

**COMMITTEE ON ACCOUNTS, ENROLLMENT AND
REVENUE ADMINISTRATION**

**May 20, 2008
Aldermen, Sullivan, Lopez,
DeVries, M. Roy, Ouellette**

**Upon Recess of BMA
Aldermanic Chambers
City Hall (3rd Floor)**

1. Chairman Sullivan calls the meeting to order.
2. The Clerk calls the roll.
3. Chairman Sullivan advised that ordinances are to be considered for consistency with the rules of the Board and requested the Clerk to make a presentation.

Ordinances for consideration:

Amending Section 33.064 Employees Injured in the Line of Duty to apply to all employees and to require the repayment of sick leave benefits upon determination of employee eligibility for workers compensation benefits.”

“Amending Chapter 70: Motor Vehicles And Traffic of the Code of Ordinances of the City of Manchester by amending Section 70.82 Immobilization of Motor Vehicles for Non-Payment of Parking Fines increasing the fee for immobilization and inserting reference to the Parking Division.”

“Amending Sections 33.024, 33.025, & 33.026 (Purchasing Assistant) of the Code of Ordinances of the City of Manchester.”

“Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by expanding the Residential Parking Permit Zone #6 in Section 70.55(D) (6) to include Mechanic Street, north side, between Elm Street and Canal Street.”

“Amending Section 70.45 of the Code of Ordinances to clarify responsibilities of the Parking Division.”

“Amending Sections 33.024 and 33.025 (Custodial Services Supervisor – Police; Equipment Maintenance Superintendent I – Police; Equipment Maintenance Superintendent II – Fire; and Equipment Mechanic II – Fire) of the Code of Ordinances of the City of Manchester.”

3. Chairman Sullivan advises that if all is in order, a motion is in order to advise that the Ordinances are properly enrolled.
4. If there is no further business, a motion is in order to adjourn.

City of Manchester New Hampshire

In the year Two Thousand and

AN ORDINANCE

“Amending Section 33.064 Employees Injured in the Line of Duty to apply to all employees and to require the the repayment of sick leave benefits upon a determination of employee eligibility for workers compensation benefits”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

§ 33.064 EMPLOYEES INJURED IN THE LINE OF DUTY.

~~(A) — Employees, other than employees of the Police Department and employees of the Fire Department, injured in the line of duty shall be entitled to compensation as provided under the Worker's Compensation Law.~~

~~—(B) — For employees of the Police Department and employees of the Fire Department the following shall apply:~~

~~(1A) Any employee of the city who sustains an injury which is compensable under the Workers Compensation Law and who is entitled to receive compensation benefits either by agreement of award shall, in addition to workers compensation benefits, receive supplemental pay benefits from the city so that combined worker compensation and supplemental pay benefits shall equal 80% of regular gross salary if the employee is covered under Social Security, and 87% if the employee is not covered under Social Security. Regular gross salary means gross wages as shown in the salary and wage schedules in the city and the school department compensation plans. The Finance Human Resources Department shall make such adjustments as are necessary to ensure that employees will actually receive the supplemental pay benefit provided above.~~

~~(2B) Pending determination of workers compensation eligibility, the employee may receive sick leave benefits. On a determination that the employee is eligible of eligibility for workers compensation benefits, the employee shall repay to the city all sick leave benefits the employee has received. Upon repayment sick leave credit shall be restored.~~

~~(3C) To the extent authorized by law, the city, during the period the employee is receiving supplemental pay benefits, shall continue to contribute to the employee's retirement system on the employees' regular gross salary provided the employee maintains his contributions to the system.~~

~~(4D) Disabled employees may authorize deductions first from this supplemental portion of his pay and then from his workers compensation disability payments for medical insurance, credit union payments, bonds or savings plans, retirement, and United Fund contributions, or other authorized deductions, upon approved forms.~~

City of Manchester New Hampshire

In the year Two Thousand and

AN ORDINANCE

“Amending Section 33.064 Employees Injured in the Line of Duty to apply to all employees and to require the the repayment of sick leave benefits upon a determination of employee eligibility for workers compensation benefits”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

(5E) In cases of third party liability the city shall be entitled to the same lien and rights with respect to supplemental pay as are afforded employers under the Workers Compensation Law. As a condition to receiving supplemental pay benefits, the employee shall execute a written assignment of such lien and rights to the city in such form as is required by the Risk Manager. The Risk Manager is authorized to make third party lien settlements on behalf of the city and the employee with respect to supplemental pay benefits, provided however, that a full report shall be made to the Aldermanic Insurance Committee.

(6F) It shall be the duty of each department head to monitor the payment of supplemental pay benefits to employees within his department. On recommendation of the department head, the Risk Manager may require employees receiving supplemental pay benefits to be examined by a physician or physician chosen by the city at the city's expense at intervals not more frequent than the requirements set forth in R.S.A. 281-A:38.

