

APPROVED
STATE OF CONNECTICUT
MUNICIPAL ACCOUNTABILITY REVIEW
BOARD **RESCHEDULED** MEETING MINUTES

Meeting Date and Time: Tuesday, October 17, 2023, 10:00 AM –12:00 PM, Rescheduled from October 5, 2023

Meeting Location: Legislative Office Building
Hearing Room 1E
300 Capital Avenue
Hartford, CT 06106

Meeting materials can be found at
<https://portal.ct.gov/OPM/Marb/Full-Board-Meetings-and-Materials>

Call-In Instructions: Telephone: 1 860-840-2075
Meeting ID: 857 263 54

Members in Attendance: Jeff Beckham (Secretary), Kevin Alvarez (State Treasurer’s Designee-Alternate), Thomas Hamilton, and Susan Weisselberg

Teams Attendees: David Biller, Stephen Falcigno, Robert White, Lisa Hammersley, and Mark Waxenberg

Municipal Officials in Attendance: Luke Bronin, Julian Freund, Paul Foster, Leigh Ann Ralls, Debra Carabillo, Maureen Colman, Mayor Nancy Rossi, David Taylor, Rick Spreyer, Neil Cavallaro, Matthew Cavallaro, Ken Carney, John Walsh, Police Union Attorney, Sergeant Craig Thompson

Staff in Attendance: Kimberly Kennison, James Caley, John Mehr, William Plummer, Michael Reis, Lori Granato, and Lori McLoughlin

Others in Attendance: Kathie Ely – Milliman, Edward Engberg – Whittlesey, Zachery Unger – Protiviti

I. Call to Order & Opening Remarks by Secretary Jeff Beckham

Secretary Beckham called the meeting to order at 10:05 a.m.

II. Public Comment Period

There was no public comment.

III. Approval of Minutes

A motion to approve the September 14, 2023, meeting minutes, was made by Mr. Hamilton and seconded by Ms. Weisselberg. Motion passed unanimously.

IV. City of Hartford

a. Subcommittee Report

The Hartford Subcommittee met on September 21, 2023. Ms. Kennison stated that there was a discussion regarding short-term and long-term budget mitigation measures. Items included personal property audits in the Spring and engaging a collection agency. In addition, the City is going to increase rates charged for both police and fire private duties to be more in line with the market. For the long term, the City is looking into energy savings projects. The next Hartford Subcommittee meeting is

scheduled for November 16, 2023.

b. Review and Discussion: Milliman's Report on Hartford Schools Health Insurance Plans

Office of Policy and Management (OPM) engaged Milliman to provide an independent review of the Hartford Public Schools (HPS) Self-Funded Health Insurance Plans administered by Anthem to the State of Connecticut Partnership Plan 2.0. A copy of the report was included in the meeting package. Secretary Beckham introduced Kathie Ely from Milliman to discuss the Milliman Report. Ms. Ely provided MARB with an overview of the Milliman report that compared the HPS employee health benefit costs to that of the State Partnership Plan. The Milliman report showed that at this time, the current HPS health insurance plans are less costly than the State's Partnership Plan.

c. Review, Discussion and Possible Action: Labor Contracts:

i. Tentative Agreement – BOE and Hartford Schools Support Supervisors Association

The Hartford Sub-committee at its September 21, 2023, meeting approved this agreement to be sent to the full MARB for consideration at the October meeting.

Mr. Foster provided an overview of the agreement which consists of approximately 38 various non-certified supervisory employees. The current contract expired on June 30, 2023. The parties reached a tentative agreement on August 10, 2023, and the City was informed that the union ratified the tentative agreement on August 24, 2023. The new contract will be effective retroactively from July 1, 2023, to June 30, 2027. This is the only unit that new employees are not eligible for some type of pension benefit. Additionally, several contracts ago, this union agreed to eliminate steps in the contract in favor of ranges. This proposal would have a 2% GWI for each of the four fiscal years of the contract, and in years 2 and 3 there would be a 5% adjustment for those individuals in lower ranges. Modest increases in healthcare premium cost share percentage, tuition reimbursement increases, and progressive discipline language were also added to the contract. The overall net cost of this agreement is \$209,000.

