

TOWN OF WARREN BOARD OF SELECTMAN

Notice of Selectman's Meeting
via Zoom

DATE: September 1, 2020

Time: 5:00 P.M.

Place: Zoom Meeting

1. Minutes of August 18, 2020
2. Public Comment
3. Additions to the Agenda
4. Correspondence: Letter from J. Papp
5. Resignation Letter
6. Fire Company – truck bid information
7. Wasley Farm Committee Update
8. HR Research findings – old business
9. Beach Cameras –old business
10. First Selectman's report
11. Public comment

Join Zoom Meeting

<https://zoom.us/j/93523661221?pwd=N29NazJPalpKZGZYK3BQeHdPVXQ2QT09>

Meeting ID: 935 2366 1221

Passcode: 713690

One tap mobile

+16468769923,,93523661221#,,,,,0#,,713690# US (New York)

Dial by your location

+1 646 876 9923 US (New York)

John Joseph Papp
25 Anita Way
Warren, CT 06754

August 26, 2020

The Warren Board of Selectmen and The Warren Planning and Zoning Commission
50 Cemetery Rd
Warren, CT 06754

To Whom It May Concern,

Be it known that I have been nominated and appointed to serve as Chair of the Warren Planning and Zoning Commission from the dates 8/25/2020 – 12/31/2020. Some members of the public have displayed concern that I have a “conflict of interest” because I am a Real Estate Broker and own The Bella Group, LLC, a real estate brokerage located within the Town of Warren. In order to remove any such doubt that I do not have a conflict of interest and so the public does not need to question my ability to remain unbiased, this letter is to serve as public record stating the following:

1: From this date forward through my time as chair, I will not take on any new clients looking to sell their home within the Town of Warren.

2: From this date forward through my time as chair, I will donate 100% of any commission made from real estate transactions from my personal clients purchasing a home within the Town of Warren.

3: From this date forward through my time as chair, I will donate 100% of any commission my real estate brokerage, as a company, earns from any real estate transactions (listing or selling) made by its agents from servicing any new clients. Agent will still be paid their commission owned as stated in their individual commission agreements.

4: All donations from the above will be equally distributed as legally acceptable among the Warren Volunteer Fire Department, The Warren Food Bank, The Warren Land Trust, and the Lake Waramaug Task Force.

5: All contracts for listing and selling transactions dated before 8/25/2020 within the Town of Warren will be executed per their original agreements. Commissions will be paid in full according to said agreements and are not considered new transactions or clients.

Respectfully Submitted,

John Joseph Papp
Chairman, Town of Warren Planning and Zoning Commission

CC: The Warren Board of Selectman, The Warren Planning and Zoning Commission

August 27, 2020

Town of Warren

Board of Selectman & Board of Finance

50 Cemetery RD

Warren, CT 06754

Dear BOS & BOF:

I regret to inform you that my last day will be Thursday, September 10, 2020. My decision to leave is 100% based on events that continue to occur by Mr. Tim Angevine. I can't continue to work in a hostile, unpredictable, chaotic, and extremely disruptive environment that he ALONE has created.

The CONSTANT attacks, outrageous accusations, and berating to Colleen Frisbie are completely inappropriate and unfair. Joanne has been placed in terrible positions on numerous occasions when Mr. Angevine makes her sit in while he harasses Colleen for an hour to two hours at a time, when Joanne has nothing to do with it. Joanne should never be placed in these situations. These women are my family not just my coworkers, and it has become unbearable to witness this happening all the time.

In regards to me; the horrible event that occurred in January, the retaliation that Mr. Angevine continues to pursue against me since the State/Federal complaint was filed, and the fear I still feel every time he is in the building because of his narcissistic, aggressive manner to women is also unbearable. I am literally getting physically sick from the stressful working environment. Again, he ALONE created this environment.

I worked harder than I worked for anything for over three years to become a certified tax collector so I could be the best I could be for the Town of Warren. I have been extremely successful as a tax collector with the highest collection rates in the state. I have professionally given everything I can to the Town of Warren. I thought I was going to retire working for the town, but that is no longer the case. It is heartbreaking for me to write this resignation letter, but again, I can no longer work in this extremely hostile, stressful environment.

