

**Special Board of Public Works Meeting**  
**Meeting Minutes**  
**November 23, 2020**

A meeting of the Board of Public Works was held on Monday, November 23, 2020 at 4:30 p.m. via a Zoom Conference Call.

Mayor Donchess

As Chairperson of the Board of Public Works, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are first: Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means: We are utilizing Zoom through the City's IT Department for this electronic meeting. To access Zoom, please refer to the agenda or the City's website for the meeting link. To join by phone dial: 1-929-436-2866. The Meeting ID is: 924 4917 5750 and the password is: 880582. The public may also view this meeting on Comcast Channel 16.

Second, providing public notice of the necessary information for accessing the meeting: We previously gave notice to the public of the necessary information for accessing the meeting, through public postings. Instructions have also been provided on the City of Nashua's website at [www.nashuanh.gov](http://www.nashuanh.gov) and publicly noticed at City Hall and at the Department of Public Works Administration Building at 9 Riverside Drive.

Third, providing a mechanism for the public to alert the public body during the meeting if there are problems with access: If anybody has a problem accessing the meeting via phone or Channel 16, please call 603-821-2049 and they will help you connect. Fourth, Adjourning the Meeting if the public is unable to access the meeting. In the event the public is unable to access via the phone number mentioned, the meeting will be adjourned and rescheduled. Please note that all votes that are taken during this meeting shall be done by roll call vote.

Let's start the meeting by taking a roll call attendance. When each member states their presence, state why they are not physically present for the meeting and also please state whether there is anyone in the room with you during this meeting, which is required under the Right-To-Know Law. I think Diane is on the call, would you please call the roll?

**Roll Call:**

Mayor Donchess

I am present, I am physically distancing and attending remotely pursuant to the Governor's Emergency Orders and I am alone in the room.

Diane Thibodeau

Commissioner Teas will be arriving late. Commissioner Pappas?

Commissioner Tracy Pappas

I'm at home in a room by myself and I am by myself at home due to the pandemic.

Commissioner Kevin S. Moriarty

Yes, I am here, I'm present, sitting in my office by myself. I am attending following the Governor's Orders.

Commissioner Shannon Schoneman

I am present and I am attending remotely due to the Governor's COVID Emergency Orders and I am alone in this room in my house.

Also Present:

- Ms. Lisa Fauteux, Director, Division of Public Works
- Ms. Kimberly Kleiner, Administrative Services Director
- Ms. Dorothy Clarke, Deputy Corporation Counsel
- Alderman-at-Large Michael B. O'Brien, Sr.

Mayor Donchess

And I now have been taught some of the technology by Commissioner Schoneman so I've got everybody on my screen here. Thank you very much Commissioner Schoneman. I can now see Alderman Mike O'Brien our Liaison from the Board of Aldermen who is in attendance.

**Motion:** Commissioner Moriarty made a motion to approve the agenda as presented:

A Viva Voce Roll Call was taken, which resulted as follows:

Yea:	Mayor Donchess, Commissioner Pappas, Commissioner Moriarty & Commissioner Schoneman	4
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Nay:		0
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**MOTION CARRIED 4 – 0 – 0**

Mayor Donchess

We now go on to Public Comment. Is there any member of the Public who would like to address the Commission, the Board?

**PUBLIC COMMENT** - None

**I. Administration Department**

- A. Motion by Commissioner Schoneman:** To approve the UAW Clerical Technical and UAW Professional Collective Bargaining Agreements for the period of July 1, 2020 through June 30, 2024.

**Discussion**

Mayor Donchess

And we have as part of the meeting, Attorney Dorie Clarke and also Administrative Services Director Kim Kleiner in addition to Director Lisa Fauteux. They can discuss the proposed contract but Dorie Clarke as the one who summarized the changes via Memorandum, why don't we begin with you?

Dorie Clark, Deputy Corporation Counsel

Alright sure. So yes, as you noted, I did send a Memo that went through and just outlined what the changes were in the two contracts. They are essentially the same contract. The Clerical, Technical, and Professional, the only difference is obviously the employees that it covers and the wage grids are different for the two groups. But the actual language in the contracts relating to the work roles and the benefits and things are the same for the two units.

My Memo will be a public document so I don't know if you want me to go through each change or if it just make sense at this point to let any Commissioner ask any questions on any article or comment on any change if they want to. Mayor, unless you want me to go through all the changes again?

Mayor Donchess

Sorry, I muted myself. Why don't you briefly go through the changes so anyone watching the meeting will have a sense of it?