Secretary Beckham commented on the increase is a modest pattern with the healthcare insurance premium share being more aggressive than the State. Mr. Hamilton asked if the union members have access to a 457 or a 403b plan since this group has no pension benefits. Mr. Foster replied that the employees have access to a 457 plan, but the Board does not make contributions to the plan on behalf of these employees.

A motion to approve the Tentative Agreement was made by Ms. Weisselberg and seconded by Mr. Falcigno. Motion passed unanimously.

ii. Tentative Agreement – City and Hartford Municipal Employees Association (HMEA)

At the September Hartford Sub-committee meeting, the members approved this agreement for full MARB consideration in October. This agreement will cover 187 union positions funded through the General Fund and another 50 positions that are funded by grants. A Tentative Agreement between the City and the Union was fully executed on September 8, 2023. This new contract covers the period from July 1, 2023, to June 30, 2027. The agreement is on the City Council September 25th meeting agenda.

Mayor Bronin and Mr. Freund provided the MARB with an overview of the labor contract. The general wage increases are 4% in the first year followed by 2% in each of the following three years.

Mr. Hamilton asked about the higher step increases between year 2 and year 3 of the contract. Mr. Freund stated that this is a timing situation. With the step movement happening on the employee

anniversary date with mid-year increases, so that the full effect of the step increase takes effect the following year.

A motion to approve the Tentative Agreement was made by Ms. Weisselberg and seconded by Mr. Waxenberg. Motion passed unanimously.

iii. Tentative Agreement – City and Hartford Professional Employees Association (CHPEA)

The Tentative Agreement was signed by the City and the CHPEA on September 26, 2023. This will be an extension to the current collective bargain agreement (CBA) from June 30, 2024 through June 30, 2026, subject to the ratification by CHPEA, and the approval by the City and by the MARB. This Union represents 65 employees consisting of planners, assessment technicians, building plans examiners, accountants, social workers, civil engineers, architects, computer programmers, and environmental health sanitarians.

Mayor Bronin provided the MARB with an overview of the labor contract. This CBA extension changes the general wage increases previously approved for fiscal year 2023-2024, additional salary adjustments for certain classifications, and provides for general wage increases in the two years of the extension. The general wage increases are 5% in this fiscal year followed by 2% in each of the following two fiscal years.

A motion to approve the Tentative Agreement was made by Ms. Weisselberg and seconded by Mr. Biller. Motion passed unanimously.

d. Review, Discussion and Possible Action: Consideration of the City of Hartford Letter

Secretary Beckham, Treasurer Russell, and MARB members received a letter dated October 11, 2023, from the Mayor of Hartford, Luke Bronin. The letter indicates that the City has met the conditions to be released from its Tier III designation. The City is requesting that the MARB recognizes the end of Hartford's Tier III status and request for redesignation as a Tier II municipality. The City with the State Contract Assistance Agreement will still be subject to several reporting requirements.

Mayor Bronin mentioned that seven or eight years ago Hartford was facing an acute and dire fiscal crisis. The Mayor was an advocate for the creation of the MARB and a proponent of the City's participation in the MARB process. Being able to present the City's financials and other decisions to the MARB on a regular basis to discuss with board members about fiscal matters has been beneficial to the City. Budgeting with discipline and care has been reflected in multiple years of surpluses, which improves fund balance and results in a rating upgrade from Moody's with a positive outlook. Mayor Bronin indicated that despite the City no longer meeting conditions for Tier III oversight, he is seeking for the City to be designated as a Tier II. It's appropriate at this time to redesignate the City of Hartford.

