR. BROTHERS: Specifically there are three additional
affirmative action plans that are being presented today that are not on
the agenda.

CHAIRPERSON LOBON: Right.

MR. BROTHERS: Those being the Board of Education

and Services for the Blind, Department of Higher Education and
UConn Health Center.

CHAIRPERSON LOBON: Okay. Having heard that, can I
get a motion to add these items to the agenda?

COMMISSIONER GRIFFIN: I'll move that we add the
items mentioned to the agenda.

CHAIRPERSON LOBON: It's been moved by
Commissioner Griffin.

COMMISSIONER MARSHALL: So move the same.

CHAIRPERSON LOBON: Seconded by Commissioner
Marshall.

All those in favor.

(Whereupon all the Commissioners responded aye.)

Aye's have it.

MR. BROTHERS: There are two other points that need to
be amended also. One is with respect to the -- there's a contract

exemption which actually would be appropriate to bring other new business. The contract exemption request from Central Connecticut State College. Ray Pech, the Assistant Executive Director will address that.

And the other item is with respect to Lena Ferguson's report for some technical amendments to the regulations. So, if you also want to address those amendments.

CHAIRPERSON LOBON: In the new business?

MR. BROTHERS: One would be under new business and one would be under the report of Lena Ferguson, which is actually Item Number 3-D.

CHAIRPERSON LOBON: Okay. Fine. Can I get a motion for that, please?

COMMISSIONER GRIFFIN: So move again.

CHAIRPERSON LOBON: Moved by Commissioner Griffin.

COMMISSIONER MARSHALL: Second.

CHAIRPERSON LOBON: Seconded by Commissioner
Marshall.

All those in favor?

(Whereupon all the Commissioners responded aye.)

The aye's have it.

MR. BROTHERS: Thank you.

CHAIRPERSON LOBON: Okay. Mr. Bingham.

MR. BINGHAM: Good afternoon.

CHAIRPERSON LOBON: Good afternoon.

MR. BINGHAM: The first agency that I'll be reporting on
is the Agriculture Experiment Station. They're here represented by
Doctor Louis Magnarelli and Doctor Kirby C. Stafford. Please stand.

(Whereupon Mr. Magnarelli and Mr. Kirby stood for the
Commission.)

Thank you.

Okay. This plan is recommended for approval based on compliance with subsections A, B-3, good faith effort, and B-4, standard.

The short term goal achievement was one out of eleven or nine point -- nine point one possible goals. Long term goals were not set in the prior filing, so total goal achievement was one out of eleven, or nine point one percent.

Set aside goal achievement for 2003/2004, the SBE goal was \$12,874.00. The achievement was \$63,008.00 or eighty-nine percent. The MBE goal was \$3,219.00, and they achieved \$29,037.00, or a nine hundred and two percent achievement.

The set aside goal achievement for 2004/2005, three quarters reporting, the SBE goal was \$54,463.00, and they achieved \$66,274.00. That is seventy-nine dollars and a hundred and twenty -- yeah. Or a four hundred and eighty-six percent percentage achievement.

And the same thing for the MBE goal. It was \$14,366.00 and they achieved \$217,575.00, or a one thousand five hundred and fifteen percent.

The Agriculture Experiment Station should really be complimented for their goal achievement. In three quarters they really overexceeded. Their five year history, all five years the plan was approved.

CHAIRPERSON LOBON: Any questions from the Commissioners in relationship to this report?

(No response.)

No questions.

I would like to make a comment as well, to back your comment up there, with their goals in relationship to the SBE's and the MBE's, to exceed the goal at any given point in time of a hundred percent, but to go nine times four times -- four times in fifteen times your budget, that's awesome. We appreciate that. And that's very

good work on your behalf as well.

Any comments from any of the other Commissioners?

(No response.)

Okay. Staff has made a recommendation to approve the plan for the Connecticut Agriculture Experiment Station. Can I get a motion for recommendation for approval?

COMMISSIONER MAMBRUNO: I make a motion to accept that recommendation to approve the affirmative action plan of the Agricultural Experiment Station.

CHAIRPERSON LOBON: A motion's been moved by Commissioner Mambruno.

COMMISSIONER GRIFFIN: Second.

CHAIRPERSON LOBON: Seconded by Commissioner Griffin.

Any discussion?

(No response.)

Hearing none, all those in favor?

(Whereupon all the Commissioners responded aye.)

Any nays?

(No response.)

Abstentions?

(No response.)

The aye's have it.

MR. BINGHAM: The second agency reporting today is the Department of Higher Education. Today we have the Commissioner Valerie Lewis and we have Arthur PODE, the Affirmative Action Officer.

CHAIRPERSON LOBON: Thank you.

MR. BINGHAM: This plan is being recommended for approval based on compliance with subsections A, B-2 and B-4 standard. The Agency had no promotional hiring goals during the following period.

The set aside goal achievement for 2003/04, the SBE goal was \$104,733.00. They achieved \$128,977.00, or a percentage achievement of a hundred and twenty-three percent.

The MBE goal was \$26,186.00. The MBE achievement was \$84,755.00, or three hundred and twenty-three percent achievement.

The set aside goal achievement for 2004/05, with three quarters reporting, the SBE goal was \$93,264.00. They achieved \$132,357.00 or a hundred and forty-two percent achievement.

The MBE goal was \$23,316.00. The MBE achievement was \$75,129.00, and they achieved three hundred and twenty-two percent. Again, it was overachievement. Their five year history for 2004/200- -- I mean 2000, 2001, 2003, 2004, the plan was approved and for -- 2000 to 2004 the plan was approved. In 2005 it was disapproved.

CHAIRPERSON LOBON: That's it?

MR. BINGHAM: That's it.

CHAIRPERSON LOBON: Any questions or comments from the Commissioners in relationship to this plan?

COMMISSIONER MAMBRUNO: Yes, Mr. Chair, I do.

CHAIRPERSON LOBON: Commissioner Mambruno.

COMMISSIONER MAMBRUNO: It seems that the last time we met the plan was disapproved. I'd like to know what steps were taken for this turnaround to an approval?

MR. BINGHAM: Okay.

MS. ROSS: Commissioners, the agencies met with us during the year. I spoke personally on the phone with the head of the Agency and I met with the Affirmative Action Officer and it was just a matter of pointing out what issues were left unaddressed. And they addressed them. The Agency has always been very cooperative.

COMMISSIONER MAMBRUNO: It's been taken care of.

MS. ROSS: I'm sorry, for the record that's Paula Ross.

COMMISSIONER MAMBRUNO: So, Paula, the errors in the first time weren't systemic to the Affirmative Action Plan, and were they technical in nature?

MS. ROSS: It's hard to describe them as technical because all of the sections, whether they were quantitative or qualitative, go into forming a whole. In the case of last year's plan it was not -- it was not the numbers per se, it was a lack of including some information that we require, and they did have on hand, and it was a question of methodology of writing up the goals and the promotions last year.

This year there was no hiring or promotion activity, so that wasn't a question of judging it. When there is no activity the Agency is gauged to be in compliance with their hiring goals.

COMMISSIONER MAMBRUNO: Thank you.

MS. ROSS: Okay?