Attorney Clarke

Sure, sure. Alright, so in the job posting article, the parties agreed that if it was unlikely to have a qualified internal candidate that we would be able to post any vacancy notices internally and externally at the same time which would hopefully maybe speed up the hiring process. In the Holiday article, so there is a schedule for UAW Holidays but we have the Public Works Employees usually following the AFSCME Holiday Schedule since we need like the foremen to be in at the same time the AFSCME employees are. But what we have done here is put a little bit of a finer point on it and we are going to have the Engineering and Administrative Departments of Public Works follow the UAW and Unaffiliated Holiday Schedule. So it just makes sense to have those groups of people in on the same days.

In the Tuition Reimbursement Article we are going to continue to fund the Joint Tuition Account at an annual amount of \$10,000.00 with \$3,000.00 additional funding available if the \$10,000.00 runs out. And the parties agreed, we are going to actually deduct about roughly \$38,000.00 from the tuition account to use to pay for a one time set of grade and step adjustments for the lower grade employees in the Clerical/Technical Unit, which I can address a little bit more when I get to wages. In the Health Insurance Article, effective July 1<sup>st</sup> of 2021 we are going to implementing the changes to HMO co-pays

and deductibles that the City has been requesting from all the Unions. It's the same that the Unaffiliated made and has started to roll in with some of the other Unions.

We also memorialized the language on the high deductible health plan in the contract so it will remain an option for employees to choose that instead. In Dental Insurance, also 07/21/21 we are going to allow these employees to go to the high option dental plan if they want to with the employee paying the full additional cost. For mileage reimbursement there's been some employees in this group that have really been wanting for the last several cycles to be able to utilize a City vehicle for work purposes instead of their own personal vehicle. So for this contract cycle, it is sort of a pilot program, we are going to get four used Police Department vehicles. So instead of having the Police Department trade them in, they are going to be coming over to City Hall and we are going to make those four vehicles available to UAW employees for work purposes.

In the Wages Article, for Fiscal '21 there will be a step and that will be retroactive to July 1, 2020. For Fiscal '22 we are going to do that one time set of grade and step adjustments for the lower grade employees in the Clerical/Technical Unit. And this was something proposed by management to help with some of the lowest paid employees that we were having a hard time with recruitment and retention, but we will be covering that using tuition fund money. And then in Fiscal '22 for the entire group it'll be a step plus 1% and that is also the year that the health insurance changes come into effect. And then for Fiscal '23 and '24, it'll be a step each year plus .5% increases to the grids.

Then also each year the contract cycle removing the lowest step from each grade and adding a new 2% step at the top so that the employees didn't fall off the grids. We also added a new Article that is kind of a mouthful, it creates an incentive for a couple of employees to be able to get a certification to do compressed natural gas fuel systems inspections. So, they would be able to take a test to become certified to do our CNG Vehicle Inspections. It would be great to have some employees able to do those in-house instead of having to send those vehicles out for the inspections. So, we put a program in place that would incentivize a few employees with the right skill set to try to get that inspection certification.

In the Earned Time and Individual Sick Leave Pools Articles we've added a payout upon the death of an employee. And as noted in the wages, the term of the agreement is for four years.

Mayor Donchess

Do any of the Commissioners have questions or comments concerning the proposed agreement?

Commissioner Pappas

I guess Mr. Mayor if I may, I wanted to wait and make sure no one else had a question. So, I guess, I'm sorry I should have waited until I was recognized. So, if you can just explain to the public, I know in the past that we have shied away from 4-year contracts. So, if someone can just quickly explain why this is an advantage with this group because of some of the concessions that were made, especially on healthcare?

Mayor Donchess

Who is going to answer that? Well the contract begins effective July 1<sup>st</sup>, of – let's start with that. Ms. Kleiner?

Kim Kleiner, Administrative Services Director

When it is advantageous for the City and for both groups, I think both groups entertain going into a 4-year contract. This cycle around, it's very beneficial to both the City and to the Union. We are getting the healthcare concessions that the City has asked for in Fiscal '22 or July 1<sup>st</sup>, 2021 date. That was important, you don't normally like to make those changes mid-year, it starts a whole open enrollment process which is difficult so we want to roll that into our normal open enrollment next May. The Union made some concessions that were actually introduced by management, that's those lower grade changes. These were positions that we were having a lot of turnover and training expense in. So, working out that arrangement and as Attorney Clarke said, using their tuition fund that had been left over from years of unspent funds, using that to pay for the grade changes. And then really being able to settle on some fair increases over the four-year period, made it very cost effective for the City.

There was a lot of good discussion and good arrangements during the session. We are happy to see that we can start with the cars and those are unmarked Police cars that would have been traded in for very minimal value and will get some use in other Departments. So overall, looking at the whole 4-year arrangement, it worked for both the City and the Union.

Mayor Donchess

And the healthcare changes which Commission Pappas referred to are something the City has been seeking from all employee groups because we've seen healthcare costs rise in the previous Fiscal Year to now \$3.3 million and in the current Fiscal Year \$3 million. When you put those together it's about a 20% increase over 2 years and equals about a 3% increase in the tax rate, so almost half the tax rate that our citizens have seen over the last 2 years. The tax rate increase is attributed to this one item, that being healthcare cost increases.

