



**SPECIAL MEETING OF THE COMMON COUNCIL
MIDDLETOWN CONNECTICUT**

**QUESTIONS TO DIRECTORS
JULY 1, 2019
AT 6:00 P.M.**

MINUTES

The Special Meeting, the Questions to Directors Workshop of the Common Council of the City of Middletown, was held in the Council Chamber of the Municipal Building on Monday, July 1, 2019, at 6:00 PM.

Present: Councilman Robert Blanchard (6:15 PM) Councilwoman Deborah Kleckowski
Councilman Carl Chisem Councilman Eugene Nocera
Councilman Gerald Daley Councilwoman Linda Salafia (6:15 PM)
Councilwoman Grady Faulkner Councilman Robert Santangelo
Councilman Sebastian Giuliano

Absent: Councilwoman Mary Bartolotta; Councilman W. Vance Cotten; Councilman Philip Pessina; and Corporation Counsel Daniel Ryan Esq.

Also Present:

Council Clerk – Linda S.K. Reed	Library – Brandi Doyle
Arts Coordinator - Keisha Michael	Parking – Geen Thazhampallath, Esq
City & Town Clerk – Ashley Flynn, CCTC	Police Department – Capt. John Lezefski
Communications -- Wayne Bartolotta	Planning – Joseph Samolis
Equal Opp. & Diversity – Faith Jackson	Public Works – William Russo
Finance – Carl Erlacher, CPA	Public Works – Christopher Holden, P.E.
Fire Department – Chief Robert Kronenberger	Recreation – Cathy Lefkowitz
Fire Department – William Unikewicz	Tax Assessor – Damon Braasch, CCMA II
General Counsel – Brig Smith, Esq.	Technology Services – Bryan Skowera
General Counsel - Kori Wisneski, Esq.	Water & Sewer – Joseph Fazzino, P.E.
Health – Kevin Elak, R.S.	Youth Services – Justin Carbonella, MPA
Human Resources – Justin Richardson	

Members of the Public: 3

1. Call to Order

Deputy Mayor Robert Santangelo, calls the meeting to order at 6:00 PM and leads the public in the Pledge of Allegiance.

The Council Clerk reads the Call of the Meeting and the Chair declares the call a legal call and the meeting a legal meeting.

2. Questions to Directors Opens

The Chair asks if anyone has questions for any directors. The Chair calls on Councilman Eugene Nocera.

Councilman Nocera asks Justin Richardson, Human Resources, to the podium. Councilman Nocera asks that he provide an update on the process used on the upgrades, adding that he knows that there is an Executive Summary in the agenda packet.

Mr. Richardson asks if he should read the Executive Summary or briefly go through it.

Councilman Nocera asks that he go through the material along with the General Counsel.

Mr. Richards states that applications were received last year for Local 466, noting that a number were received. These applications were then taken and reviewed by the Committee. Job descriptions that were the same were paired together. A lottery was done to select the candidates for this year's process. It is a formulary number based on 25 job descriptions or five percent (5%) of the bargaining unit's total numbers, whichever is less. That means that 18 positions were selected. Of those 18, they were all were given interviews, so multiple incumbents were asked to come and interview in front of the committee. From there, the labor-management Committee decided which positions would be voted on and further review for study. Out of the 18 positions, 10 were selected for further review. After the review was done by his office, we took into account things that were said inside the application and at the interviews, follow-ups with various

directors about those positions. The Committee then came back to discussion. Job descriptions were edited and discussed. Salary upgrades were justified thru our Archer Evaluation System and then it's what you have in front of you today, as approved by the Committee itself.

Councilman Nocera points out that the General Counsel Commission was unanimous in approving the recommendation moving forward, as presented. There was a lengthy discussion, but they were unanimous about sending everything forward. He also points out, that having served on the Committee, it looked like a very clean and tight proves.

Mr. Richardson agrees, saying that it was very open. He thinks that they have the support of the Union as well as the management side, of course. Everything was as transparent as possible for the Committee, adding that he thinks they did a really great job. They really made some good strides this time.

Councilman Nocera agrees.

The Chair calls on Councilman Sebastian Giuliano.

Councilman Giuliano states that he would like to go over a couple of topics with Mr. Richardson. He notes that one of the Local 44 Labor-Management resolution, Agenda Item 10M.

