



STATE of CONNECTICUT  
Office of Governmental Accountability  
State Contracting Standards Board

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**Regular Meeting Minutes**

Friday, August 9, 2024 - 10:00 A.M.  
Location: 165 Capitol Avenue, Hartford, CT  
Conference Rooms G006D and G007E  
and  
*Virtual*

This meeting was recorded and posted to the [Connecticut State Contracting Standards Board](#) website.

**Board Members in Attendance:**

Rochelle N. Palache, Chairperson (in person)  
Thomas G. Ahneman, Board Member (in person)  
Alfred W. Bertoline, Board Member (in person)  
Bruce H. Buff, Board Member (in person)  
Lauren C. Gauthier, Board Member (virtually)  
Albert G. Ilg, Board Member (in person)  
Donna M. Karnes, Board Member (virtually – joined at 10:15 am)  
Salvatore C. Luciano, Board Member (virtually)  
Stuart L. Mahler, Board Member (in person)  
James S. Marpe, Board Member (in person)  
Daniel S. Rovero, Board Member (virtually)  
Gregory F. Daniels, Esq., Executive Director, ex-officio Board Member (in person)

**Not in Attendance:**

Keith Brothers, Board Member  
Jean M. Morningstar, Board Member  
Brenda L. Sisco, Board Member

**Staff Members in Attendance:**

Jonathan M. Longman, Chief Procurement Officer (in person)  
Maritza Lopez, Accounts Examiner (in person)  
Samson Anderson, Research Analyst (in person)  
Carmen Hufcut, Training Specialist (in person)  
Aleshia M. Hall, Administrative Assistant (in person)

1. **Call to Order:** Chair Palache called the meeting to order at 10:05 a.m.

**a. Roll Call of Board Members**

## 2. Approval of Minutes

### a. Approval of the minutes from the July 9, 2024, SCSB Regular Meeting

A motion to accept the minutes as written was made by: Al Ilg  
The motion was seconded by: James Marpe  
The motion passed unanimously

## 3. Communications and Petitions

### a. Sec. 4e-36 Contested Solicitations and Awards Subcommittee Report – Bruce Buff

Mr. Buff reported that there are no issues before the group.

### b. Privatization Contract Committee Report – Salvatore C. Luciano

Mr. Luciano reported that there are no issues before the group.

### c. Audit/Data Analysis Work Group – Alfred W. Bertoline

#### i. Pending Audits

Mr. Bertoline reported that we have had an active month as reported in the July Monthly Report. He was hoping that audits would be completed this month but is hoping to finish last years' audits and complete an annual report by October 2024. He met with staff this month regarding the issues with getting information and out own internal audit process. New ideas are being considered. A checklist for preparation of audit materials has been developed for use by State Agencies and a concept for the Annual Report is scheduled to be developed in September.

The Audit committee is scheduled to meet on August 13, 2024, at which time Mr. Bertoline would like to discuss the issues we have identified over the years and use that information to formulate the top three priorities. He is hoping for robust and productive discussion.

Three audit reports have been completed that he would like to have approved by the Board at this meeting. Reports have been completed and shared with agencies and reviewed internally, so they are ready to go.

Mr. Bertoline made a motion that these completed reports be approved by the Board.

Mr. Ilg stated that he did not receive the information prior to this meeting. To which Mr. Bertoline confirmed that all information was shared with all the Board members prior to this meeting and was also sent along with the invitation and agenda for this meeting.

Mr. Bertoline further confirmed that all three reports for Department of Public Health (DPH), Office of Higher Education (OHE), and Board of Education (BOE) have all been shared with the agencies.

Mr. Ahneman expressed concerns about procurement training requirements. Mr. Bertoline explained the audits identify areas of concern that require correction by the agency. Mr. Bertoline reinforced that all the findings and recommendations including training, will be included in the Annual Report. Mr. Ahneman stated that he has not been invited to meetings, including the meeting on August 13, 2024, and asked if reports to the agencies include the procurement and training recommendations, to which Mr. Bertoline affirmed and described the details of the audits and the information that will be included in the Annual Report. After a discussion, Mr. Ahneman recommended that the training and recommendations be included in the annual reports so they can be reflected upon at the next audit. Mr. Ahneman recommended that we wait until after the August 13, 2024, meeting to move these three completed audits forward. Mr. Bertoline stated that he would prefer to move the audit reports forward today.

