

**Board of Directors Meeting  
Milford Council on Aging  
12 March 2007**

Members Present: Terri Amann, Philip Caporusso, Max Case (Chairman), Cynthia DeLuca (Vice Chair), Richard Dowin, Joyce Elwell, Lillian Holmes (Corresponding Secretary), Michael Petrucelli (Treasurer), Shirley Serrano (Secretary) and Aldermanic Liaisons Judith Toohey and Phil Vetro

Also in attendance was Executive Director Janice Jackson, along with several Staff Members.

The Chairman called the meeting to order at 5:30 pm. Roll call was taken with the above results.

Mike Petrucelli made a motion, seconded by Lillian Holmes, to approve the minutes of February 13, 2007. Motion passed unanimously.

Max didn't have any correspondence but spoke on the issue of the significant amount of water that got into the building during the last major rain storm that necessitated the closing of the Center. This isn't the first time we've had this problem but it was the first time we've had it to this extent. An article appeared in the local newspaper regarding the water problem. Max said he spoke to the Mayor and they agreed that as soon as the new City Engineer comes on, which will be after April 1<sup>st</sup>, we will have a meeting and discuss this problem. Max also called Ray Oliver, since he was the architect on the project, and asked if he would be available to attend a meeting with the new City Engineer to discuss what we might do to alleviate this problem. Max offered the observation to the Mayor that when you have a low point, the water will come to that point, and we need to do something to eliminate that, and perhaps it might not be a bad idea in the building itself, to take the rugs out of the office space and replace that with tile. If we can't eliminate all the water coming in, we can at least eliminate the problem with the rugs getting wet and the resulting problems. Mike Petrucelli said as of February 28<sup>th</sup>, we have in our coffers \$147,000 so he would like to propose if we can't get the City to do it, why not have us pay to have the tile installed. Cynthia DeLuca brought up the fact that it isn't our building. Max did say he mentioned to the Mayor about having tile put in but left it open as to who would pay for it. Max suggested a meeting with the Mayor and see where that goes. Shirley Serrano said to keep in mind it might not just be the floor; the water could have been soaked up into the wallboard and there could be an existing mold or crumbling problem. Mike also mentioned he's noticed the storm drains outside are full of leaves and that might also add to the poor drainage problem.

Max brought up another subject, which was last month when the Board was talking about the actions of the Personnel Committee and what we were going to do, he made a rather definitive statement that we would now refer the actions of the Personnel Committee to the Finance Committee because that's what our Bylaws require. He said he has received calls from some of the members asking how we were going to do that, so that's what he'd like to address first. He said he contacted Attorney Lipton and discussed with her what the requirements of the Freedom of Information Act are. She confirmed to Max what he thought that unless we are talking about a specific hire, that is something that can be discussed in Executive Session. But if we're discussing a particular individual giving that person an increase or changing that person's hours, that's not something that can be done in Executive Session. Any matter of personnel such as an employee you are discussing, that employee has the right to come to that Executive Session to listen to what is being discussed. So unless we're talking about hiring someone, taking some action against someone, or a test that we propose to give to someone, those are items that could be discussed in Executive Session. Just about everything else has to be done in public. The other part of it is, after he made the statement of how this was all to happen because our Bylaws say it, he decided to go back and take a look at the Bylaws. He said that since he's operated as Chairman, he's always operated that the custom has always been if we're going to do something with Personnel, that the Personnel Committee would confirm it, then it goes to the Finance Committee which then would okay it. When he looked at the Bylaws, he said they were pretty terse. He read the duties of the two committees as follows:

Section 2a: The Personnel Procedures and Policies committee shall develop and oversee a personnel manual approved by the Council

2b: The Finance committee shall review and submit to the Council the recommendation for the budget as prepared and submitted to the committee by the Executive Director.

These Bylaws were last revised on April 1, 1993. He feels it's time to bring these Bylaws into the 21<sup>st</sup> Century and suggests that each one mark up any notes/suggestions. He would collect them at our next meeting and give all the notes and suggestions to Attorney Lipton with a note that she start to draft a revision. When we say we're acting in accordance with our Bylaws, it needs to be in our Bylaws and right now, some of the things we've been doing by custom are not supported by this document. He asked everyone to mark up their copies to be sure their suggestions are clear.

### **Treasurer's Report**

Balance in the Operating Account as of February 28, 2007 was \$147,459.24; balance in the Foodbank Account was \$33,048.89; current balance in the Vanguard Prime Money Market Fund is \$101,038.40. In addition, in the month of February, we acquired a bequest of \$2,808.11. It was the recommendation of the bookkeepers that because of the increase in our balance in the Operating Account, that \$40,000 be transferred to the Vanguard Account to get a higher interest rate. Mike made a motion, seconded by Terri Amann, to transfer \$40,000 from the Operating Account to the Vanguard Account. Motion passed unanimously.