I fear that while Mr. Angevine continues to be in office, there will be more FOI complaints, lawsuits against the town, and more traumatic events to the women staff.

I wish for the safety of my women coworkers.

Sincerely,

Heather D. Perssonatti

Warren Tax Collector, CCMC

cc. Colleen Frisbie

Eileen F. Meehan

Human Resources Consulting

*74 Thunderbird Drive
Southington, CT 06489*

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(860) 518-3285

RE: Recommendations for Human Resource Function: Town of Warren, CT

Date: July 29, 2020

Thank you for the opportunity to review the current structure and function of human resource management issues in the Town of Warren.

Scope of Project

The scope of the current project based upon the June 23, 2020 invoice submission was to research and gather data on the current HR structure in the Town of Warren and based upon those findings to develop recommendations for modification of managing common Human Resource functions including but not limited to policy development, job descriptions, compensation review, recruitment, orientation, performance evaluation, supervision and general Human Resource matters such as mandatory postings, leaves, attendance, safety and employee wellness.

Document Review and Other Reference Sources

Documents reviewed for this project included the following:

- Town of Warren 2020-2021 Adopted Budget to determine number of budgeted positions
- Roster of Staff and Vacant Positions compiled by Colleen Frisbie and forwarded by First Selectman Angevine
- Collective Bargaining Agreement between the Town of Warren, CT and Teamsters Local Union No. 677 Expires June 30, 2021
- Job Descriptions for Town of Warren employees covering the following job classifications:
 - Road Maintenance Worker (2015)
 - Land Use Clerical Assistant
 - Recreation Director (2012)
 - Public Works Supervisor (2014)
 - Social Service Director (2017)
 - Tax Collector (2016)
 - Land Use Officer

Also reviewed for this project was the Town of Warren's website, websites for other like towns (based on population), state websites that govern employment issues, federal Department of Labor website, websites and structure for Human Resource functions in two larger nearby municipalities, Waterbury and Torrington.

Introduction

The functions normally handled by a professional Human Resource office include a wide variety of topics that touch each employee throughout employment. This begins with recruitment activities: identifying a budgeted vacancy; developing a posting to advertise for the vacancy; ensuring posting is done in a manner that attracts as wide and diverse a qualified applicant pool as possible; screening applications to determine which will be contacted for interview; developing interview questions that will identify relevant experience, skills, interest and ability; developing selection criteria; checking references and making the job offer. It moves from the recruitment and selection process to "onboarding" or orientation of new staff where benefits and expectations are reviewed and the employee handbook is provided. Once an employee is on board, there will be human resource needs throughout employment that are best served by a well-structured human resource function.

Although a well-structured human resource function supports and serves employees, it also provides critical and cost-effective support and service to the employer. Although the Town of Warren is a very small employer, it is still subject to many state and federal labor laws and regulations. Failure to adhere to those requirements, to maintain a drug free workplace, a workplace free of harassment and discrimination, to have relevant and required policies in place and to develop fair and consistent workrules that apply to all staff can lead to costly lawsuits for federal or state violations; unfavorable publicity for the Town regardless of the outcome of such allegations or complaints and fines for failure to adhere to required workplace regulations. Investment in identifying what requirements apply to an employer the size of the Town of Warren, developing policies to address those requirements, developing consistent workrules, consistent job descriptions, reviewing all documents in use to ensure that they comply with state and federal regulations (such as employment applications and background checks), providing written guidelines to supervisors on performance evaluation and corrective discipline can both avoid workplace disputes and support any claim brought against the Town in a positive and effective way.

Another unique circumstance for the Town of Warren is the existence of a unionized workgroup of only four (4) employees. All other employees are non-unionized. The unionized employees have clear indications of their leave time, appropriate use of leave time, methods for compensation increases and contractual bonuses. They have a grievance procedure, a seniority system and a just cause disciplinary standard. There is no evidence that non-unionized employees have these clear expectations or benefits in policy format. It is generally not anticipated that a union will negotiate a benefit for its dues paying members and that those benefits will automatically be extended to all other employees. Some consideration and review of what is appropriate and equitable for non-bargaining unit staff is desirable, as is reducing those determinations to writing. It is also unclear from the documentation provided whether the highest-level employee in the Public Works Department is unionized or non-unionized. The

issue of who is administering the bargaining unit contract for the employer is one that should be reviewed to ensure that it is in fact a person outside of the bargaining unit and that all contract requirements are being met and all agreed to functions are occurring. Failure to appropriately administer the collective bargaining agreement can result in expenditure of funds or granting of benefits that are not authorized under the contract and therefore may be improper. It can also lead to charges of unfair labor practices by the union that can result in the Town having to defend itself at the State or National Labor Board.

