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**STATE OF CONNECTICUT  
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES**

**REGULAR COMMISSION MEETING  
21 GRAND STREET  
HARTFORD, CT 06106**

**THURSDAY, FEBRUARY 9, 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**

**COMMISSIONERS ABSENT**

- Debra Borrero**

**STAFF PRESENT**

- R. Hamisi Ingram**
- Robert Brothers**

2

1 . . . . Verbatim transcript of the

2 Regular Commission meeting of the Commissioners on  
3 Human Rights and Opportunities, Thursday, February 9,  
4 2006, at 2:00 p.m. at The Offices of the Commission  
5 on Human Rights and Opportunities, 21 Grand Street,  
6 Hartford, CT, at which time the Commissioners, CHRO  
7 staff and public were represented as hereinbefore set  
8 forth . . . .

9

10 CHAIRMAN LOBON: This is the State of  
11 Connecticut Commission on Human Rights and  
12 Opportunities Regular Commission meeting, 21 Grand  
13 Street, Hartford, Connecticut, the large hearing room,  
14 Thursday, February 9, 2006. The meeting will convene.  
15 Commissioner Rhodes.

16 COMMISSIONER RHODES: You have the  
17 minutes before you, Commissioners, and I hope you've  
18 read them. We need a motion to approve.

19 COMMISSIONER MAMBRUNO: I make a motion  
20 to approve the minutes.

21 CHAIRMAN LOBON: Motion has been made  
22 by Commissioner Mambruno. Can I get a second.

23 COMMISSIONER MARSHALL: Second.

24 CHAIRMAN LOBON: Second by Commissioner

3

1 Marshall. Any comments or questions? Changes?

2 COMMISSIONER CONAWAY: Yes. I have

3 one.

4 CHAIRMAN LOBON: Commissioner Conaway.

5 COMMISSIONER CONAWAY: Yeah. Just,

6 would you just put L. Conaway. You have J. Conaway as

7 who was present.

8 CHAIRMAN LOBON: Okay. It should be

9 duly noted to L. Conaway.

10 MR. INGRAM: It's been corrected.

11 CHAIRMAN LOBON: It's been corrected.

12 Thank you.

13 Then there's no questions or comments.

14 All those in favor state by saying aye.

15 (Whereupon the Commissioners responded

16 aye.)

17 Opposed? Abstentions?

18 COMMISSIONER PESTANA: Abstention.

19 CHAIRMAN LOBON: We have one

20 abstention. Commissioner Pestana.

21 COMMISSIONER NORTON: You really don't

22 like that name change.

23 COMMISSIONER CONAWAY: I have the

24 original, and you say you were going to change it to

4

1 L. Conaway.

2 MR. INGRAM: Yeah. It's been changed

3 with the transcriber.

4 COMMISSIONER CONAWAY: Okay. Because

5 the one in front of me --

6 MR. INGRAM: What you have went out

7 before the change occurred.

8 COMMISSIONER CONAWAY: No, what I'm

9 saying is the one I have now that I'm going to sign

10 says J. Conaway.

11 MR. INGRAM: No. We'll make sure you

12 sign the correct one.

13 COMMISSIONER MARSHALL: You'll change

14 the cover too.

15 MR. INGRAM: Yeah. It's just the

16 cover.

17 CHAIRMAN LOBON: We'll take care of

18 that later?

19 COMMISSIONER CONAWAY: Okay.

20 COMMISSIONER NORTON: I would like to

21 just offer for the record that I was absent at the

22 last meeting, but I did hurry over here to come to the

23 building, but the meeting had -- because I was not

24 here, ended unnaturally shortly, and so . . . I was

5

1 here well in advance of when the meeting usually ends,

2 but did not make it. That is correct. But I did try.

3 CHAIRMAN LOBON: Okay. Executive

4 Director's report.

5 MR. INGRAM: Thank you, Mr. Chairman.

6 Before I do my report, as part of my report I would

7 like to mention that there is a movement in certain

8 parts of the country in which certain aspects of the

9 Jewish population are pushing for a Jewish Heritage

10 month. They think that it would be something similar

11 to the black history month, and I think this

12 Commission ought to support that movement.

13 It is not a national movement at the

14 moment, but I think we ought to lend our support in

15 the interest of diversity to that effort.

16 CHAIRMAN LOBON: Does anyone got any

17 comments or agree or disagree?

18 COMMISSIONER GRIFFIN: I'd agree with

19 that. Also in working with the Jewish Federation of

20 the State of Connecticut I think that would be a good

21 idea that this Commission be on record in support of

22 that.

23 CHAIRMAN LOBON: Commissioner Griffin.

24 Any other comments.

6

1 Commissioner Norton.

2 COMMISSIONER NORTON: Thank you,

3 Mr. Chairman.

4 Would you like, Mr. Chairman, a motion

5 that the Commission endorses --

6 I'll move that the Connecticut

7 Commission on Human Rights and Opportunities endorses

8 the adoption of a Jewish Heritage month. Should my

9 motion include a month? Is there a month that's set

10 out that people have in mind?

11 MR. INGRAM: I believe it's May.

12 COMMISSIONER MAMBRUNO: Will this need

13 legislation from the Department?

14 COMMISSIONER NORTON: So, I'll move

15 that the Connecticut Commission on Human Rights and

16 Opportunities endorses the adoption in this state, and

17 in all states of a Jewish Heritage month. And that we

18 -- I won't say the month.

19 MR. INGRAM: Well, last year it was in

20 May, so the thinking is that it will be May.

21 COMMISSIONER NORTON: In the month of

22 May.

23 COMMISSIONER GRIFFIN: I second that

24 motion.

7

1           **CHAIRMAN LOBON: A motion has been made**  
2 **by Commissioner Norton and seconded by Commissioner**  
3 **Griffin to accept the Executive Director's**  
4 **recommendation.**

5           **All those in favor?**

6           **(Whereupon the Commissioners responded**  
7 **aye.)**

8           **Nays? Abstentions?**

9           **Aye's have it.**

10          **MR. INGRAM: Thank you, Mr. Chairman.**

11          **What I'll do is prepare appropriate**  
12 **letters for your signature.**

13          **CHAIRMAN LOBON: Thank you.**

14          **MR. INGRAM: Our first report is from**  
15 **Mr. Bingham.**

16          **MR. BINGHAM: Good afternoon.**

17          **The first one up will be Gateway**  
18 **Community College. Today we have here representing**  
19 **the college is Dr. Dorsey Kindrick, Lucy Brown and**  
20 **Vincent Tong. Could you please stand.**

21          **CHAIRMAN LOBON: Welcome.**

22          **MR. BINGHAM: Thank you.**

23          **Okay. This plan is recommended for**  
24 **approval based on 46(a)-69-59(a) and 56(a)-58 to**

8

1 59(b)2 and (b)4 standard.

2           There were no other short term goals  
3 set. Long term goal achievement was 3 out of 3, 100  
4 percent. Total goal achievement was 3 out of 3, 100  
5 percent, and total promotional goal achievement was 1  
6 out of 2, or 50 percent.

7           The set aside goal achievement for the  
8 fiscal year 2004/05, the SBE goal was \$476,975.00, and  
9 they achieved 93.6 percent.

10           The MBE goal was \$119,244.00, and the  
11 school achieved -- I mean, their MBE percentage  
12 achieved was 116 percent.

13           The set aside goal achievement for 2006  
14 -- I mean, 2005 to 2006, with the first quarter  
15 reporting -- the goal was for the SBE was \$501,411.00,  
16 and the SBE percentage achieved so far is 32.9  
17 percent.

18           The MBE goal was \$125,353.00, and the  
19 MBE percentage achieved was 46.7 percent.

20           The five year history for 2001/2002,  
21 2003/2004, the plan was approved. 2005 they were  
22 disapproved, and they're here today.

23           I mean, they -- this was a semi-annual  
24 filing.

9

1 CHAIRMAN LOBON: The staff is making a  
2 recommendation to approve.

3 (No response.)

4 So moved.

5 COMMISSIONER RHODES: So moved.

6 COMMISSIONER MARSHALL: Second.

7 CHAIRMAN LOBON: Motion has been made  
8 to approve the plan by Commissioner Rhodes and  
9 seconded by Commissioner Marshal.

10 Is there any discussion?

11 COMMISSIONER NORTON: Mr. Chairman?

12 CHAIRMAN LOBON: Yes, Commissioner  
13 Norton.

14 COMMISSIONER NORTON: Yes, thank you,  
15 Mr. Chairman.

16 I have a question, and I'm not sure if  
17 you're the best one to ask it of, but I'll start with  
18 you and you may switch it over to someone.

