

BUDGET REVIEW COMMITTEE

APRIL 4, 2023

A meeting of the Budget Review Committee was held Tuesday, April 4, 2023, at 7:00 p.m. in the Aldermanic Chamber.

Alderman Richard A. Dowd, Chairman, presided.

Let's start the meeting by taking a roll call attendance. If you are participating via Zoom, please state your presence, reason for not attending the meeting in person, and whether there is anyone in the room with you during this meeting, which is required under the Right-To-Know Law.

Members of Committee present: Alderman Richard A. Dowd, Chairman
Alderman-at-Large Michael B. O'Brien, Sr., Clerk
Alderman-at-Large Lori Wilshire
Alderman June M. Caron
Alderman Ernest Jette
Alderwoman-at-Large Shoshanna Kelly (via Zoom)
Alderman John Sullivan

Members not in Attendance:

Also in Attendance: Police Chief Kevin Rourke
Karen Smith, Business Manager NPD

ROLL CALL

PUBLIC COMMENT - None

COMMUNICATIONS - None

UNFINISHED BUSINESS - None

NEW BUSINESS – RESOLUTIONS

R-23-106

Endorsers: Alderman-at-Large Lori Wilshire
Alderman Richard A. Dowd
Alderman John Sullivan
Alderman Patricia Klee
Alderman-at-Large Melbourne Moran, Jr.
Alderman Thomas Lopez
Alderwoman-at-Large Shoshanna Kelly
Alderman Alex Comeau
Alderman Tyler Gouveia
Alderman Derek Thibeault
Alderwoman-at-Large Gloria Timmons

APPROVING THE COST ITEMS OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE NASHUA POLICE COMMISSION AND THE NASHUA POLICE SUPERVISORS ASSOCIATION FROM JULY 1, 2023 THROUGH JUNE 30, 2027

MOTION BY ALDERMAN O'BRIEN TO RECOMMEND FINAL PASSAGE, BY ROLL CALL

ON THE QUESTION

Chairman Dowd

Would you like to come up Chief and Karen and give us an overview? Please introduce yourself for the record for the stenographer.

Kevin Rourke, Police Chief

Kevin Rourke, Police Chief.

Karen Smith, Business Manager

Karen Smith, Business Manager.

Chairman Dowd

Who is going to start?

Kevin Rourke, Police Chief

I will. Thank you for allowing me to speak tonight on behalf of the Supervisor's contract. This union is made up of 34 members. We have 25 sergeants and 9 lieutenants. I'm sure you've read the contract. I'll just over some of the major summary changes that are in the contract.

First beginning with longevity - basically right now if the supervisor has 10 or plus years, they get an additional \$75.00 per year. We are looking to move that to \$100 per year, so that would be an extra \$25 per year. The total for the first year is \$850.

The next article is clothing allowance. As you all know, the cost of uniforms has gone up tremendously. What they ask for is an extra going from \$1,000 to \$1,100 for the first two years and \$1,200 for the last two years of the contract.

Next one is Article 14 which is what the City wanted is the HMO Plan. They gave that up immediately. No questions asked. They knew what we were looking for. There was no questions asked with that. I will say I think all of them or a large majority of them have already switched over when the City requested a couple years ago. They are the last union in the building that is switched over because they're the last contract that has come in front of you so there was no issues there.

Article 16 educational benefits. We encourage all of our officers to we have a pot of money for education. We encourage them to use that to go and educate themselves and get their Bachelor's and Master's Degrees which many of our supervisors have. So we value that. They wanted to up to fund the Bachelor's Degree from \$1,000 to \$1,200 and on the Master's Degree from \$1,250 to \$1,500. That would be a total cost and Karen can correct me if I'm wrong but \$5,500 a year.

The next article and last one is the wages. The lieutenants are asking for 4%, 4%, 3.5% and 3.0%. Sergeants are 4%, 4%, 3% and 3%. The difference in the third year, we like to keep our sergeant's - years ago, I'm going to say there was a mistake made and people didn't pay attention to the contracts, our sergeant pay and lieutenant pay, we like to keep them separated and they were very close together. Over the past couple contracts, we've tried to separate it a little bit more. So on the third year, that's why you see the difference of 3.5% and 3.0%. Again, there's only nine lieutenants so not a big cost item. At this point, I would take any questions.

Chairman Dowd

Any questions? Alderman Sullivan?

Alderman Sullivan

Thank you very much. Thanks for coming in tonight. I know that in previous discussions we've had and I seem to be obsessed with staffing levels as far as where we are for a City. I mean I see that this goes to fund 25 sergeants and 9 lieutenants. We are you right now on staffing?