Sal Luciano spoke regarding the non-compliance piece and asked if we were sharing C.G.S. 4e-7 with the agencies as he believes that would result in them complying very quickly. He explained that 4e-7 empowers the SCSB to take over the purchasing for an agency. He does not think agencies would like that, he does not think that SCSB would like that; however, it is a way to get enforcement. Mr. Bertoline stated that we are examining our enforcement from a legal standpoint and determining what our approach to that should be. If they do not cooperate with us, there may be issues of concern. Mr. Bertoline shared that if agencies do not comply within a certain period of time, we should be calling for a hearing at which agency executives can explain why they are not complying with our request. If SCSB still does not get a response, what are the legal opportunities to affect their purchasing. This is a discussion they are having internally to determine what our approach should be. Mr. Luciano continued that there are consequences to them not complying and it is incumbent on us to explain to them that there are consequences. He thinks that information will move them to comply. Mr. Bertoline agreed.

James Marpe shared that most were errors in paperwork, and he did not sense any gross problems. He asked for clarification on the penalties that can be imposed if gross misuse is found. Additionally, he asked for clarification on the audit selection process and getting ahead of in-process contracts. By the time the procurement is completed, we can criticize the process, but if there is damage to the taxpayers, it has already been done. Are we looking at the right contracts at the right time?

Mr. Bertoline explained that our scope is to test for compliance with the rules and regulations as they are established in law. It is not necessarily designed to catch any fraud. It is limited to a specific purpose of compliance. We select a sample of contracts of varying amounts. He noted that there are over 30 different types of contracts. They check for compliance and report accordingly. While they are not

looking for fraud, if they suspect it, it will be pursued. If the Board feels that we should change the scope of our requirements, that is a discussion that would need to be pursued. He reminded the Board that we have one auditor that is responsible for \$15 billion in expenditures. Presently, we are complying with the law as it is stated, and we are doing it efficiently and effectively and reporting on our results. We are excited because our results are identifying findings throughout the year that will be incorporated into our trainings going forward.

Mr. Bertoline continued that we do have some issues with compliance, and we do need to get tougher within the limits of our authority to ensure compliance. He believes we are doing the very best we can do with one auditor. If the Board wishes to have greater discussions going forward, that is welcome, but right now we are complying with our mission and our charge.

Mr. Ahneman inquired if we are requesting information from the Auditors of Public Accounts (APA) to see if they have received any of the information that we are having difficulty getting. He stated that he is an advocate for us liaising with APA because they have an annual duty to audit these agencies. We audit annually, so some agencies may feel that they are being *dinged twice*.

Chair Palache stated that the staff can help with that liaison and went on to acknowledge all the hard work that has been done.

Mr. Mahler said in the past some of the agencies did not feel that they needed to comply because they had never been audited by us before. Often, they engaged the Agency Head to come before the Board and those meetings were fruitful to explain what we were doing. Some agencies may wonder why they are being audited. Mr. Bertoline confirmed that most agencies are very cooperative with audits.

Mr. Bertoline stated that the APA's recommendations regarding procurement processes did not yield a lot of results. If they find problems with the procurement, we should incorporate that into our scope. In response to a short discussion, Mr. Ahneman stated that years ago, seven years ago APA had 41 of 45 staff, so they were staffed to assist us. He believes it would be a good resource for us and that we should work with them to add procurement into their processes. Mr. Bertoline agreed.

Mr. Ahneman requested clarification on whether we are getting cooperation from agencies. Mr. Bertoline confirmed that generally we are getting cooperation but often we have to make multiple requests which delays the timeline and takes more personnel effort. Some agencies respond immediately, other are more of a struggle.

Mr. Ilg said he was surprised by the audit and thought we were going into the finances and procedures to conform with the law. If we have a serious finding. He is not on the committee and feels that the Board will not know until the committee reports. He is concerned about Board members doing things in the committees that he is not aware of until the meetings or for a full year. He has talked to the State

Auditors (APA). The APA do not have the ability to execute. They report annually but they lack the enforcement properties that we have. When we identify concerns that are serious and are not getting cooperation from the agencies, Board members should be made aware so Board members can track them. If agencies are not complying the Board can take care of it. He is concerned that this is sloppy and not being done the way it should be. He is surprised and not sure how to solve it but wants to know who these people are. He does not want to wait for the annual report, and they should not defer or deter their responsibilities to this Board. Agencies should supply the information directly and if they do not, we should go after it as a Board or staff, and it should not all fall on Mr. Bertoline to do so. He also stated that the meetings are public which is the cleanser. When you report to the Board about an agency, they are going to *get religion* and start understanding that we mean business and are not toothless – which is kind of how the State Auditors are. They issue reports and then depend upon other people to carry out their findings. They are wonderful people, but they do not have the power to correct like we do. They report but cannot correct, so the public looks to us to enforce because no one else has the authority to do so and the Governor does not find out what needs to be corrected until it piles up. He does not recall getting these documents. Chair Palache responded that they were shared with the Board.