19 In the second to the last -- I'm sorry.  
20 We're on Gateway; right?

21 MR. BINGHAM: Yes.

22 COMMISSIONER NORTON: On the second to  
23 the last page there is -- where we usually find out  
24 summaries of the make-up of the entire workforce of

10

1 the agency as of, you know, recently. I guess this is  
2 maybe a half a year ago.

3 In this case we have actually a little  
4 bit different chart, and it talks about labor market  
5 national -- I mean, there are one hundred and -- are  
6 there 199 people who work at Gateway? Is that right?

7 There's some different -- the charts  
8 that have come across are different here, but actually  
9 -- they may be interesting but I don't fully  
10 understand them. And I'm not -- do you have in front  
11 of you the page I'm talking about? It's the second to  
12 the last page?

13 And as opposed to the other two, and as  
14 opposed to what we're normally presented with, we've  
15 got this description of Labor Market National  
16 Executive, Administrative Managerial, Labor Market  
17 National Faculty, Labor Market National Professional  
18 Non-faculty. Is this just a further breakdown we that  
19 don't usually get, or -- actually I just don't  
20 quite understand these three graphs.

21 The top chart looks like the chart that  
22 we usually get, where in essence you have a breakdown  
23 of categories of employment, and then you tell us  
24 whether they are white men, white women, black men,

11

1 black women, Hispanic men, Hispanic women and other  
2 men and other women. In this case we've got three  
3 other charts, and immediately I don't quite grab what  
4 they mean or what they describe, and I was wondering  
5 if you might shed light on that, or . . .

6 MR. BINGHAM: I'll give it to Valerie  
7 Kennedy to respond.

8 MS. KENNEDY: Normally when we receive  
9 the -- I'm Valerie Kennedy.

10 Normally when we receive these charts  
11 they're done one chart to a page. Since Gateway had  
12 provided them all on one page I included that.

13 It's the top chart that you normally  
14 would see on one page.

15 COMMISSIONER NORTON: So, what I'm  
16 seeing here is something that normally I wouldn't see,  
17 but you would?

18 MS. KENNEDY: Correct. Yes.

19 So, what they do in the plan itself is  
20 they actually give us a breakdown of the entire  
21 workforce in each of the categories provided. So,  
22 normally we would just give you that top chart.

23 COMMISSIONER NORTON: Okay. So, the  
24 three charts below the top chart are pieces of the

12

1 chart?

2 MS. KENNEDY: They're -- yes.

3 COMMISSIONER NORTON: A breakdown.

4 MS. KENNEDY: They're a breakdown and

5 who is in administrative managerial, who is in

6 professional faculty and so on.

7 COMMISSIONER NORTON: Gotcha.

8 MS. KENNEDY: And there are other pages

9 that go with this. I just gave you the first page.

10 COMMISSIONER NORTON: So, normally I'd

11 see executive, managerial, but here I get -- here I'm

12 seeing, which I guess you always see --

13 MS. KENNEDY: Yes.

14 COMMISSIONER NORTON: That the

15 breakdown among deans is a breakdown among directors?

16 MS. KENNEDY: Correct.

17 COMMISSIONER NORTON: Okay. Thank you.

18 I didn't quite understand, but now I -- thank you very

19 much.

20 CHAIRMAN LOBON: Any other questions?

21 (No response.)

22 Alright. The motion has been made and

23 seconded. All those in favor state by saying aye.

24 (Whereupon the Commissioners responded

13

1 aye.)

2 Nays? Abstentions?

3 Ayes have it.

4 MR. BINGHAM: Okay. The second agency

5 we have today is the Department of Environmental

6 Protection. We have here today Commissioner Gina

7 McCarthy . We have Marca Bonitto, the Affirmative

8 Action Administrator, and Barbara Viadella, the

9 Affirmative Action Officer. Please stand.

10 CHAIRMAN LOBON: Welcome.

11 MR. BINGHAM: This plan is recommended

12 for approval based on Section 46(a)-68-69(a), (a)(b)

13 and (3) and (b)4 standards for good faith effort.

14 Short term goal achievement is 15 out

15 of 29, or 51.7 percent. The long term goal

16 achievement was 6 out of 14, or 42.8 percent. Total

17 goal achievement is 21 out of 43, or 48.8 percent.

18 Total promotional goal achievement 5 out of 8, or 62.5

19 percent.

20 The set aside goal achievement for the

21 fiscal year 2004/05, the SBE goal was \$1,015,281.00

22 and they achieved 138 percent of that.

23 The SBE goal -- I mean -- excuse me.

24 The MBE goal was for \$253,820.00, and the MBE

14

1 percentage achieved was 195 percent.

2 For the set aside goal achievement for  
3 the fiscal year 2005/06, with one quarter reporting,  
4 the SBE goal was \$628,555.00, and the percentage  
5 achieved was 37 percent.

6 The MBE goal was \$288,708.00, and so  
7 far they have achieved 68 percent minority  
8 achievement, MBE achievement.

9 For 2001/2002/03 the plan was approved.  
10 For 2004 it was conditionally approved, and for 2005  
11 the plan was approved.

12 CHAIRMAN LOBON: Alright. Staff has  
13 made a recommendation for approval for the Department  
14 of Environmental Protection.

15 COMMISSIONER GRIFFIN: So move.

16 CHAIRMAN LOBON: The motion has been  
17 made by Commissioner Griffin.

18 COMMISSIONER RHODES: Second.

19 CHAIRMAN LOBON: Seconded by  
20 Commissioner Rhodes.

21 I believe Commissioner Pestana will  
22 excuse herself from this genial.

23 Is there any discussion.

24 COMMISSIONER NORTON: I have a

15

1 question.

2 CHAIRMAN LOBON: Mr. Norton.

3 COMMISSIONER NORTON: In the DEP among

4 administrators and officials there's 37. There's only

5 one black person, according to the chart I have, which

6 is dated the end of July last year. And there are --

7 there are 19 in the department, which is 2 percent.

8 And with the thought that at some point it would be

9 great if there were more black people in the upper

10 echelon. One thing I'm noticing is that there are 13

11 black male professionals and 13 black female

12 professionals, which is pretty much where most every

13 black person is holding a job, although with the

14 exception that there's a bunch of black women in the

15 clerical positions. And I'm wondering if it's among

16 the professional class out of which you might expect

17 administrators and officials to flow, and -- because

18 -- and I'm not yelling, but I'm noticing that there

19 aren't hardly but one black person in the upper

20 echelon. Assuming that administrators and officials

21 is using a term that would encompass the upper

22 echelon, and I'm wondering whether there might be room

23 for greater hope that among the professionals there

24 are 26 black people. Are professionals the group of

16

1 people from whom administrators and officials might

2 grow up or grow from?

3 MR. BINGHAM: I'll let --

4 COMMISSIONER NORTON: Sure.

5 MR. BINGHAM: Commissioner, do you want

6 to address this.

7 MS. McCARTHY: Mr. Chairman,

8 Commissioners, Edith. Let me answer your question,

9 Commissioner.

10 You are absolutely correct that if you

11 look at our plan one of our major areas of concern is

12 to get some under representation represented at the

13 managerial levels. It is a significant task for us.

14 It's one we take very seriously. It's one of the two

15 areas that we hope to work on this year.

16 You are right that we draw from the

17 professional staff into the managerial levels. We

18 also seek to bring in folks from outside into the

19 agency. We struggle a great deal because we are an

20 agency that looks for specific technical expertise

21 both in the sciences and the math fields. As you

22 know, that is an area where we -- they're under

23 represented in the entry into the agency. So, one of

24 the strategies that we are looking to do is to try to

17

1 draw at the internship level some minority  
2 representation into the agency, so that we can grow  
3 that staff in the agency. And that's one of the  
4 reasons why we're looking at many of the pieces of our  
5 HR hiring to see if we can't do a better job at that.

6 I don't think it is a goal that we will  
7 reverse very quickly, because, as you will note, we  
8 don't have a tremendous amount of minorities in the  
9 system. And we need to do a better job at that.  
10 We're spending a great deal of time working with the  
11 school systems, reaching out with professional  
12 organizations, seeing how we can grow people in the  
13 system so that they're ready to fill those positions.

14 COMMISSIONER NORTON: Thank you,  
15 Mr. Chairman. Thank you, Commissioner.

16 CHAIRMAN LOBON: Thank you,  
17 Commissioner.

18 MS. McCARTHY: Thank you.

19 CHAIRMAN LOBON: I would like to say  
20 one thing. I do commend you on the organizations that  
21 you are pursuing relative to that issue, and stated in  
22 your document as well.

23 I also want to commend you on your  
24 SBE/MBE efforts. As well as Gateway. I meant to say

18

1 that earlier. Thank you for your effort as well. I

2 think those are areas of our concern that we hope that

3 we can continue to fulfill those obligations as well.