Recommendations

A. Policy Development

1. Develop policy to address State and Federal mandates such as Federal FMLA, Title VII, Harassment and Discrimination, ADA, FLSA, CFEPa, Immigration and Naturalization requirements;
2. Develop an Employee Code of Conduct/Workrules that clarify expectations for all employees in terms of professional conduct, reporting to work, use of municipal equipment and systems, social media and compliance with Town policies;
3. Partial List of Policies that address the Town's adherence to State and Federal requirements and employee expectations:
 - a. Family and Medical Leave Act
 - b. Employees with Disabilities
 - c. Workplace Safety (includes injury and workers compensation protocols)
 - d. Recruitment and Selection Process (ensuring a process free of discrimination)
 - e. Benefits for Non-Unionized Staff
 - f. Employment Eligibility (I-9 requirements)
 - g. Performance Evaluation System
 - h. Corrective Discipline
 - i. Investigation of Internal Complaints
 - j. Harassment and Discrimination in the Workplace
 - k. Drug Free Workplace
 - l. Records Retention
 - m. Violence in the Workplace
 - n. Use of Municipal Systems/Electronic Monitoring Notice
 - o. Employee Code of Conduct

B. Posting Requirements

1. As a part of Policy Development and review of State and Federal mandates, identify requirements for posting such as Minimum Wage posters, ADA posters, Harassment and Discrimination posting.
2. Secure all required postings and place in appropriate areas.
3. Monitor ongoing posting needs and replace as needed.

C. Job Descriptions and Organizational Charts

1. Establish a template for all job descriptions;
2. Modify existing job descriptions to fit the agreed upon template and update information as needed;
3. Develop job descriptions for those job classes where one does not exist

D. Recruitment

1. Review and modify job application to ensure compliance with state and federal requirements;
2. Review posting process to ensure sufficient sources to attract diverse applicant pool;
3. Identify screening criteria for applicants that is relevant to the job being filled and is non-discriminatory;
4. Develop interview questions for each job classification that are job related and non-discriminatory;
5. Provide training and/or written documentation to any employee who will be involved in interviewing to ensure that interviews are conducted in a fair and non-discriminatory manner;
6. Develop criteria for selection following interview that is objective and non-discriminatory;
7. Develop essential functions for each job classification as well as physical performance criteria;
8. Determine which classes will require a pre-employment physical and what that will entail;
9. Determine which classes will require pre-employment drug testing;
10. Develop a process for reference checks—employment, business, criminal, DCF other necessary checks;
11. Ensure appropriate releases for doing reference checks both pre-offer and post offer;
12. Develop a notification process for applicants who are not selected and standard offer letters for the applicant who is selected;
13. Maintain recruitment files for each position filled that includes the posting, and all documentation related to the position as well as the interview and selection process.

E. Orientation/Onboarding

1. Develop an employee handbook that contains all employment related information such as the job description, policies, employee expectations, benefits and other relevant documents to be given to each employee upon hire;
2. Develop a consistent onboarding package of required forms, I-9, W-4, CTW-4, health insurance, life insurance and retirement as applicable.
3. Ensure consistent orientation of new staff upon hire that communicates the mission and philosophy of the Town, the expectations of conduct and work, compensation and benefits.

F. Performance Evaluation/Supervision/Discipline

1. Develop written expectations for supervisors on performance evaluation and performance appraisal, corrective disciplinary principles and maintenance of supervisory files.
2. Provide training on supervisory matters including attendance monitoring, work review, correction and commendation, completion of performance appraisals and

other employee matters such as workplace injuries, workplace safety, complaints of harassment or discrimination, concerns about alcohol or drug use at work, granting mandatory leaves, maintaining required licensure for job (ex, CDL) and required recordkeeping.

