

## COMMITTEE ON PERSONNEL/INSURANCE

**January 27, 1997**

**6:30 PM**

Chairman Reiniger called the meeting to order.

The Clerk called the roll.

**Present:** Aldermen Reiniger, Domaingue, Robert and Hirschmann  
Alderman Cashin was absent.

**Messrs.:** F. Thomas, L. Bernier, F. Rusczyk, K. St. Onge, D. Hodgen, M. Driscoll,  
H. Moran, D. Prew, D. Beaudoin, R. Girard

Chairman Reiniger addressed item 3 of the agenda:

### QUALITY MANAGEMENT TEAM - Presentation on the Compensation and Classification Plan.

Mr. Thomas stated I am here to give a quick status report on the classification and compensation study. As you know, at the previous meeting we stated that we were going to develop a request for information and proposals. The QM Committee, working through the Personnel Department, has advertised for Human Resources services and also sent out twenty four direct mailings to firms that we felt may be interested and qualified to undertake this project. The request for information and qualifications is due by February 21. The package I have given you is a portion of what is being made to interested firms. In this package you will see a copy of the legal notice, addendum number one giving a bit more time, a draft transmittal letter that was utilized to transmit these to the twenty four firms mentioned, and the actual request that details what we are looking for a giving an approximate time schedule. The twenty four firms were also given a copy of the 1994 independent study that was conducted by the Board of Mayor and Aldermen, a matrix of benefits for unions and bargaining units which was prepared by the Finance Department. The purpose of the request for information and qualifications is to identify the type of services that are potentially available. We broadened the request to ask for all human resource areas, not just for the classification

and compensation. We are hoping to get a firm that can take a look at the whole area of human resources in the City. Also we need to develop a funding request, we have put a request in to CIP, but that was just based on a guess. We hope to firm that up a bit more in this process. As I mentioned, we are trying to gather information so we know what to request when we go out for a request for proposals. Should the request deal mainly with just a classification and compensation study, should we get into other areas, etc. We are trying to get a broad picture of what is available and how much it is going to cost. This is the first step in the procurement process and what we are going to be doing with this request is to review the capabilities of the firm so that we can narrow it down. The tentative schedule is included in the packet of information, right now we are looking to have the Requests for Proposals issued sometime during the end of March or first part of April. We hope to receive proposals in the first part of May and potentially have a consultant selected by the first of June.

Chairman Reiniger addressed item 4 of the agenda:

BOARD OF MAYOR AND ALDERMEN - Communication received from the Coalition of Organized Public Employees.

On motion of Alderman Robert, duly seconded by Alderman Hirschmann, it was voted to receive and file the communication.

Chairman Reiniger addressed item 5 of the agenda:

CITY CLERK - Extend work week from 35 to 40 hours per week for Paul Bergeron for 23 weeks and hire a temporary clerical person at \$10.00 per hour for 18 weeks.

Mr. Bernier stated the Special Building Committee has requested that Mr. Bergeron help in the relocation of City Hall to the Plaza for the renovation process to begin on the City Hall building. Mr. Bergeron agreed to help if his work week was extended to 40 hours due to the extra duties involved. The clerical position would be to assist with the business license process and transcribing of minutes.

Alderman Robert asked whose budget would this come out of?

Mr. Bernier answered there is a fund set up through CIP for the relocation project. The Special Building Committee felt that Mr. Bergeron would be the right person to be involved in the effort.

Alderman Hirschmann asked where are these funds and where do they come from?

Mr. Bernier answered the Board voted to put a certain amount of money aside to relocate City Hall. The funds are there to cover any costs related to the relocation, including hiring movers, etc.

Alderman Hirschmann asked is this a temporary measure?

Mr. Bernier answered yes, for twenty three weeks. The clerical person would be to pick up the transcription and business license processing that Mr. Bergeron would normally do.

Alderman Domaingue asked could you tell us, the period not to exceed twenty three weeks, when the project is completed, we are going to need coordination to bring everyone back in. Are you expecting to come back to the committee to request additional funding for an additional period of time for Mr. Bergeron at that time?