Mr. Bertoline explained that one agency was withholding information, it was reported every month by our staff with details on how many times we have requested from that agency. Now after five or six months, we went to our attorney to look at how we use our power through this process to get compliance and make them aware that we *carry a big stick*. That is in process. He asked that the Board please give us break and reminded them that this is the first year and first time we are doing this. We appreciate all these comments and will eventually come out with a 100% wonderful approach that addresses everything.

Mr. Mahler asked who the agency was that was not complying, to which Mr. Bertoline shared that it is the Department of Energy and Environmental Protection (DEEP).

Mr. Luciano commended Mr. Bertoline and the Audit Committee; he thinks they have done a great job. In following up on Mr. Ilg's comments, he stated that the APA does not have enforcement abilities, but we do. He thinks there should be a *wall of shame* and there is no reason why the DEEP is not cooperating with us. They should be and there are reporters that will probably have something regarding this at the end of this meeting because he knows reporters do follow our committee. Secondly, this is not voluntary, they must comply by statute. He believes we should send a letter out to them ensuring that they understand that. Lastly, the biggest enforcement ability we have is the purse strings. We can take over purchasing for the agency. He is sure we do not want that and knows the agency does not want that. We should look to 4e-7 as a possibility. He believes Mr. Ilg's point is a good one; that agencies do not think they have to cooperate, but they do. He supports a *wall of shame* first, then a strongly worded letter to them saying they do not have a choice and need to comply, and the

last piece is to point out 4e-7 which is that they cannot even control their own purse strings anymore if they continue to refuse to comply.

Ms. Gauthier echoed that there is a lot of good work being done and agrees with Sal Luciano's points that we have the unique distinction of *having teeth* when it comes to enforcement of procurement in the State. We never want to use it; we are not a *gotcha* Board. She noted that a lot of the issues are related to training concerns and wants to understand what we are doing to offer immediate resources to these agencies that we are finding training deficiencies in. We are mandated by statute to train and should be offering training within a month or two. She noted that we are exploring the accreditation process and hopes that is not getting in the way of being able to provide trainings where it is needed. We have the expertise to do that, so we should not be saying that their training is bad, but we cannot provide anything until 2025 when we get our accreditation done. She posed a question to Mr. Longman and Ms. Hufcut about what we are providing to agencies when we report their deficiencies in training to them.

Mr. Longman stated that they connect with the audited agency within 60 days of releasing the report. When we do Training Specialist Carmen Hufcut is included. Our first two reports required creation of customized trainings for them to fix one of the issues. We connect with them upon release of the report and then we build them customized training to address the issues noted in the report. Some required trainings already exist, and we can just direct them; accordingly, however, if they have something specific, we give them guidance and build a training to guide them through the fix. This is what we have done for the first two audits. After release of the next three, we note that there are things we will have to build custom trainings on, and we recognize that. Mr. Longman reinforced that is why we are here, to point out the issues and guide them to correct their practices and procedures to make sure it does not happen again.

Ms. Gauthier said this was great to hear and that she looks forward to the Audit meeting and moving these audits to the Board in September.

Mr. Ilg closed with a statement that he was in no way criticizing what had been done. His attempt is to help them do their job and offer that if they are aware of issues as they arise, they can assist during the process.

Mr. Bertoline is not taking what has been shared today as criticism. He is taking all comments as an evolving process. This is the first year that we are attempting to meet the requirements of our law, and we are going to improve it and make it better, and these comments are important for that. Mr. Bertoline does think that the Board should approve these reports. The issues can be incorporated into our processes going forward. There is no more that can be done on these reports; they are complete, accurate and appropriate, they point out the issues, they point to training that is in process and he recommends that we move forward with that.



Mr. Bertoline restated his motion to approve the completed audits before the Board and requested a second and a Board vote on this.

Chair Palache invited his motion:

A motion accept the three completed audits was made by: Al Bertoline  
 The motion was seconded by: James Marpe  
 One nay vote from Tom Ahneman  
 Two abstentions from Sal Luciano and Lauren Gauthier  
 The motion passed.

