

Personnel Board  
Meeting Minutes of May 11, 2009

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BOARD OF SELECTMEN

In Attendance; Philip Peirce, Nancy Lee Finney, Holly Chisholm, Sheila Frangiamore and Chairman William Neault

The meeting was called to order at 3:40 PM

1. The meeting was called at the request of Chief Ackerman regarding the making of his Auxiliary Officers Part time Officers. Although Mr. Neault called Mr. Ackerman on Thursday May 7<sup>th</sup> to reminded him that the meeting had been scheduled for May 11<sup>th</sup> at 3:30 PM, Chief Ackerman never showed for the meeting and the matter was tabled.
2. Clarification regarding the tabled Personnel Board Articles at the Annual Town Meeting on May 8<sup>th</sup> was requested by Mrs. Frangiamore. Chairman Neault explained that he had received a call from the Advisory Committee Chair Mrs. Lemieux and they discussed the articles and it was made clear that they were all housekeeping matters and that none of the articles were money issues, he also indicated that at no time did he give consent to the Advisory Committee to read the Motions. So why the matter was handled as it was is not clear, however Chairman Neault called Advisory Board Member Mrs. Wilson to ask to be put on their Thursday night meeting May 14<sup>th</sup> to address the issue.
3. Vacation issue; Mrs. Neylon Administrative Asst. to the Selectmen brought forward a proposal to add eight words to Section 16 of the Personnel By-Laws second paragraph where it now reads "Vacation days must be used in the year they are granted or they will be forfeited" to now read "Vacation days must be used in the year they are granted or they will be forfeited **unless otherwise voted on by the Board of Selectmen**". Mrs. Frangiamore moved to accept the proposed amended wording, Mr. Peirce seconded. 4 Members in Favor, 1 Member not in Favor. Discussion; Mr. Neault wanted it noted that he felt that individuals who work for the town should be responsible enough to be held responsible for monitoring their time and schedule their time off in an appropriate manner so as not to warrant such changes. Proposal was passed.
4. Philip Peirce made a motion to approve the amended meeting minutes of March 25, 2009. Nancy Lee Finney seconded. All in favor - no discussion.
5. The Board members discussed sick days as they are referred to in the Personnel By-Laws. Concern was made that Sick days should be indicated as being for hourly employees only as salaried personnel are paid either way. Mr. Peirce suggested he would look into State and Federal laws as they pertain to this issue to be sure we are meeting all necessary requirements. All members agreed that some clarification is required possibly by clarifying what the term "Eligible employee" implies. It was recommended that this matter be referred to the Selectmen for an opinion.

Mrs. Frangiamore made a motion to adjourn, Mr. Peirce seconded. No Discussion. Meeting was adjourned at 4:05PM.

Personnel Board  
Meeting Minutes of March 25, 2009

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**MAR 30 2009**

**BOARD OF SELECTMEN**

Members in attendance: William Neault, Nancy Lee Finney, Sheila Frangiamore

Meeting was called to order at 4:14PM

The purpose of this meeting was to review the Town's Personnel By-Laws to be sure that all items are up to date with all amendments made since last revision of June of 2006.

- 1) Mrs. Finney asked for clarification of sick time for Part Timers with benefits and whether this time could be taken on an hourly basis to cover for situations such as doctor appointments. Mr. Neault indicated that since these individuals are paid on an hourly basis that it seemed appropriate to allow time taken on an hourly basis.

Mrs. Frangiamore made a motion that Part Time employees who receive benefits be allowed to take sick time on an hourly basis. Mrs. Finney seconded, all in Favor - no discussion.

- 2) Mrs. Frangiamore introduced recommendations submitted in writing by Mr. Pierce who was unable to attend. Mr. Peirce suggested that that in Section 23 (Reimbursement for Education & Training Expenses), item a., that the words "and the Personnel Board" be deleted. He suggested that it was not in the Personnel Boards authority to be involved in the issue of employee cross-training and that should be between the Department Heads and the Selectmen.

Mrs. Frangiamore motioned that we accept this recommendation, Mrs. Finney seconded. All in favor - no discussion.

- 3) In continuing to address Mr. Peirce's written suggestions, he recommended that in Section 25 (Grievance Procedure) where it reads "Personnel Board/Board of Selectmen" that it be worded differently for clarification. The older terminology was used when the Board of Selectmen and Personnel Board were one and the same, and this is no longer the case. Mr. Peirce suggested that the use of "and", "or", or "both" be used instead.

Mrs. Frangiamore motioned that the word "and" be used to replace the "/" in the former wording of this section. Mrs. Finney seconded, all in favor - no discussion.

- 4) Mr. Peirce's suggestions further recommended that in Section 26 (Personnel Board), that he did not agree with the wording in the second paragraph that states "as well as adjustments to salaries", as this was the responsibility of the Department Head and the Board of Selectmen. Mr. Neault pointed out that while he agreed, the Personnel Board should review such recommendations only to be sure that the recommended increase fell within the employees position Grade.