4           **Alright. A motion has been made and**

5 **seconded. Approval?**

6           **All those in favor state by saying aye?**

7           **(Whereupon the Commissioners responded**

8 **aye.)**

9           **Nays? Abstention?**

10           **COMMISSIONER PESTANA: One abstention.**

11           **CHAIRMAN LOBON: One abstention.**

12 **Commissioner Pestana's abstention.**

13           **Ayes have it.**

14           **COMMISSIONER NORTON: I just want to**

15 **say quickly that I didn't mean to pick on the DEP in**

16 **that one particular category, because that's a failing**

17 **across the board. So -- and you also have the aspect**

18 **of that you need to grab scientists, and it's back**

19 **before it even gets to your industry that's a problem.**

20 **But that's something that exists in all sorts of**

21 **agencies, so I don't mean to pick on you. I just . .**

22 **. thank you, Mr. Chairman.**

23           **CHAIRMAN LOBON: Thank you, Mr. Norton.**

24           **MR. BINGHAM: Okay. And the third**

19

1 agency is the Department of Mental Retardation. And  
2 we have here Commissioner Peter O'Meara. We have Rita  
3 Kelley, the Affirmative Action Administrator. We have  
4 Karen Davies, the Human Resource Director. We have  
5 Levy Gillespie, the Affirmative Action staff, Amanda  
6 Robertson and Lynn Erazmus. If you would please  
7 stand.

8 CHAIRMAN LOBON: Welcome.

9 MR. BINGHAM: The plan is recommended  
10 for approval based on compliance with subsections a,  
11 b(3) and b(4) standard.

12 The agency had no promotional hiring  
13 activity during the filing period.

14 The set aside goal achievement for  
15 2003/2004, the SBE goal was \$3,977,869.00, and they  
16 achieved 176 percent.

17 The MBE goal was \$944,467.00, and they  
18 achieved 203 percent.

19 For the SBE goal for 2003/04/05, the  
20 three quarters reporting, the goal was \$6,145,534.00,  
21 and they achieved 117 percent.

22 And the MBE goal was \$1,536.384.00, and  
23 they achieved 233.5 percent.

24 The five year history, 2000, 2001,

20

1 2003, 2004, the plan was approved. And last year,

2 2005, the plan was approved by default.

3 I have to make a correction. They did

4 have hiring in this last year. It's just a typo here.

5 The agency did have hiring and promotions during this

6 filing period. I'm sorry.

7 COMMISSIONER RHODES: Are you done?

8 So move.

9 CHAIRMAN LOBON: The motion has been

10 made to approve by Commissioner Rhodes.

11 COMMISSIONER PESTANA: Second.

12 CHAIRMAN LOBON: Seconded by

13 Commissioner Pestana. And I believe Commissioner

14 Mambruno will excuse himself from this vote.

15 Any questions from the Commissioners?

16 (No response.)

17 Hearing none, all those in favor . . .

18 (Whereupon the Commissioners responded

19 aye.)

20 COMMISSIONER MAMBRUNO: I would like to

21 make one statement.

22 CHAIRMAN LOBON: Commission Mambruno.

23 COMMISSIONER MAMBRUNO: I believe that

24 we shouldn't let the set aside numbers go unnoticed.

21

1 They did an extreme -- extraordinary job. And I know  
2 the agency sets the numbers. They set a very high  
3 standard, and they completed it with fine colors, and  
4 I think they should be commended on that.

5 CHAIRMAN LOBON: And, COMMISSIONER  
6 MAMBRUNO, I agree with you 100 percent. They did an  
7 outstanding job. I think everyone today did an  
8 outstanding job with the MBE, SBE. I think we want to  
9 continue that effort as well. So, thank you for your  
10 comments.

11 Are we done? I didn't hear the vote  
12 yet.

13 All those in favor?

14 (Whereupon the Commissioners responded  
15 aye.)

16 Nays? Abstentions?

17 COMMISSIONER MAMBRUNO: Abstention.

18 CHAIRMAN LOBON: One abstention.

19 Commissioner Mambruno.

20 The ayes have it.

21 Okay. I will give those of you who  
22 have reported an opportunity to sneak out of the room  
23 before we go to our next agenda item.

24 (Pause.)

22

1           Commissioners, we're going to have to  
2 revisit the vote on DMR, because there may be a  
3 conflict and we want to make sure that we can avoid  
4 any issues.

5           I just need a new motion to approve --  
6 I mean, do we have to go back and get a --

7           MR. BROTHERS: Rescind the prior  
8 motion, the second and the voting on it, and then  
9 start it all over.

10          CHAIRMAN LOBON: Okay. We have to  
11 rescind the entire vote in relationship to the DMR.

12          MR. BROTHERS: Correct.

13          CHAIRMAN LOBON: Right. Okay.

14          Can I get a motion for approval?

15          Do we need approval -- do we need to  
16 vote?

17          MR. BROTHERS: You need to rescind  
18 first.

19          CHAIRMAN LOBON: Okay.

20          MR. PECH: Rescind, vote and then start  
21 it all over.

22          CHAIRMAN LOBON: Okay. Alright.

23          I need a motion to rescind the previous  
24 vote on DMR. Can I get a motion please.

23

1 COMMISSIONER PESTANA: So moved.

2 COMMISSIONER CONAWAY: Second.

3 CHAIRMAN LOBON: Moved by Commissioner

4 Pestana and seconded by Commissioner Conaway.

5 All those in favor?

6 (Whereupon the Commissioners responded

7 aye.)

8 Nays? Abstentions?

9 COMMISSIONER MAMBRUNO: Abstain.

10 CHAIRMAN LOBON: One abstention.

11 COMMISSIONER RHODES: Two abstentions.

12 CHAIRMAN LOBON: Two abstentions?

13 COMMISSIONER RHODES: Correct.

14 CHAIRMAN LOBON: Alright. Can I get a

15 motion to approve DMR Affirmative Action Plan.

16 COMMISSIONER NORTON: I move that we

17 accept staff recommendation for approval for the

18 Department of Mental Retardation.

19 CHAIRMAN LOBON: Motion has been moved

20 by Commissioner Norton.

21 Can I get a second.

22 COMMISSIONER CONAWAY: Second by

23 Commissioner Conaway.

24 No discussion.

24

1 All those in favor state by saying aye.

2 (Whereupon all the Commissioners

3 responded aye.)

4 Nays? Abstentions?

5 COMMISSIONER MAMBRUNO: One abstention.

6 COMMISSIONER RHODES: Abstention.

7 CHAIRMAN LOBON: We have two

8 abstentions. Commissioner Rhodes and Commissioner

9 Mambruno.

10 Okay. We're correct now.

11 MR. INGRAM: The fiscal report will be

12 presented by Nandi Colon.

13 MS. COLON: Good afternoon,

14 Commissioners.

15 CHAIRMAN LOBON: Good afternoon.

16 MS. COLON: Nandi Colon for the record.

17 We'll begin today with the Position

18 Status Report, and I'll wait until everyone has it.

19 (Pause.)

20 All set? Excellent.

21 Okay. We currently have a total of

22 five vacant positions, as you will go through the

23 page. One position was previously an ACC-II, and that

24 position was held by Michael Agress. That position is

25

1 in the process of being changed over to an  
2 adjudicator, which is a position that Mr. Ingram  
3 required for this agency, since we do need it. It's  
4 in the process of being approved through OPM. It has  
5 already been approved by DAS. So, we're waiting for  
6 that.

7           We have a second position, which was  
8 previously an Administrative Assistant held by Gail  
9 Hetrick. That position became vacant when she  
10 submitted her retirement papers as of January 1st.  
11 It's been downgraded to a Secretary I. Again, it's  
12 still in the process of being approved.

13           We have the third position is a Human  
14 Rights Referee. As you know, that's an appointed  
15 position, so that will stay vacant until Governor Rell  
16 appoints someone to that position.

17           Going on to page 2, we have two HRO  
18 vacancies in the Fair Housing Unit. Those two  
19 positions are also in the process of getting approved.  
20 The list for the HRO rep expires in March, on March  
21 21st, and we have already submitted our request for a  
22 new examination. So, hopefully we'll get new people  
23 on this list once they take the exam.

24           And that pretty much, I believe, takes

26

1 care of the vacancies that we have here at this  
2 agency.

3 We have two people that were on  
4 unpaid status. One of which has returned from  
5 maternity leave, and the second individual recently  
6 submitted her letter of intent to retire as of March  
7 1st. So, that will become another vacancy.

8 Any questions?

9 COMMISSIONER RHODES: Yeah. We have  
10 two nonpaid positions; right?

11 MS. COLON: Uh-huh. But they are still  
12 part of the -- we consider them still in filled  
13 positions. They're not vacant.