Cynthia asked what kind of interest the money in the Food Bank makes because it seems to be consistently staying around \$30,000. If it's not making any decent interest, why have all that money sitting there making 2 or 2 ½ percent in a money market account. Shirley asked what kind of an account the money is in now but Elle (bookkeeper) didn't have that information. Cynthia made a motion,

seconded by Mike, that if the money is in a passbook account, that \$25,000 be transferred to a Vanguard equivalent account. Shirley asked if this would be a separate Vanguard Account for the Food Bank or lumped in with the other. Max said it would be designated a Food Bank Account. Motion passed unanimously. Max questioned confirmation that there wasn't anyone else working extra hours other than the two employees reported on the Treasurer's Report. Janice said no.

Mike made a motion, seconded by Phil to refer the Treasurer's Report to the Finance Committee. Motion passed unanimously.

### **Finance Committee**

The Finance Committee met on March 1, 2007. Shirley passed out copies of the full report. The following are the results of that meeting.

Human Resource New Hire: This was a moot issue as the position had already been filled at an hourly rate of \$22.10 for a total of 15 hours per week. The Finance Committee acknowledges the full Board has already approved this position.

Driver for Transportation: It is the recommendation of the Finance Committee to have Transportation Supervisor hire an additional part time driver at an hourly rate of \$8.00 per hour for a total of 19 hours per week. Mike made a motion, seconded by Cynthia to accept this recommendation. Motion passed unanimously.

Additional hours for Malcom Boxwell: It is the recommendation of the Finance Committee to increase the hours for Malcom from 30 to 37.5 per week as the justification warranted the increase of hours and the monies are available. Phil made a motion, seconded by Cynthia to accept this recommendation. Motion passed with one opposed.

Extra Compensation for Rose Kristi: The Finance Committee agrees with the Personnel Committee to grant a two-step increase effective July 1, 2007. The extra duties described warrant the increase and the monies are available. Mike made a motion, seconded by Terri to accept this recommendation. Motion passed unanimously.

Additional hours for Wendy Walkley: It is the recommendation of the Finance Committee in lieu of increasing the hours for Wendy, that she be given a two-step increase above the regular one step due July 1, 2007. The requested amount of 7.5 hours was not substantiated based on reports from Janice for the months of December, January and February. Since the extra hours would be sporadic and not on a daily/weekly basis, the Finance Committee did not feel a commitment of an additional \$19,849.44 to cover the extra hours that for the last three months have not been necessary and that she be paid for any additional hours worked on and as-needed basis. It was stated that she does an absolutely fantastic job and isn't being paid that much. This recommendation brought much discussion. Max wanted to separate the two issues (increase in salary and increase in hours) and asked for a motion on the salary increase. Mike made the motion, seconded by Terri to give a two-step increase over and above the normal one step. Motion passed with one opposed. The second part was the request for additional hours. Lillian asked for clarification of the whole process. She said she's under the impression that it was the