Mr. Richardson states that he does not have (inaudible).

Councilman Giuliano continues, reading from the agenda: "the changes to the Housing Code Enforcement Officer job description to reflect the updated duties with no change in salary." He states that he understands that there were a number of positions in the Health Department that are now gone and that a number of those duties from those positions devolved on this position. Are they different from what the incumbent is now doing?

Mr. Richardson replies that he will add that this incumbent did interview. He presented enough information for us to . . . to warrant it to go further for review; however, upon review of the notes that were taken of his application, and reviewing the job description, we found that the majority of his duties, if not all of them, were already existing in the job description. We added "may do title searches" and we also updated, per his recommendation as well, the minimum training to require a license of a lead inspector as opposed to ability to obtain.

Councilman Giuliano replies that, normally, he understands the rule of "more" of what's in your job description doesn't get you an upgrade.

Mr. Richardson replies, "Exactly."

Councilman Giuliano continues, saying that different deities possibly get you an upgrade.

Mr. Richardson interjects, saying that what was explained in the interview process and on the application did not come outside of what he saw as outside of his job description. He still ran it thru because the job had not been reviewed in a while, he ran it thru the Maximus evaluation system and it still did not warrant it an increase in salary. Without the numbers, based on the job description and the information presented, that was where we landed.

Councilman Giuliano replies that he understands that. He asks if we still use the Maximus rubrics.

Mr. Richardson replies, "That is correct," adding that this is the classification plan in effect for the City.

Councilman Giuliano asks who owns the right to that rubric, noting that Maximus does not exist anymore.

Mr. Richardson replies that he believes that the City owns it.

Councilman Giuliano reiterates, saying, "We own it."

Mr. Richardson replies that he cannot answer this question.

Councilman Giuliano asks Mr. Richardson, so far as he knows, if there is no successor in interest, who owns the copyrights.

Mr. Richardson replies that it was before his time, so he is not sure.

Councilman Giuliano adds that it also before his time, which is how far back this goes.

Mr. Richardson states that he can research this answer, but cannot give a definitive answer today.

Councilman Giuliano states, that, moving on to another topic, the Fire union contract has the four (4) appendices. To be sure that he has them he reads of the titles: salary schedule; there is no life insurance; . . . Mr. Richardson interjects, saying that Attorney Wisneski can answer these questions. Councilman Giuliano continues, adding that there is dental and medical. That is what he now has, so he has a complete document.

Attorney Kori Wisneski states, “Yes, that is correct,” noting that Mr. Richardson worked on the salary scale that afternoon, Appendix A; there is no life insurance e appendix anymore and there are two (2) dental plans that would be what she believes to be Appendix C and appendix D which would be the Med RX. She states that, if there is no (appendix) B, then everything will have to be a little bit before it, so it will be A, B, and C.

Councilman Giuliano reiterates that there are now three (3) appendices. Attorney Wisneski replies that he has the whole packet.

The Chair calls on Councilman Gerald Daley for this director.

Councilman Daley thanks Mr. Richardson for explaining the process for Local 466 Bargaining Unit labor-management committee process for job reevaluations.

Mr. Richardson replies, “That is correct,” noting that it is for 2018 process, and adding that they now beginning the 2019 process.

Councilman Daley clarifies, saying it was for the contract year. He asks how many employees, noting that Mr. Richardson has previously said that there were 10 jobs evaluated and that nine (9) jobs resulted in an upgrade. He asks how many employees are affected byte nine (9) position upgrades, asking if it is 23, 24.

Mr. Richardson replied that the truck drivers count for 19

Councilman Daley adds that 19 alone account for truck drivers, so the total cost for the retroactive pay for the last fiscal year is . . .

Mr. Richardson interjects, saying it is about 28 people.

Councilman Daley reiterates, asking about the retroactive pay, which he believes is about 30 . . .

Mr. Richardson replies that it is \$70,089.51 as total back pay, noting that the truck drivers is \$60,000.

Councilman Daley asks for the impact of the upgrades on the current year.

Mr. Richardson replies that it is \$145,789, adding whatever the next percentage increase is for the contract.