14 COMMISSIONER RHODES: Okay. Thank you.

15 So, really the only budget -- if we  
16 were to fill it at 98, we would only budget for 96?

17 MS. COLON: We budget for the full 98.

18 And that budget is approved by the  
19 legislature and by everybody that it has to be.

20 COMMISSIONER RHODES: You said nonpaid  
21 though?

22 MS. COLON: Right. Nonpaid.

23 COMMISSIONER RHODES: How can you  
24 budget for something that's nonpaid?

1 MS. COLON: Because when you budget at  
2 the beginning of the year you budget for all positions  
3 as if those individuals were in the position. The  
4 fact that you have two people on leave of absence  
5 without pay --

6 COMMISSIONER RHODES: Oh, that's what  
7 that is.

8 MS. COLON: Right. Unpaid. Exactly.

9 COMMISSIONER NORTON: I'm just saying,  
10 in the real world, when you say nonpaid, it's nonpaid.

11 COMMISSIONER MAMBRUNO: But you know  
12 this isn't the real world.

13 MR. PECH: I resent the implication  
14 that working for the State is not the real world.

15 (Laughter.)

16 MS. COLON: Unpaid is simply that.  
17 They are still funded positions, but the individuals  
18 are not working for whatever reasons.

19 COMMISSIONER RHODES: Okay.

20 MS. COLON: And we'll continue to the  
21 CSSR, the financial status report. And I'll start at  
22 the top with Personnel Services. And as you can see,  
23 if you look to the right column where it says  
24 projected surplus/deficit, I am still projecting a

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1 rather large surplus, attributed, again, to the fact  
2 that we were given additional funding. And we're in  
3 good shape there.

4           If you come down to the section that's  
5 labeled Other Expenses, again under Projected Surplus  
6 Deficit, it shows a deficit in the amount of  
7 \$5,956.00. The reason for that is, as you know, we  
8 have already budgeted -- we've been budgeting for the  
9 Bridgeport move. We still don't have any concrete  
10 answers with that. So, I continue to show the same  
11 numbers and give the same explanation.

12           But overall, we're in really, really  
13 good shape.

14           So, if you have any questions, feel  
15 free.

16           CHAIRMAN LOBON: Commissioners, any  
17 comments? Questions?

18           COMMISSIONER RHODES: I ain't asking on  
19 this.

20           CHAIRMAN LOBON: Well, Commissioner  
21 Rhodes is all set, so . . .

22           COMMISSIONER RHODES: I'm all set.

23           CHAIRMAN LOBON: Okay. Thank you,  
24 Nandi.

29

1 MS. COLON: You're very welcome.

2 MR. INGRAM: Mr. Don Newton for the  
3 Field Operations report.

4 And prior to his report, Mr. Chair, I  
5 would like to say in conjunction to what Mr. Newton's  
6 comments will be, is that for the seven months  
7 starting in July and ending in January Field  
8 Operations have collected 1.7 million -- over 1.7  
9 million dollars in settlements of complaints. And  
10 that's a very very, I think, outstanding mark for less  
11 than a year's period.

12 And for a unit that is very large and  
13 very cumbersome it's an outstanding job.

14 CHAIRMAN LOBON: Thank you for your  
15 comments.

16 COMMISSIONER RHODES: Is that all of  
17 them together?

18 MR. INGRAM: Yes.

19 COMMISSIONER RHODES: Which hearing  
20 lead the way?

21 MR. INGRAM: They were all fairly  
22 close, but it seems as though the highest month was  
23 December. The highest region was Capital Region with  
24 half -- I'm sorry. That's wrong.

30

1           MR. NEWTON: It's West Central for the  
2 year to date, sir.

3           MR. INGRAM: Very good. West Central.  
4 Year to date.

5           CHAIRMAN LOBON: We're all set.

6           MR. NEWTON: Good afternoon.

7           CHAIRMAN LOBON: Good afternoon.

8           MR. NEWTON: You have in your packet  
9 the report that I prepare every month concerning Field  
10 Operations statistics. Right now, as of January 27th  
11 when the report was run we had 2,308 cases pending.  
12 Those are cases that are either under active  
13 investigation or soon will be.

14           The -- right now the West Central  
15 Region and the Southwest Region are getting their new  
16 staff members fully up to speed as far as having full  
17 case loads. So, hopefully the pending cases that  
18 aren't assigned that have been retained following a  
19 merit assessment review will be getting some --  
20 assigned an investigator a little quicker now that we  
21 do have some staff that are just about done with their  
22 learning curve.

23           This month, as Mr. Ingram indicated,  
24 we've listed the monetary settlements for the last

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1 reported date and for the year to date for each of the  
2 four regions and the Fair Housing unit.

3 Now, by way of explanation, the dollar  
4 amounts that you see are ones that we're actually  
5 aware of and have been reported to us and verified so  
6 that we list in our compliant tracking system.

7 There is also additional settlements  
8 that resulted as a result of somebody filing a  
9 complaint, but they enter into a confidential  
10 settlement. And because of the disclosure FOI logs we  
11 can't list them in the complaint tracking system or  
12 they would have to be disclosed. And usually we learn  
13 of it by, you know, word of mouth, and not something  
14 that we're notified of in writing. If we were they  
15 would have to be included in the complaint tracking  
16 system.

17 So, the number of dollars collected is  
18 actually larger than the ones that you see on the  
19 paper. The ones on the paper are ones that we can  
20 verify and if we had to match to a particular  
21 complaint.

22 Another issue that Nandi Colon  
23 mentioned was our Bridgeport office. Right now Public  
24 Works has met with a potential landlord to move. I

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1 showed them a diagram of our Capital Region office  
2 where in -- at 999 Asylum Avenue. And the layout for  
3 that office is pretty efficient, and that was given to  
4 the landlord as kind of a model as to what we would  
5 like to see in Bridgeport. And the landlord, I  
6 understand, is having their architect take a look at  
7 that so that we can get some preliminary cost figures,  
8 and then that will give Nandi a better idea of what  
9 she has to request from OPM as far as having money  
10 transferred out of our personnel account into our  
11 account that would pay for that.

12 Any questions?

13 CHAIRMAN LOBON: Any questions from the  
14 Commissioners?

15 Commissioner Norton.

16 COMMISSIONER NORTON: I have a question  
17 that routes back to the financial report, but maybe  
18 you can answer.

19 In the financial report where there's a  
20 listing of all the positions -- and maybe this is to  
21 Nandi, but I didn't catch it before you stepped down.  
22 Do I see the Bridgeport office on his list?

23 MS. COLON: Yes.

24 COMMISSIONER NORTON: Where is it?

33

1 Or did I fail to look at a page.

2 Oh, there's this whole other thing.

3 And then the other question I wanted to  
4 ask -- and I'm sorry I'm cheating by asking you this  
5 question. In the Waterbury -- in these other offices  
6 I see the position of Regional Manager, but I don't in  
7 the Waterbury office. Is there not the same type?

8 Or did you already answer that?

9 Because as I'm reading this trying to figure it out,  
10 you had answered it?

11 MR. NEWTON: In the Waterbury office we  
12 have an interim Regional Manager.

13 COMMISSIONER NORTON: Okay.

14 MR. NEWTON: And that's filled by a  
15 person who holds the title of Assistant Commission  
16 Counsel II.

17 COMMISSIONER NORTON: That's Cheryl  
18 Sharp?

19 MR. NEWTON: Correct.

20 COMMISSIONER NORTON: Okay. And so  
21 she's -- so that's still her job title for the  
22 purposes of a financial report, but she's -- gotcha.  
23 Thank you very much.

24 CHAIRMAN LOBON: Okay. Any other

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1 questions?

2 COMMISSIONER RHODES: One question.

3 For this new building, we're going to take -- and it's

4 like a capital project. It's a capital project with

5 capital dollars that we're going to transfer from an

6 expense fund to a capital dollar. Is that --

7 MS. COLON: Are you referring to our

8 move or Bridgeport?

9 COMMISSIONER RHODES: No. Bridgeport.

10 MS. COLON: No. Well, actually you can

11 take a look at the DPW.

12 COMMISSIONER RHODES: He had said that

13 they were going to transfer money from -- oh.

14 MS. COLON: When an agency moves within

15 the City of Hartford DPW really assumes all the

16 expenditures related to that move.

17 When it's outside of the City of

18 Hartford the agency has the responsibility of

19 basically finding the funds. So, what we've done is

20 -- because of that we've talked to OPM. And since we

21 are reflecting a pretty large surplus in personnel

22 services, we're requested from them permission to move

23 funds over to OE within our own budget in order to

24 accommodate that move. And right now because of the

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1 situation being the way it is I still show the money

2 where it is, which is in personnel services.

