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WATERFORD, CT
2023 MAY 23 A 8:52
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Present: Stephane Browder
 Krum Chuchev
 Talivaldis Maidelis
 Kathleen Mullen-Kohl
Absent: Rik Wells, Chairman

Also Present: Christine Walters, Director of Human Resources; Dani Gorman, Human Services Administrator arrived at 6:21pm.

Mr. Maidelis called the May 18, 2023 Personnel Review Board Meeting to order at 6:00pm.

1. **Review and approval of the Meeting Minutes of March 16, 2023 and the Special Meeting Minutes of March 21, 2023**

MOTION: Ms. Mullen-Kohl made a Motion to approve the March 16, 2023 Meeting Minutes of the Personnel Review Board. Seconded by Ms. Browder. (4-0) Unanimous.

MOTION: Mr. Chuchev made a Motion to approve the March 21, 2023 Special Meeting Minutes of the Personnel Review Board. Seconded by Ms. Mullen-Kohl. (4-0) Unanimous.

2. **Public Comment**

None.

3. **Job Description: Fire Marshal – Fire Services**

Ms. Walters spoke on this job description being last updated in 2001; the current Fire Marshal is retiring next month after serving the Town for 38 years; it is proposed this position move from being the lone position on the Public Safety Wage Schedule to the Non-Union Management Professional (NUMP) Wage Schedule on the MP-3A classification; Ms. Walters provided Board members with a current Fire Marshal salary survey of area towns which shows placement on the MP-3A classification is in line with area towns; the job description was reviewed by the Director of Fire Services and updated to more accurately reflect the duties and responsibilities of the position; clerical amendments recommended by Board members.

MOTION: Mr. Chuchev made a Motion to approve the Fire Marshal job description on the MP-3A classification on the NUMP Wage Schedule with the clerical amendments discussed. Seconded by Ms. Mullen-Kohl. (4-0) Unanimous.

4. **Job Description: Administrative & Intake Specialist – Youth & Family Services**

Ms. Walters stated Dani Gorman, the Human Services Administrator, requested the name change to more accurately reflect the duties of this position; the position remains on the Non-Union AS Schedule, Grade 7; clerical amendments recommended by Board members.

MOTION: Mr. Chuchev made a Motion to approve the Administrative & Intake Specialist job description with the clerical amendments discussed. Seconded by Ms. Browder. (4-0) Unanimous.

5. **Child Abuse Prevention Policy**

Ms. Walters stated this draft policy came about as a result of Traveler's, the Town's insurance carrier, recommending the Town create and implement formal written guidelines and procedures that address abuse and molestation prevention as the Town engages in many children's programs

throughout the year; she provided the Board with recommendations from Traveler's as to what should be included in the policy; Mr. Chuchev provided a written statement on his thoughts of the draft policy which are included in the Minutes as Attachment A. Ms. Browder, a retired employee from the State of Connecticut, Department of Children & Family Services, spoke on this draft policy and stated the State of CT already has existing policies to cover this topic and the towns/municipalities within the State all fall under the State policy; is there a need for the Town to create their own policy; she felt, and Board members agree, that this draft policy is much too rigid and does not allow for nurturing children as they grow through these programs; boundaries and examples of behaviors can be helpful for training purposes but they don't necessarily need to be policy; discussion continued on the training already in existence and Ms. Gorman agreed to share with Board Members the policy in place at Youth & Family Services. Ms. Browder offered to assist in any way in amending this draft policy presented.

MOTION: Ms. Browder made a Motion to TABLE the Child Abuse Prevention Policy to a later date. Seconded by Ms. Mullen-Kohl. (4-0) Unanimous.

MOTION: Mr. Chuchev made a Motion to adjourn the Personnel Review Board Meeting of May 18, 2023 at 6:53pm. Seconded by Ms. Mullen-Kohl. (4-0) Unanimous.

Respectfully Submitted,



Joan S. Barnes
Recording Secretary

ATTACHMENT A

Good morning,

In preparation for the PRB meeting on May 18th, I'd like to bring to your attention some issues regarding the last item on the agenda, dealing with the proposed child abuse prevention policy. In particular, I am deeply concerned about the overreaching of such a policy, and its long term impact, going beyond the intended shielding of the town of Waterford from legal liability. Risk can never be eliminated, only managed. Risk management necessitates keen knowledge about the costs, both short and long term.

1. "Travelers, the Town's insurance carrier, recommended . . ." Travelers is not a part of the legislative body of Connecticut, it is not in the chain of command, and it should not be allowed to dictate or "suggest" town policy. In the last decade, there has been a growing number of examples where private companies have been used to short-circuit the legislative process and cause de facto changes of the law, when such changes might have been rejected by the voters. We should not allow to be used as a conduit for such a circumvention of the democratic (electoral) process, regardless of whether or not we believe that the change is "for the good."

2. The policy itself has at least the following issues:

A. It is so Draconian, that it outlaws hugs, jokes, greeting cards, offering a ride when in a pinch, and roughhousing. Ask yourselves: how should I act if I have to reliably comply with this policy on a day to day basis? The answer would be "act like a robot." As a parent, I don't believe that my child would benefit from a sterile, robotic, environment.

B. It is so broad, that it endangers all adult participants by subjecting them to liability, both legal and in terms of public image/reputation. When the standard is "making somebody feel uncomfortable," the chances that good intentions be occasionally misinterpreted becomes very high. As a result, the correct strategy, for an individual, would be to minimize all contact with children.

C. It is so broad that it exposes the town to liability for violating its own policy in the future. The town is afraid that in a future lawsuit, the plaintiff's attorneys will use the absence of a "child protection policy" as evidence of lax standards, and thus liability. However, for any policy that is more overreaching than the laws of Connecticut, the same attorneys will use its text to point out behavior of Waterford employees and claim that it violated the policy and therefore demonstrates liability.

D. It discourages humane behavior. Many people have the tendency to show compassion and offer help when it seems to be needed. For a troubled child from a dysfunctional household, that extra time or a hug may be the last "life line" that kept said child from falling apart. Good and compassionate people are everywhere. There can never be enough good "licensed therapists" to reliably outsource the care of our children to them.

E. It promotes dysfunction. As it was said very recently, "we have a town to run." We have limited resources that have alternative competing uses. A sign of dysfunction is when easy situations are made difficult, and difficult situations are made impossible. As a parent, if my car broke or I had an emergency that would prevent me from picking up my son on time from an activity, a common sense thing would be to ask that somebody give him a ride home. Under the current policy, this would be impossible.

F. It provides plenty of room for mistaken or unscrupulous individuals to press unsubstantiated charges with little or no consequences.

G. Connecticut law already has extensive provisions about child abuse and safety. Any increase of the already existing burden is unwelcome until the legislature decides that such a burden is so necessary that it justifies the costs and consequences.

For these reasons, I cannot support this policy in good faith. My recommendation would be to politely tell Travelers that for time being, the Town of Waterford would follow Connecticut law, as we have to do anyways. In addition, I'd recommend reaching out to our state representatives and asking them to review our current statutes and remove/correct overly broad and onerous provisions that raise concerns similar to those in points A-F, supra.

Sincerely,

Krum Chuhev