CHAIRPERSON LOBON: Okay.

Any other questions from the Commission?

(No response.)

Hearing none, staff has made a recommendation for approval. Can I get someone to say a motion?

COMMISSIONER MAMBRUNO: I make a motion to accept staff's approval to accept the Affirmative Action Plan for the Department of Higher Ed.

CHAIRPERSON LOBON: Commission Mambruno's made a recommendation for approval. Can I get a second?

COMMISSIONER CONAWAY: Second.

CHAIRPERSON LOBON: Second by Commissioner Conaway.

Any other discussion?

(No response.)

Hearing none. All those in favor?

(Whereupon all the Commissioners responded aye.)

Any nays?

(No response.)

Abstentions.

(No response.)

The aye's have it.

I'd like to just make one comment, Once again, nice work on the contract compliance. You exceeded the hundred percent goal. That's worthy of discussing and putting it on the record. So thank you very much Department of Higher Ed for that.

MR. BINGHAM: Okay. The next Agency would be the Board of Education and Services for the Blind. And we have here the Executive Director Brian Sigman, we have the Affirmative Action designee Isabelle McKinney and the Program Manager, Natalie Shipman.

CHAIRPERSON LOBON: Welcome.

MR. BINGHAM: This plan is being recommended for

approval based on Sections 46-A, 68-59 A, B-3 and B-4, Standard for good faith effort. The short term goal achievement was two out of six, thirty-three point thirty percent.

Long term goal achievement we had zero out of three, so possible zero percent.

Total goal achievement was two out of nine, or twenty-two point two percent.

Set aside goal achievement for 2004/05, the SBE percentage achieved was -- or SBE goal achieved was \$1,560,687.00 -- wait a minute. It was one thousand five hundred and sixty -- \$1,560.68. They achieved seventy-eight percent, and the SBE goal was \$390.18 and they achieved a hundred and eighteen percent.

The five year history was the plan was approved for all five years.

CHAIRPERSON LOBON: You said one thousand and then one million. I have one million.

MR. BINGHAM: Yeah, I have one million. Yeah.

CHAIRPERSON LOBON: One million five. And they
have one million two.

MR. BINGHAM: Yeah.

CHAIRPERSON LOBON: Are we a comma off here, or --

MR. BINGHAM: Yeah. I think it's a --

CHAIRPERSON LOBON: Are you off a comma or are we
off a comma?

MR. BINGHAM: I don't know.

MR. PECH: I think there's a comma off.

(Laughter.)

MR. BINGHAM: I'll say this for the record. The SBE
percentage achieved was seventy-eight percent.

CHAIRPERSON LOBON: Okay.

MR. BINGHAM: And the MBE percentage achieved was
a hundred and eighteen percent.

CHAIRPERSON LOBON: I can see that. Okay. No matter where the comma is at this point. Okay. That'll work.

Okay. Staff has made a recommendation for approval of the Board of Education and Services for the Blind. Does anyone have any questions of Mr. Bingham or the agency itself?

(No response.)

Okay. Seeing no questions . . .

Staff has made the recommendation for approval. Can I get someone to move the motion, please?

COMMISSIONER MAMBRUNO: I make a motion to accept staff's recommendation to approve the Board of Education and Services for the Blind approval for the affirmative action plan.

CHAIRPERSON LOBON: The motion's been made by Commissioner Mambruno.

Can I get a second please.

COMMISSIONER MARSHALL: So move a second.

CHAIRPERSON LOBON: Seconded by Commissioner

Marshall. Any discussion?

(No response.)

All those in favor?

(Whereupon all the Commissioners responded aye.)

Nays?

(No response.)

Abstentions?

(No response.)

The aye's have it.

MR. BINGHAM: The next Agency is the University of Connecticut Health Center, and they are here. They are represented by -- they already brought their good contingent from the University, Doctor Peter Deckers, Susan Wetstone, Joan Mazzone, Caroline Lawlor, Francine Dew, Terry Moroka, Joy Smith, and Karen Wallace. Did I miss anybody?

(Laughter.)

CHAIRPERSON LOBON: Well, welcome. Thank you for coming as well.

Okay.

MR. BINGHAM: The plan is being for approval based on Section 46-A, 68-59 A, B and B-3 and B-4 standards, good faith effort. The short term goal achievement was fifty-seven out of a hundred and twenty-one or forty-seven point one percent.

The long term goal achievement was twenty-four out of seventy-seven, thirty-one point two percent.

Total goal achievement was eighty-one out of a hundred and ninety-eight, or forty point nine percent.

And the total promotional goal achievement was thirty-nine out of sixty-seven, or fifty-eight point two percent.

The set aside goal achievement for 2004/05, the SBE goal was \$14,469,519.00 and they achieved twenty-eight percent.

The MBE goal was \$3,617,380.00, and they achieved fifty-two percent.

The five year history, the plan was 2000, 2001, 2002, 2003, it was approved. In 2004 it was approved. In 2005 it was disapproved, correct. That completes --

CHAIRPERSON LOBON: Any questions from the Commissioners?

Commissioner Mambruno.

COMMISSIONER MAMBRUNO: I would like to say to Dr. Deckers that he's come a long way since last time we grilled you, and it looks -- you know, other than your set aside numbers could be a bit higher, but we always, you know, wish for that, but the plan, you know, looks good. And I know we had you up here for a good amount of time asking you questions, and it seems that you've listened to us and have come a long way and I want to applaud you for that and thank you for your increased affirmative showing of your plan. Thanks

DR. DECKERS: Thank you. And we appreciate your help as well. Thank you very much.

CHAIRPERSON LOBON: Thank you very much.

MR. BINGHAM: Commissioner, I'd like to add one more thing for the record. UConn has invited a contract compliance stuff out. We were out there. They had all the people involved in dealing with contract compliance, procurement, I think there were about ten people at the table. So, they met us with technical assistance. We will be going back out there. They are committed and I foresee a greater percentage in the next year.

CHAIRPERSON LOBON: Well, you know, after reading through your document in relationship to the cooperation from the center itself I think this is -- we're on the right track. I think that once we get it established and everybody knows what they're looking for and what you need to do, I think we should be okay from this point forward. I hope we can do that.

I will back Commissioner Mambruno's comments in relationship to your SBE and MBE goals. We'd like to at least see if you can make those a little higher than they are at this particular point in time, but we do applaud you for cooperation here. Any other Commissioners have any comments or anything?

(No response.)

Staff has made a recommendation for approval of the University of Connecticut Health Center. Can I get a motion please?

COMMISSIONER GRIFFIN: So moved.

CHAIRPERSON LOBON: It was moved by Commissioner Griffin.

COMMISSIONER MARSHALL: Second.

CHAIRPERSON LOBON: Seconded by Commissioner Marshall.

All those in favor?

(Whereupon all the Commissioners responded aye.)

Nays?

(No response.)

Abstentions?

(No response.)

Aye's have it.

MR. BINGHAM: Okay. The next Agency is the Department of Banking. We have here today Crystal Ross, the Principal Personnel Officer, Jim Heckman, Director of Grant Reflections, and Natalie Shipman, the Program Manager.