3 COMMISSIONER RHODES: Okay.

4 MR. NEWTON: Right now we only pay rent

5 for one of our regional offices.

6 COMMISSIONER RHODES: It's truly an

7 accounting thing that you would transfer something

8 from an expense fund to a capital fund, which you knew

9 all the while it was going to be capital dollars but

10 you forecast -- you never forecast in you capital

11 account, but you've taken money from the expense

12 account.

13 MS. COLON: Right. But when you say

14 capital -- when you mention capital equipment,

15 basically the state looks at capital funds for capital

16 equipment purchase fund. Not necessarily for

17 something like this. That capital equipment fund is

18 strictly that.

19 COMMISSIONER RHODES: No, not just

20 equipment. A building and all the fixtures in it, you

21 have a life, and that life will be depreciated over

22 x-amount of years.

23 MS. COLON: Right.

24 COMMISSIONER RHODES: And I guess what

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1 I'm saying is -- no, I'll leave it alone.

2 CHAIRMAN LOBON: Okay.

3 MS. COLON: Okay. (Laughter.)

4 MR. NEWTON: All set?

5 CHAIRMAN LOBON: Any other questions?

6 (No response.)

7 Thank you.

8 MR. INGRAM: Lena Ferguson left me a

9 blurb to read in her absence for her legislative

10 report.

11 CHAIRMAN LOBON: Okay.

12 MR. INGRAM: And it reads, the

13 Governor's office approved CHRO's two legislative

14 proposals for submission to the Judiciary Committee.

15 We submitted the proposal to the

16 Judiciary Committee on Wednesday, February 7th.

17 Staff of the Executive and Legislative

18 Nominations Committee has indicated that Commissioners

19 Norton, Griffin, Conaway and Mengwal (sic) -- that's

20 the new commissioner, will most likely be scheduled to

21 appear before the Committee on March 2. The

22 appointing authorities will notify the Commissioners

23 of day, time and place.

24 We received approval from the

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1 Governor's office and OPM to go forward with the  
2 proposed amendments to the State Agency Affirmative  
3 Action plan filing schedule.

4 We submitted a notice of intent to the  
5 Connecticut Law Journal. The notice will be published  
6 on February 21.

7 Staff will conduct a public hearing on  
8 March 21 to receive comments from state agencies and  
9 any public member on the proposed amendments.

10 CHAIRMAN LOBON: Thank you very much.

11 MR. INGRAM: The Managing Director will  
12 be Mr. Brothers' report.

13 MR. BROTHERS: Good afternoon,  
14 Commissioners.

15 CHAIRMAN LOBON: Good afternoon.

16 MR. BROTHERS: I'm happy to report that  
17 the case load within the legal department has  
18 maintained just about where it's been since I first  
19 came to this position, with the exception of  
20 reopenings. We seem to have an increase in the  
21 number. In fact, I just have two more that I just got  
22 today.

23 We do have one on the agenda today, and  
24 I hope in the future that we will be doing at least

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1 two per month until we get the number down to zero.

2 We recently received a declaratory  
3 ruling, which we will put on the agenda for next month  
4 and address that.

5 Other than that, things are status quo.

6 CHAIRMAN LOBON: Any questions from the  
7 Commissioners?

8 (No response.)

9 Thank you very much.

10 MR. INGRAM: That concludes the  
11 Executive Director's report.

12 CHAIRMAN LOBON: Thank you, Mr. Ingram.

13 Okay. New business.

14 MR. PECH: Good afternoon.

15 CHAIRMAN LOBON: Good afternoon.

16 MR. PECH: For the record, for the  
17 report, I'm Ray Pech, P-E-C-H. I'm the Assistant  
18 Director of the Agency.

19 As you no doubt have seen, we have a  
20 number of requests for contract compliance exemption  
21 this month, and I'll start in the order on the agenda.  
22 The first one is a series of requests from Central  
23 Connecticut State University School of International  
24 Study. They submitted a total of 12 requests. I gave

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1 them all to you in the mailout, along with my  
2 recommendation. And my recommendation was that 10 be  
3 approved, 2 be not approved as what I deem to be  
4 premature, and I'll address that in a minute.

5           But as for the 10 approvals. These are  
6 similar to one that you approved in April that  
7 involved the Northern -- the Republic of Northern  
8 Cyprus, or the Northern Republic of Cyprus. I forget  
9 which it was. These are traditional student and  
10 sometimes faculty exchange programs between Central  
11 and a foreign university. In large part -- not in  
12 large part, wholly from the 10 that I recommended  
13 approval, the state is not paying out any dollars.  
14 It's basically a wash. In most cases the students are  
15 paying tuition to their home university in England or  
16 Italy or Haiti I think one of them is. There's no  
17 state dollars going out.

18           So, there's a real question -- and I'll  
19 get to that when I discuss Item 3 on the agenda.  
20 There's a real question of whether the Legislature  
21 ever intended that these kind of things even come  
22 before you, because -- but the statute as written  
23 reads that all contracts to which the State is a party  
24 must contain the language that some of these foreign

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1 universities object to. That's a topic of another  
2 discussion.

3           But anyway, because there's no money  
4 going out, you certainly have the right to grant  
5 exemption if the contract is less than \$10,000.00.  
6 This is zero dollars. There may be some in-kind  
7 services.

8           As I said, I think in one of my  
9 recommendations it's kind of like trying to fit a  
10 square peg in a round hole, but in a sense these  
11 foreign universities are sole source providers,  
12 because the idea is to get a knowledge of another  
13 culture. So, you can't get that by doing an exchange  
14 between Central and Eastern in Willimantic, because  
15 the cultures are virtually the same.

16           So, I think they should be granted.

17           Now, with respect to the two that I  
18 recommend disapproval on, these are potential  
19 agreements, I think I called them, between former  
20 soviet satellite countries in Eastern Europe, the  
21 Czech Republic and Slovenia I think the other one was.  
22 And my basic reason for recommending that we hold off  
23 was because it seemed to be premature. I read these  
24 two, unlike the other 10, as being agreements to talk

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1 with these universities about the possibility of  
2 setting up an exchange program similar to the other  
3 10.

4           There are two representatives here from  
5 Central who would like you to reconsider that  
6 recommendation. And rather than me summarizing their  
7 position, I'm going to ask one of them to come up and  
8 speak to you.

9           And I will say prefatorily that I'm not  
10 -- I don't have strong feelings about the  
11 recommendation. I think a part of it is my caution as  
12 an attorney, I don't like to approve something that I  
13 don't have in front of me that I can see the terms of.

14           But they have some reasons which sound  
15 like they may be valid why they would like you to  
16 grant the exemption at this time on those two. And I  
17 think I'll invite one of them to come up and speak to  
18 that.

19           MS. BIGALOW: Good afternoon. I'm Lisa  
20 Bigalow. I'm the Director of the Center for  
21 International Education at CCSU.

22           We have a number of partner  
23 universities around the world, and they substantially  
24 fall into two different categories. Those that are

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1 fully exchange agreements that provide for the  
2 mobility of students and faculty, and then those that  
3 are more research and faculty development in nature  
4 that don't call for the mobility of faculty and  
5 students, but rather for the collaboration of faculty  
6 to get together to conduct joint research. And in  
7 many cases we seek to have that research sponsored by  
8 an external agency.

9           The U.S. State Department provides  
10 funds for that purpose, as do its counterpart agencies  
11 around the world. What those agencies seek to avoid  
12 is universities coming together at the last moment  
13 after they have heard that money is available, quickly  
14 put together a partnership and say let's go after this  
15 money.

16           They seek to look for partnerships that  
17 have been established and there has been some informal  
18 communication and research taking place already.

19           The two that were initially being  
20 recommended for disapproval are just that type of  
21 agreement. We endeavor to conduct research with  
22 faculty from these universities. We know that there  
23 is not money available at the moment, but we see it  
24 forthcoming in the future. We want to formally

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1 establish this partnership on paper so that when it  
2 comes time to submit a proposal, we can conform to the  
3 criteria, which in many cases says show us on paper  
4 the relationship that you have previously established  
5 with this partnership and we'll deem you eligible for  
6 further consideration.

7           So, it's this partnership that we're  
8 trying to put on paper that we are unable to do at  
9 this point because these public agencies are concerned  
10 about their ability to follow these regulations as  
11 applied on their soil.

12           CHAIRMAN LOBON: Commissioner Norton.

13           COMMISSIONER NORTON: Does that mean to  
14 say that -- well, I take it that you want to be ready  
15 to say to the federal government, look, give us money  
16 for this relationship that exists, not one that we're  
17 proposing to grab your money --

18           MS. BIGALOW: Correct.

19           COMMISSIONER NORTON: -- recently, but  
20 one that's already in the works.

21           Is there -- is it expected that the  
22 agreement that might be reached with these two  
23 universities in Slovenia and the Czech Republic that  
24 they would look pretty much just like the ones that we

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1 are approving?