Mrs. Frangiamore made a motion that the prior wording be changed to read "as well as review any recommended adjustments in salaries only to assure that they fall into the appropriate Grade of said position". Mrs. Finney seconded, all in favor - no further discussion.

- 5) Mr. Neault reminded the Board that we need to get the last two changes from the Highway Dept. approved at Town Meeting. These articles refer to the new Positions and Grades for "Highway Operator/Foreman" and "Highway Department, Emergency Operator/Laborer". Mr. Neault asked Mrs. Frangiamore if she would take care of all putting all Motions to amend in writing so that he can read them at the upcoming Annual Town Meeting on May 8<sup>th</sup>. She Agreed. Mr. Neault also thanked Mrs. Frangiamore for taking on the duties of Secretary even though a new Secretary for the Board had yet to be voted on.
- 6) Mrs. Frangiamore has been referencing all Town Meetings, Special's, or otherwise that have occurred since the last update of the Town's By-Laws to be sure that the Personnel By-Laws are accurate and up to date. Mr. Neault asked that we hold another meeting before the Annual Meeting on May 8<sup>th</sup> to simply finalize amendment changes and review Custodian position and determine Grade and Step of said Position. He recommended that April 1<sup>st</sup> be our next meeting with the hope that we could have the entire Board present.

Mrs. Finney made a motion that we meet again on April 1<sup>st</sup> for the purpose of Grading the Custodial Position and finalize amendment changes to the current Personnel By-Laws. Mrs. Frangiamore seconded. All in favor - no further discussion.

- 7) Mr. Neault expressed concern that there should be some wording in the By-Laws that specify that a salaried employee should not get sick pay and that would be double dipping and not in the best interest of the Town. This issue would not include any employee being paid on an hourly basis. The Board unanimously agreed to table this issue until the full board was present for discussion.

- 8) Mrs. Finney suggested underlining the wording in Section 3. (Employee Categories) item A., which reads "at least thirty-five" to remove any ambiguity in the intention of what consists as Full Time employment. Mrs. Frangiamore suggested simply changing the hours to read Forty (40). Mr. Neault pointed out that some non-emergency positions in Town were considered Full Time at Thirty-Five (35) to Thirty Seven (37) hours, and therefore that changing the hours to read Forty (40) would not be accurate.

Mrs. Frangiamore made a motion to approve Mrs. Finney's request to underline the wording currently in place. Mr. Neault seconded. All in favor – no further discussion.

- 9) Mrs. Frangiamore recommended altering the title word in Section 2. (Separability Provision) to read (Severability Provision). Mr. Neault reminded the Board that this change would have to be approved at the Annual Town Meeting. Mrs. Frangiamore made the motion to proceed with the wording change, Mrs. Finney seconded. All in favor- Chairman Neault asked that in writing the Amendment to be read at Town Meeting that a definition be provided in case someone should ask the difference between the two words.

- 10) Chairman Neault asked that when revisions are complete that a disk be forwarded to him rather than a hard copy.

- 11) The Chair recognized Mr. Donald Herbert who was in attendance to discuss and clarify changes made to vacation pay and anniversary dates and how this affected his time. It was determined that for fiscal year 2009, Mr. Herbert had 5 days Vacation and an additional 2 Personal days left to use *before* July 1<sup>st</sup>. Furthermore it was determined that as of Mr. Herbert's new anniversary date now determined to be on July 1<sup>st</sup>, (based on previous changes made by the Personnel Board), that he would then be entitled to an additional 5 weeks Vacation and an additional 2 more Personal days for fiscal year 2010. This clarification was necessary because at the time that the changes in anniversary dates were proposed Mr. Herbert recalled asking Mr. Peirce (who was not in attendance) about how these changes would affect his time. He said at that time he was told that he would get additional time for the two months time lost in this change. Mr. Neault suggested that he did not lose any time, but rather the dates were simply shifted. The Board agreed it would get clarification from Mr. Peirce and see if he recalled the conversation with Mr. Herbert.

- 12) Under New Business; Mrs. Frangiamore asked for clarification of the By-Law in Section 17. (Leave of Absence), and whether or not this section also applied to members of Town Committees. Indicating concern that this could pose a potential problem for the Town in the future if seats are being left vacant on Town Committees that are already experiencing problems having all seats filled. Mrs. Finney read the section and she and Mr. Neault concurred that by the wording and placement in the Personnel section of the By-Laws that it is clear that this section refers only to paid employees of the Town, and as such it does not apply to committee members who might receive stipends. Mr. Neault who is on the Town By-Law Committee will address this clarification at the next posted By-Law Committee meeting.

Mrs. Frangiamore made a motion to adjourn. Mrs. Finney seconded, all were in favor. This meeting was adjourned at 5:45 PM.