duty of the Personnel Committee to examine the proposals, be it hours or step increases, and then the Finance Committee would determine if the monies were available. She feels there is a duplication. Max reiterated what he said at the start of the meeting - we've been doing things by custom because there is nothing that supports what either Committee is doing in the Bylaws. He gave a long explanation by example and suggested that the Finance Committee's recommendation can be either accepted or rejected. Shirley explained that the Finance Committees' opinion was we're talking \$20,000 and it's money that isn't in the budget, it wasn't put in there, and it hasn't been put in the budget that the Mayor has now. Further, there was no justification to grant extra hours. During the Finance Committee meeting, Janice was asked if Wendy was working extra hours and the answer was she may come in a half hour early. Everyone should have been told if they come in early, they should list their hours and they will be paid for it. We've been getting reports every month of those employees who worked extra hours and Wendy's name has not appeared on any list. Therefore, we based our recommendation that there was no basis to pay these extra hours which were not being worked. Janice asked if what they were looking for was not the Supervisor saying this person worked but we wanted to see time sheets. Shirley said that was not what she was saying. The Treasurer's report stated one employee worked 2 extra hours during the month of February and another worked one extra hour. If Wendy was working the extra hours, then her name should have appeared on this report but it didn't, nor did it appear on the previous few months reports either. Phil said he sees the issue boiling down to being able to give her health insurance and asked Janice if she was covered now. Janice said no. He feels that if you have employees working for you, you either take care of them or you don't and just because she didn't write hours down, isn't reason not to give her health insurance. It boils down to we either give her the health insurance or we don't. Terri addressed Phil that what he says is not what we're saying. Back as far as November, we were told that because of certain employees leaving, there were certain employees doing additional work, putting in additional hours and not getting paid for them, therefore their jobs have become more than what they were. She feels this came up all of a sudden, this had nothing to do in her mind with additional health insurance, it was justification of the hours. So when she asked Janice about this at the last Finance meeting, that went from it's not just from this time, it's from all the way in the past when other employees left and they've been picking up extra jobs over time. She feels she's getting inconsistencies as far as what is or isn't being done, and because someone says to her they're working extra hours all of a sudden, doesn't mean that we can go ahead and say okay, pay them. If someone is working these hours and you're not seeing it, is it okay to just go ahead and just say yes? That would be irresponsible. Her question was what are they doing in addition to the other employees and it still really hasn't been answered until recently. Phil said maybe this requires a little bit more examination. Terri replied that's why she asked for a six-month review. Cynthia said she's almost positive that when they spoke to Janice, she did say that Wendy was coming in early and staying later everyday in order to do her job. She realizes that it hasn't been documented in writing but if her Supervisor is okaying it, she's not sure we need to see documentation. Mike asked what the dollar cost was in giving her the two-step increase. Shirley asked if she could respond to Phil and said it's not a question of we value an employee, give them medical benefits. The thing is you apply for a job, the hours are there, you know the salary you're making and you know you don't have benefits. It was okay, she accepted the job knowing all this but just because she wants medical benefits, is not a reason to give it out. Phil said he's not saying that, he made the statement based on the recommendation of the Executive Director and the rave reviews she's heard from several staff members. Phil asked Janice if Wendy was privy to the fact if she put in extra hours she'd get benefits. Janice



said yes, they discussed it. Janice also said there was a person who worked the same job with benefits but when she left, they cut the hours to part time. Janice also said that over time when people have left, they have tried to hire people at part time and less hours to save money to have a surplus. Max asked for a motion to either accept the Finance Committee's motion, or reject the Finance Committee's motion and accept what the Personnel Committee recommended. Shirley reminded the Board that the reason they recommended the two-step increase was because they did not recommend the hours, and if Max gets the motion he's asking for, it will be a two-step increase, plus extra hours, plus medical benefits. Cynthia made a motion, seconded by Phil, to rescind the two-step increase. Motion passed with one opposed. Phil made a motion, seconded by Cynthia, to adopt the recommendation of the Personnel Committee to increase her hours by 7.5 hours effective immediately. Mike asked if this meant she gets medical benefits; the answer was yes. Phil addressed Janice saying that he feels it is not to the satisfaction of some of the Board members that Wendy is working these hours if she's not being paid for them. If she is coming in early and staying late, it should be on her time sheet, in fact it should be in our report. Phil said he wanted to hear from Janice on the subject. Janice said Wendy is willing to put in extra hours even though it may not be documented on time sheets. She also mentioned she is computer literate, and one day when she was through in the kitchen, there was a computer problem and she was able to fix it. But several Board members said that's not her job. After some additional discussion, Max asked Janice, in her opinion, how many hours does she need to do her job as her job is set forth in her job description. Janice responded, 30 hours. Max asked for a vote to be taken on the 7.5 hour increase. Max called for the vote. There were seven opposed and two abstentions. Max asked if anyone wanted to make any further motions on Wendy. Cynthia made a motion, seconded by Lillian, to increase her hours to 30. Max asked if that makes her eligible for health benefits, Janice said yes. Max asked for clarification one more time that Wendy is now working 27.5 and she needs 2.5 hours more to do her job. Janice said yes. Max called for a vote. Motion passed with six in favor and three against. This would be effective immediately.

Additional hours for Rita Whiskeyman: The Finance Committee feels additional hours should not be paid for this position. The hours in the Ahrens program have not increased and that is where Rita works. She also has not appeared on any report for the past few months as working extra hours. Therefore Shirley made a motion, seconded by Mike, to deny additional hours. The additional hours would cost the Center an additional \$3,232.94 in pension benefits. Phil recommended that Rita put down her extra hours. Much discussion took place on this subject. Max asked if anyone had anything new to say that hasn't already been said. Shirley said what she has to say hasn't been said, but felt it seems that basically if anybody needs hours, this Board really has no say whether they can have them or not, because if the Staff says this is what the job should be, then we have no say. This is basically what I'm getting out of this dispute about hours. If we have no say in it, why is it even brought up. Max said it has been our custom to do this, but if in fact we had budgeted a position for a certain amount of time, we are now changing one person to another, no problem. But when we go beyond what is budgeted for, that's a different story. In Rita's case, we budgeted her for 25 hours last year, and 25 hours in the new budget. Max called for a vote on the motion to deny these additional hours. Motion passed with seven in favor and two opposed.