Mr. Bernier answered it is too early to answer that question, we don't have any way of knowing how the renovations are going to proceed.

Alderman Domaingue asked if we have to coordinate moving out, won't we have to coordinate moving back in?

Mr. Bernier answered yes, but we don't know when the renovation will be completed.

Alderman Domaingue asked would that expense come out of the Special Building Committee?

Mr. Bernier answered yes, but it will be a whole new budget year, and I don't know what they will have budgeted.

On motion of Alderman Domaingue, duly seconded by Alderman Hirschmann, it was voted to approve the request.

Chairman Reiniger addressed item 6 of the agenda:

CITY CLERK - Limited term Archive/Records Supervisor.

If approved by the Personnel Committee and the Board of Mayor and Aldermen, the City Clerk's Office will hire an Archive/Records Supervisor on a limited term basis, Grade 23, 35 hours per week. The City Clerk shall be approved to fill this position on a temporary basis pending adoption of the ordinance establishing this position.

Mr. Bernier stated we applied for a Federal grant for this position. The last time it was awarded was at Dartmouth College for records and archives. We have a great opportunity for the City to receive a twelve month, fully funded position. The government requested that we go through the personnel procedure as part of the grant request. It is a limited term position, and in order to receive the grant we must follow this formality of having the position approved.

Alderman Robert asked is this position going to go away when the funding goes away?

Mr. Bernier answered that is correct.

On motion of Alderman Hirschmann, duly seconded by Alderman Robert, it was voted to approve the request.

Chairman Reiniger addressed item 7 of the agenda:

HEALTH DEPARTMENT - Request for authority to hire 4 temporary clerk typists for immunization.

If approved by the Personnel Committee and the Board of Mayor and Aldermen, the Health Department shall be approved to hire 4 temporary clerk typists for immunization data entry. The cost is \$15,000 and will be completed by the end of FY 97.

On motion of Alderman Domaingue, duly seconded by Alderman Robert, it was voted to approve the request.

Chairman Reiniger addressed item 8 of the agenda:

HEALTH DEPARTMENT - Request to restructure work week for a community health nurse. If approved by the Personnel Committee, the Health Department shall reduce the work week for a community Health Nurse from 35 to 32 hours per week and reassign the three remaining hours as an extended work week to another employee.

On motion of Alderman Domaingue, duly seconded by Alderman Hirschmann, it was voted to approve the request.

Chairman Reiniger addressed item 9 of the agenda:

HEALTH DEPARTMENT - Certified School Nurse.  
If approved by the Personnel Committee and the Board of Mayor and Aldermen, Ms. Joline Manseau shall be moved to the grade level associated with the completion of her educational requirements. This request has been approved by the Mayor.

Mr. Rusczek stated about five or six years ago, as a way to retain staff and provide somewhat of a career ladder for our school nurses, since we had at that time, and are continuing to experience turnover, we looked at creative ways to both enhance the qualifications of our staff through a national certification program. In return for a one step pay increase, we receive CPR training and first aid instruction for the city. One of the goals of the Health Department in its school health program is to increase the number of school staff who are first aid and CPR trained. This will make our third certified school nurse and coupled with a Bean Foundation grant we are able to expand the amount of CPR and first aid training in the schools and elsewhere throughout the city. This is in keeping with the staff retention plan and the plans to expand such training.

Alderman Domaingue asked how and for who does the CPR and first aid training get done?

Mr. Rusczek answered it is done for the school staff and principals. We have just begun the training with the Bean Foundation grant. In the last three months we have had thirty people go through training.

On motion of Alderman Domaingue, duly seconded by Alderman Robert, it was voted to approve the request.

Chairman Reiniger addressed item 10 of the agenda:

PERSONNEL COMMITTEE - Ratify and confirm poll conducted on December 6, 1996. The Personnel Committee approved a poll regarding Joseph Acorace being reinstated to the City's pension health plan. If confirmed, the action will be closed.

Mr. Bernier advised that this item must be referred to the full Board and would come before this committee at a later time.