(7G) In no event shall this section provide more than 52 weeks of supplemental pay benefits for the injury or any recurrence thereof. Employees unable to resume normal work duties after one year shall be examined by a physician or physicians chosen by the city at the city's expense. If on such examination the employee is found to be unable to fulfill the requirements of his/her normal work duties, such employee shall be terminated.

(8H) Any employee so terminated shall be entitled to a hearing before the Aldermanic **Human Resources/Insurance** Committee. Requests by employees for a hearing must be submitted to the Committee no later than 15 calendar days after the receipt of notification of termination. The Aldermanic **Human Resources/Insurance** Committee shall hold a hearing within 30 calendar days of the receipt of the request.

(9I) If the employee prevails in the hearing before the Aldermanic **Human Resources/Insurance** Committee, employment will not be terminated but in no event shall the supplemental pay benefits exceed the maximum of 52 weeks of cumulative benefits. The determination of the Aldermanic **Human Resources/Insurance** Committee is subject to review by that Committee each 30 calendar days. The decision of the Aldermanic **Human Resources/Insurance** Committee shall be final.

City of Manchester New Hampshire

In the year Two Thousand and Eight

AN ORDINANCE

“Amending Chapter 70: Motor Vehicles And Traffic of the Code of Ordinances of the City of Manchester by amending Section 70.82 Immobilization of Motor Vehicles for Non-Payment of Parking Fines increasing the fee for immobilization and inserting reference to the Parking Division.”

Page 1 of 2

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend the Code of Ordinances by deleting language as stricken (----) and inserting new as bolded (**bold**). Sections of the following chapters that remain unchanged appear in regular type.

§ 70.82 IMMOBILIZATION OF MOTOR VEHICLES FOR NON-PAYMENT OF PARKING FINES.

(A) Any person to whom is sent or issued notification of violations of preceding sections of this subchapter and who does not pay the charges prescribed above, or any vehicle that has accumulated a total of at least \$30 in unpaid parking fees at any parking garage or garages, may be ~~summoned upon complaint to the Manchester District Court~~ **subject to towing and storage or immobilization by the Parking Division provided notice of intent to tow and store or immobilize said vehicle has been placed on the vehicle or sent to the last known address listed with the State Motor Vehicle Department of the state in which the vehicle is registered.** The penalty of violation of this subchapter in such case shall be no less than the fine indicated in the applicable payment schedule, no portion of which may be suspended, and/or

(B) Any vehicle found parked on any public street, parking lot or any other place for which three or more outstanding parking violation "final notices" for violations of the preceding section have been sent equaling at least \$100 may be subject to towing and storage or immobilization by the **Parking Division** or Manchester Police Department provided notice of intent to tow and store or immobilize said vehicle has been placed on the vehicle or sent to the last known address listed with the State Motor Vehicle Department of the state in which the vehicle is registered. Said notice shall contain the following information:

- (1) The date, time and location of the violations leading to the issuance of the notice;
- (2) That the subject vehicle will be towed, stored or immobilized after a specific date of not less than five days after the date of the notice unless all the outstanding violations and late fees are paid;

City of Manchester New Hampshire

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Page 2 of 2

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

(C) Any vehicle towed and stored or immobilized in accordance with the preceding may be released as follows:

- (1) By payment of all charges due.
- (2) By posting cash bond with the Police Department / **Parking Division** in an amount sufficient to make full payment of all parking charges due arising out of violations subject to the provisions of this chapter in order to allow judicial determination regarding the matter in question.
- (3) By judicial determination.

(D) In the event that any motor vehicle has been towed and stored or immobilized pursuant to this chapter, a further precondition to the release of said vehicle shall be the payment by the party seeking the release of said vehicle of all fees and charges incurred by the city for the towing and storage and immobilization of said vehicle. Further the vehicle shall not be released until the person requesting it presents satisfactory evidence of his/her right to possession and signs a receipt upon receiving the vehicle. The fee for immobilization shall be \$50 \$100. The fee for towing and storage of a vehicle shall be that set out in the then current towing contracts between the Police Department and the various towing companies.

(E) When a motor vehicle has been immobilized pursuant to the provisions of this chapter, the **Parking Division** / Manchester Police Department shall affix a warning notice on the windshield of the vehicle advising the driver not to attempt to operate the vehicle or remove the immobilization device, and advising the operator or owner of the procedure to have the immobilization device removed.

(F) It shall be unlawful for any person to tamper with or attempt to destroy or remove any **Parking Division** / Manchester Police Department immobilization device from a vehicle without authorization by the Manchester Police Department or **Parking Division**, and the penalty for such action upon conviction shall be a violation and a fine of \$100, no portion of which may be suspended.