Several Board members congratulated the Mayor on the City's improved financial condition that reflects his leadership and significant State support over the years.

Mr. Hamilton asked if the State's legal counsel concurs with the City's understanding of the statute. Secretary Beckham confirmed that legal counsel was in agreement with the City. However, the statute is not clear about the procedure on how to exit tier status. As the Mayor indicates, there are provisions in the statute that provide for a Tier I designation and then a Tier II. This is our read of the statute.

Mr. Alvarez, the State Treasurer's designee, stated the progress that Hartford has made under the Mayor's leadership with the hard work from the people of Hartford and State government are commended. I am very supportive of this, but there is still a lot of work to be done.

A motion to acknowledge and recognize the City of Hartford has met the conditions for release of Tier III oversight and the MARB will let the City take the steps to move to a designated Tier II municipality. This motion was moved by Mr. White and seconded by Mr. Alvarez. Motion passed unanimously.

e. Review and Discussion: Monthly Financial Report: August 2023

Mayor Bronin presented the City's August Financial Report. At this time, the City is projected to be on budget for the year. Some expenditures are slightly lower as a percentage of budget. The City revenues are slightly higher for this period compared to last year. Primarily due to timing to the receipt of the Car Tax CAP reimbursement payment earlier this fiscal year than last year. Tax collections are slightly slower than last year.

Ms. Kennison requested that the City provide a breakdown of the City's intentions with the fiscal year end 2023 surplus of \$60 million. How much would be going to fund balance for the general fund. Ms. Ralls and Mr. Freund clarified the year end surplus is projected to be \$39.5 million. Mayor Bronin anticipated that \$10 million would go to building up the City's Capital Reserves. Another category is additional deposit into Fund Balance and anticipates that this will take the budgeted reserves above 5% in Unassigned Fund Balance. There is about \$7 to \$8 million reserved for education from the surplus. There is also an amount set aside for contingent liabilities in Assigned Fund Balance.

Mr. Foster presented the Board of Education (BOE) August Financial Report. He highlighted that in the 2023-2024 budget there is an assumption around vacancies given the high vacancy rate and the challenges in the labor market. The vacancy rate assumption was 6%. Recent information has the vacancy rate at 8.9%. The BOE will have a better read in September when the 10-month employees are back.

Ms. Kennison asked about the status of the BOE Chief Financial Officer position. Mr. Foster is hoping to have some good news in a couple of weeks.

V. City of West Haven

a. Subcommittee Report

Ms. Kennison reported that the last meeting was held on September 19, 2023 at the West Haven Town Hall. There was a discussion of three sewer projects; upgrading the existing incinerator to dispose of biosolids and to comply with emission standards for \$30 million, an Outfall Pipe and Hardening of the flood walls at the pumping station for \$20 million and upgrading sewer pump stations for \$53 million. The State will be providing some Clean Water Fund funding.

The Five-Year Plan was discussed to identify the items that need to be updated for the November meeting in order for the Subcommittee to take action. The Finance Manager, Protiviti, has been on site to focus on the vulnerable areas identified by Whittlesey. The next West Haven Subcommittee Meeting is scheduled for November 14, 2023.

b. Tier IV Updates:

i. Whittlesey's Assessment

Mr. Engberg provided an update to the MARB on the status of the West Haven engagement. The issuance of any reports is delayed allowing West Haven to have additional time to address findings. He also discussed the focus on the IT environment. Mr. White asked about reports that are needed to address structural change with new people and positions to make sure policies and procedures are

appropriate. Mr. Engberg stated that positions would be in Phase 2 to review vacancies and skill mismatches. Mr. White continued that his understanding was that phase one was more than IT and wanted to hear those results. Secretary Beckham stated that he would work with staff so that Whittlesey can issue as much information as possible at the next MARB meeting. Mr. Engberg did mention his group has met with the Finance Manager Protiviti to discuss areas that need immediate assistance.