Chairman Reiniger addressed item 11 of the agenda:

POLICE - Request from Alderman Hirschmann to examine the existing Personnel Policy for Police Officers. (Discussion)

Chairman Reiniger stated I have been advised by the City Solicitor's office that due to a pending lawsuit dealing with this issue that it should be discussed in executive session.

Alderman Hirschmann stated what I am asking for is to review policy, I have the policy right in front of me and it is public record. These are the papers that were handed out by the Personnel office. I will split this into two discussions for the public and non public session. All I ask to do is review some policy. If anyone feels we are getting in where we shouldn't be, we will move that to the behind closed doors discussion.

Alderman Hirschmann stated in public I would like to discuss section 33.046 that talks about entrance salary rates. That is part of the policy I would like to discuss.

Chairman Reiniger stated I have not seen any legal documents pertaining to this. I would like to ask the Solicitor if we could discuss policy here and what are the limits.

Mr. St. Onge stated given the fact that I don't know what your comments will be I think it is appropriate to recess this meeting because if you were to make statements that I am not privy to that could have a detrimental effect on pending litigation. For that reason it is the solicitor's suggestion that you go off the record. It is not a non-public session, under RSA 91-A:2 the law is very clear, when you recess a meeting, for Right to Know law purposes, that consultation with legal counsel or the chief negotiator for strategy, is not a

meeting for recording or reporting purposes. I have provided the Chair with the appropriate motion.

On motion of Alderman Robert, duly seconded by Alderman Hirschmann, it was voted to recess the meeting to consult with legal counsel and the Chief Negotiator. Alderman Domaingue was duly recorded in opposition.

Alderman Hirschmann asked could we allow for the Chief and the Commissioners of the Police Department and any personnel of the police to be in this?

Alderman Domaingue answered no, we are talking board policy, you are talking board policy and you are in an executive session.

Alderman Hirschmann stated part of my review of this policy was I wanted to hear from the Chief on a few things.

Alderman Domaingue stated I am sure you can ask him that afterward.

Mr. St. Onge stated from the standpoint of 91-A:2 , that is, consultation with legal counsel, I would certainly, the solicitors office would not have any problem with the Chief of Police and the members of the Police Commission being there, as to subsection (b) however, the extent that we are also involved in a recessed meeting for consultation with the Chief Negotiator over strategy I would defer to Mr. Hodgen for his comment on the propriety of allowing both the Chief and members of the Commission to be present.

Mr. Hodgen stated I think that question goes to whether the board just wants to deal with the legal aspects initially or wants to deal with both the legal aspects and the negotiations considerations. If the board wants to deal with both or wants to talk about negotiations, I don't have any problem with the Chief or the Commissioners being here.

Alderman Domaingue stated with all due respect to both the Solicitor and the City Negotiator, Mr. Chairman I just want to clarify that the purpose for going into any discussion here was to discuss hiring policy, not to do negotiations. If we are under a limitation of being able to discuss that in a non-public session because of any pending litigation, then I would feel very uncomfortable having any one but board members, legal counsel and the negotiator sitting in the room. Unless we determined we were going to take a direction that might involve the Chief, then we could call him back in.

Alderman Robert stated we make policy in conjunction and consultation with management, and I have no problem with having the chief of police here, or the commissioners. The Chief of Police, this is his department, philosophically I hire the police chief to work with the commission but to use his talents to run the department. There is a personnel element here, we have to rely on his skills and ability. I don't think we can sit here and make policy in a vacuum without these people here. I think it is appropriate that it be done that way. I will only continue with the motion if they can remain.

Alderman Domaingue asked does this fall within parameters of the right to know law subsections that we are using to go into this non-public session.

Mr. St. Onge answered a strict reading of the Right to Know Law would suggest that the meeting that is about to be recessed would be done for the simple purpose of consulting with legal counsel and the Chief Negotiator. A strict reading would suggest that it would be the members of this committee, the Solicitor, and the Chief Negotiator. The past practice with regard to strategy has been to include those individuals that have a stake in the policy.

