

**TOWN OF MANSFIELD
PERSONNEL COMMITTEE**

**Tuesday, January 17, 2012
Audrey Beck Municipal Building, Conference Room C
Minutes**

Members Present: Deputy Mayor Toni Moran (Chair), Denise Keane, Paul Shapiro

Staff Present: Matt Hart, Town Manager, Maria Capriola, Assistant to Town Manager,
Dennis O'Brien, Town Attorney

The meeting was called to order at 6:00p.m.

1. APPROVAL OF MINUTES

The meeting minutes of 12/5/11 were moved as presented by Shapiro and seconded by Keane. The minutes were unanimously approved as presented.

2. PUBLIC COMMENT

Ric Hossack, Middle Turnpike Road. Spoke to the placement of public comment on the agenda and his disagreement with the sources cited for developing the Ethics Code (in the minutes of the 12/5 Personnel Committee meeting).

David Freudman, Eastwood Road. Spoke to his opinion on the difference between an actual conflict of interest and the appearance of a conflict; also stated that the state employee reference in the Ethics Code is not necessary.

Betty Wasmundt, Old Turnpike Road. Advocated for the inclusion of "personal gain" in the Ethics Code.

3. COMMITTEE WORKPLAN/ORIENTATION

The Committee workplan and reference materials were distributed and reviewed. No action was taken.

4. TOWN MANAGER PERFORMANCE REVIEW PROCESS

The Committee reviewed and discussed the draft performance review outline prepared by Moran. Shapiro made the motion, seconded by Keane to request staff to prepare a draft format using the outline prepared by Moran and a four point rating scale; staff may make grammatical, typographical, and technical corrections as needed. After discussion on a four point rating scale of exceeds expectations, meets expectations, partially meets expectations, and does not meet expectations, Shapiro called the question. The motion passed unanimously. Capriola will prepare a draft format, Moran the definitions for the rating scale, and Hart will report back on the feasibility of using components of his ICMA 360 degree credentialed manager review.

5. ETHICS CODE

The Committee continued its review and discussion of the Ethics Code.

- Financial disclosure form. The Committee discussed the merits of including financial disclosure requirements in the Code. By consensus, financial disclosure requirements were not added to the Code.

- Personal benefit. The Committee discussed the merits of adding “personal benefit” to the Code. By consensus, “personal benefit” was not added to the Code.
- Conflict of interest (25-7C(4)). Committee members felt that 25-7C(4) was not needed because 25-7C(3) adequately addresses the issue. Shapiro made the motion, seconded by Keane to remove 25-7C(4). The motion passed unanimously.
- Severability (25-11). Keane made the motion, seconded by Shapiro to reference state and federal law in the severability clause and to remove reference to the Personnel Rules and collective bargaining agreements. The motion passed unanimously.
- Regionalization of Board. No action taken.
- Timeliness issues (for Board). Committee members discussed legal remedies, including mandamus. By consensus, additional timelines/requirements were not added to the Code.
- Code violation penalties (25-8G(1)). By consensus, the Committee agreed to add, “for such actions as they may deem appropriate” to the end of 25-8G(1).
- Use of Town Equipment (25-7G). Keane made the motion, seconded by Shapiro, to insert the word “written” in front of “official town policy.” The motion failed with Keane voting in favor and Moran and Shapiro voting against.

Shapiro made the motion, seconded by Moran to send the draft as revised to Council. Shapiro withdrew the motion. By consensus the Committee agreed to have a special meeting on January 24th at 6pm to review the Ethics Code as revised. Tentatively, the Committee plans to have Council set a public hearing on the Code at the 1/30 Council meeting, hold a public hearing on 2/13, and vote on an amended Code on 2/27.

6. PERSONNEL RULES

Shapiro made the motion, seconded by Moran, to remove section 1.3 and Exhibit A from the draft version of the Personnel Rules and to submit the Rules to Council as revised. The motion passed unanimously and the Rules will be presented to the Council at their January 23rd meeting.

7. COMMUNICATIONS

No action was taken on any of the communications.

8. EXECUTIVE SESSION – Personnel in accordance with CGS §1-200(6)(a), Town Manager Performance Review

Keane made the motion, seconded by Shapiro to enter into executive session. The motion passed unanimously. Committee members (Keane, Moran, Shapiro) entered into executive session at 8:12p.m.

The meeting adjourned at 9:00 p.m. The next meeting is scheduled for Tuesday, January 24, 2012.

Respectfully Submitted,
 Maria E. Capriola, M.P.A.
 Assistant to Town Manager