ii. Protiviti Update

Ms. Kennison provided the Protiviti update to the MARB. Since the last MARB meeting, Protiviti, OPM staff, and the City and BOE staffs had a kick-off meeting in West Haven. City members will be working directly with the Protiviti team. Protiviti also had two meetings with Whittlesey to discuss the highest areas of vulnerability that need immediate attention. Protiviti has been on site in West Haven and does have bi-weekly meetings with the OPM staff.

c. Presentation and Guidance: West Haven Police Pension Plan and Collective Bargaining MOU

At the last meeting on September 14, 2023, the MARB deferred action on the police pension until its next meeting as materials were incomplete. Included in this meeting package is a letter to the MARB from the West Haven Police Union clarifying many items from the Tentative Agreement, the redlined version of the Police Pension Plan, and the redlined version of a Memorandum of Understanding to modify the Collective Bargaining Agreement relating to the pension plan and retiree medical benefits. In addition, analysis of municipalities pension plans based on the OPM Fiscal Indicators Report was provided.

John Walsh, attorney for the West Haven Police Union, provided historical and background information about the West Haven Police Pension Plan. There is a two-tiered retirement system with a traditional defined benefit plan and since 2009, a 401k plan for certain police employees. The police pension expired in 2016 and there has been negotiation for a successor agreement. He discussed the number of police officers that have left West Haven due to the pension plan. Changing back to a defined benefit plan for all officers would improve hiring and retention. He discussed the effect of losing experience police officers and the difficulty to fill from below. The police union board drafted a letter addressing these challenges. Mr. Walsh discussed the union letter, the tentative agreement components, and the MOU. Secretary Beckham asked what determines the cost to the member. Mr. Walsh replied that the actuarial cost that was performed is 8% of their base salary per year of service.

Mr. Walsh went over the police department census. There are currently eight vacant patrol positions. Three individuals are in the Police Academy. A total of 70 patrol officers are employed with 53 with less than 10 years on the job and 22 of the 70 are still in their three-year probation period.

Mr. Waxenberg discussed the pension plan and the collective bargaining agreement, being two documents that are in conflict with one another. He recommends the parties review MARB statutes and start over.

Secretary Beckham shares the concerns mentioned. This item is not on the agenda for a vote, instead it's for review and guidance from the parties. Mr. Taylor mentions additional information was provided by the City. The actuarial cost was reviewed by Milliman. Chris Hodgeson, City's labor attorney, stated that he provided his outline of the agreement at the last MARB meeting. He discussed the Collective Bargaining Agreement (CBA) and that a MOU did modify the specific provision in the CBA that referred to the post 2009 employees being in a 401k. Mr. White requested more information with regards to retention and recruitment. A new administration will be coming in and the leadership should have a chance to weigh in on this. Mr. Hamilton stated that he commented last month pretty extensively on this, and his position has not changed. Given the lack of input from the MARB prior to negotiations and the fact that the highest cost of this proposal increases the legacy portion of the plan by 5%.

Secretary Beckham repeated his concerns from the last meeting that this will increase the employer's contribution by \$465,000 in four years and it will cost the City \$5 million over 20 years. His job at OPM has been to bend the cost curve on employers' contribution in these matters.

No action taken. The MARB will continue to consider this matter.

d. Review, Discussion and Possible Actions: Labor Contracts:

i. Board of Education and West Haven Federation of Teachers – Local 1547, AFT, AFL-CIO

The West Haven City Council at its September 25, 2023, meeting, unanimously approved an agreement between the West Haven Board of Education and the West Haven Federation of Teachers Local 1547, AFT, AFL-CIO. This agreement was also approved by the West Haven Board of Education (BOE) by unanimous vote on September 18, 2023. The term of this Agreement is from September 1, 2024, to August 31, 2027.