The Commissioner of Banking did send a letter. He also called. He's away on travel and he relayed the message that he is committed to -- he's committed to affirmative action and he looks forward to working with the Commission staff and rectifying any deficiencies in this plan. So I just want to state that.

The Department of Banking. This plan is recommended for disapproval based on noncompliance with Subsections A, B-1, B-2

and B-3 standard. The short term goal achievement was filed by the eight -- or eighty-two point five percentage.

Long term goal achievement was four out of seven, or fifty-seven point one.

The total goal achievement was nine out of fifteen, or sixty percent.

The set aside goal achievement for 2003/2004, that's -- the goal was \$116,928.00. They achieved \$57,705.00, or forty-nine point four percent.

The MBE goal was \$29,232.00, and the goal achievement was \$18,381.00, or sixty-two point seven percent.

Now, in the set aside goal achievement for 2004/2005, three quarters reporting, they really excelled in this. Their MBE goal was \$148,769.00 and the SBE achievement was \$232,169.67, or a total goal achievement of a hundred and fifty-six point one percent.

The MBE goal achievement was \$37,192.00. And again

here it is -- there has to be a correction, but let me say their percentage achievement was four hundred and thirteen percent. I will correct that for the record.

So they did -- they achieved a four hundred and thirteen percent goal achievement.

The plan was -- the plan history, the goal achievement was for all five years the plan was approved.

CHAIRPERSON LOBON: Okay. Staff has made a recommendation for disapproval of the Department of Banking. Do the Commissioners have any questions or comments?

COMMISSIONER MAMBRUNO: Yes, Mr. Chair.

CHAIRPERSON LOBON: Commissioner Mambruno.

COMMISSIONER MAMBRUNO: I'd like to hear from any individual from Banking who would like to tell us, or try to sway us why the plan shouldn't be disapproved.

MS. ROSS: My name is Crystal Ross and I'm the

Principal Personnel Officer at the Department of Banking.

The reason I'm told that the plan was disapproved is that there were deficiencies in the write-up of plan, as you heard. I believe that we worked very hard to meet our goals. We did have -- we did meet a lot of our goals. We exceeded our SBE and our MBE goals. We met a hundred percent of our professional short term hiring goals and a good percent of our other hiring and promotion goals -- well, hiring goals as well.

There were deficiencies in the write-up of the plan. We had a new affirmative action officer this year. We contracted DIS for our affirmative action services and the affirmative action officer who has been preparing our plan recently left to join another State Agency and a new affirmative action officer was assigned to our Agency. She is still learning the ins and outs of plan writing and she's still becoming familiar with the Banking Department and our data.

We do apologize for the deficiencies in the plan. We look

forward to working with CHRO staff to fill in the missing information,
more fully explain explanations that might not have been complete,
and we do hope that you'll consider approving the plan conditionally to
our filling in those gaps that unfortunately weren't in the write-up.

There were some missing charts and there was an explanation that
could have been better.

Certainly if it's not possible for you to change the
recommendation, we'll respect your decision and we will continue to
work with your staff to make improvements for next year.

COMMISSIONER MAMBRUNO: I see that Paula Ross
was the analyst that you --

Excuse me, to you, Mr. Chair?

CHAIRPERSON LOBON: That's fine.

MR. MAMBRUNO: Did you contact Ms. Ross to tell her
that you were having these problems with the new employee?

MS. ROSS: Well, I didn't really know the depth of the

problems until Monday when we learned that we were being recommended for disapproval. And I did contact Paula Monday, I think it was Monday, late in the day, and she explained to me what was wrong with the plan and what was missing. And I already had some of the information -- obviously not for today, but some of the information existed and just somehow didn't make it into the plan.

COMMISSIONER MAMBRUNO: Does your new employee know that communication lines are always open to this Agency and that we welcome calls when we have a problem like this?

MS. ROSS: We will --

COMMISSIONER MAMBRUNO: Because your goals are great. Your set asides are wonderful.

MS. ROSS: Thank you.

COMMISSIONER MAMBRUNO: It's unfortunate that the plan is being disapproved for it looks like, you know, obvious -- you know, new employee reasons, to be nice about it but --

MS. ROSS: We will certainly reiterate to Laura that as she is working on the plan in the future that she should ask questions as they arise of Paula, or whoever it might be that would be reviewing our plan.

COMMISSIONER MAMBRUNO: Well, I wish there was some reason that I can use to try to make this plan conditional, but we have to have certain precedents for making the plan conditional, and hopefully next time communications from this office will --

MS. ROSS: Thank you very much.

COMMISSIONER MAMBRUNO: Thank you.

MS. ROSS: Do you have any other questions about the plan or the deficiencies?

(No response.)

CHAIRPERSON LOBON: No.

Do you stand by your recommendation?

MR. BINGHAM: I stand by it.

CHAIRPERSON LOBON: Staff stands by
recommendation for disapproval of the Banking Department's
affirmative action plan. Can I get a motion?

COMMISSIONER MARSHALL: I'll make a motion.

CHAIRPERSON LOBON: A motion's been made by
Commissioner Marshall.

COMMISSIONER CONAWAY: Second.

CHAIRPERSON LOBON: Second by Commissioner
Conaway.

Any discussion?

(No response.)

Hearing none, all those in favor state aye.

(Whereupon all the Commissioners responded aye.)

Nay's.

(No response.)

Abstentions.

(No response.)

Aye's have it.

MR. BINGHAM: Okay. The next is Middlesex Community College. And they are represented here by the President, Wilfredo Nieves, the Affirmative Action Officer Josephine Agnello-Veley and Ken Armstrong.

This plan is being recommended for disapproval based on noncompliance with 46-A, 68-59 B-1 and B-3 standard. Short term goal achievement was three out of five, or sixty percent.

Total goal achievement, three out of five, or sixty percent.

The set aside goal achievement for 2004/05, they -- their SBE goal was \$965,639.00. The SBE achievement was sixty-one percent. The MBE goal was \$116,410.00 and the MBE percentage achieved was twenty percent.

Last year the -- I mean the five year history, in 2001, the plan was disapproved. 2002, 2003, 2004, the plan was approved and

2005 the plan was disapproved -- the plan was disapproved on July 14th, and they were on a six month filing, and then we're here today.

CHAIRPERSON LOBON: Alright. Commissioners, would anyone like to make a comment? COMMISSIONER

MAMBRUNO: I would --

CHAIRPERSON LOBON: Commissioner Mambruno.

COMMISSIONER MAMBRUNO: Through you, Mr. Chair.

I would say comparatively speaking, if I saw this plan first before Banking I would have had a reason to say the Banking should be conditional. This is a horrible plan and should be disapproved.

CHAIRPERSON LOBON: Any other comments from?

COMMISSIONER MARSHALL: I would like to hear an explanation from the agency please.

CHAIRPERSON LOBON: Commissioner Marshall would like to get any explanation from Middlesex Community College.

MR. NIEVES: I'm Wilfredo Nieves, Doctor Wilfredo

Nieves, President of Middlesex Community College.

I want to let me thank you for the opportunity to share some words with you. I won't say that I'm in agreement with that last comment, but I think that the college has embraced the spirit and intent of the Commission in terms of insuring rights and opportunities for employees.