## **ii. Budget Sub-Work Group – Chair Rochelle N. Palache**

Chair Palache stated that this work group was created as a result of the challenges imposed upon us in the FY'25 year. The purpose of this work group is to focus on the upcoming FY'26-27 biennium budget. A Work Group meeting is scheduled for August 19, 2024, at 11:00 a.m. Members of the Work Group were confirmed to be Chair Rochell Palache, Brenda Sisco, James Marpe, Stuart Mahler, and Lauren Gauthier with staff members, Executive Director Greg Daniels, Chief Procurement Officer Jonathan Longman, Research Analyst Samson Anderson, and Administrative Assistant Aleshia Hall.

### **d. Statutes, Regulations, Policies and Procedures Work Group–Chair Rochelle Palache**

Chair Palache reported that there are no issues before the group and although she is listed as the Chair of each of these groups, she will need others to take the lead on some.

Ms. Gauthier recommended that we create the Personnel Review Work Group under this committee to which Chair Palache agreed.

In response to Mr. Ahneman's inquiry, Executive Director Daniels shared that there are currently seven work groups. To which he noted that there are 14 Board members and 7 work groups. Ms. Gauthier noted that some are required by statute.

### **e. Training Work Group**

Chair Palache noted that a meeting of this Work Group was to be scheduled.

### **e. XL Center work group:**

Lauren Gauthier thanked the CRDA for quickly getting the documents to us. She and Mr. Mahler are in the process of reviewing them. The staff assisted with organizing the documents onto a shared drive. She noted that Al Ilg expressed interest also and asked if he received the link for the shared drive, to which he was not certain. Ms. Gauthier will follow up on that with him. Presently she and Mr. Mahler are preparing a list of questions to bring to CRDA regarding their process. Nothing to report at this time. Ms.

Gauthier shared that the Bond Commission did approve the additional money, which is good news for the State. Ms. Gauthier and Mr. Mahler will continue to review and determine if there is anything of interest. Ms. Gauthier clarified that the XL Center was called a public/private partnership (P3) and suggested that P3s be a part of the discussion with the legislature. She will continue to report what they learn. Chair Palache clarified that Mr. Ilg would like to be added to the work group.

In response to an inquiry from Mr. Ahneman, Mr. Mahler explained that the matter is regarding the XL Center; this is an area that CRDA is getting involved in with the money coming from the bond commission and there is questions about using contractors that are involved because there are lawsuits pending against them of which Connecticut is a part. He clarified that the lawsuits are pending against the contractors, TicketMaster and Live Nation, not against CRDA.

**b. Staff Report**

**i. Administrative and Operations – Gregory F. Daniels, Executive Director**

**1. SCSB Budget Update**

**a. Status Update on FY’24 Budget Surplus Carryover Request**

Chair Palache and Executive Director Daniels reported that our request to carry over the FY’24 \$49,055 surplus was granted. He thanked Chair Palache, Brenda Sisco, our partners at DAS and OPM, and all Board members who were instrumental in securing the surplus carryover.

Executive Director Daniels shared that we have a lot of work to do to craft the next biennial budget. Our OPM budget analyst has made it clear that the State is reducing the availability of funding; we will continue to run a fiscally conservative agency and will continue to be creative about how we allocate our limited funding. The staff will be meeting with our DAS Fiscal Analyst and our OPM budget analyst in the coming week. OPM guidance was received and shared with all Board members via email on Wednesday, August 7, 2024. In response to several comments, Director Daniels offered to assist Board members with accessing their emails if they require assistance. Our budget analysts know that we wish to complete this budget as quickly as possible to create an opportunity to share with the Board before submission by September 1, 2024. We will also be meeting with our representative at Bureau of Information Technology Systems (BITS) regarding the portion of their budget for the SmART unit, that will support our agency. Any IT requests must be considered by them, and they will determine the value. He referenced the sub- work group meeting scheduled for August 19, 2024. Per Chair Palache, Budget sub-workgroup chair Brenda Sisco, will represent the Sub-work group at the budget discussions.



Members of the Budget sub-work group are Chair Palache, Sub-work group chair Brenda Sisco, James Marpe, Lauren Gauthier, and Stuart Mahler. Agency participants will be Greg Daniels, Jonathan Longman, Samson Anderson and Aleshia Hall.