Additional hours for Elle Gilbertson: The Finance Committee found the same scenario as with Rita. Prior, we had one full time employee (Fiscal Officer) and one helper. When we compare this job description with the other bookkeeper's description, we find they're just about identical.

We can see extra time when she has to work with the Accountant on the annual audit, but justification for extra hours isn't there. All deductions are figured by the payroll company who does our payroll so figuring all these deductions isn't involved here. By adding these hours once again, we'd be giving medical benefits, plus you would be replacing one full-time position with one and half employees instead of two part timers as was decided over a year ago was to be the replacement for this position. Shirley made a motion, seconded by Mike to deny the extra hours.

Max gave the figures we were paying the full-time Fiscal Officer and the part-time helper. If we give Elle the extra hours and add the new salary with the other part-time bookkeeper, we would still be saving a lot of money. Shirley explained we were not looking at the dollar figures but at the hours. You would now have 49 hours for a 37 hour job. Terri said she was under the impression that we were not going to say no or yes to these positions, but we were going to table them and review them after a five or six month period. We seem to be getting ahead of ourselves on this. Max responded that it was her prerogative as it is anyone to make a motion to Table at any time. Shirley brought the attention to the second to last paragraph on the last page where it said that "compensation requests be tabled and a list of their extra duties be included in the extra hours report provided on a monthly basis up to and including the month of May". This will still give plenty of time for the Board to hash it over in June and still have time to complete decisions for the July timetable. Phil said after thinking about it, we definitely have a positive cash flow. In the Bookkeeping Department, they're doing a heck of a job and in one regard, you want to reward them for that, but in another regard, you want to be fiscally responsible. Shirley said our Accountant said the bookkeepers are doing an excellent job, everything is in excellent shape so it's not like they're running behind anything. Cynthia said, a few years ago we asked all the employees to cut back, don't spend any money, no extra time, no extra hours, and they were all very cooperative. They all worked with us. Now we've gotten ourselves in a better position, and they have to fight for every little nice thing we can do for them. Shirley said Michael Plude also said we were in excellent shape but we'd have to be careful. We're facing attorney fees we have no idea of what they're going to be, we're facing a law suit we have to settle and we have no idea what that is going to cost us, Janice and Rich are trying to get a new bus with a Grant but if they don't get they Grant, we still have to replace the bus, but everyone seems to be so willing to give out all this money for all these extra hours that we haven't seen justification for and which is going against what was agreed to in December which was to have a six-month review of it. Joyce asked if there is any mechanism for anyone who elects to put in extra hours, to sign a waiver or release saying I want to do this, I'm not doing it for the money because my heart is in it, it will make everyone's life easier. Max said we don't have that but it's an excellent point. After additional discussion, Shirley made a motion, seconded by Mike to table the remainder of the report starting from Elle Gilbertson. Motion passed.

Mary Steinmetz asked about the compensation for Geri Dichkewich and was told that everything on the remainder of the Finance Committee report is Tabled.

## **Executive Director's Report**

Janice passed out a letter she received from the Health Department where she was informed the Flu vaccine would be going up from \$15 to \$20 this year.

Lisa Arneth started February 15<sup>th</sup> as our new part-time Human Resource Manager. She had asked Janice when was the last time we worked over our Salary Structure. We haven't since 2003 when Eastern Management did it for us. Lisa said it typically is done every other year. Shirley mentioned that same subject was brought up at the Finance Committee meeting about the need to update the salary structure and perhaps even some job descriptions..

Janice also made mention her contract ends July 1, 2007 and respectfully requests another three-year contract to July 1, 2010.

The Pool Club has asked Mary Steinmetz if they could have light refreshments in the Pool Room. Mary spoke and said she promised to let the Board know that Robert Serrano, who spoke at our last meeting regarding having beverages in the Pool Room, was opposed to the motion when it was voted on and was embarrassed after his last time asking for beverages. Max asked if we serve food in other rooms and Mary said yes. Max said he will put it on the Agenda for next month.

Janice gave Lillian some clippings on Art White who's going to be 95 years old, and Irene Olson who will also be 95 years old.

Having no further business to come before the Board, Cynthia made a motion, seconded by Phil, to adjourn at 7:15 PM. Motion passed unanimously.

Respectfully submitted,

*Shirley A. Serrano*

Secretary