When we talk about the individuals who we hired this past year, three of five individuals, and I think it's a question of the two individuals who were hired. Those two individuals were internal candidates. One was an African American woman who was promoted from Associate Director to Assistant Director. The other was the Director of Distance Learning who was -- the person was an internal candidate who was an Asian American woman with a Doctorate who had been doing the job for not only Middlesex, but two others of our sister colleges. And so in terms of looking at one individual who were doing the job -- and I think the issue may be one of communication,

not of following the despair or intent of trying to fulfill what the

Commission is embracing or what we will so embrace.

The other issues relate to something with information and technical assistance. I think that also is an area where we suddenly -- we worked closer with the Commission and the staff members to ensure that those areas are remediated. I don't think that they haven't been fulfilled. I think the transmission of information and the discussions back and forth to clarify that things need to be better, and they will be better.

CHAIRPERSON LOBON: Any questions from any of the Commissioners?

(No response.)

No questions. Thank you very much.

Mr. Bingham?

MR. BINGHAM: I stand by the recommendation.

CHAIRPERSON LOBON: Staff stands by the

recommendation for disapproval of the Middlesex Community College
affirmative action plan.

Can I get a motion.

COMMISSIONER MARSHALL: I make a motion, sir.

CHAIRPERSON LOBON: The motion has been made by
Commissioner Marshall.

COMMISSIONER GRIFFIN: Second.

CHAIRPERSON LOBON: Seconded by Commissioner
Griffin. Any discussion?

(No response.)

Hearing none, all those in favor?

(Whereupon all the Commissioners responded aye.)

COMMISSIONER MAMBRUNO: Nays?

(No response.)

Abstentions?

(No response.)

Aye's have it.

Thank you, Mr. Bingham.

Fiscal report.

MR. INGRAM: Ms. Colon.

MS. COLON: Good afternoon, Commissioners.

CHAIRPERSON LOBON: Let me just say one thing.

Those of you that don't have to stay through this session
here -- if their plan has been reviewed and --

COMMISSIONER MAMBRUNO: But we don't want to
discourage you from staying.

(Laughter.)

CHAIRPERSON LOBON: I give you at least the
opportunity before we move further --

(Laughter.)

(Whereupon many of the plan participants left the room.)

MS. COLON: I was just told, I sure know how to clear a

room.

(Laughter.)

For the record my name is Nandi Colon and I'm Fiscal
Administrative Supervisor at CHRO.

CHAIRPERSON LOBON: Is there any good news for us,
Nandi. You had a good one last time. Keep up the good work.

MS. COLON: Well, the good news is it is status quo, so
can I leave.

(Laughter.)

You'll see two reports from me, as you always do. The
personnel status report and the fiscal report. And actually I do have
good news in that everything is still the same. We still have two
vacancies as far as our agency is concerned. One is a Referee,
which you know is appointed by the governor. And the other position
is an HRO Rep that we have in the Fair Housing Unit. That position
still has not been filled, so . . . it's pretty much the same as last month.

The next report, which is the 8 1/2 by 14 page. Fiscal Report. I'll start with personnel services, and as you can see there under projected surplus or deficit we have a surplus, as I've been reporting. And again for the record, this is attributed to additional funding that was granted by OPM. And we're still talking to them about moving some money down to the other expense area down below to cover the leasing situation in our Bridgeport office. And I'm sure Don will touch on that when he comes up to give his report.

But pretty much we're in pretty good shape, and we continue to keep tabs on our expenditures to make sure that we're in compliance with OPM, but we still are fulfilling the needs of the agency.

So, if you have any questions, feel free.

CHAIRPERSON LOBON: Commissioners, any questions?

(No response.)

Thank you very much.

MS. COLON: You're very welcome.

CHAIRPERSON LOBON: Bureau of Operations.

MR. INGRAM: Mr. Newton.

MR. NEWTON: Good afternoon.

CHAIRPERSON LOBON: Good afternoon.

MR. NEWTON: You have two reports that are in your package there. The report that Joe McQuigan, our Data Processing person prepares every month for you which shows the cumulative and monthly complaint filings and closures and complete breakdowns through November 30th, 2005.

You also have a report that includes our backlog statistics, and then a further breakdown up until December 23rd, which was the date that Joe ran a report for me, showing filings and closures by each individual office in our Fair Housing Unit.

And there's an explanation at the end of my narrative

report that explains what the different types of closures are, if you

have any questions,

so . . .

Are there any questions on those two reports?

CHAIRPERSON LOBON: Commissioners, any
questions?

(No response.)

No.

MR. NEWTON: Okay. And Nandi referred to our
situation in our Bridgeport office.

CHAIRPERSON LOBON: Yeah. What is that?

MR. NEWTON: We have basically come down to two
options. The owners of 1057 Broad Street, where our Bridgeport
office is located would like us to remain, so they're making a proposal
to Public Works to renegotiate a new five year lease at a below
market, or below what they perceive they could get for a rental for the

property.

As a fall back, if that's not -- doesn't work out, there's another property that our Bridgeport manager, Tanya Hughs, has visited with our representative from Public Works. It's approximately a block away from our current office, and that would be a very suitable location. And it's a very nice facility that is also an option we could -- we could have if we end up having to move.

But right now Public Works preference would be that we remain in our current location.

CHAIRPERSON LOBON: What's the difference in size? Square footage?

MR. NEWTON: Basically we could have about ten percent. Public Works allows you to get up to ten percent more space than you currently have, so that would all be up to negotiation with the new landlord what we could get, but . . .

The advantage of moving to a new facility would be that it

would be built out to our specifications, and it would be laid out more efficiently than the current location. The current location is certainly useable, but it -- you know, a new one could be made even better.

CHAIRPERSON LOBON: Commissioner Griffin.

COMMISSIONER GRIFFIN: What's the cost differential that you're talking about?

MR. NEWTON: Well, right now our rent in Bridgeport is \$13.75 per net square foot for, I believe, there's 3,160 square feet.

The new location would have to be up to whatever negotiated rate public works could obtain for us.

The \$13.75 is a five year old figure, rental figure, so . . . a new office in either a new location or remain in the current location would cost quite a bit more.

COMMISSIONER GRIFFIN: Did I understand you to say that in the current location that they negotiated down?

MR. NEWTON: Well, the lease expired in 2003. The new

lease had a proposal, I believe it was \$16.00 or \$16.50 per square foot. That was never executed. According to the owners of the property the market rate for that building is about \$18.00 per square foot. However, they are willing to offer us a lower rate than that.

A new location would cost at least \$18.00 per square foot, or possibly more.

COMMISSIONER GRIFFIN: Thank you.

CHAIRPERSON LOBON: Are you set?

COMMISSIONER GRIFFIN: Yes.

CHAIRPERSON LOBON: They were willing to put us on the street at one time? Am I --

MR. NEWTON: Right.

CHAIRPERSON LOBON: Am I'm correct on that? I hope I'm not overspeaking this here, but I thought we were near --

MR. NEWTON: That could have been the outcome.

CHAIRPERSON LOBON: Okay. And for someone to

say that I could get \$18.00 a square, and then want to back it down to less than what we're obligated to at this point, I find that kind of -- can they get \$18.00 a square foot. That's I think the issue.