Ms. Gauthier sought to clarify the timeline. Working back from a September 1 deadline to submit a budget to OPM, this budget needs to be approved by the Board in accordance with 4e-2 21. Between now and September 1 submission, she asked how the Board will act on approval and if there will be a special meeting to elevate it to the Board for approval. Mr. Daniels explained that it is up to the Board if they wish to empower the sub-work group and clarified that the Board has not done so in the past, so it is up to the Board on what they wish to do. There was some discussion regarding past practice to which Ms. Gauthier and Mr. Luciano stated that the former Executive Director (David Guay) presented the budget, and they voted on it; however, after some discussion Ms. Gauthier recalled it being in preparation for presentation to the Appropriations Committee and could not recall if it was discussed at the time of submission. Chair Palache stated that she was comfortable with the sub-work group submitting the budget to meet the September 1 deadline and it could be approved by the Board after the fact.

Ms. Gauthier asked if the budget submitted on September 1 was *set in stone* for what would go before the Appropriations Committee in February. Chair Palache and Director Daniels clarified that it may be adjusted at the OPM and Governor's level. After reviewing the process, Ms. Gauthier acknowledged that we have time to review the final budget after it is completed.

Mr. Marpe observed that it is highly unlikely that we will get more than what we ask for and the fluctuation in existing expenditures is minimal. He asked if there were any items of significance being considered, such as the addition of more staff. Executive Director Daniels stated that we have no intention of requesting additional staff. Ms. Gauthier referenced that discretionary spending may have been a conversation had we not secured the surplus carryover. Ms. Gauthier stated that the sub-work group should consider discretionary spending such as accreditation expenses and the Board should approve. Her experience has been that we will await the budget that is finally received.

Executive Director Daniels noted that the expansion of workgroups will require use of more funds. He is excited that we are off to a lean but good start to the new fiscal year.

#### **b. Planning for Biennial Budget Request**

The first meeting of the Budget sub-work group is scheduled to take place on Monday, August 19 at 11:00 a.m. Per Chair Palache, Brenda Sisco will represent the sub-work group at any outside discussions as required.

#### 4. Old Business

##### a. **Consideration/Action on the draft template of the performance evaluations for the Executive Director and Chief Procurement Officer positions – Gregory F. Daniels**

Chair Palache introduced that, as a Chair coming in, she is interested in creating an evaluation matrix for staff on which they can move forward. She is not interested in going backward. While she appreciates Stu Mahler's input (as detailed in an earlier email), she is not interested in looking backward and intends only to look forward.

After referencing his budget assignments and the three-month lapse in meetings, Al Ilg stated that in January 2024, Former Chairperson Mike Walsh assigned him to come up with an evaluation process which he presented at the February 9, 2024, Regular Board Meeting. Al Ilg stated that his report basically states that the requirements of the Board are to do this, and that the evaluation not be farmed out to a committee. These two employees, Executive Director and Chief Procurement Officer, are part of the State of Connecticut Executive Branch which has no established performance evaluation and salaries attached. The Governor decides the salaries for Executive Directors of agencies, so it is the job of the Board to evaluate the Executive Director, and it is up to the Board to evaluate the Chief Procurement Officer. Mr. Ilg then shared that he invited David (referring to Former Executive Director David Guay) and asked that he address the group to explain how they developed the proposed evaluation system.

With the consent of the Board, Chair Palache invited former Executive Director David Guay to address the Board. At her request, Mr. Guay identified himself as the former Executive Director of the Board. Mr. Guay stated that when Al Ilg was assigned this particular project in January 2024, he volunteered to assist Al (Ilg). From his informal evaluations in the past, it appeared that we needed a little more structure. He looked at the statutes, job descriptions, and the two times the Board had assigned priorities in the last year to itself and to the staff. That formed the template of what would be an evaluation. He stated that the statutory duties and the job description mirror each other, the other piece was those extra duties assigned when the Board met in February 2023 when they had a strategic planning meeting that was held by Larry (referring to Former Chairperson Larry Fox) and during Chair Mike Walsh's short term, he came up with a list of *to-dos* that were added into that project. He explained that his presentation was similar to the PARS (referring to the state Performance Assessment and Recognition System). Mr. Guay described himself as having *suffered under* PARs evaluations in that past. He shared that he does not believe it is an appropriate evaluation for appointed officials and is not appropriate for managers. He supports the presentation made by Mr. Ilg.