Kevin Rourke, Police Chief

We're down eleven officers. We have two certified officers getting sworn in April 17, so we'll be down to nine. We have one non-certified that is going to the June academy. We have a couple trickling along that are early in the process that we're hopeful for. One is a certified and one is non-certified. If we could get that non-certified into the June academy, we will. What happens is the problem around the State is the hiring crisis. So when people get - they have a couple of officers, there is only a certain amount of officers that can attend the Police Academy, so it's kind of almost a first-come, first-serve. So once you submit the name and proper paperwork, and there's steps that they have to be at the end of the background to get them in the Police Academy. So if we get to that point with that second non-certified, then we will send him. There's a test coming up April 15th or 17th. I can't remember. But there's a test the middle of April, we have 34 people that have already applied. If we can get a couple of them off that list and rush them, maybe we can get them in the June if not, it will be fall. We do have one, like I said, one certified trickling in. He just has a secondary interview but they liked what they saw in the first so. We'll have nine April 17th and hopefully if we get two more, we're down to seven. Now counting those seven was the two that we got in escrow. So really we'd be down five from the 179 but we're treading in the right direction. But again when I started, there used to be hundreds of people that took the test and like I said, next month we have 34 people, so. What we've seen over the past couple months when we started testing every month is the 50% rule. If 50 people apply, 25 show up. So it's very difficult.

Alderman Sullivan

May I follow-up?

Chairman Dowd

Follow up.

Alderman Sullivan

Thank you. Specifically to - so the eleven that you're down now, that's patrolmen? That's overall?

Kevin Rourke, Police Chief

Yes.

Alderman Sullivan

How about in these supervisor's, these leadership roles? Are they fully staffed?

Kevin Rourke, Police Chief

Oh yeah, they're always fully staffed. Once someone retires from as a supervisor within a couple months, we promote someone to that rank. We don't let that sit too long.

Alderman Sullivan

Yup, okay. No, that's good.

Chairman Dowd

Follow up question?

Alderman Sullivan

Thanks. One thing that I noticed is when it comes to base pay increases for sergeant's, that's in the out years. Fiscal year '26 and '27. It goes - the average pay increase per sergeant for the first two years is about \$4,000 and then it drops. It looks like overtime goes up a little bit. Could you explain that? It seems as though the raise isn't equal across.

Karen Smith, Business Manager

The FY'26 has a 3% and FY'27 has a 3.0% for sergeants. Lieutenants - FY'26 is 3.5% and FY'27 has a 3.0%. So those years, the percentage is lower than the first two years. Does that answer?

Alderman Sullivan

Well no, I see that it is. I'm just asking why is that. Why is it 4.0%, 4.0%, and drops down to 3.0%, 3.0%?

Karen Smith, Business Manager

That's just what was negotiated. Basically, we usually do that because we don't know what's going to happen in the future for cost of living and such and trying to come in as reasonable four year contract. Sure everybody would love to see the 4.0% across.

Alderman Sullivan

Sure.

Karen Smith, Business Manager

We do know where the economy is right now, so we came in at the higher when we negotiate for the first year. So it's kind of a negotiating strategy type of thing that we really don't get into.

Alderman Sullivan

Right, okay. One more?

Chairman Dowd

Yes, go ahead.

Alderman Sullivan

Down to retirement. Maybe Alderman Dowd maybe you could answer this as well but it says here pension. We talk about it a lot in this chamber but it says here FY'24 to FY'27 31.28% New Hampshire Retirement System. The amount reflected that 31.28%. Is that Nashua's share of what we kick into the State Retirement System that \$1.5 millionish each year?

Karen Smith, Nashua PD Business Manager

Yes. That 31.28% and it's actually gone down. I think you're well aware, it went down 2% for the sworn from prior year.

Alderman Sullivan

Okay. All right. Okay, that's it. Thanks.

Chairman Dowd

Any other questions? Alderman O'Brien?

Alderman O'Brien

Well just a point for Alderman Sullivan. If the budget goes through what will happen is there is a plan to put more money to the UALL which divided up amongst all the members towns is going to basically be a drop in the bucket, but that's what they did. But anyway, there may be additional savings coming out of this.

Alderman Sullivan

Just to clarify. When you say "the budget", you mean the State budget?

Alderman O'Brien

The State budget, correct. But when it comes down to NHRS, they really don't have a lot to say. It's controlled mostly by the legislature and that's what basically that they demand. So they got to make their payment and most of the police, fire, and teachers are very gracious that they do so they can retire.

Alderman Sullivan

Thank you.

Chairman Dowd

Any other questions, Alderman Jette?

Alderman Jette

Thank you. So Chief you skipped over Article 18 sick leave.

Kevin Rourke, Police Chief

Okay. It was a housekeeping language change. I can go over it if you want. So just to let you know, Attorney Bolton is in the room during the negotiations. When we looked at this contract and the sick leave, it's covered in there for the officers. We have it in the other contracts also. In the Patrolman's contract where there is cleaner language I would say. What we did was clean up the language in it to 120 days.

Alderman Jette

May I?

Chairman Dowd

Yes.

Alderman Jette

I'm not sure what you mean by cleaning up the language. It looks like you increased it from 90 hours to 120 hours.

Kevin Rourke, Police Chief

So its red lined. May 12th if the employee is hired prior to May 12, 2003, the cash value - basically we cleaned up the language to replicate the Patrolman's contract.

Chairman Dowd

All set Alderman Jette?

Alderman Jette

Just forgive me. I'm trying to read here. I'm trying to catch up. So in retirement cash value paragraph B, it says the cash value of accrued and unused sick leave in the account and 90 is crossed out and 120 days is put in. So it looks like an increase of 30 days from 90 to 120? I know this is collective bargaining, and it's negotiated, and there's not a whole lot we can do about it. I feel very strongly that our employees, including police officers, and supervisors, and you yourself are entitled to – I think our sick leave ought to be liberal. I think when people are sick they ought to be able to stay home without suffering a loss of pay so that they and their families continue to get paid. I think it ought to be used just for being when you're sick. If you're lucky enough not to be sick, I think you ought to come to work. Philosophically, I don't like the idea of people feeling an incentive to come to work even when they're sick like a mild coughing, and sneezing, and that type of thing. They come to work and they infect people at work instead of staying home and taking care of themselves. I would like them to not have any incentive to come to work when they're sick with the hope of being able to cash that out at a future date and get kind of a bonus for not using their sick time.

Kevin Rourke, Police Chief

I understand your point. I guess we're trying to mirror the Patrolman's contract because is what people that are below them in rank have. Again, something like this does incentivize people to not call out sick which creates more problems for us in hiring overtime and someone is paid time and a half. Something like this can incentivize also. So I understand your point but it also works the other way too, I think.

Chairman Dowd

I think they're balancing the contract so that the patrolmen aren't getting more incentives than the people that they report to. So I think that's probably where Attorney Bolton was coming in and saying you should keep that particular line common with the other unions in the Police Department. That's my assumption. Yes, Alderman O'Brien?

Alderman O'Brien

Yeah, thank you Mr. Chair. Chief it seems like Alderman Jette has forgotten about it. Can you explain to him what the FSLA is and how that interplays with the sick leave policy within the City of Nashua?

Karen Smith, Business Manager

How the Fair Labor Standards?

Alderman O'Brien

Correct.

Karen Smith, Business Manager

I'm not quite sure.

Alderman O'Brien

In other words if a police officer or fire fighter may be quite well but the family has like a medical issue or something like that and they're allowed to take the time off and claim the sickness, it was the FSLA that kind of helped us go right through the COVID in making sure that we were properly staffed and stuff like, am I correct?

Karen Smith, Business Manager

Correct, yes.

Alderman O'Brien

So it should when we look at the sick, we should also take a peek at the FSLA which is a federal law, correct?

Karen Smith, Business Manager

Correct.

Chairman Dowd

Any other questions? Alderman O'Brien?

Alderman O'Brien

Just one. Yeah I just have one on Article 14 and you guys look like you did try to get into our mirroring. We're talking about mirroring with patrolman but basically all the associations that work for the City, we did try to get everybody on the right page which seems to be the flavor of this Board in the past. You have basically have done that on Article 14. So I commend you. Thank you.

Kevin Rourke, Police Chief

There was no issues. They knew what we wanted. We told them right up front.

Alderman O'Brien

I think the information should be out there by now. Thank you.

Alderman Kelly

Alderman Dowd I just wanted you to know that I was able to find the Zoom link and I'm here.

Chairman Dowd

Yeah I saw you. I put down in the notes that you were now on.

Alderman Kelly

Thank you.

Alderman O'Brien

Excuse me. Just a little paperwork. Alderman Kelly I have to read you the Zoom thing but can you state your presence, the reasons for not attending the meeting in person, and whether there is anybody in the room with you during the meeting which is required under the Right-to-Know Law.

Alderman Kelly

I am attending via Zoom due to mobility issues. I can hear everyone and I forget the last question - oh, yes I'm by myself as well.

Alderman O'Brien

Thank you Alderman Kelly.

Chairman Dowd

So all votes from now on will be by roll call.

Alderman O'Brien

Yes.

Chairman Dowd

You have a follow up question Alderman Sullivan?

Alderman Sullivan

Thank you Alderman Dowd. Line #23 wellness reimbursement allowance stays pretty steady. Not the amount but what goes into that? I do know, first-hand knowledge that several of Nashua's finest are working hard to stay in shape physically. Does that include mental wellness as well?