2 MS. BIGALOW: It's unlikely that these  
3 two in particular would ever mature into student  
4 exchange agreements. Primarily because of the  
5 language and instruction issue. Both teach in  
6 languages that we don't teach at CCSU, so we don't  
7 feel we have a student base that would ever be able to  
8 go over there and study in that language.

9 COMMISSIONER NORTON: So, if -- what  
10 if -- what group might develop? What might become of  
11 the relationship?

12 MS. BIGALOW: I brought with me Richard  
13 Benfield, who is the Director of our International and  
14 Area Studies program. Richard, in fact, is the  
15 researcher that's working with the counterpart  
16 university in the Czech Republic, and I would like to,  
17 if I could, defer to him to talk about what he has  
18 planned specifically.

19 MR. BENFIELD: Good afternoon,  
20 Mr. Chairman. Commissioner Norton, with your  
21 concurrence. Mr. Chairman.

22 I think the best example that I can  
23 give is a grant is probably coming up in May that  
24 talks to the European union wishes to establish across

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1 the Atlantic a partnership with universities in the  
2 former Soviet block with American Universities, and in  
3 order to apply for that we have to have a formal  
4 agreement in place. And I would reiterate what Lisa  
5 said, what -- and I think this is where the confusion  
6 arose with staff, is that we do not want students at  
7 this point, or even distinct faculty exchanges, for  
8 many reasons, not just the idea of language, but  
9 immigration and all the issues that come down with  
10 people trying to access the United States through  
11 Czech Republic or Poland, wherever it may be. So,  
12 really all we're asking here for these two. And the  
13 agreement is different in a sense we delete students.  
14 It's just a linkage be established for the purposes of  
15 developing joint research programs.

16           And with your concurrence I might add  
17 one other thing, which occurred to me as a member of  
18 the public, and I have never been before your  
19 commission. We of course follow you in the public  
20 sphere. We read about it in the paper, but this is --  
21 and when we're here before the Connecticut Human  
22 Rights and Opportunities, but really what we're trying  
23 to do here is actually internationalize the work  
24 you're doing to provide for a region. In this case

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1 Slovenia and the Czech Republic. Somewhere which  
2 candidly just not had human rights and opportunities  
3 that's lasted a while. So, by your approving the 10  
4 plus the two, I actually think we even  
5 internationalize the work here today, which is -- I  
6 find quite heartening and quite a -- quite good that  
7 we're doing that kind of thing, so . . . that's really  
8 why we come to you today for these kinds of  
9 exemptions.

10 COMMISSIONER NORTON: Thank you.

11 COMMISSIONER RHODES: I have a  
12 question.

13 CHAIRMAN LOBON: Commissioner Rhodes.

14 COMMISSIONER RHODES: You said you see  
15 something forthcoming in May?

16 MR. BENFIELD: There's a grant that  
17 will come out. It was actually cancelled last year  
18 for -- for what reasons I don't know, but it's  
19 certainly out there. But indeed many of the grants  
20 that we bid on and we write just require an agreement  
21 in place. I mean, it just has to be that, as Lisa  
22 said, to stop this kind of marriage of convenience for  
23 monies that essentially probably do not do the job or  
24 meet the goal that the granting agency is working for.

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1           And in this case -- I should add that  
2 in the case of the Czech Republic agreement, which I  
3 happen to be spearheading, I've been working with them  
4 since 1994. We've been doing this for quite a long  
5 time in trying to get this -- this kind of thing  
6 pushed for in terms of internationalizing them and  
7 bringing the kind of elements in there. So . . .  
8 what I'm here for you today is really not just a game  
9 of exemption of convenience. It's really ratifying  
10 something that I've been doing since almost the fall  
11 of the Soviet Union, and we're up to 12 years or so  
12 now. So, it really is something that we need in order  
13 to continue, I think, the work that we've been doing  
14 that kind of needs ratification from you folks.

15           COMMISSIONER RHODES: So, that's the  
16 reason why you're not coming in May?

17           MR. BENFIELD: Well, we won't be coming  
18 to you again once we have the exemption.

19           COMMISSIONER RHODES: If we don't give  
20 the exemption.

21           MR. BENFIELD: We probably wouldn't be  
22 able to apply on the grant at the end of the day. We  
23 could certain apply, but the chances of success for  
24 that and any number of grants I would think is

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1 minimal, the idea that we would win the grant.

2 COMMISSIONER RHODES: Okay. Thank you.

3 MR. BENFIELD: And there's been a

4 number of cases where that has happened in the past.

5 Not in this case.

6 CHAIRMAN LOBON: Any other questions

7 from the Commissioners?

8 MR. PECH: I might have one, which

9 might clear things up.

10 In these potential agreements with the

11 Czech Republic or the Slovenia that may result from

12 this, if it were to be granted, would either of those

13 require the expenditure of State of Connecticut money

14 a to these universities in an amount greater than

15 \$10,000.00?

16 MS. BIGALOW: Yes. If the University

17 was a formal grant application to either the State

18 Department or a foreign entity and we were awarded the

19 money, a grant agreement, which would be a formal

20 contract in and of itself, separate from these type of

21 inter institutional agreements, that prescribed how

22 the grant monies were to be spent.

23 Typically speaking there is a cost

24 share element of these federal grants and these

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1 international grants, which the institution does have  
2 to put up some contribution. Most of the time in kind  
3 in terms of staff salaries, a certain percentage of  
4 their time being devoted to these international  
5 efforts.

6 We do have a grant similar to what  
7 Richard has talked about that we have in place right  
8 now. Perhaps if I could give you a brief description  
9 of what that grant entails you could see what a new  
10 potential project with another country might look  
11 like. Would you like that?

12 CHAIRMAN LOBON: Sure.

13 COMMISSIONER RHODES: Sure.

14 MS. BIGALOW: The University has a  
15 partnership agreement with the University of West  
16 Indies, which is located in Mona Kingston Province  
17 Jamaica. We've had the partnership with them since  
18 the late 80's. The U.S. Agency of International  
19 Development is doing work in Jamaica right now and one  
20 of their focus areas is sustainable development. We  
21 have faculty on our staff with considerable expertise  
22 in that area, but our counterpart university in  
23 Jamaica does not. So, over the course of the last two  
24 years, with a government investment of about 250,000,

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1 our faculty has been working with the faculty in  
2 Jamaica to teach them concepts of sustainable  
3 development so they could work with both their own  
4 students who are going to be workers in the fields,  
5 and also NGO's that are already existing there to  
6 implement these types of practices so that Jamaican --  
7 economy can flourish.

8 CHAIRMAN LOBON: Any other comments  
9 from the Commissioners?

10 (No response.)

11 Well, thank you very much.

12 MS. BIGALOW: Thank you.

13 CHAIRMAN LOBON: Did that answer your  
14 question.

15 MR. PECH: Well, I'm trying to  
16 understand -- I'm trying to see what basis there would  
17 be to grant the exemption at this time, even though  
18 there is not a final product, if you will. And if the  
19 answer had been under \$10,000.00 that's an easy one,  
20 but it sounds like it's not.

21 However, I -- you know, acknowledging  
22 the remarks of Professor Benfield, I mean, this is a  
23 collaboration research project, if you will, with a  
24 foreign university.

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1 I think you still could fall back on

2 the sole source provider situation exemption --

3 grounds for an exemption, if that's the way you want

4 to go, but . . .

5 But I don't know the answer to that in

6 terms of whether the -- since this isn't so much about

7 cultural exchange, like the other ones you're looking

8 at. This is more about research collaboration, I

9 don't know in fact whether the university of Slovenia

10 or the university in Czech Republic is indeed a sole

11 source provider for whatever the collaborative

12 research is about, which is -- so, I'm -- I'm torn. I

13 really am, because I -- the statute says what it says.

14 Whether you agree with the language or not, it says

15 that when the state signs a contract the other party

16 is supposed to agree to all these terms. When you

17 have these other agreements before you that request an

18 exemption there's a clear -- the UConn research

19 projects, for instance, of which you voted on many of

20 them over the last few years, all say that -- the

21 University of Hawaii or Oregon or wherever it is, is

22 -- the one that is doing this particular part of the

23 research, and that's what we're going to do.

24 I don't hear that yet. Maybe there is

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1 such an explanation, but I haven't heard it. Which I  
2 guess is one of the problems I have with something  
3 done without the final terms being in front of us so  
4 that we can react to them. I don't doubt for a minute  
5 that what they want to do is probably going to be  
6 fine, but . . .