G. Benefits

1. Codify eligibility requirements for each offered benefit and identify eligible/not eligible staff; ensure only eligible staff receive benefits
2. Codify leave benefits accruals, use and pay off at termination of employment; ensure each employee is accruing, using and receiving pay in accordance with the established requirements;
3. Codify holiday pay, overtime eligibility, compensation rules regarding increases/decreases

H. Labor Relations

1. Review each contract requirement to ensure that there is a process in place to implement each;
2. Identify management designees to administer the contract requirements and maintain records of leave accruals, use, call back pay, overtime eligibility, etc.
3. Identify management designee outside of the bargaining unit to hear and adjust grievances and manage other aspects of the bargaining unit agreement

Workplan

The areas identified above address concerns routinely handled through a human resource unit. The challenge for the Town, should it decide to pursue the development of these areas will be maintaining these functions in a manner that remains compliant with State and Federal mandates and ensures updated information is communicated to employees and adopted by the Town.

Policy Development

The initial work of policy development will provide the Town with consistent and compliant processes to guide its protocols, inform staff and support any claims of violation that may be raised in the future. Minimally it is suggested that those mandates administered by the State and Federal Departments of Labor be reviewed and a policy and protocol be developed and adopted. Doing this will provide the information needed to ensure that required postings are identified and secured and will serve as a basis for the start of an employee handbook. These do not have to be lengthy policies but must thoroughly reflect the requirements of the regulations and/or laws, the process to ensure compliance and identify who within the Town will be responsible to administer the policy. An estimate of the time needed to adequately research the requirements of the areas cited in A above and compose a draft policy would be 3-5 hours per topic.

Other policies that are recommended but not necessarily governed by state and federal requirements such as Recruitment and Selection, Benefits, Corrective Discipline and Performance Evaluation would be developed following the establishment of criteria, expectations and protocols. The policies themselves would fall within the same time estimates above, that is 3-5 hours per topic.

Posting Requirements

Identification of posting requirements will occur during the research for policy development and will not require any significant additional time.

Job Descriptions and Organizational Charts

In order to review existing job descriptions and develop new ones, it is useful to get the input of incumbent staff and their supervisor. The development of a job duties questionnaire and instructions for completion would take minimal time. These would then be distributed to staff for completion. Those who wanted to complete this task verbally could be interviewed over the phone or in person, however, this would increase the amount of time the task would take. The duties questionnaires would then be reviewed and used as the basis for the job description. Development of job descriptions in this manner will lend itself to the development of an organizational chart for the Town that will identify how Departments are staffed and where authority for each Town function lies. An estimate of time to complete this task would be 1-2 hours per job description, assuming that it is all done through documentation. Additional time would be needed if in person or telephonic interviews are conducted.

Recruitment

The development of a recruitment system that incorporates the requirements of Title VII and other state and Federal mandates is critical to avoid claims of discrimination by applicants. Review of all documentation in use; development of standardized interviews; establishment of essential functions and physical performance criteria and how those will be ensured through interview and pre-employment physicals are essential to avoid allegations of unfair treatment and violations of applicants' rights. This can be a labor-intensive function to set up, but once it is developed and implemented it becomes fairly routine. It is estimated that the full development of a recruitment and screening system, from posting to hire would take 30-40 hours. Additional time would be needed to train staff charged with interviewing and making hiring decisions to ensure understanding of the areas of concern.

Onboarding

The development of an employee handbook and forms package would be part of the policy development process and would not require significant additional time. The development of an orientation program that includes explanation of the information in the handbook and completion of the forms as well as provision of organizational structure, philosophy and expectations would be estimated at 8-10 hours.

Performance Evaluation/Supervision/Discipline

The development of a comprehensive supervisory guide on performance management including completion of performance evaluation and how to administer a corrective disciplinary system would be a useful tool for any employee with supervisory responsibility. These guides could be completed in 15-20 hours. If there is no current performance appraisal tool in use, a new tool could be drafted in 3-5 hours.

Benefits

Benefits for non-unionized staff should be incorporated into a policy that sets eligibility criteria, how benefits will be administered and who is responsible for ensuring proper tracking and authorization for benefit participation. Development of a protocol and procedure is estimated to take 10-12 hours.