Mr. Marpe thanked him for his history and asked if the Governor takes the evaluations of other departments to consideration of increasing salaries. Mr. Marpe asked if the

Governor even receives the evaluations. Mr. Guay confirmed that the evaluations were never provided to the Governor. Mr. Marpe shared that he is supportive of the intent to give direction to Executive Director and CPO and agrees that the PARS form is too complicated for our needs. Mr. Marpe stated that there are key items in the job descriptions for both the Executive Director and Chief Procurement Office that should be used to and everyone needs to be clear on those expectations to the point that this may delay our process but it is crucially important that Greg (referring to Executive Director Daniels), Jon (referring to Chief Procurement Officer Jonathan Longman) and the Chair (referring to Chair Rochelle Palache) at a minimum understand what we expect them to do in the coming year, and we are going to gauge their performance against that. From there we can discuss what those items should be.

Mr. Ahneman asked if DAS has a blueprint that they use. He stated that SCSB can use the job description and a SWOT analysis with training and needs, and that it is not that complicated. Chair Palache referred to the documents that have been shared with the Board and said it is her goal to work with that with the idea that we are providing direction to our executives and clear expectations and an understanding of what that means.

In response to Mr. Mahler, Mr. Guay stated that in the document presented by Mr. Ilg there is a description of the process they went through in terms of what they were looking at. He reviewed the reference materials used to create the document and noted that procedures are not really made for use an Executive Director or Chief Procurement Officer. He stated that he was never evaluated as an Agency Head. When he was the head of the Governmental Accountability Commission there was an issue with the Commission and there was an evaluation; however, the Governor never evaluated him, nor did the Governor evaluate the Commissioners; he has never heard of that in 40 years of state service.

Mr. Ilg is surprised there is no link between the salaries and performance; he has never seen that before but understands that is how it works in this case. There was a brief discussion to which Executive Director Daniels explained that he was officially appointed in the beginning of 2023. Mr. Ilg explained that there was a transfer from Chair Larry Fox to Chair Mike Walsh. He mentioned that the summary components that came out in February 2024 is what they should be looking at, but there was one before that and some feel that the evaluation should start in February 2023 when he was hired. He reviewed the timeline of when the Chair appointments changed since Greg's hiring.

Chair Palache again clarified that she is not interested in going backward and does not want to evaluate them beginning February 2024 or earlier, she is leaving the timeline open at this time and will establish a timeline going forward. The history is helpful, but this has never been done before and we are going to establish a process going forward.

Chair Palache inquired to Mr. Guay about if he had been evaluated. Mr. Guay said he was evaluated on an informal basis. It was very informal; he was a member of the team, and the Board knew what he was accomplishing and what he was not. When they had

their executive sessions, the Board members would just go around the room and give him their evaluation to his face. Then they would come out of executive session and say it was all fine. Chair Palache responded that we are looking to do something much different than that so it will take us more time.

Ms. Gauthier said that since we are supposed to do this annually, we should have a more formal process and have a conversation with the Board to decide where they are at with the February 2023 deliverables that the Board voted on and agreed to and believes that is what they should be evaluating against in addition to the statutes and job descriptions. The deliverables that Mike Walsh came up with were not approved by Board, but she believes they are fine because they were taken from the statute. To say they do not have expectations is incorrect. She thinks that the Board should go into executive session and have a discussion.

Chair Palache reinforced again that she and some of the board members are new and were not privy to those expectations.

Ms. Gauthier offered to get the February 2023 deliverables to Chair Palache and would like to know where we are with all of those. Ms. Gauthier stated that it is important that in this year, we baseline and have more informal conversations to ensure that the Board is all on the same page so they can come up with their expectations more formally and make a document or a plan and start the clock. That way, as Board members may come or go, we have something on paper. They do have plenty of things on paper as an agency; they have the February 2023 deliverables, the job rules, and the statutes. Ms. Gauthier would like to come to a middle ground between starting fresh and moving forward while also acknowledging that they have had a year and actions that they cannot just ignore and say it didn't happen because there are new folks on the Board. There are a lot of the same folks on the Board. Ms. Gauthier stated that the SCSB have to come to a middle ground on this.

