

STATE OF CONNECTICUT

Employees' Review Board
February 8, 2012 – Minutes
(Subject to Approval)

1. Call to Order 9:00 AM

Present: Matt Borrelli, Manny Psarakis, Vic Schoen and Lee Williamson

2. Approval of December 6, 2011, Minutes—Borrelli moved for approval and Schoen seconded. Minutes were approved by a unanimous vote of the Board.

3. Case Updates

a. Appeal of Albert Johnson (Williamson, Halperin, Psarakis)-The initial hearing was scheduled for and held on January 11, 2012. A second hearing is scheduled for March 19, 2012.

b. Appeal of Sheryl Kemp (Psarakis, Borrelli, Williamson)-The initial hearing was scheduled for and held on January 9, 2012. Panel is waiting for the parties to inform it as to whether the matter will proceed.

c. Appeal of David Norton (Schoen, Borrelli, Williamson)-The hearing was scheduled for, held on and concluded on January 24, 2012. Briefs are due February 24, 2012.

d. Appeal of Andrew Munson (Schoen, Borrelli, Psarakis)-The initial hearing is scheduled for April 27, 2012.

e. Superior Court Appeal of the Decision in Reddington, Duval, Johnson (Psarakis, Borrelli, Williamson)-The Presiding Officer has compiled and certified the record of the case, which will be filed with the Superior Court by the Office of the Attorney General.

4. Administrative Topics

a. Hearing notices by email—the Board discussed whether either the UAPA or the ERB statutes and regulations required sending hearing notices by certified mail, return receipt requested. Absent a statutory or regulatory directive, the ERB will now send hearing notices by email rather than certified mail, return receipt requested. Parties will be asked to acknowledge receipt of the email notice.

b. ERB subpoenas—the Board discussed the issuance of subpoenas. While the ERB does have the authority to issue subpoenas, it will do so only in extraordinary circumstances.

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5. Remarks

The Chair noted in FY '11-'12 there has been an increase in the number of cases. Thus, the expenditures of the ERB have increased. While the ERB will continue to exercise prudent fiscal measures, the Chair will inform the Board's Fiscal Agent at DAS of the possibility, based on administrative projections, that the ERB might either be required to hold cases in abeyance until the next fiscal year or request a small supplemental appropriation. The ERB determined that it would be more responsible to notify DAS now of the possibility rather than to wait.

6. Adjournment: 10:35 AM

7. Next Meeting: April 10, 2012

Respectfully submitted,

Lee Williamson
Chair