MR. NEWTON: Well, that's a good question. It's always desirable for a landlord to have a state tenant, because, one, you get a five year lease. And once you get programmed into the Treasurer's system, they're guaranteed their rent. So . . . there's an advantage to having a state tenant.

CHAIRPERSON LOBON: Right. I agree with that.

Mr. Ingram, what is your thought in relationship to the locations themselves? Have you looked at whether or not a move would be feasible at this point. Some new digs, or stay where we are and live through maybe five years of whether we should have moved or not. I don't know.

MR. INGRAM: My preference would be to accept the recommendation of the regional manager who has to work in that

facility on a day to day basis.

Were it up to me, I would always prefer the newer rather than the older. The more customized, the better our working relationship with our employees. So, I would tend to want to move.

If there were restrictions on the budget and it would negatively impact us, I would favor staying in order to address the fiscal side.

CHAIRPERSON LOBON: So, we got two issues here. A fiscal issue in a sense of whether or not it would cost us more to relocate, and is that feasible to do. And the regional manager's input. I assume you're taking that as a -- at the high end. That, you know, they have to do this work in that area.

MR. INGRAM: It would cost us more to relocate than to stay.

CHAIRPERSON LOBON: Alright. Okay.

MR. INGRAM: But at the same time, you're looking at

another five years.

CHAIRPERSON LOBON: Right.

MR. INGRAM: And how comfortable will our staff be and how well can they get their work done where they are currently.

Certainly they can do the work, because they've done it.

CHAIRPERSON LOBON: Uh-huh.

MR. INGRAM: But you have to sometimes maximize your opportunities.

CHAIRPERSON LOBON: Well, what I --

MR. INGRAM: Because five years from now the place is going to be in worse shape than what it is now.

CHAIRPERSON LOBON: And Commissioner Marshall.

COMMISSIONER MARSHALL: Yes. How does our staff feel that's in that location now? What is their feelings of this?

MR. NEWTON: Well, the Bridgeport Regional Manager is here, but . . . you know, she wants me to relay a message she has

previously given me, that the staff would -- they were very thrilled to see the alternate location if they could have it.

CHAIRPERSON LOBON: Is that correct, or --

MS. HUGHS: That's correct.

CHAIRPERSON LOBON: Okay. Fine. I mean, we've -- you got an opportunity to do something, so -- so, okay.

I think the best path, the direction to go with, is the Executive Director and the Regional Manager to come up with --

MR. NEWTON: Well, we will be meeting with our leasing agent from Public Works and the Attorney General's Office who is representing the state in the eviction process.

CHAIRPERSON LOBON: Okay. Okay.

I guess I would think that -- there's a process that we have to go through anyway?

MR. NEWTON: Yes.

CHAIRPERSON LOBON: And I guess we got to look at

the cost relative to the existing and/or the move, what that would do to the bottom line of the agency itself is most important to us, because we want to make sure -- I don't want to be where we use money on bricks and mortar, which does not do what we're sent here to do.

MR. NEWTON: Right.

CHAIRPERSON LOBON: But I also think that our employees need to have the best working conditions as well. So, I mean, there's two sides to this issue.

But I think what we need to do is get the full story of what's going to be the best option. Because we got to look at five years whatever we do. So, what's going to be the best option for the next five years. Okay. Yeah.

MR. NEWTON: We did have a meeting tentatively lined up for tomorrow morning, but Public Works has not gotten a written proposal from the owners of the property.

CHAIRPERSON LOBON: Okay.

MR. NEWTON: It may take place next Tuesday, but . . .
you know, we'll have all our options laid out and all the pros and cons
relating to moving or staying.

CHAIRPERSON LOBON: Okay.

MR. NEWTON: And we will certainly give our input.

CHAIRPERSON LOBON: Okay. It's in your hands. You
know, the decision is your's. I guess, you know, you will be fruitful in
any decision that you make in that decision. So, the ball is in you
guys court at this particular point in time.

MR. NEWTON: Alright.

CHAIRPERSON LOBON: Okay. Any other questions.

(No response.)

No questions. Thank you.

MR. NEWTON: Thank you.

CHAIRPERSON LOBON: Legislative report.

MR. INGRAM: Ms. Ferguson.

MS. FERGUSON: Good afternoon.

CHAIRPERSON LOBON: Good afternoon.

MS. FERGUSON: I have a two part report. On the first part I will address legislation.

As you know, we submitted two legislative proposals to the Governor's Office, and I met with staff of the Governor's Office and the Office of Policy and Management before Christmas to discuss any concerns they might have. I don't anticipate that they have problems. I have not gotten any further word from them, so I anticipate that by the end of January we will have sought -- we will have gotten approval to go forward with those two proposals.

And again, for the benefit of our new commissioner, the two proposals -- of the two proposals the first would streamline the process for hearing -- for public hearings for noncompliant contractors, and the second proposal would allow us to default a respondent or dismiss a complaint if either party failed to attend a mandatory fact

finding conference.

The second part of my report addresses proposed amendments to the filing schedule for the affirmative action plans. If you look in your handout packet you will have the proposed amendments. And if you'll bear with me, I'll just go through the proposed amendments with you.

CHAIRPERSON LOBON: You gave me some files here. I got your file.

Sorry about that.

MS. FERGUSON: That's okay.

The affirmative action plan filing schedule has not been amended since 1999. Since that time a number of agencies have been abolished and several have been established.

And then we also identified a number of agencies, for whatever reason, were never on the filing schedule at all. So, we're proposing that we add them.

But the first change to the filing schedule appears on the first page in what is now Subsection C. In 2001 the legislature passed a public act that requires state agencies with 20 or fewer employees to file affirmative action plans on a bi-annual basis. So, we are adding that language to the filing schedule.

The second page, under February 15th, we are deleting the Board of Parole, since they are now merged with the Department of Corrections, and we are proposing the addition of the Department of Emergency Management and Homeland Security.

Under March 15th we're just making a technical change and extending the name for the Board of State Academic Awards to include the Connecticut Distance Learning Consortium.

On the third page, under April 30th, we're eliminating the Historical Commission because indeed they have been merged with the Commission on Culture and Tourism, which we are proposing be added.

The Office of the Child Advocate is one of the agencies that have never filed with us, and we're proposing their addition.

Under May 15th we're just making a technical change.

We're spelling out the word Connecticut for Northwestern Connecticut Community Technical College.

Under August 15th we're proposing the addition of the Elections Enforcement Commission. We are adding a new filing date of August 30th for two agencies that for whatever reason have never filed with us. The Connecticut Siting Counsel and the Freedom of Information Commission.

Under October 30th, for whatever reason, one entity of the Department of Mental Health and Addiction Services has never been on our filing schedule, and we are proposing the addition of the Southeastern Mental Health Authority.

And under November 30th we are proposing the addition of the Commission on Fire Prevention and Control.

So, the whole purpose of amending the filing schedule is to delete no longer -- agencies that no longer have to file with us, to add new ones that do, and to get a handle on the ones that for whatever reason were never on the schedule.

