

**CITY COUNCIL
ROCHESTER, NEW HAMPSHIRE
Nonpublic Session Minutes**

Date: July 11, 2023

Motion to enter Nonpublic Session

Made by: LaChapelle

Seconded by: de Geofroy

Specific Statutory Reason cited as foundation for the nonpublic session:

 X RSA 91-A:3, II (a) *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, **unless** the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.*

 RSA 91-A:3, II(b) *The hiring of any person as a public employee.*

 RSA 91-A:3, II(c) *Matters which, if discussed in public, would likely affect adversely the reputation of any person, **other than a member of this board**, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*

 RSA 91-A:3, II(d) *Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are averse to those of the general community.*

 RSA 91-A:3, II(e) *Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against this board or any subdivision thereof, or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled*

 RSA 91-A:3, II(i) *Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.*

Roll Call vote to enter nonpublic session:

(circle replies below)

Mayor Callaghan	<u>Yes</u>	No	Not Present
Deputy Mayor Lachapelle	<u>Yes</u>	No	Not Present
Councilor Fontneau	<u>Yes</u>	No	Not Present

Councilor Gilman	Yes	No	Not Present
Councilor Beaudoin	Yes	No	Not Present
Councilor Hamann	Yes	No	Not Present
Councilor Malone	Yes	No	Not Present
Councilor Larochelle	Yes	No	Not Present
Councilor Desrochers	Yes	No	Not Present
Councilor Hailey	Yes	No	Not Present
Councilor Gray	Yes	No	Not Present
Councilor Berlin	Yes	No	Not Present
Councilor de Geofroy	Yes	No	Not Present

Entered nonpublic session

Time: 7:02 pm

Other persons present during nonpublic session:

Cit Manager Katie Ambrose, Human Resources Director Kim Conley, Superintendent Kyle Repucci, School Board Chairperson Paul Lynch, School Board Member Matt Pappas, and City Attorney Terence O'Rourke

Description of matters discussed, and final decisions made:

AFSCME Tentative CBA

Superintendent Repucci outlined the highlights on the proposed CBA. The CBA covers maintenance and custodial personnel. The new CBA essentially puts the school personnel on the same footing as City's maintenance and custodial personnel. The school will now use the same contract as the City for uniforms. Repucci outlined changes to the unsatisfactory review process. Repucci stated that some holidays were shuffled. Like similar City contracts, the contract goes

back to steps from merit. CM Ambrose said the start date is July 1, 2023 as soon as the CBA is approved.

Council Action: Motion to approve Tentative CBA by Hainey, Seconded by Desrochers

Yea: Unanimous

Nay:

Paraprofessionals Tentative CBA

Superintendent Repucci outlined the highlights on the proposed CBA. The CBA covers school paraprofessionals. Repucci discussed some of the issues with wage compression caused by paras hitting the top step quickly. Repucci stated there is an MOU with paras dealing with paras being subbed in to replace teachers that gives the para the delta between the para hourly wage and what would have been paid to a substitute teacher. Repucci said that the terms of that MOU is now incorporated into the CBA. Repucci said the school removed a restriction that only allowed the school to hire new paras as a Step Three no matter how much prior experience they had. CBA now commits the school to ensuring that by Year Two of the CBA paras will be able to work remotely on Remote Instruction Days. Increased bereavement days for the loss of a spouse. In general, there is about a \$2.00 bump in per hour wages for each position.

Councilor de Geofroy asked about the trigger for State benefits if the para works over a certain number of hours. CBA says that substitute time will not count toward eligibility for State benefits and it is incumbent on the employee to make sure these hours are not exceeded.

Council Action: Motion to approve Tentative CBA by Hainey, Seconded by Desrochers

Yea: Unanimous

Nay:

Motion to leave nonpublic session and return to public session

Made by: Lachapelle

Seconded by: de Geofroy

Motion: **PASSED** / **DID NOT PASS** (circle one)

Public session reconvened

Time: 7:20 pm

Motion made to seal these minutes? Yes **No** (circle one)

Indefinitely? Yes No (circle one)

If yes, motion made by:

Seconded by:

because it is determined that divulgence of this information likely would:

_____ Affect adversely the reputation of any person other than a member of this board.

_____ Render a proposed action ineffective.

_____ Pertains to preparation or carrying out of actions regarding terrorism.

Roll Call Vote to seal minutes: (2/3's vote of members present required)

Mayor Callaghan	Yes	No	Not Present
Deputy Mayor Lachapelle	Yes	No	Not Present
Councilor Fontneau	Yes	No	Not Present
Councilor Gilman	Yes	No	Not Present
Councilor Beaudoin	Yes	No	Not Present
Councilor Hamann	Yes	No	Not Present
Councilor Malone	Yes	No	Not Present
Councilor Larochelle	Yes	No	Not Present
Councilor Desrochers	Yes	No	Not Present
Councilor Hainey	Yes	No	Not Present

Councilor Gray	Yes	No	Not Present
Councilor Berlin	Yes	No	Not Present
Councilor de Geofroy	Yes	No	Not Present

Motion: PASSED / DID NOT PASS (circle one)

Time: pm

These minutes recorded by: Terence O'Rourke, City Attorney