Secretary Beckham stated that this item is for the next fiscal year. It also makes assumptions about State assistance to the City. Superintendent Cavallaro replied that is correct. The Education Cost Sharing (ECS) Grant has been set by the legislature so that the increases are definitely coming, and the increase is assumed from the City as part of the five-year plan. Matthew Cavallaro stated that the funding that the BOE used for ECS increases over the two years was provided by the School Finance Project. Secretary Beckham would like to review this item a bit more with OPM staff.

This item was tabled to discuss at a later meeting.

e. Review, Discussion and Possible Actions: Non-Labor Contracts:

i. Bridges Health Care Inc. – AARP Mental Health Grant Award

This is a proposal to use \$100,000 in ARPA funds from the Mental Health Grant.

Mr. Spreyer provided an overview. The City advertised for applications on July 17, 2023 with a closing date of August 28, 2023. The ARPA Committee reviewed and approved the only one grant application that was submitted by Bridges Healthcare, Inc. for \$100,000. Ms. Kennison stated that a contract with Bridges was not provided to the MARB and this board approves contracts. Mr. Spreyer said that the Bridges contract was completed after the submission of material deadline. Approval of this item can wait until the next MARB meeting.

This item was tabled to the next MARB meeting.

ii. CDM Smith Inc. – Dawson Avenue Task Order #40

Mr. Spreyer provided an overview. The City has a master environmental services agreement with CDM Smith, Inc. Task Order #40 is part of the agreement relating to the Dawson Avenue area rehabilitation of sewer service. CDM Smith engineer will be completing the design and services during the construction of the rehabilitation for the Dawson Avenue area. Task Order #40 has a cost of \$150,000 for this engineering service. Also, the Department of Energy & Environmental Protection (DEEP) has reviewed and approved Task Order #40.

A motion to approve CDM Smith Task Order #40 was made by Mr. Hamilton and seconded by Ms. Weisselberg. Motion passed unanimously.

iii. F&F Mechanical Service, LLC. – Johnson Community Center HVAC Installment

Mr. Spreyer provided an overview of the installation of two new HVAC units at Johnson Community Center. The City went out on July 21, 2023, for bids for a contractor to furnish and to install the HVAC equipment. Bid closed on July 31, 2023, with one bid being received. F&F Mechanical Service, LLC was awarded the bid of \$155,178.91 by the ARPA Committee. In the meeting package is the F&F Mechanical Service proposal.

A motion to approve the F&F Mechanical Service bid of \$155,178.91 was made by Mr. Alvarez and seconded by Ms. Weisselberg. Motion passed unanimously.

iv. Kone, Inc. – Johnson Community Center Elevator Installment

Mr. Spreyer provided an overview of modernizing the elevator equipment at the Johnson Community Center. The City is using a bid through a national cooperative contract for elevators awarded to OMNIA Partners and Kone, Inc. The proposal submitted by Kone Inc.'s to perform this elevator work is \$225,500 for this ARPA project. Mr. Spreyer provided an overview.

A motion to approve the Kone, Inc. bid of \$225,500 was made by Mr. Waxenberg and seconded by Mr. Hamilton. Motion passed unanimously.

v. Hinding Tennis Courts – Carrigan School Outdoors Courts

Mr. Spreyer provided an overview of the reconstruction of two basketball courts and two pickleball courts at the Carrigan Intermediate School. The City is using a bid through a cooperative purchasing contract that Sourcewell and Capital Region Education Council (CREC) has with the AstroTurf Corporation. Hinding Tennis Courts, LLC, an authorized reseller/contractor partner of AstroTurf, proposal to reconstruct the basketball and pickleball courts is \$164,104 for this ARPA project. There are no tennis courts there right now. The basketball courts are being extended and two pickleball courts are being added.