It is our proposal that you approve these preliminary amendments today. We will then go ahead and publish a notice of intent to amend the regulations in the Connecticut Law Journal, and then agencies will be afforded an opportunity to come in and provide comment at a public hearing. And as a result of the public hearing we will make whatever necessary changes. Bring the regulations back to you for final approval, and then submit them formally to the AG's Office and then to the Regulations Review Committee.

So, we do need your approval to go forward.

CHAIRPERSON LOBON: I may not see it. Is Ethics on here?

Did I miss it?

COMMISSIONER RHODES: It's right here. It's all of

them with the dates.

CHAIRPERSON LOBON: I'm just saying, the Ethics Commission as of the date, are they part of the --

MS. FERGUSON: You're right. We do have to add those.

CHAIRPERSON LOBON: Right.

MS. FERGUSON: That was a discussion we had because at the time we were discussing, they did not have staff yet. So, you're right. We will have to add those.

CHAIRPERSON LOBON: Right. Okay.

So, you made a motion for us to --

COMMISSIONER GRIFFIN: I'll make a motion.

CHAIRPERSON LOBON: Alright. We need a motion. Commissioner Griffin.

COMMISSIONER GRIFFIN: Alright. So move. A motion to accept the legislative proposals.

MS. FERGUSON: It's not a legislative --

CHAIRPERSON LOBON: With the addition of --

MR. GRIFFIN: Well, with the addition of those agencies
that are missing.

CHAIRPERSON LOBON: Yes.

COMMISSIONER RHODES: I second that motion.

CHAIRPERSON LOBON: A motion has been made by
Commissioner Griffin, second by Commissioner Rhodes. Any other
discussion?

(No response.)

All those in favor say aye.

(Whereupon all the Commissioners responded aye.)

Nays?

(No response.)

Abstentions?

(No response.)

Aye's have it.

MS. FERGUSON: Thank you.

CHAIRPERSON LOBON: Thank you.

Okay. The Managing Director and Report.

MR. INGRAM: Mr. Roberts.

MR. ROBERTS: Good afternoon, Commissioners.

CHAIRPERSON LOBON: Good afternoon.

MR. ROBERTS: I'm happy to report that things are status quo. I'll give you just some highlights.

(Laughter.)

Everything is good. We've had an increase in a number of reopener requests. Last month alone we received three. There are currently seven that are pending. I'm hoping that within the future Commission meetings we will be able to present at least one or two to you until we bring that number to zero.

The case numbers remain relatively the same. Worth

note, as I've mentioned before in the past, approximately 40 percent of all cases that we have are either in superior court, appellate court or supreme court. We recently had one case that was taken up by the supreme court that we'll be addressing -- which actually is a case that was heard by the supreme court back in I think it was in 1999 which deals with Section 8. And that case is now going again before the supreme court.

Michael Agress, I've mentioned to you before, is a staff attorney. He will be leaving on the 19th of this month. His cases have been absorbed by the legal staff.

So, in short, as I've mentioned, everything is status quo.

CHAIRPERSON LOBON: Okay. That's good. A real good report.

Mr. Ingram.

MR. INGRAM: Mr. Chair --

CHAIRPERSON LOBON: Yes.

MR. INGRAM: In concluding my section, I would like to welcome our new commissioner, Larry Conaway, and present him to the community.

Thank you very much.

CHAIRPERSON LOBON: Thank you. Welcome aboard. We might not do that later on, but welcome aboard.

Okay. New business. New business we want to --

MR. PECH: We've got this contract compliance.

CHAIRPERSON LOBON: Oh, that's right. Yeah. We brought that one. Right. Okay. Yeah. Sorry about that.

MR. PECH: For the record, I'm Ray Pech. I'm the Assistant Director of the Commission. I think on Monday -- I hope on Monday Lisa e-mailed to you a recommendation. I apologize that it didn't go out sooner. I was informed of it Friday. Apparently Central had requested this back in October. I didn't receive it. The Executive Director has no recollection of having received it. The problem may

have been that it was addressed to members of the Commission generally with nobody's particular name on it, and I have asked Central in the future to put either Mr. Ingram's name on it, my name on it, some live body that it gets to, because I think this didn't get to anybody because it didn't have anybody's name on it. Unless some of you got it and didn't tell us. But I didn't hear from any of you.

Anyway, it's similar to a request that you had back in April when we met at the Capitol. Central proposes to enter into what is essentially a cultural exchange with a province of the People's Republic of China called the Shang Dong Province. And under this proposal up to 20 -- between 16 and 20 municipal workers in the province of Shang Dong are going to come to Central for a semester to take courses in Public Administration and to experience a bit of our culture, both history, arts, entertainment, and government. How municipalities in our state, which is the equivalent to a province in the People's Republic, how we function. How government works here.

The participants are going to pay \$10,300.00 each, as well as their own -- well, I don't know if they're paying it or the People's Republic is paying, but we're not paying airfare, which is fairly substantial from Central China to New York City. Our obligations are to house them, to give them the courses -- our obligations, I mean Central's obligations -- and not to feed them, except for two meals -- two banquets at the beginning and the end. They're responsible for their own food other than that.

So, essentially they're paying for room and tuition.

\$10,300.00. Which is substantially more than an out-of-state grad student would pay normally at Central. So, no money is going out.

Inkind. Yes. Inkind Connecticut is going to pay some money, but I doubt that it comes to under \$10,000.00 -- to over \$10,000.00, and that's a reasonable exempt right there. Otherwise, I think you have -- and I said this in my report, and I didn't mean it facetiously, although as I read it now it kind of looks that way. It really

is kind of a sole source provider. You can't do a cultural exchange between Central and the Town of Manchester. They're not going to experience anything different than they already know. But folks from the Republic of China, clearly this is going to be a cultural exchange, and there's going to be mutual learning on both sides.

So, I recommend that you approve this, as you did the one in April, that I believe involved the Northern Cyprus, if I'm not mistaken.

COMMISSIONER RHODES: So move, Mr. Chairman.

CHAIRPERSON LOBON: The recommendation has been made to approve by Commissioner Rhodes.

COMMISSIONER MARSHALL: Second.

CHAIRPERSON LOBON: Seconded by Commissioner Marshall.

Any discussion?

(No response.)

Hearing none, all those in favor . . .

(Whereupon all the Commissioners responded aye.)

Nays?

(No response.)

Abstentions?

(No response.)

Aye's have it.

Thank you, Ray.

MR. PECH: Thank you.

CHAIRPERSON LOBON: New business. Are we done
on what we added to here to the agenda; right?

MR. INGRAM: Yes, you are.

CHAIRPERSON LOBON: Okay. New business.

COMMISSIONER GRIFFIN: The contract compliance
pieces? Were those the contract compliance pieces that we added to
the agenda?

MR. PECH: We just did that.

MR. BROTHERS: You've addressed all the amended
items.

COMMISSIONER GRIFFIN: I didn't hear it. I did not hear
all of it.

CHAIRPERSON LOBON: That was it?

MR. BROTHERS: That was it.

CHAIRPERSON LOBON: Alright.

MR. BROTHERS: Are you okay?

COMMISSIONER GRIFFIN: Yeah.

CHAIRPERSON LOBON: That's why I tried to clear it to
make sure we had everything that we added on.