Labor Relations

Benefits for unionized staff are largely incorporated into the collective bargaining agreement. It is recommended that a review be conducted of each of the benefits authorized through the agreement and that protocols for how those benefits are administered be drafted. For example, who is responsible for calculating seniority in accordance with the contract and maintaining a seniority list; who is responsible for calculating vacation time and ensuring that it is used properly. The contract sets forth what will be done. It would be useful for the Town to have documentation of exactly how these standards are administered. A comprehensive review of the contract and establishment of procedures for implementation is estimated to take 15-20 hours.

Aside from the review of how the benefits authorized by the Collective Bargaining Agreement are implemented, there are other areas of contract administration that could be clarified in terms of responsibility and authority. In addition, the current contract expires June 30, 2021. The Union should be submitting a demand to bargain to renegotiate in the near future if it has not done so already. The Town should be developing a negotiating team and strategy, reviewing contract language that it would like modified and preparing for negotiating a new contract. Assistance with negotiation prep and developing protocol for contract administration in areas other than benefits is estimated to take 15-20 hours.

Ongoing Support

The focus of this proposal and recommendation is to establish documentation, policy, procedure and protocols that will provide guidance and effectively communicate expectations, rights and responsibilities from the Employer to the Employee. The recommendations cited herein are to develop a structure of human resource administration that supports compliance with state and federal employment requirements and supports the Town as it administers its responsibilities to its employees and its citizens. It creates transparency to publish policies that apply to all staff equally and can eliminate perceptions of favoritism or unequal treatment. As stated previously, the challenge once this structure has been developed and implemented will

be to maintain it. Responsibility will have to be clearly assigned and follow through on ongoing implementation is critical to avoid having the system fade into disuse.

Having access to a Human Resource or employment law professional is critical to keep these systems going. Ideally, every employer would employ a Human Resource professional whose job would be to keep current on changing employment requirements, maintain files, oversee recruitment activities, be available to consult with staff, supervisors and administrators on HR matters and provide guidance and advice. However, an employer the size of the Town of Warren does not likely need a person on staff full time or even part time. One solution would be to hire a consultant who would review processes annually and follow up on policy implementation; someone who could conduct training on relevant matters as needed and provide support and guidance. This would give access to a human resource professional on an as needed basis and after the initial establishment of the HR function, use could be monitored to determine how much and what type of support is needed which would allow for a determination to be made as to budgetary needs going forward to support that function. A consultant could conduct HR investigations, assist with mediating employee conflicts and keep the Town apprised of any changing requirements.

Another solution, and one that may be easier to manage and administer would be to solicit a partnership with a larger municipality that has a Human Resource professional on staff who could provide the type of support and oversight needed to maintain the HR function. Torrington has a human resource professional on staff and may be in a position to take on the additional work of the Town of Warren.

Summary

The establishment of a structured human resource function would include the areas outlined above. Such systems protect the employer, in this case, the Town, from claims of discrimination and harassment by promoting transparency and ensuring that documentation exists to support that any actions taken are done in a fair and equitable manner. It addresses state and federal requirements for posting, documentation, record keeping and communication and ensures that benefits being given to staff are consistent, fairly granted and authorized. It is estimated that the time needed to develop those areas discussed in this proposal will range between 157-234 hours.

Following the completion of the tasks outlined in this recommendation, the Town will need to consider how it can best maintain the structure that is developed without a dedicated human resource professional on staff. Creating a position in the Town to maintain the human resource function is an option; contracting with a consultant who can provide support and consultation on an as needed basis is also an option; however, the best option may be to explore a partnership with a larger municipality that has an established human resource office. This would provide support and guidance from a human resource professional that is familiar with the requirements for municipalities and actively involved with updating policies and procedures to address changing requirements.

I am happy to provide additional information or clarification on any of the recommendations made. This proposal is limited to making recommendations for development of a human resource system; however, I am available to undertake the work needed to implement these recommendations should the Town wish to pursue this project further.

Once again, thank you for the opportunity to review your needs and make recommendations that I believe will assist the Town of Warren address human resource issues now and in the future.

Respectfully Submitted,

s/s Eileen F. Meehan