Alderman Domaingue stated I don't quarrel with that, however what the agenda requested was that this committee take up the issue of examining the existing policy. Examining it, not resetting it, not restating it, but examining it. I am very concerned if my legal counsel is telling me that the Right to Know Law sets parameters for me as to who I should legally include, and suddenly I, as a committee member, not even with the sanction of the full board, choose to rewrite that law. I cannot in good conscience do that.

Alderman Hirschmann stated I have no intention of discussing negotiations whatsoever. I would like to talk about the personnel policy.

On motion of Alderman Hirschmann, duly seconded by Alderman Robert, it was voted to table this item.

Chairman Reiniger addressed item 12 of the agenda:

POLICE - Request to hire retired Police Officers.

If approved by the Personnel Committee, the Police Department shall be approved to hire on a temporary basis, retired Police Officers at \$13.00 per hour for the remainder of FY 97.

Alderman Robert asked is this bargaining something new and different?

Chief Driscoll answered I would sum this up by saying there is an opportunity for the City to perhaps use temporary employees in positions at the Police Department, specifically in the communications room, and in the past we have had to hire civilians to do jobs that the certified police officers did not want to do. We would like to have the opportunity to hire retired police officers to do those jobs. I think this could be done economically but the city has a policy that states it won't allow any department to hire an employee that has retired from the City. These people would not be sworn police officers with police authority, they would be working as civilians.

Alderman Robert asked what would it be that they would be doing?

Chief Driscoll answered be responsible for the prisoners, and work in the communications room. This concept works very well in Nashua.

Alderman Robert asked didn't we speak about using part time police officers a few years ago when the crime rate was at a higher level, could you emphasize the difference with the programs and how you come forward with this?

Chief Driscoll answered I am not sure I understand the question. We have not had part time or auxiliary police officers since 1989. The State law mandates that if we are going to have part time police officers, they must be trained to the same level as the full time police officers. We have never felt that was cost effective to do, and have not done it since 1989.

Alderman Domaingue stated you are speaking on two levels. I am hearing about this particular position, but I see the memo speaks in generalities. It speaks of hiring retired police officers for part time station duties. I have to assume from the memo, that you do not want the duties to be limited.

Chief Driscoll answered no, since that memo was written, I know that Dale Robinson has communicated with Mr. Moran, and I guess the best way to go forward with this is as a temporary employee as opposed to a part time employee. We are not sure that we can make this work, but it is working in Nashua and it seems like a win-win situation.

Alderman Domaingue stated I am uncomfortable approving a request that we are not sure is going to work. I am still hearing temporary or part time, I do not know where they are going, I am not hearing what they are doing, I am not hearing who they are replacing. I am hearing that there are people within the department who don't necessarily want to be in certain areas and you are trying to address that issue as well.

Chief Driscoll answered I would like this committee to give us a green light to look at this, or, if you do not feel it is something we should be pursuing, that is acceptable too. My request tonight would be to approve the idea of looking at an individual who is experienced, who understands, who has a background in law enforcement, and who might be good to do a job at the police department at a reduced rate on a temporary basis with no benefits, rather than pay an officer who does not want to be in there to do the job.

Alderman Domaingue answered I could be receptive to looking at that with you as a committee member with this committee. I don't think you need the committee to give you a green light to go off and do something when we are not apprised of how you got from point A to point B. If you would like to come back to the committee with another proposal I would have no problem with you doing that.

Chief Driscoll asked would the committee be supportive of the concept of allowing us to consider someone for employment on a temporary basis who has worked for the city previously?

Alderman Domaingue answered to ask the committee to be supportive of a concept that is not clear goes one step beyond where I would be willing to go as a committee member.

Alderman Hirschmann stated I think with the atmosphere that exists with the labor contracts, proposals like this, while the contracts are unsettled, may be penny wise but pound foolish. I applaud you on one end that you are looking at ways to save money in your department, but what is it going to cost in moral or problems if you are giving away jobs that you think are not wanted. I am not prepared to support this. I don't want to discourage you to keep looking for ways to save money in the Police Department. The people that do these jobs, seasoned veterans, couldn't that be used for the rookies to do those jobs?