7 COMMISSIONER MAMBRUNO: May I,  
8 Mr. Chair?

9 CHAIRMAN LOBON: Commissioner Conaway  
10 first, and then you Commissioner Mambruno.

11 COMMISSIONER CONAWAY: I just have one  
12 question. Are you sticking with your initial  
13 recommendation where you recommended ten and  
14 disapprove of two or are you saying something  
15 different, because I need to know that.

16 MR. PECH: Okay. I'm certainly  
17 recommending the 10 that I initially recommended.

18 I'm torn, quite literally on the  
19 others, because I think that ultimately they may be  
20 able to justify them in terms of the type of research,  
21 the sole source provider argument, but I haven't -- I  
22 haven't heard that.

23 CHAIRMAN LOBON: Commissioner Mambruno.

24 COMMISSIONER MAMBRUNO: Ray, is there

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1 additional information that you can receive by the end  
2 of the day -- end of the day that might persuade you  
3 one way or the other, or is that information not  
4 available?

5 MR. PECH: It hasn't been made  
6 available to me. There may be. I mean, Benfield may  
7 know right here that one or the other of these  
8 universities, in fact, that they want to collaborate  
9 with has a particular expertise in this field that  
10 isn't available in Connecticut. If that were  
11 presented to me either in writing, or presented to you  
12 right here, right now, that would be fine.

13 Commissioner Griffin.

14 COMMISSIONER GRIFFIN: I just missed a  
15 little bit of the conversation, but do you -- you  
16 know, is there some real risk involved in this that  
17 concerns you for -- I mean, you say you're torn?

18 MR. PECH: I'm in part torn, and as I  
19 say in my written recommendation, as I think I've said  
20 to you folks in prior meetings over similar issues,  
21 the statute that causes this concern, that includes --  
22 that has the language that some of these universities  
23 object to, is 4(a)-60. 4(a)-60 provides that in any  
24 contract to which the state is a party, not one of the

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1 contracts in which we spend money, it's any contract,  
2 the contractor, the other party, must provide that  
3 they will not discriminate on the basis of all of our  
4 protected clauses and that they will provide the  
5 Commission with any information we may desire to see  
6 -- to look at their practice, practices to see if  
7 indeed the contractor is in fact acting in an  
8 undiscriminatory basis.

9           Now, I can stand here and tell you that  
10 it is my firm belief that the legislature was really  
11 looking at procurement contract for goods and services  
12 and construction in the State of Connecticut. And  
13 that they weren't thinking about things like student  
14 exchanges or faculty collaborations with our country  
15 or even out of state universities, but that's not  
16 reflected in the statutes. That's my belief, just  
17 knowing the legislatures and knowing the history of  
18 how that got passed and when that got passed, but --  
19 it is what it is in terms of what it says. And what  
20 is says is that any contractor that wants an exemption  
21 from that language who is entering into any kind of  
22 contract with the State of Connecticut must come  
23 before you and ask for an exemption.

24           And furthermore the statute sets out

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1 the basis for that exemption. One is it going to cost  
2 us under 10 grand. Another is the contractor is a  
3 sole source provider that can't get what they need in  
4 the State of Connecticut. Those are the two we  
5 usually rely on.

6 We just heard that this contract is  
7 probably going to cost the state of Connecticut,  
8 either of these contracts, over 10 thousand dollars.  
9 That leaves the sole source provider.

10 So, going back to Commissioner  
11 Mambruno's question, if I or you could be presented  
12 with some evidence that the universities -- the  
13 collaborative studies that they want to enter -- these  
14 folks have particular expertise that isn't available  
15 in Connecticut, I'd be a lot more comfortable with it.  
16 Let's put it that way.

17 COMMISSIONER PESTANA: Do you have  
18 something?

19 MS. BIGALOW: Thank you. I'm sorry.

20 If I could -- this agreement would be a  
21 route document from which any fruitful grant efforts  
22 resulted in another contract. And I can quote from  
23 the language of the contract that's before you.

24 "The parties to this agreement

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1 stipulate that areas for collaboration may be  
2 identified in the future and cooperative projects  
3 related to them may be developed between the two  
4 universities in the spirit of institutional friendship  
5 and cultural and educational scientific cooperation.

6           Prior written approval of both  
7 universities by formal written amendment to this  
8 agreement is required for the initiation of any such  
9 project developed under the terms of this agreement."

10           So, if and when we are so lucky to get  
11 the grant, it will spawn another grant agreement,  
12 which would have all of the particulars laid out,  
13 which would talk about the amounts of money that are  
14 involved.

15           There is certainly an expenditure of  
16 less than \$10,000.00 involved in this particular  
17 contract that we put before you today that would allow  
18 us to attempt to get money.

19           CHAIRMAN LOBON: Thank you.

20           MR. PECH: So, if I'm hearing -- and  
21 I'm sorry that we're carrying on this debate here, but  
22 I just got by fax the day before yesterday this  
23 request to reconsider my recommendation.

24           So, what you're asking -- you're saying

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1 you need this agreement to continue discussions about  
2 a further agreement.

3 MR. BENFIELD: That's exactly right.

4 MR. PECH: And if you get that further  
5 agreement we can expect to see you back here?

6 MR. BENFIELD: Exactly.

7 MS. BIGALOW: Exactly.

8 MR. PECH: Then I have no problem.  
9 Because I was led to believe that this language had to  
10 be off the table --

11 MS. BIGALOW: No.

12 MR. PECH: -- for the second agreement  
13 -- before that second agreement could be negotiated.

14 MS. BIGALOW: No.

15 MR. PECH: Okay. Then I -- to answer  
16 your question, Commissioner Conaway, I will revise my  
17 recommendation on the final two and say for the  
18 purposes of proceeding with that agreement, which only  
19 permits them to discuss a potential further agreement,  
20 I recommend you approve that one as well.

21 COMMISSIONER CONAWAY: Thank you.

22 COMMISSIONER RHODES: He's no longer  
23 torn.

24 CHAIRMAN LOBON: Any other questions

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1 from the Commission?

2 (No response.)

3 Alright. I guess we'll move on to each

4 one individually on this one.

5 MR. PECH: If I change my

6 recommendation, you can vote on all 12, unless

7 somebody is considering not --

8 COMMISSIONER NORTON: I do think though

9 that with regards to the agreements with Spain and

10 Italy there ought to be some site visits by

11 Commissioners -- (Laughter.)

12 CHAIRMAN LOBON: Bob, do we need to

13 change how it reads here or how can we incorporate

14 this?

15 MR. BROTHERS: You can just do a motion

16 and vote on all 12 at once.

17 COMMISSIONER GRIFFIN: So move.

18 CHAIRMAN LOBON: Alright. A motion has

19 been made to accept staff recommendation for approval

20 of all 12 of the exemptions.

21 COMMISSIONER RHODES: Second.

22 CHAIRMAN LOBON: A motion by

23 Commissioner Griffin, second by Commissioner Rhodes.

24 All those in favor state by saying aye.

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1 (Whereupon the Commissioners responded

2 aye.)

3 Nays? Abstentions?

4 Ayes have it.

5 CHAIRMAN LOBON: Okay. Going to B.

6 MR. PECH: Going to B. And this is the

7 -- this is very similar to the ones you saw last week

8 -- last month, rather.

9 Last month you approved an exemption

10 between the Shandong Province and the People's

11 Republic of China and Central for officials of the

12 Shandong government to come over here and study state

13 government. Shandong is the equivalent to a state in

14 China. It's a province. They call them provinces,

15 but it's equivalent to a state.

16 This one is a for a city within the

17 province of Shandong called Weihai, for people of

18 Weihai to come over here primarily to study language,

19 is that correct? And as with the one last month the

20 student, or the people's republic, I'm not sure which,

21 is responsible for what would be the equivalent of

22 tuition. They're going to pay Central a lump sum for

23 up to 20 people to come here. In groups of 10, I

24 guess. Two groups of 10 over a three month period.

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1           They're responsible for their own  
2 airfare from China to New York. Central's  
3 responsibilities are to provide instruction and  
4 housing as they would for any other grad student on a  
5 payment of tuition.

6           Again, this is more in the traditional  
7 exchange thing, and I have no problem with  
8 recommending approval of that one.

9           **CHAIRMAN LOBON:** Okay. Staff has made  
10 a recommendation for approval for the contract  
11 compliance exemption that Central requests regarding  
12 the proposed agreement between Central Connecticut  
13 State University and People's Republic of China  
14 Weihai.

15           **COMMISSIONER MAMBRUNO:** I would like to  
16 make a motion to accept the contract compliance  
17 exemption request regarding a proposed agreement  
18 between CCSU and the People's Republic of China Weihai  
19 government.

20           **CHAIRMAN LOBON:** A motion has been made  
21 by Commissioner Mambruno.