A motion to approve the AstroTurf Corporation bid of \$164,104 was made by Ms. Weisselberg and seconded by Mr. Alvarez. Motion passed unanimously.

vi. Board of Education Xerox Service Master Agreement

Mr. Cavallaro mentioned that the BOE has used a competitively solicited cooperative agreement through OMNIA Partners with Xerox for the past 3 years. The BOE is seeking to renew the printshop/copy center arrangement with Xerox for another three years (October 1, 2023 to September 30, 2026). The print shop produces about 1.2 million copies per month. It has three full-time Xerox employees and an employee that delivers copies throughout the district. Secretary Beckham the total cost of the agreement. Mr. Cavallaro replied roughly \$32,000 a month for copies and staffing.

A motion to approve the Xerox Printshop Master Agreement was made by Mr. Waxenberg and seconded by Mr. Biller. Motion passed unanimously.

f. Review, Discussion and Possible Actions: Budget Transfers

The Acting Finance Director is requesting approval to do an inter-departmental fund transfer to the Internal Services Funds. The transfer was approved by the West Haven City Council on September 25, 2023.

Mr. Taylor stated the City is looking to transfer funds to the Internal Service Fund including the movement of funds in FY2022 from the surplus of \$2 million. This is being funded by the increase in investment income and the municipal revenue share grant from the State. This transfer was approved

by the West Haven City Council on September 25, 2023. Mr. Hamilton discussed a terminology issue considering a budget transfer as being between departments.

A motion to approve the budget transfer was made by Mr. White and seconded by Ms. Weisselberg. Motion passed unanimously.

g. Review and Discussion: Monthly Financial Report: August 2023

Mr. Taylor provided an update on the City Monthly Financials. Property Taxes collections are 51% received, right on target. State PILOT funds have been received. Investment income has come in at \$100,000 ahead of budget. Planning and development have provided an increase in building permits with many projects throughout the City. The City's expenditures are being processed by using the Purchase Order (PO) system to encumber the funds.

Mr. Cavallaro provided an update on the Board of Education Monthly Financial. Through the first two months, spending is right where it should at this time. An encumbrance of \$733,000 is in place for technology to replace all firewalls with 90% reimbursement through the E-Rate program.

h. Update: FY 2022 and FY 2023 Audits

Mr. Taylor provided a status on the financial audits. Through discussions with the auditors and the actuary, the OPEB valuation is the only outstanding item. A request has been made asking if the auditors could provide pieces of the report when ready to speed up any review or commentary to get the audit report completed as soon as possible. Ms. Kennison asked about the audit timeline as this goes hand in hand with the issuance of debt. Mr. Taylor replied that the timeline is still the end of October for the audit and a November bond issuance.

i. Update: Moody's Credit Rating

On October 3, 2023, Moody's Investors Services confirmed the City of West Haven Baa3 issuer rating and its Baa3 general obligation bond rating, with a stable outlook. A copy of Moody's letter of October 3, 2023 was provided. Mr. Taylor updated the MARB with the City correspondence with Moody's.

Mr. Hamilton pointed out the commentary in Moody's letter regarding the deadlines the City needs to meet relating to the completion of the financial audits. Ms. Kennison pointed out that this is a high priority for the Finance Manager to oversee the FY2023 audit deliverables.

j. Open Items List

Ms. Kennison is letting the report stand as it is. Some updates were made but nothing to report out. Mr. Taylor stated that the West Haven City Council is holding a special meeting tonight, October 17, at the high school to discuss the brewery situation.

VI. Town of Sprague

a. Review and Discussion: Monthly Financial Report: August 2023

The financial reports for the Town and the Board of Education were provided in the packet. If the members have any questions, please contact OPM staff.

Mr. White asked when the Town of Sprague would stop coming to the MARB. Ms. Kennison replied when the State receives the Town's 2023 audit to confirm the results.

VII. Other Business

There was no other business to be discussed.

VIII. Adjourn

Mr. Alvarez made a motion to adjourn, seconded by Mr. Hamilton. The motion passed unanimously. The meeting was adjourned at 12:11 p.m.