So, by getting the changes that the UAW here has agreed to, we are able to cut costs in the short-term and also we think limit the rate of increase going forward. This is a plan that we have worked with very carefully with the City's Consultants, WBS is their name. And we have seen it incorporated in agreements with other employee groups. So getting this concession was very important and agreeing to a 4-year contract with modest wage increases was worth gaining this new healthcare plan.

Commission Pappas

Thank you for the explanation from Director Kleiner and from the Mayor. And if nobody else has a question, I have one it's kind of – it's a narrow question I think probably for the Director. I had noticed that there's something in the contract where employees who were able to take their vehicles home overnight. Do we have anyone within our UAW that does that or is that just for other Departments?

Director Fauteux

No, we do not. We don't have any employees who take their cars home.

Commissioner Pappas

Ok thank you.

Director Fauteux

You're welcome.

Commissioner Moriarty

Mayor, a comment?

Mayor Donchess

Yes, Commissioner Moriarty?

Commissioner Moriarty

I'd just like to say reviewing this contract, I think it's a very fair and solid contract. I really appreciate the work that you and your staff have put into this. I'm certainly in favor of it.

Mayor Donchess

Thank you very much. I would just say that the three people we have with us, Ms. Clarke, Ms. Kleiner and Ms. Fauteux all worked very hard on this over a period of time and I think negotiated a good deal for both sides. I heard someone else trying to speak up but I'm not sure who that was.

Commissioner Teas

Mr. Mayor, this is Frank Teas. Just apologizing for my tardiness I was on a call and just joined a few moments ago. So I did not hear the entire scope of the call, but thank you to my peers for asking good questions.

Mayor Donchess

Alright and of course the record should show that Commissioner Teas is present. Anybody else have questions or comments?

Commissioner Pappas

Finally I just would say it sounds like a fair deal to me for both sides.

Mayor Donchess

Alright, well if no one else has anything else, there's a motion to approve the contract or recommend approval, approve, recommend I don't know. Approve and recommend to the Board of Aldermen I guess we would say. Diane, could you please call the roll?

A viva voce roll call was taken which resulted as follows:

Yea: Mayor Donchess, Commissioner Teas, Commissioner Pappas,  
Commissioner Moriarty, Commissioner Schoneman

Nay: 0

## **MOTION CARRIED**

5-0-0

## **II. Commissioner's Comments**

### Mayor Donchess

Commissioner Moriarty?

### Commissioner Moriarty

Just as a point of clarification, I may be wrong on this, so you can correct me if I am. I read the article in the Telegraph about the tax increase and you said part of it is due to the increase in the State Pension Fund, \$4.4 million. And you also said that essentially all City employees are part of this pension fund. But I think that the Public Works is exempt from that, is that correct? I think we are self-funded and we are not part of that?

### Mayor Donchess

Yes Public Works is the only employee group that is separate from the State Pension Fund. So Public Works is not part of this. Alderman Mike O'Brien is on the Board and we are over 80% funded, well run Pension Fund, if only we had the same record at the State Level. But I think that was a little confusing in the article. There were many points that were covered but in terms of the last two years, last year was a 2.6% increase, so this 3.9 – so for a total of around 6.5. I'm saying that about 3% of that 6.5 is related to this healthcare issue, about half of the increases over two years. That's why we are trying so hard to get this under control and get this incorporated for all employee groups.

The Pension issue and the loss of school aid begin on July 1<sup>st</sup> 2021, so that's going to have a huge impact next year. When you put what we think we are looking at is a \$4.4 million dollar increase imposed by the State in pension costs for non-Department of Public Work employees and a \$6 million dollar loss in education assistance for a \$10 million dollar hit downshifting by the State of New Hampshire. You put those two things together and they alone constitute almost a 5% tax increase. So we are looking next year as a result of actions taken at the State level at the worst possible time, COVID-19 pandemic to significantly raise City taxes, well taxes across the State of New Hampshire, property taxes or serious service cuts. So that's the choice, the unfortunate choice that the State of New Hampshire has presented us with at least in taking those two actions.

We are working with Alderman O'Brien, also State Representative O'Brien and others from our Legislative Delegation to try and turn these things around but certainly there's no guarantee at all.

### Commissioners Moriarty

Thank you.

### Mayor Donchess

Any other Commissioner comments?

**Adjournment:**

**Motion by Commissioner Moriarty to Adjourn**

A viva voce roll call was taken which resulted as follows:

Yea: Mayor Donchess, Commissioner Teas, Commissioner Pappas,  
Commissioner Moriarty, Commissioner Schoneman 5

Nay: 0

**MOTION CARRIED**

5-0-0

Meeting Adjourned at 4:57 P.M.