Mr. Moran stated people that are receiving a city pension are not eligible to be rehired except in an emergency. Mr. Clark has given a tentative view that if these people were receiving a state pension, they would be eligible to be rehired.

Alderman Robert asked why would we not do this, what impact would it have?

Mr. Moran stated having an individual come back on an emergency basis is done all the time, I am not sure how to answer the question.

Alderman Robert stated I am questioning the policy, the Board or the Committee adopted a policy not to hire retirees from the city. I am wondering why.

Mr. Moran answered I think it is probably like those of us who were in the military, where one would obtain a considerable rank in the military, retire and justify a job and come back as a GS 99 on a separate basis, I think that is the reason that once an individual retires, he is out of the system.

Alderman Robert asked what are the people presently in these positions going to do?

Chief Driscoll answered I can't answer all your questions at this time, I guess I was just looking for the support of the committee in utilizing retirees.

Mr. Girard asked Chief, did you expect this item on tonight's agenda?

Chief Driscoll answered I knew it was on the agenda, but I did not expect to have all of the details questioned. I was hoping to have one thing clarified, that being the support of the committee to explore the possibility.

Mr. Girard stated the reason why I asked that question is because I know there have been conversations between the Mayor's office and the Police Department regarding this issue and the Mayor has been generally supportive. We were not aware that it would be coming forward as soon as it did. From the Mayor's point of view there would certainly be no problem with investigating the possibilities.

Chief Driscoll stated if in fact the committee thinks it is something that they would like to hear more about I would be pleased to look at it further if you think we can overcome the burden of hiring somebody that has retired from the city.

Alderman Domaingue stated I don't know whether the solicitor's office has had an opportunity to look at this, but would there be any legal questions involved? It is one thing for the committee to give the green light to a department to go out and look at this, seemingly give their approval. I am not sure I am in the position that I want to do that at this point in time. I think I would rather hear a proposal and then decide whether it would be worth going forward with that proposal using retired people. I am a little bit concerned that I don't have a legal opinion.

Mr. Moran stated I would be pleased to get a written opinion from the City solicitor, I do have a verbal indication but I would get a written opinion for the next meeting.

Alderman Domaingue asked Chief Driscoll, in light of your and the department's concern to put more personnel back on the street, could you tell this committee since the Board approved the two appropriations that the department received from both the Federal and State government for a domestic violence unit, where we stand with the officers that were

supposed to be a part of that unit. Are they now working within that unit, have those positions been filled?

Chief Driscoll stated there are two grants, and perhaps Paul Beaudoin can help me, one individual has taken the position in domestic violence, and we have hired for his position, we have moved someone from detectives into the domestic violence unit. The level of staffing on the street is still the same. There is the additional person in the investigative unit.

Alderman Domaingue asked Mr. Beaudoin, would you elaborate for me, are we talking in excess of the domestic violence advocates or are we including the advocates in that description. The advocates were a different position. I am referring to the uniformed personnel that are a required part of this unit for that grant.

Chief Driscoll answered they have not been hired yet.

Alderman Domaingue asked when does this grant run out?

Chief Driscoll answered it doesn't actually start until we have hired the people.

Alderman Domaingue asked what is the term of the grant?

Mr. Beaudoin stated for the State grant, it started last fall. We have until October of 1998 to spend the money. I have spoken with Mark Thompson of the Attorney General's office, they have no problem. As the Chief stated, we have hired one person who is being paid by the grant funds for the State grant. We have taken a detective and put him in the domestic violence unit as the officer under the state grant. We have not received final approval of the domestic violence grant from the Federal government yet. They have to review every part of our budget to make sure everything is within guidelines. They have approved the grant request itself, but they have to finalize everything. Once we get approval for that we will be able to hire two more officers under the Federal grant and assign officers to the domestic violence unit.

Alderman Domaingue asked when does the Federal grant run out?