Mr. Luciano said that what Mr. Guay said was accurate and he was evaluated every year, and it was easy to do so because he was the only staff person, and the Board knew what he did and what the subcommittees did. Mr. Luciano said Al Bertoline was doing audits and Rinker (referring to former board member Robert Rinker) was doing his privatization stuff, and everyone knew what everyone else was doing. He stated that quite frankly, he does not know what the staff has been doing. He does not want to rate them right now because he does not know what they are doing. He sees almost no training and has so many questions. He understands that the Chair wants to go forward. Just last month the Executive Director told them that he was told to use the PARS form and this month we know that is not true. He wants to enhance the communication and wants to know what the staff are doing because at this point, he does not know how to rate the staff.

Ms. Gauthier cautioned against the wording, noting that they only have purview to evaluation Jon (referring to Chief Procurement Officer Jonathan Longman) and Greg (referring to Executive Director Daniels). She clarified with Mr. Luciano that when he refers to the staff that he is just referring to Jon and Greg. Mr. Luciano clarified that since

directing the staff is part of Jon and Greg's duties, since he does not know what the staff are doing, he would not know how to evaluate that part of their performance. Mr. Luciano said that one of the things (former Chair) Walsh did to make Greg (referring to Director Daniels) the only person they could talk to. So, the board members could not talk directly to staff without Greg Daniels. They were only allowed to talk to the staff through Greg, so some of this is the fault of the previous Chair and not Greg's fault. Not knowing what the staff are doing will reflect on the Executive Director. Mr. Luciano acknowledged that Ms. Gauthier was correct.

Mr. Ahneman asked if they were on a timeline. Ms. Gauthier explained that by statute the evaluations are annual but there has not been an evaluation of staff since they joined in early 2023, so February 2025 will be two full calendar years without an evaluation which is why she believes it is appropriate to be done sometime in the 2024 calendar year. For obvious reasons that they had just joined in 2023, there was not an evaluation that year. Mr. Ahneman reinforced that the whole purpose is to make this better, so whatever timeline we can do this in that makes us better is what he will support, and we are not locked into a February timeline. If we want to get a blueprint from OPM, that is fine. We need to use this to make us better.

Chair Palache reminded Board members that they are provided Monthly Reports every month that show what the staff are doing; she wants to make that clear. These are shared with the Board every month and asked that the Board be cognizant of reading emails from staff.

Chair Palache reminded the Board that we are learning a new way of doing things. Those Board members who have been here did not have a full staff. Now we have a full staff, and we are learning how to use those resources. She has a full-time job and is relying on staff; she noted that board members are nodding because they feel the same way. They need to be tight on communication. Chair Palache addressed Mr. Luciano saying that she has no problems with Board members going to the team.

Chair Palache stated that they have recently learned of an issue with the telephone line calling into the office which will be addressed.

Mr. Gauthier recommended an executive session without the staff next month to begin the discussion of what they are looking for and come out of that discussion to start work on a formal plan. Whether that executive session will be termed an evaluation, or the start of an evaluation can be determined.

Ms. Gauthier recommended that the discussion begin in an executive session at the September meeting and made a motion to that effect.

The motion was seconded by: Stu Mahler

Mr. Ilg recommended that everyone read the Summary Evaluation Project from February 2024 and that we share the February 2023 report that was given out. He believes this

would be helpful and agrees that the Board needs education on how this works because it is complicated. He is used to a different pay plan.

Mr. Ahneman asked for the goal of the executive session and asked for the agenda. He believes that if you give this to 14 different Board members, you will get 14 different evaluations.

Mr. Buff furthered that if they are just talking about creating the evaluation, does it really need to be done in executive session.

Ms. Gauthier clarified that she requested an executive session because they may be discussing sensitive personnel matters.

Mr. Marpe agreed that someone should draft something that can be discussed. He is looking for the issues on which Greg and Jon should be evaluated. Without those details, he does not want to go into executive session on this matter. Mr. Marpe agrees that the PAR form is right for what we are trying to do. He recommended that someone formulate a draft to initiate this discussion and then they could meet on how to complete the evaluation. Mr. Ilg said they do have criteria for the Executive Director's evaluation that can be reviewed. Chair Palache explained that they are looking for a simplified version.

Donna Karnes agrees they should have executive discussions and liked the format when they break out after the meeting. She believes they have discussed this a lot, and someone just needs to write it up. All the time and discussion they have spent on this is a waste of time and she agrees, so she supports Ms. Gauthier's effort to move this forward.

Mr. Luciano said there are two reasons for executive session to seek or discuss legal advice and to discuss someone's evaluation, so that would be the topic of the executive session. He explained how the executive session process works.

Mr. Ilg said they could do it after the meeting because everyone is here. Director Daniels explained that you must go into a meeting, vote to go into executive session, and then return to that meeting, so it is not a separate meeting.