II. These ordinances shall take effect upon passage.

City of Manchester
New Hampshire

In the year Two Thousand and Eight

AN ORDINANCE

“Amending Sections 33.024, 33.025, & 33.026 (Purchasing Assistant) of the Code of Ordinances of the City of Manchester.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 33.024 CLASSIFICATION OF POSITIONS be amended as follows:

Establish Purchasing Assistant, Class Code 1121

SECTION 33.025 COMPENSATION OF POSITIONS be amended as follows:

Establish Purchasing Assistant, Class Code 1121, Grade 12

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows

Establish Purchasing Assistant, Class Code 1121, Grade 12 non-exempt
(Class Spec. attached)

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

DRAFT

City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

| | |
|--------------------------|-----------------------------|
| Class Title | Purchasing Assistant |
| Class Code Number | 1121 |

General Statement of Duties

To assist Purchasing Agent in the procurement of goods and services; performs related work as required.

Distinguishing Features of the Class

The principal function of an employee in this class is to work under the direct supervision of the Purchasing Agent or other designated personnel to assist in the purchasing processes pursuant to Municipal Code and related guidelines. Some leeway is granted for the exercise of independent judgment and initiative. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other City employees, outside vendors and the public. The principle duties of this class are performed in a general office environment.

Examples of Essential Work (illustrative only)

- Checks purchase requisitions and confers with department employees concerning procurement problems;
- Reviews and approves purchase requisitions for goods and services;
- Generates purchase orders as needed and required;
- Generates credit purchase orders;
- Requests, compiles and prepares correspondence for vendors and bid process;
- Maintains and updates vendor and data files;

- Completes purchase requisition forms and prepares correspondence for vendors and bid process;
- Requisitions supplies and materials for Department as requested, applying City guidelines and policies;
- Obtains telephone and internet quotations for use in purchasing supplies, materials, equipment and services;
- P-Cards – incumbent is required to match up receipts with what is in the system, enters item description, account line item, work order, job number, etc., into HTE;
- Maintains Toter inventory and database;
- Inputs monthly gasoline transactions;
- Schedules vehicle inspections;
- Compiles data, assembles using spreadsheets or related computer applications and publishes reports as requested;
- Answers inquiries/questions from City Departments regarding existing purchasing procedures;
- Writes reports as required;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

Required Knowledge, Skills and Abilities
(at time of appointment)

- Knowledge of current public sector purchasing practices, State laws and City Ordinances;
- Knowledge of business methods, markets and purchasing practices;
- Knowledge of various grades and qualities of a variety of materials, supplies and equipment used by various departments;
- Knowledge of standard office procedures, practices and equipment;
- Ability to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability to operate or quickly learn to operate a personal computer using standard or customized software applications appropriate to assigned tasks;

- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from high school or G.E.D equivalent; and
- Three years of experience associated with purchasing activities; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

Required Special Qualifications

- None.

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to monitor assigned areas;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to operate a vehicle;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to have access to all areas of the City.

Approved by: _____ Date: _____

City of Manchester New Hampshire

In the year Two Thousand and **Eight**

AN ORDINANCE

“Amending Chapter 70: Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by expanding the Residential Parking Permit Zone #6 in Section 70.55(D)(6) to include Mechanic Street, north side, between Elm Street and Canal Street.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend the Code of Ordinances by deleting language as stricken (-----) and inserting new as bolded (**bold**). Sections of the following chapters that remain unchanged appear in regular type.

§ 70.55 RESIDENTIAL PERMIT PARKING.

(D) *Residential Parking Permit Zones.* The following areas are hereby designated as the Residential Parking Permit Zones:

- (6) Residential Parking Permit Zone #6. Area bounded on the west by the west side of Elm Street, on the north by the south side of Bridge Street, on the east by the east side of Chestnut Street and on the south by the north side of Merrimack Street, **also to include 41 Mechanic St.** Residents within this district shall not be issued a residential parking permit to park within the District. Residents within the district to the north of the north side of Amherst Street shall be issued a permit to park in Residential Parking Permit Zone (2)(b). Residents within the district to the south of the south side of Amherst Street shall be issued a permit to park in Residential Parking Permit Zone (1).

- II. This ordinance shall take effect upon its passage.

City of Manchester
New Hampshire

In the year Two Thousand and Eight

AN ORDINANCE

“Amending 70.45 of the Code of Ordinances to clarify responsibilities of the Parking Division.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION 70.45 DUTIES OF PARKING MANAGEMENT AND OPERATIONS

- I. Amend the Code of Ordinances by deleting language as stricken (-----) and inserting new as bolded (**bold**).

The division of Parking Management and operations shall:

- A) Manage, maintain, operate and account for revenue from all municipal parking meters within the City of Manchester.
- B) Issue, manage and account for revenue from all municipal parking leases within the City of Manchester.
- C) Manage, operate, maintain and account for the revenue from all municipal parking garages with the City of Manchester with the exception of those garages located on school premises.
- D) Manage, operate, maintain and account for the revenue from all municipal surface parking lots within the City of Manchester with the exception of surface parking lots located on school premises.
- (E) Manage and operate all ~~on-street~~ **metered parking spaces and all other types of parking restrictions adjacent to where meters are located** within the City of Manchester.
- F) Perform all such other duties or tasks as may be assigned by the Board of Mayor and Alderman or as may be incidental to the duties and tasks set forth above.

- II. This ordinance shall take effect upon this passage.