So, we all set -- Commissioner Griffin, we're all set.

(Laughter.)

New business. Under new business discussion is this,
we're looking at conditional approvals. And that has been brought up

and suggested by Commissioner Mambruno, so I think it's appropriate if Commissioner Mambruno wants to lead off the discussion that he do so. And then we can all participate within this discussion as a relationship to how we utilize conditional approvals in the process.

Commissioner Mambruno.

COMMISSIONER MAMBRUNO: Thank you, Mr. Chair.

I feel that conditional approvals are a very important part of this agency, and a much needed approval. When we have plans that on the -- on the basis look to be really bad -- and I'm probably using a bad example, but let's bring up Banking. They had pretty good set aside numbers. They had really good goal numbers, and yet if we were to take what the woman said at face value, and I don't know why she would lie to us, but it was a new employee. She probably didn't know the ropes, didn't know she could pick up the phone and call Paula or Nieva and get an answer to her question, and probably resolve her plan within a short period of time. I believe that if

she had that opportunity they probably could have gotten the paperwork done and had a conditional approval.

The other plan, Higher Ed, I don't know, but they didn't have as much substance as the Department of Banking plan did. I

believe that there have been times that we arbitrarily made decisions for conditional approvals that maybe should not have been made.

However, to take this away from the Commissioners I think would be a great oversight, and I think that -- you know, as I said before, we really

do need the opportunity to make or have a conditional approval. And

if we were -- not only plans that are approved, but plans that are

disapproved, there have been times that we've taken -- and probably

more so -- if I look at Nieva and Paula and just get a shaking of the

head, there have probably been more times that we've made

conditional approvals on disapproved plans than we had on approved

plans. And this is probably where we need the greater area of some

sight -- you know, some oversight, and some rules or regulations or

something to give the commissioners that we should use, that we can give these plans some wiggle room, for lack of a better phrase or terminology, to give them a conditional plan when they were disapproved for a technical reason or other reason that is maybe too severe.

So, I think what we need is to either meet in a subcommittee or have a special meeting or even a teleconference to go over the reasoning why a plan should be taken from a disapproval to a conditional, or a conditional to a -- an approval to a conditional.

And if anyone would like to add anything, by all means, or play devil's advocate I would -- I would like to hear.

CHAIRPERSON LOBON: Commissioner Rhodes.

COMMISSIONER RHODES: I don't know. I thought we took care of this.

MR. GRIFFIN: I thought so too.

COMMISSIONER RHODES: For the better part, I think

that we were going to start back some of the committees to educate the commissioners. And if there's any problem, it's more so the problem with the commissioners truly understanding when a conditional approval really should take place.

So, if there's anything, I thought that we said we were going to do that in terms of have that -- that educational session with the commissioners so that we really do understand when and how to exercise that right of conditional approval, which I thought we did maybe a month or two ago, but we just had not set a date in terms of -

-

COMMISSIONER MAMBRUNO: We talked about it, but we never agreed to what we should -- what we would do or who would do the training, or who would do whatever you just said and give us the knowledge that we need to make a conditional approval.

COMMISSIONER RHODES: And maybe between the Chair and our Executive Director they could come up with --

COMMISSIONER MAMBRUNO: I also believe the Attorney General's Office should be included in that.

CHAIRPERSON LOBON: I think we have a Quiglan Manager on board now; right, and I think that's the avenue that we're being used -- going to utilize in relationship to any training, informational types of resource. So, I think what we want to do is to get moving on that. So, you and I will sit down with Quiglan and Commissioner Mambruno to make sure that we have the proper people in the room at the time that we make those particular moves and decisions.

MR. INGRAM: The curriculum manager is awaiting an opportunity to meet with the Chair and the Commission, so that he can go forth with planning whatever you need to have him do.

CHAIRPERSON LOBON: Okay.

Commissioner Mambruno, is that fine with you?

COMMISSIONER MAMBRUNO: That's fine with me.

CHAIRPERSON LOBON: That's fine. Okay.

Any other comments from the commissioners in relationship to conditional approval and where we go from here?

COMMISSIONER CONAWAY: Just being the new commissioner, Mr. Chairman, I just -- you know, I certainly want to be trained in those areas, so I'm looking forward to those opportunities and I'm looking forward to serve.

CHAIRPERSON LOBON: Okay. That was Commissioner Conaway that just spoke on that.

Yes. And I think that's good. This isn't -- I'm not too far in front of you either in a sense of just coming on board as a new commissioner, so . . . I got some catching up to do as well.

I think that what we want to try to do is give this Commission to be what we want. I think that's what we're working towards. And I think the more information we have on how we can function and operate is going to assure us of doing our job properly as

well. So, I look forward to sitting down and coming up with a time table and a strategy to move forward, as a relationship to how we utilize conditional approvals. And how we operate as a Commission as well. I think that's important that we keep renewing ourselves and educating ourselves on what our purpose and function is.

Is there any other comments or questions?

(No response.)

Can I get a motion to move into executive session.

COMMISSIONER RHODES: So moved.

COMMISSIONER MARSHALL: Second.

CHAIRPERSON LOBON: A motion has been made by

Commissioner Rhodes and been seconded by Commissioner
Marshall.

All those in favor?

(Whereupon all the Commissioners responded aye.)

Nays?

(No response.)

Abstentions.

(No response.)

Okay. Executive session.

(Whereupon a thirty-five minute recess took place.)

CHAIRPERSON LOBON: Let me make the official
announcement that no votes were taken in executive session.

Can I get a motion to come out of executive session?

COMMISSIONER RHODES: So moved.

CHAIRPERSON LOBON: Moved.

COMMISSIONER CONAWAY: Second.

CHAIRPERSON LOBON: I've got a move by
Commissioner Rhodes and a second by Commissioner Conaway.

All those in favor?

(Whereupon all the Commissioners responded aye.)

Nays?

(No response.)

Abstentions?

(No response.)

The aye's have it.

MR. INGRAM: Just a point of order, I think you need to make for the record the notation that no vote was taken in executive session.

CHAIRPERSON LOBON: After we come back in, yes.

Can we make it an official record since we're on that no votes were taken while we were in executive session.

MR. BROTHERS: And another point --

CHAIRPERSON LOBON: Yes.

MR. BROTHERS: -- since there was some earlier discussion with respect to perhaps meeting regarding conditional approvals, should the Commission elect to set up some type of subcommittee? You really need to bring that to a vote and set that up.

CHAIRPERSON LOBON: Oh, we do?

MR. BROTHERS: Yes.

CHAIRPERSON LOBON: Okay.

MR. BROTHERS: And I'm not really sure whether or not you actually decided to do that or what.

COMMISSIONER RHODES: Well, we talked about curriculum.

MR. INGRAM: Just discussion.

CHAIRPERSON LOBON: Yeah.

MR. INGRAM: For discussion purposes.

CHAIRPERSON LOBON: Yes.

MR. INGRAM: Because you had committees in the past. And I don't know if they were formally disbanded or if they were just kind of discontinued in terms of usage.

COMMISSIONER RHODES: We just discontinued them. We just stopped doing them. They weren't formally disbanded. You

know, we just stopped doing what we should have been doing.

And what I'm saying in terms of us getting back, I didn't know it would require a vote on it, because we -- the law states what condition -- we're not trying to change any policy or procedure that we do. More so getting back on the ball in terms of having those committees as well as educating the commissioners.

MR. INGRAM: You're saying that they were not formally disbanded --

COMMISSIONER RHODES: Not a recommendation more so saying that we should -- maybe you can say it's a recommendation. But it's more so saying we're going to get back to doing what we should be doing. I don't know if we've got to force a vote on that?

MR. PECH: Well, I mean, I think you're correct that they just kind of got abandoned by lack of usage over the last -- previous years.

MR. BROTHERS: Right.

MR. PECH: Just to be safe, if you want to reconstitute a committee, at least to consider this issue, you should probably go --

MR. BROTHERS: I have the regulation in front of me, and it reads as follows:

"The Commission may, by a majority vote of its members present and voting, establish a standing or ad hoc committee as it deems necessary or advisable, prescribe their duties and responsibilities and appoint their members, period. Nothing in this section shall be construed to allow the Commission to delegate responsibilities assigned by a statute to a committee, period."

So, it indicates that you must vote.

COMMISSIONER GRIFFIN: Could I make a motion --

MR. INGRAM: I'm sorry, Mr. Griffin, but I think what he's saying is that they voted long ago to do that, so the standing

committee --

MR. BROTHERS: That would be correct, if there, in fact,
is one.

COMMISSIONER RHODES: We did it.

MR. PECH: Who's on that committee? Half those people
weren't even on the commission.

COMMISSIONER RHODES: Yeah, but what I'm saying is
we voted for the Commission to do it. And if the current, or the current
order passed and we just stopped doing it, it doesn't mean that it's not
something that you shouldn't do.

MR. INGRAM: You didn't abolish the committee.

COMMISSIONER GRIFFIN: Would it be harmful -- can I
ask a question. Would it be harmful for us to just update that
recommendation and say, you know, that we recommend because we
have some questions concerning conditional approvals to have an ad
hoc committee reactivated to deal with those issues.

MR. INGRAM: Now, that's a little different. That's different.

COMMISSIONER RHODES: No. No. I'm not going for that, because you're saying that -- you're almost saying to the point that -- like to deal with an issue. It's not an issue. It's an educational thing. We need to get educated, because we don't know.

COMMISSIONER GRIFFIN: Well, that's what I was saying.

COMMISSIONER RHODES: No. No.

COMMISSIONER GRIFFIN: I thought I said that.

COMMISSIONER RHODES: No, no. You didn't say that. It's a big difference.

COMMISSIONER GRIFFIN: Well, alright. An ad hoc committee to educate the commissioners on the process --

MR. INGRAM: I'm sorry, sir, but you don't want to say ad hoc.

COMMISSIONER GRIFFIN: Well, I just used that, but I'm just saying a committee.

MR. INGRAM: You've got standing committees, and this is what --

COMMISSIONER GRIFFIN: Right.

MR. INGRAM: -- Mr. Brothers is saying, that if you're talking about ad hoc committees you do have to vote. If you're talking about standing committees and they've already been there, you don't have to vote.

COMMISSIONER GRIFFIN: Alright. Maybe I was in another room or something. I thought when he read what he read that in there somewhere you mentioned ad hoc.

MR. INGRAM: Right.

COMMISSIONER GRIFFIN: Okay.

MR. INGRAM: But see, an ad hoc committee is a temporary committee --

COMMISSIONER GRIFFIN: I understand.

MR. INGRAM: It's not a standing committee.

COMMISSIONER GRIFFIN: I understand. But what he read, that's what I heard. So, I was just trying to -- what I was trying to do, I think, is in essence saying, look, if there is a process or procedure in place that this commission just basically updates or says, look, we will comply with that educational process that is in place. Is that too difficult for us to do. That's all I'm saying.

COMMISSIONER RHODES: We can't -- I don't know why we just can't just have a session -- we either vote or just say we're going to have a session on conditional approval and have someone come in and explain the process to us.

CHAIRPERSON LOBON: Do we need a vote to do that?

COMMISSIONER RHODES: I don't think so.

MR. PECH: But you need the whole commission.

CHAIRPERSON LOBON: But we all need to be here.

MR. PECH: Then I think you should probably call it as a special meeting.

MR. BROTHERS: It would be a special meeting technically.

MR. PECH: For that purpose of learning about conditional approvals, what it means.

CHAIRPERSON LOBON: Right. Correct.

But do we -- we don't need to vote for that?

MR. BROTHERS: No, because it's not -- it wouldn't be a committee. It would be the body of the Commissioners sitting down, but --

CHAIRPERSON LOBON: Right.

MR. BROTHERS: -- as Ray has pointed out, it would be a special --

COMMISSIONER RHODES: A special meeting.

MR. BROTHERS: -- meeting.

MR. PECH: You still need to vote special meetings.

CHAIRPERSON LOBON: Okay.

COMMISSIONER RHODES: Can we do this, can we have Lisa check everyone's schedule, because there are two or three commissioners who are not here -- one, two, three, four --

CHAIRPERSON LOBON: That's only fair.

COMMISSIONER RHODES: Check their schedules, and based on that and find when there's a good date.

MR. BROTHERS: As long as proper notice is given, that's fine. It would be a special meeting.

CHAIRPERSON LOBON: Huh?

MR. BROTHERS: It would be a special meeting, and that would be fine as long as proper notice is given.

COMMISSIONER RHODES: But you can't do it until you find out the date.

COMMISSIONER GRIFFIN: No, I have no problem with

that.

CHAIRPERSON LOBON: Okay. We're all set. Okay.

Alright.

Okay. So, we've returned to the regular session. Can I
get a motion please on the vote --

MR. BROTHERS: No, we don't have to do that. I think
you're adjournment.

CHAIRPERSON LOBON: Oh, we're at adjournment now;
right?

MR. BROTHERS: Yes.

CHAIRPERSON LOBON: Okay. Alright. Can I get a
motion.

COMMISSIONER CONAWAY: So moved.

COMMISSIONER GRIFFIN: Second.

CHAIRPERSON LOBON: So moved by Commissioner
Conaway and seconded by, I'm going to give it to Mr. Griffin for

adjournment.

All those in favor . . .

(Whereupon all the Commissioners responded aye.)

Nays?

(No response.)

Abstentions?

(No response.)

Aye's have it. We're adjourned.

(Whereupon the proceedings concluded at 4:00 p.m.)

C E R T I F I C A T E

STATE OF CONNECTICUT)

COUNTY OF HARTFORD)

I, Nancy E. Paretti, a Notary Public in and for the State of
Connecticut, do hereby certify that the foregoing record is a correct
and verbatim computer-aided transcription of the proceeding

hereinbefore set forth.

I further certify that I am neither counsel for, nor related to, nor employed by any of the parties to the action in which this proceeding is taken and further certify that I am not related to, nor an employee of any attorney or representative employed by the parties thereto, nor am I financially interested in this action.

In witness whereof I have hereunto set my hand and affixed my notarial seal this date, January 24, 2005.

Nancy E. Paretti

Notary Public

My commission expires February 28, 2007.