Mr. Beaudoin answered that is an eighteen month grant, and we will be allowed extensions based on the fact that the Federal government takes their time in approving everything.

On motion of Alderman Domaingue, duly seconded by Alderman Hirschmann, it was voted to table this request pending further information. Alderman Hirschmann was opposed.

Chairman Reiniger addressed item 13 of the agenda:

POLICE - Request to hire an Information Support Assistant.  
If approved by the Personnel Committee and the Board of Mayor and Aldermen, the Police Department shall hire an Information Support Assistant, Grade 17, \$474.40 per week, non-affiliated, limited term, Salary Schedule IA. This is part of the Federal Block Grant. The position will initially be established on a temporary basis and shall become a regular, limited term employee effective with the ordinance establishing the position.

Alderman Hirschmann asked what is the limited term with this position?

Chief Driscoll answered it is one year, this is also a Federal grant. By the time we hire this person and let the grant run for a year, it will be half way through the budget year, and we have asked the Mayor's office include that in our budget request. We would like to have that person to work on our information system.

Alderman Hirschmann asked is this going to be an internal promotion, or will it be advertised?

Chief Driscoll answered we have been involved in the application process already and the person we are looking at came from the outside.

Alderman Domaingue asked this position, will this person be working in what division?

Chief Driscoll answered they will be within the building, we have a new network of seventy PC's to be installed shortly. The installation and maintenance required would be this person's job.

Alderman Domaingue asked is this person assigned to any one of the divisions of the Police Department?

Chief Driscoll answered no. We presently have one person for Information Support. The assigned division is records.

Alderman Hirschmann asked, where does the grant come from? Is this your own LAN system, not the city's, that is why Information Systems is not requesting this person?

Mr. Beaudoin answered that is correct, we have a system separate because of the nature of the information we have, it is a stand alone system.

On motion of Alderman Robert, duly seconded by Alderman Hirschmann, it was voted to approve the request.

## **NEW BUSINESS**

Chairman Reiniger advised that the following was requested by Ms. Diane Prew, Information Systems:

Request of Diane Prew to convert the current position of Microcomputer Systems Supervisor to LAN Administrator

Alderman Domaingue asked is this just refining a job description?

Ms. Prew answered yes, this is the position that is vacant right now, and before we go forward to advertise and recruit, we would like to change the job description to more closely meet the needs of the department at this time?

Alderman Domaingue asked is this going to require us to offer more money?

Ms. Prew answered no, it is a grade 24 now and it will remain a grade 24.

Alderman Domaingue asked what is the purpose of making the change?

Ms. Prew answered the original position was Microcomputer Supervisor, what we are doing is, we don't need the supervisory skills, we need the technical skills. That is the change that we are making to the job description.

Alderman Hirschmann stated where you brought this in as a grade 24, I am not going to approve a grade 25 or any change in this in the future.

On motion of Alderman Domaingue, duly seconded by Alderman Robert, it was voted to approve the request.

HIGHWAY DEPARTMENT - Reclassification of Highway Superintendent position. (Tabled February 13, 1996 PC 1)

This item remained tabled.

FINANCE - Deferred Compensation Provider. The Finance Director and representatives from Hartford ITT, the current compensation contractor, shall present a brief review of the Deferred Compensation Program. If approved by the Personnel Committee, the Personnel Director will distribute a marketing letter. (Tabled September 23, 1996 PC 6)

This item remained tabled.

PERSONNEL - Information Support Specialist Positions. (Tabled September 23, 1996 PC 6) NOTE: The Personnel Director recommends that the positions at the Airport, Fire, Police, Finance and Water Works be established as Sr. Information Support Specialist, Grade 22. The Library Technician position is to be established at Grade 20.

This item remained tabled.

PERSONNEL COMMITTEE - Department Head Merit System Responses. (Tabled September 23, 1996 PC 6) NOTE: Available for viewing in the Personnel Department.

This item remained tabled.

There being no further business to come before the Committee on Personnel/Insurance, on motion of Alderman Robert, duly seconded by Alderman Domaingue, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee