

Hillsborough County Executive Committee
Hillsborough County Complex, Bouchard Building
Goffstown NH
April 25, 2008 9:00 AM

Present: Representatives D. Essex, M. Pilotte, Rep. Cote, B. Francoeur, S. Harvey, S. Jasper, N. Kurk, P. Manney, C. Rosenwald, M. Reuschel, G. Shattuck, B. Shaw, A. Simon, S. Spratt, S. Stepanek, J. Ulery, S. Vaillancourt, M. Villeneuve. Also present: Comm. Holden, Pappas, Clemons, J. MacDonald, Registry of Deeds, Sheriff Hardy, J. Demick, M. Carmen, B. Barry, C. Kirby, M. Lencki, B. Moorehead, A. Durette, Superintendent O'Mara, D. Reidy, E.A. Robinson, M. Rusch, and G. Wenger.

Excused absences: Rep. Farley, Rep. Hinkle, Rep. Reuschel,

Chairman Essex called the meeting to order at 9:10 AM and requested Rep. Villeneuve to lead the pledge to the flag.

Fact finders Report Sheriff Office

Chairman Essex introduced Attorney Tom Flygare and asked him to review the Fact Finders report between AFSCME Local 3657 and Hillsborough County Sheriff Office. Attorney Flygare stated that Fact Finding is the second stage of impasse resolution procedure under state law for the State of New Hampshire, he noted that the first step is mediation. He stated that if either side rejects the fact finders report then it must go forward to the Legislative Body for their consideration. The Union rejected the recommendation, so it will automatically go to this body for consideration. Attorney Flygare stated that the Executive Committee/Delegation vote on this is not binding, it is advisory in a sense. He also noted that the Board of Commissioners are continuing to negotiate with the members of the Union from the Sheriff Office and if a settlement is reached the Executive Committee and the Delegation will have the full authority to accept or reject the cost items in the Contract. Attorney Flygare stated that what the Executive Committee does here today does not bind this body in any way with respect to a contract that may come forward. He stated that the members of the union had their last raise in July 1, 2004 which was 2.75%, noting they have been at impasse ever since then. The Fact Finders report believes that a raise for four years is represented, noting that the Union is making up for four years. The Fact Finders report does not represent any retroactivity. He reported that the Fact Finder said no to the retroactive steps however, he is recommending that the base wage be brought up more in line with what it should be. The Fact Finder recommended 13% for the deputy's non retroactive.

In response to a question there was a discussion regarding special meetings of the County Delegation outside of the budget process. Rep. Essex stated that a special meeting was called for the AFSCME Local at the Nursing Home, noting that that was debated for a length of time. At that time a policy statement was made with regard to special Delegation meetings, Chairman Essex did state that there are currently two Delegation meetings scheduled for the remainder of the fiscal year, one in May and one in June.

In response to a question regarding the explanation of the 13% increase, Attorney Flygare stated that it would be staged, one grade adjustment at the time of the tentative agreement, (that would be 5%) and a 3% cola which would be effective on the date of the tentative agreement and 2 ½ % cola adjustment on March 1, 2008 and then at the next anniversary date they would be eligible for 2 ½% for a satisfactory performance. The Fact Finder did recommend the elimination of the step system and the creation of the performance merit basis. In response to a question Sheriff Hardy noted that the law enforcement market is very competitive at this time and lack of competitive wages is directly impacting the County's ability to retain qualified, experienced deputy sheriffs. Sheriff Hardy stated that the Sheriff's Office has not lost anyone at this time, however, it is causing angst among the membership. Discussion ensued.

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Rep. Ulery is requesting a spreadsheet of all costs associated with the contract as it was from 2004 and the implementation of the fact finder report. Rep. Ulery asked the Sheriff if he has taken into account the costs of it implementing a real annual performance review. Sheriff Hardy stated that the cost would be minimal to do evaluations noting that the non-affiliated positions are currently being evaluated annually. He also stated that the office is currently using the model that was established and used by the former Nashua Police Chief, Don Gross. Discussion ensued.