22           **COMMISSIONER RHODES:** Second.

23           **CHAIRMAN LOBON:** Seconded by  
24 Commissioner Rhodes.

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1 Any conversations? Questions?

2 Hearing none, all those in favor state

3 by saying aye.

4 (Whereupon the Commissioners responded

5 aye.)

6 Nays? Abstentions?

7 Ayes have it.

8 Okay. C.

9 MR. PECH: Okay. C is also from the

10 U.S. China Business Division at Central. And

11 accompanying this request and which is included, they

12 also ask if we would consider a blanket -- a limited

13 blanket exception, as they called it, for -- they

14 anticipate two or three or four more contracts with

15 various cities and or provinces within the People's

16 Republic over the next few months for essentially the

17 same group as this, to bring governmental officials

18 there, here, for the instruction either in government

19 or language or business or things related to how they

20 could better function back in the People's Republic.

21 With certain limitations I don't have

22 any objection to a blanket exception. And in the memo

23 that I wrote I set forth what I thought was limited by

24 B.

1           Number one, we're only going to talk about  
2 contracts between Central and the People's Republic,  
3 or governmental units there of province or cities.  
4 Only those agreements in which the People's Republic  
5 sends students to Central for specific courses or  
6 intracultural experiences, and the event that any  
7 particular agreement involves the direct payment of  
8 money by Central to the People's Republic that someone  
9 might exceed \$10,000.00, and that they -- that Central  
10 will provide to us quarterly beginning on June 1  
11 copies of any contracts which they have entered  
12 pursuant to this exemption for the prior three months.  
13 And that would continue. With those controls I don't  
14 have any objection to a blanket exemption.

15           CHAIRMAN LOBON: Is Central amenable to  
16 that?

17           MR. BENFIELD: Yes.

18           MR. PECH: They requested it.

19           Well, I don't know if they're amenable  
20 to the --

21           MR. BENFIELD: That's fine.

22           MR. PECH: -- the requirements, but --  
23 okay. They don't have any objection.

24           COMMISSIONER RHODES: So move.

1           **CHAIRMAN LOBON: Motion has been made**  
2 **by Commissioner Rhodes.**

3           **COMMISSIONER MARSHALL: Second.**

4           **CHAIRMAN LOBON: Seconded by**  
5 **Commissioner Marshall. Request for a blanket contract**  
6 **comprising of Central Connecticut State University.**

7           **Any questions from any of the**  
8 **Commissioners?**

9           **(No response.)**

10          **Hearing none, all those in favor.**

11          **(Whereupon the Commissioners responded**  
12 **aye.)**

13          **Nays? Abstentions?**

14          **Ayes have it.**

15          **MR. PECH: That's it on the agenda, and**  
16 **I can't go beyond the agenda, except I would like to**  
17 **ask you to consider maybe for next month's agenda, do**  
18 **we want to talk about blanket exceptions for some of**  
19 **these other type issues. You may have no interest,**  
20 **which is fine. Tell me, but we have the research**  
21 **contracts from UConn that come up often, and they're**  
22 **easy, but . . . again, because of the way the statute**  
23 **is written it's quite proper they come before you.**

24          **But they're always the same basis.**

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1 They're always out of state. It's always a sole  
2 source provider for the particular research involved.  
3 So, I'm just asking, I guess, can we discuss it at the  
4 next meeting, and perhaps consider that, because it  
5 would save potentially time and dollars.

6 CHAIRMAN LOBON: Commissioners.

7 MR. PECH: If you have no objection.

8 CHAIRMAN LOBON: Those in favor.

9 (Whereupon the Commissioners responded  
10 in the affirmative.)

11 MR. PECH: Alright. I'll put it on for  
12 the next meeting.

13 CHAIRMAN LOBON: Okay. Fine.

14 Okay.

15 COMMISSIONER RHODES: Motion to go into  
16 executive session.

17 CHAIRMAN LOBON: Motion is made by  
18 Commissioner Rhodes to go into executive session.

19 COMMISSIONER MARSHALL: Second.

20 CHAIRMAN LOBON: Seconded by

21 Commissioner Marshall. All those in favor?

22 (Whereupon the Commissioners responded  
23 aye.)

24 Nays? Abstentions?

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1           **Ayes have it.**

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3           **(Whereupon the Commissioners were in**

4 **executive session from 3:10 until 4:30 p.m.)**

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6           **CHAIRMAN LOBON: We need a motion to**

7 **come out of executive session.**

8           **COMMISSIONER RHODES: So move.**

9           **COMMISSIONER MARSHALL: Second.**

10          **CHAIRMAN LOBON: Motion to come out of**

11 **executive session moved by Commissioner Rhodes, second**

12 **by Commissioner Marshall. All those in favor.**

13          **(Whereupon the Commissioners responded**

14 **aye.)**

15          **Let the record show that there were no**

16 **votes taken in executive session.**

17          **Okay. We're going down to B. The**

18 **reopening request of Dent versus the University of**

19 **Connecticut, No. 0540171.**

20          **Can I get a motion please.**

21          **COMMISSIONER RHODES: Mr. Chair, I have**

22 **to make a motion that we deny the reopening request on**

23 **Dent versus University of Connecticut.**

24          **CHAIRMAN LOBON: Motion has been made**

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1 to deny the reopening request by Commissioner Rhodes.

2 Is there a second.

3 COMMISSIONER MAMBRUNO: Second.

4 CHAIRMAN LOBON: Seconded by

5 Commissioner Mambruno.

6 Is there any other discussion?

7 COMMISSIONER NORTON: I would just like

8 to say that I'll be voting to support the

9 recommendation that we not reopen. And I just wanted

10 to make clear for those interested, that it isn't so

11 much an evaluation on our part about the history of

12 your employment at the University of Connecticut.

13 What we do is evaluate whether the people working here

14 gave you all the attention and justice and balance

15 that they should have in reviewing your case. They

16 reached the conclusion, as I understand it, that there

17 wasn't enough evidence to move a case forward. That

18 any bad treatment, and there may have been bad

19 treatment, that any bad treatment was based on racism

20 or sexism. It didn't appear in the file that anyone

21 made a mistake when they said, "There's not really

22 enough here to prove sexist or racist treatment."

23 There may be bad treatment, but not sexist or racist

24 treatment. And in our review of the situation it

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1 didn't appear that a mistake was made in reaching that  
2 conclusion.

3 CHAIRMAN LOBON: Okay. Any other  
4 discussions from Commissioners?

5 (No response.)

6 Alright. A motion has been made and  
7 seconded. All those in favor.

8 (Whereupon the Commissioners responded  
9 aye.)

10 Nays? Abstentions?

11 COMMISSIONER PESTANA: One abstention.

12 COMMISSIONER GRIFFIN: Abstention.

13 COMMISSIONER CONAWAY: Abstention.

14 CHAIRMAN LOBON: One abstention?

15 COMMISSIONER PESTANA: Two.

16 CHAIRMAN LOBON: Commissioner Griffin

17 and --

18 COMMISSIONER CONAWAY: Three.

19 CHAIRMAN LOBON: Commissioner Pestana

20 and Commissioner Conaway.

21 Okay. The ayes have it. The ayes have  
22 it.

23 Okay. Can I get a motion for

24 adjournment?

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1           **COMMISSIONER RHODES: So move.**

2           **COMMISSIONER MARSHALL: Second.**

3           **CHAIRMAN LOBON: A motion for**

4 **adjournment by Commissioner Rhodes and seconded by**

5 **Commissioner Marshall. All those in favor state by**

6 **saying aye.**

7           **(Whereupon the Commissioners responded**

8 **aye.)**

9           **Nays? Abstentions?**

10          **Ayes have it.**

11          **Thank you.**

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13          **(Proceedings concluded at 4:35 p.m.)**

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1           **CERTIFICATION**

2

3 **STATE OF CONNECTICUT)**

**) ss.**

4 **COUNTY OF HARTFORD )**

5

6           **I, Nancy E. Paretti, a Notary Public in**

7 **and for the State of Connecticut, do hereby certify**

8 **that the foregoing record is a correct and verbatim**

9 **computer-aided transcription of the proceeding**

10 **hereinbefore set forth.**

11           **I further certify that I am neither**

12 **counsel for, nor related to, nor employed by any of**

13 **the parties to the action in which this proceeding is**

14 **taken and further certify that I am not related to,**

15 **nor an employee of any attorney or representative**

16 **employed by the parties thereto, nor am I financially**

17 **interested in this action.**

18           **In witness whereof I have hereunto set**

19 **my hand and affixed my notarial seal this date,**

20 **February 28, 2006.**

21

\_\_\_\_\_

22           **Nancy E. Paretti**

23           **Notary Public**

24 **My commission expires February 28, 2007**

