

# Connecticut River Area Health District

*Serving the Towns of Clinton, Deep River and Old Saybrook*

First Selectman, Richard Smith, Chairman

Michael Dunne, M.D.

First Selectman, William Fritz, Secretary

David Shearer, M.D.

Peter Neff, Treasurer

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455 Boston Post Road, Unit 7  
Old Saybrook, CT 06475  
Phone: 860-661-3300 Fax: 860-661-3333

## Minutes

Monday, August 26, 2013

Regular Meeting of the CRAHD Board of Directors

455 Boston Post Road, Suite 7

Old Saybrook, CT 06475

11:00 AM

### A. Call to Order

Chairman Dick Smith called the meeting to order at 11:10 am

### B. Roll Call

Chairman Smith identified the following as present: Board Member David Shearer, Board Member Michael Dunne, Board Treasurer Peter Neff, Director of Health Jim Monopoli, and Chris Collier, Clerk.

Attorney William H. Clendenen, Jr. and Attorney Maura A. Mastrony from the Law Offices of Clendenen & Shea, LLC were in attendance, as well as Old Saybrook First Selectman Carl Fortuna

### C. Approval of Minutes from July 29, 2013 Regular Meeting

**SHEARER** moved, **DUNNE** 2<sup>nd</sup>, motion to approve minutes from July 29, 2013 Regular Meeting

**APPROVED 3 - 0**  
**ABSTAIN 1**

### D. Old Business

- **Further Discussion/Action on Draft Public Health Services Agreement, Settlement and Release, and Joint Defense Agreement with Old Saybrook WPCA**

Attorney Maura A. Mastrony distributed copies of the current pending PH Services Agreement and a draft of the proposed Agreement with suggested

revisions by CRAHD. She reviewed some of the recommended changes to the Agreement. Both attorneys communicated that with the current language, simple unintentional acts by CRAHD could lead to non-payment because of unreasonable breaches of the agreement. This language is throughout the contract. The attorneys relayed to the board that this is not a reasonable standard and CRAHD should not have to live up to. Peter Neff recommended that the attorney for the WPCA and CRAHD's attorney meet to come to an agreement on many of the pending issues. Director Monopoli expressed his concern that, according to a letter received by CRAHD from WPCA Chairman Elsa Payne and First Selectman Carl Fortuna, the WPCA will not allow CRAHD to communicate with the WPCA attorney as stated in the letter "We also request that no further direct correspondence with our counsel be initiated by CRAHD employees or representatives without WPCA approval" Discussion continued with a general agreement that negotiations should continue to the proposed WPCA deadline, and the Section pertaining to revisiting the agreement be firmed up with an expiration date and a requirement for both sides to negotiate prior to the expiration. First Selectman Fortuna agreed to discuss this with Attorney Wertam. After substantial discussion, Treasurer Neff recommended the attorneys meet to review the substance points and highlight the other items that can be revisited upon review of the contract on or before December 31, 2013.

**First Motion:**

**NEFF** moved, **SMITH 2<sup>nd</sup>**, motion to give authorization to Attorney Clendenen to negotiate an interim agreement with the Town of Old Saybrook that will terminate on December 31, 2013 per recommendation of attorneys

**APPROVED 4 - 0**

**Second Motion:**

**NEFF** moved, **DUNNE 2<sup>nd</sup>**, to authorize, upon recommendation of Attorney Clendenen, Chairman Dick Smith to execute contract

**APPROVED 4 - 0**

- **Status of Application for 3<sup>rd</sup> Party Reimbursement**

No Update

**E. New Business**

- **Need for Ordinance Development**

DOH Monopoli told the board there is a need to create district wide Ordinances for those activities that CRAHD actually issues a license for, such as foodservice, public pools, salons, etc. to strengthen its ability to charge fees,

to revoke or suspend licenses, and to tie the license better with the Code requirements needed to retain the license. These are basic ordinances that should be developed and adopted. He said he will get these developed and ready for presentation to the board over the next several months.

**F. Directors Report**

No Report

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**G. Adjournment**

**NEFF** moved, **SHEARER** 2<sup>nd</sup>, motion to adjourn at 12:08PM

**APPROVED 4 - 0**

Respectfully Submitted,

*Chris Collier*

Clerk