Rep. Jasper is confused regarding the procedure that is being followed, noting that in the town of Hudson when an arbitrator's report is accepted by the Union and the Town has rejected the report and it is then forwarded to the ballot. He stated that he understood that procedure. He noted that the procedure that is being done today seems to be a little backwards. Rep. Jasper is questioning the purpose of this fact finder report coming before the Executive Committee and the Delegation unless it is approved by the County Delegation and the Union would get another chance to accept the fact finder report. Attorney Flygare stated that could happen. Chairman Essex asked for the opinion of Legal Counsel. Attorney Kirby stated that the Delegation vote would be binding. A few of the Representatives voiced their confusion over the process stating that if this is approved by the Delegation, then what happens; Attorney Flygare stated that the parties would then go back to the negotiating table. Discussion ensued regarding negotiation strategies and Attorney Flygare stated he is not willing to discuss any alternatives in public session. Rep. Stepanek reiterated that a statement was made numerous times in the past that if contracts are not approved during the budget process they will not be brought up again for approval until the next budget process. He also noted that if the Union does not come forth with a contract it will be dead until next year. Attorney Flygare stated that negotiations are continuing and there is reason to believe the outlook is optimistic for settlement of the Sheriff Contract before the Delegation meeting.

Motion by Rep. Stepanek, second by Rep. Jasper to defer the fact finders report until the Executive Committee meeting next month. This will allow the Executive Committee to get more information such as the monetary impact of settling the contract. On a voice vote motion adopted. Rep. Pilotte voted nay.

Chairman Essex noted that all three Commissioners are here and thanks them for attending.

Appropriation Control Report

Chairman Essex stated that there is a copy of the Appropriation Control report if any member of the Executive Committee would like a copy.

Transfers

Motion by Rep. Jasper, second by Rep. Shaw to approve Budget Transfer # 2008-26 in the amount of \$328,130 from the Department of Corrections Salaries and Wages and Health and Accident Insurance to Department of Corrections Building Additions Renovations and New Equipment. Superintendent O'Mara stated that the breakdown is as follows: Resurfacing 4 recreation yard floors- \$35,380., resurfacing kitchen flooring- \$12,500, rehabilitation of inmate showers- \$43,000, purchase of 2 additional lexan cell doors- \$6,000, correctional meal tray drying and storage rack- \$9,000, institutional dishwasher- \$65,000, secure knife cabinet- \$1,750, gas condensing boilers- \$124,000, plow truck- \$31,500, for a total of \$328,130. Rep. Kurk stated that this is an inappropriate way to start the FY 09 budgeting process. On a roll call vote motion adopted 9-8. The nays are as follows Rep. Harvey, Rep. Farley, Rep. Kurk, Rep. Rosenwald, Rep. Simon, Rep. Spratt, Rep. Ulery, and Rep. Vaillancourt.

Register of Deeds

Ms. MacDonald, Registrar of Deeds, announced that she is not running again for office she noted that she has been in the positions for 28 years. She also stated that it has been her honor and privilege serving the members of the Executive Committee and the Delegation. Ms. MacDonald gave a brief presentation on the revenue projections noting that home sales are down, she also noted that the deed recording is going on-line. Motion by Rep. Simon, second by Rep. Stepanek to thank Ms. MacDonald for her 28 years of service to Hillsborough County.

Human Services

Ms. Robinson distributed her monthly report and she reviewed the spreadsheet and noting that everything is on track. Discussion ensued.

Old/New Business

Update from Blue Ribbon Salary- Ms Rusch stated that by Statute the elected officials salaries have to be voted on before the filing date in the beginning of June. She briefly reviewed the process and Chairman Essex gave a brief rundown of the discussions leading up to the recommendations.