Kevin Rourke, Police Chief

No, the incentive is just for physical fitness.

Alderman Sullivan

Okay.

Chairman Dowd

That would be hard to evaluate, unless you brought in a psychologist. Also as far as the sick leave and thing, the officers that get hurt in the line of duty do they have to use sick leave or is that some other type of compensation?

Karen Smith, Business Manager

Like Worker's Comp.?

Chairman Dowd

If somebody....

Karen Smith, Business Manager

Yeah, Workers Comp.

Chairman Dowd

All right. I just wanted to clarify that for the general public. Okay.

Kevin Rourke, Police Chief

Can I just clarify one thing?

Chairman Dowd

Yeah.

Kevin Rourke, Police Chief

Alderman Jette just to make it I think I'll make it more understandable for you on the sick leave. In the contract they had written, " who are promoted and are eligible to the members of the bargaining unit shall secure the same sick leave retirement cash value benefit held at the time of the promotion". So if a patrolman gets promoted, he had the 120 already. So it's a clean-up the language to make it more clear like the Patrolman's contract. It was kind of - I didn't write this. This was done years ago so we're just cleaning it up like I said before but if that makes more sense to you. So when a guy does get promoted to sergeant, he already had the 120 according to the contract. So it's just now going to tell you they have the 120.

Chairman Dowd

Follow up question Alderman Jette?

Alderman Jette

Yeah just to clarify. I have no problem with 120 days of sick leave. If people are sick, I think they ought to be able to stay home and get paid. What I have a problem with is being able to not use your sick leave and then cash that out as kind of a bonus. I think if you're sick you ought to stay home and you ought to get paid but if you're lucky enough not to be sick, I don't think we owe them. But I know that this is all negotiated and there's nothing.

If I could add, your wellness efforts have certainly paid off. My wife and I attended the St. Patrick's Day Parade in Manchester where we saw a group of patrolmen and officers from other departments. We both remarked that the Nashua Police Department is in much better shape than (inaudible).

Alderman O'Brien

Let's keep that our little secret.

Kevin Rourke, Police Chief

I will say every year they have the race in October - the run for Officer Briggs who was killed in the line of duty. It's been going on for several years and I think we have won every single year. So we also have some fast runners. I'm not one of them though.

Alderman O'Brien

And some good hockey players too.

Chairman Dowd

Alderman Kelly did you have any questions?

Alderman Kelly

No, I'm all set. Thank you.

Chairman Dowd

Okay. Any other questions? All set.

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

Yea: Alderman Wilshire, Alderman Sullivan, Alderman Kelly, Alderman Jette,
Alderman Caron, Alderman O'Brien, Alderman Dowd 7

Nay: 0

MOTION CARRIED

NEW BUSINESS – ORDINANCES - None

TABLED IN COMMITTEE - None

GENERAL DISCUSSION

Chairman Dowd

Alderman Sullivan?

Alderman Sullivan

Thank you. We got an email last night outlining all of the dates for the budget.

Chairman Dowd

Um hum, draft.

Alderman Sullivan

Was that meant for us or was that meant for the department heads?

Chairman Dowd

Both.

Alderman Sullivan

Okay.

Chairman Dowd

I want to find out if we had one night where a significant number of people on the Budget Committee couldn't make it. It wouldn't make any sense to have that meeting. It's actually mostly for the Divisions. They have some nights that they can't make it. We've already shifted a couple around. So we want to make sure that they're all in line with the dates and then we'll finalize it. Occasionally, we're missing somebody on budget from a particular meeting for travel, vacation, whatever. I mean we have a lot of meetings and we don't have a lot of open dates. This is a draft to give people a chance to comment.

Alderman Sullivan

Okay. I do have some travel dates coming up in mid-June. I'll just reply to that email just so you know.

Chairman Dowd

Yes, everybody should reply. Okay.

PUBLIC COMMENT - None

REMARKS BY THE ALDERMEN

Chairman Dowd

Alderman Sullivan?

Alderman Sullivan

Thank you. I just wanted to wish those who celebrate a Happy Passover and those who celebrate a Happy Easter.

Alderman O'Brien

Ditto.

ADJOURNMENT

MOTION BY ALDERMAN O'BRIEN TO ADJOURN, BY ROLL CALL

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

Yea: Alderman Wilshire, Alderman Sullivan, Alderwoman Kelly, Alderman Jette,
Alderman Caron, Alderman O'Brien, Alderman Dowd 7

Nay: 0

MOTION CARRIED

The meeting was declared closed at 7:26 p.m.

Alderman Michael B. O'Brien, Sr.
Committee Clerk