Chair Palache asked for a volunteer to summarize the document for discussion. Mr. Ilg said that he does not think it needs to be simplified. Ms. Gauthier volunteered assist Mr. Ilg.

David Guay said he would be happy to assist as part of the personnel evaluation sub-work group. Chair Palache stated that she will get back to him on that.

Director Daniels noted that, in accordance with FOIA laws, he and Chief Procurement Officer Jonathan Longman can request that that executive session be held publicly since their evaluations are being discussed.



Chair Palache explained that in September, they will go into executive session to discuss draft document only, not to do an evaluation. Director Daniels explained that you cannot go into executive session just to discuss the process. The process discussion needs to be public; the actual evaluation can be in executive session. Chair Palache does not think we are ready for an executive session to discuss the evaluation. In September, they will have a draft document before them that can be discussed, then they can go into executive session to discuss a timeline for that evaluation.

Ms. Gauthier clarified that she is proposing a multi-process evaluation, one where we have an evaluation discussion with Jon and Greg and that is why she suggested executive session because it would be personnel evaluation. We can create a draft evaluation based on a pre-evaluation or Step 1 evaluation to create a clean slate for the 2025 evaluation; however, there is still a year and a half that has not been addressed. She is proposing to do an evaluation on the year and a half and then use the draft document to guide that discussion; that would be the agenda and use that discussion regarding the year prior to create goals for the year looking forward. It would be a personnel evaluation. If they do not feel they are ready to discuss at the September 13, 2024, meeting, it could be moved to a separate session or discussed in October. She believes they need to address the year and half that has not been evaluated and come up with their *moving forward* goals as well.

Mr. Ahneman said that he is not prepared to do that. Normally both the Board and the candidate have an opportunity to complete the evaluation based on how they think they are doing and then the two come together to discuss it. The evaluation needs to be given to Greg and Jon, so they know how to prepare for the performance review. Mr. Marpe envisioned a public draft for discussion at the September meeting that may be modified and approved and used as a standard on which to evaluate. At that time the Chair and the Directors can complete their evaluations and then, with executive session appropriately noticed, they can move forward.

Ms. Gauthier is happy with that. She rescinded her motion for executive session at the September 2024 meeting with the understanding that there will be a draft document that can be voted on at that meeting upon which they can move forward to schedule an evaluation for this calendar year. Mr. Mahler rescinded his second of the motion.

Chair Palache recommended that they communicate via email prior to the next meeting to ensure that they are not all seeing the document for the first time at the September meeting because that will cause delays as well.

Mr. Ahneman stressed that the document does not need to be perfect. Evaluations typically become more robust as you move forward year after year.

## 5. New Business

- a. Committee and Workgroup Assignments

Executive Director Daniels said he updated the committee assignment work groups to reflect the current status of work groups. An organizational chart of committees and work groups was shared, and changes were discussed. Chair Palache still has changes to make; therefore, it is still a work in progress.

At the invitation of Director Daniels for Board members to become involved in work groups, Mr. Ahneman requested to return to Privatization Contract Committee and the Statutes, Regulations, Policies, and Procedures work group. In response to Mr. Mahler's comments, Director Daniels confirmed the members of the Budget Sub-Work Group.

Al Ilg will be added to the XL Center Work group.

Mr. Ilg said that he is unaware of the meetings that he is not involved in and asked how he can find out what is going on. He is concerned about not knowing about the details of the groups activities. Chair Palache explained that all the committee activity is reported at each Board meeting and also in the Monthly Reports that are sent to Board members monthly. Mr. Ilg is concerned that the committees are doing their work independently, instead of bringing all the issues to the Board.

Chair Palache explained that these committees serve as a division of labor. If he is interested in the activities of a committee that he is not involved in, he should reach out to those committee members for details.

In reference to the Statutes, Regulations, Policies and Procedures Work Group, Mr. Ilg stated that it takes eight years to make changes in regulations, so they just stop people from doing their work. Laws can be changed easier.

## **6. Opportunity for Citizens to Address the SCSB**

No one requested to address the SCSB.

## **7. Adjournment**

**At 12:08 p.m., a motion to adjourn the meeting was made by Salvatore Luciano. The motion was simultaneously seconded by Al Bertoline and Daniel Rovero. The motion passed unanimously.**

Respectfully submitted,

Aleshia Hall  
Administrative Assistant