Chairman Essex stated that the motion would be pursuant to RSA 23:7 to establish the salaries benefits and other compensation for the elected county officials. He stated that the Blue Ribbon salary Committee consisted of Rep. Essex, Rep. Movsesian, Rep. Pilotte, Rep. Vaillancourt, Rep. Francoeur, Rep. Spratt, Rep. Stepanek. He briefly discussed the reasons for the decisions by the Committee.

Motion made by Rep. Stepanek second by Rep. Pilotte to recommend approval and establish the salaries benefits and other compensation for the Board of Commissioners- \$16,500 for 2009-2010 as part-time elected officials, they may access benefits, such as life insurance, accidental death and disability, medical, prescription, vision and dental benefits at their own expense, provided it is permitted by the insurance carrier. On a voice vote motion adopted.

Motion by Rep. Rosenwald, second by Rep. Manney to recommend approval and establish the salary benefits and other compensation for the County Treasurer - \$3,625 for 2009 and 2010 and as part-time elected officials, they may access benefits, such as life insurance, accidental death and disability, medical, prescription, vision and dental benefits at their own expense, provided it is permitted by the insurance carrier. On a voice vote motion adopted.

Motion by Rep. Spratt, second by Rep. Francoeur to recommend approval and establish the salary and benefits and other compensation for the County Attorney in the amount of \$83,000 for 2009 and 2010, which will include benefits, such as life insurance, accidental death and disability, medical prescription, vision and dental benefits. There was a brief discussion regarding the salary of the County Attorney and the other two full time elected officials regarding the issue that they are being paid in comparison to other employees in their departments. On a voice vote motion fails. Nays: Rep. Manney, Rep. Ulery, Rep. Shattuck, Rep. Pilotte.

Motion by Rep. Manney, second by Rep. Pilotte to amend the original motion to increase the salary to \$83,894. On a show of hands motion adopted 9-6.

Motion by Rep. Manney, second by Rep. Rosenwald to recommend the approval of the Register of Deeds salary at 56,100 with the associated language about benefits. On a voice vote motion adopted.

Motion made by Rep. Simon, second by Rep. Cote to recommend approval of the Sheriff's salary at \$60,000 with the associated language about benefits. Lengthy discussion ensued.

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Motion by Rep. Jasper, second by Rep. Manney to amend the Sheriff's salary to \$63,000. Rep. Jasper would like to see the salary higher, however, this is not the year. Motion to amend the Sheriff's salary approved no's- Rep. Vaillancourt, Rep. Simon and Rep. Francoeur.

Building Subcommittee Update

Chairman Essex asked Rep. Jasper to report on the Building Subcommittee meeting that was held yesterday. Rep. Jasper stated that the County has had a very bad lease with the State of New Hampshire for the Women's Prison. He reported on the way the lease has been handled in the past and noted that this new lease will have to go before the Executive Council for approval.

Motion made Rep. Manney, second by Rep. Cote to recommend to the full delegation approval for the new lease for the Women's Prison. On a voice vote motion adopted unanimously. Subject to review by the County's Legal Counsel, Attorney Kirby who just received the lease less than 48 hours ago.

Rep. Jasper also stated that the 2nd floor of the Bouchard Building was discussed in non-public session because the lease with Goffstown District Court is subject to negotiation. Because of time constraints it does have to be done fairly quickly because there will be a substantial increase if we don't get this done before July 1, 2008. He continued briefly with his report.

Ms. Rusch stated that the next Executive Committee meeting will be meeting at 11:00 AM Wednesday in the LOB, room 205 in Concord NH for the purpose of discussing the lease with the State of New Hampshire regarding the Goffstown District Court.

Ms. Rusch stated that a new budget schedule has been distributed and there is one slight change.

Chairman Essex stated that Mr. Reidy from the UNH Cooperative Extension provided this committee with limited copies of Community and Consequences. Please take one if you would like a copy.

Motion by Rep. Cote, second by Rep. Simon to adjourn at 11:30 AM. Motion adopted.

Rep. Lori Movsesian, Clerk
Hillsborough County Executive Committee

Date _____