Mr. Daley states that he has questions about the Housing Code Enforcement Officer Job, which was re-evaluated by the Committee, but the only one not recommended for an upgrade. He notes that Mr. Richardson summarized the changes to the job description. He asks if there were other jobs that had minimal changes.

Mr., Richardson replies that there are some jobs that may have a few, minimal updates, but as he explained to Councilman Giuliano, the rubric itself, because the job had not been re-evaluated, still did not come out. He explains that some jobs may have been wrongly evaluated at the beginning, noting that it is the criteria: information at the beginning of Maximus in 2000-2003 was provided incorrectly or the evaluator did not take into account certain things.

Mr. Daley interjects, saying it is a point factor job evaluation system, which brings some degree of objectivity, but notes that here is still a subjective element since you have to decide which degree to assign for different categories.

Mr. Richardson rplies, “Yes, that is correct. You need to be an expert in that situation.”

Councilman Daley notes that, a few years ago, more than a few years ago, the Council authoized a study, a market based job evaluation survey. For a whole variety of reasons, it was never implemented. That was 6 or 7 years ago, at least. Even them we realized that the Maximus study or Archer system, as Mr. Richardson refers to it, is outdated. He asks if there is any plan to find a better way, a better tool, to evaluate these jobs, adding that he is troubled that a person . . . he does not agree that adding a responsibility to conduct title searches is a *de minimus* change to a job.

Mr. Richardson replies that, at the moment, there is no plan, The Council did not accept the Segal Waters study, which was tabled. He believes that the unions are agreeable to negotiating a way that we can find another tool, but those discussion have not happened in depth yet.

Councilman Daley states that he is puzzled that this is the only job, adding that he would hate to . . . an interview is part of the process and it is not always the case in job evaluation systems. There isn't always . . .

Mr. Richardson interjects, saying that, for an antiquated system, it is actually nice to have employee input and have the supervisor come in to explain. Some people may lack in written skills, but can better articulate something in person.

Councilman Daley notes the converse, stating that some may lack in their ability to interview: they may be nervous; that may not be able to articulate to express their argument. There are limitations and he is

concerned that we do not want to see an employee not be justly compensated. There is no answer, adding that, from all he has heard that involvement of the labor management committee in the total process, which was a problem in the past, was addressed so they were fully involved and engaged. His other question is on the Firefighter contract, adding that he believes that Mr. Richardson would be able to answer this question. He notes that the Council received the wage scales this evening. It shows the progression from Step 1 to Step 6. He asks what the time frame is for these steps.

Mr. Richardson replies that they process thru each year, once a year.

Councilman Daley asks if this means that it takes someone six (6) years to go from Step 1 to Step 6.

Mr. Richardson replies, "Yes."

The Chair calls on Councilwoman Deborah Kleckowski, adding that, before she speaks, he reminds the Council that there is another meeting at 6:30 PM, the workshop.

Councilwoman Kleckowski states that she has a question for Mr. Richardson. She asks, piggybacking on the question asked by Councilman Daley regarding Maximus. She asks how much ability Mr. Richardson has, as an HR professional, to judge outside of Maximus. She asks if it's a guide or if he is confined by those constraints.

Mr. Richardson states that he is confined by the constraints. He explains that there is a manual for the process and the rubric to guide it through. Then you use the job description to guide you through. It is a sort of 3-part process. For this you have job description, interview questions, and some tweaks that we thought were necessary for the position. You then go thru the manual, page by page, and assign values going forward. At the end, you get a number and then there are a few multipliers that take into account supervisor skills managing various people, time span, decision, and budgetary constraints that go into that. This factors out into the total number at the bottom. That number eventually becomes associated with a salary grade and if that number goes up . . . there is a range per salary grade of 50 points. So if it falls into that range that is the salary. A position could very well go up in its final score, but still be in the same grade.

Councilwoman Kleckowski asks Mr. Richardson if that is determined by his position as HR Director, predetermined that this is the only way that you evaluate salaries and job descriptions.

Mr. Richardson replies that is how it is done.

Councilwoman Kleckowski asks why Mr. Richardson cannot have more professional input as an HR professional, noting, as Councilman Daley mentioned earlier, not everything is written, and we all know that Maximus is outdated. She states that, specifically . . .

Mr. Richardson interjects, saying that there has to be a justification on that scale for that position to go up or down. One cannot arbitrarily assign a Grade 10 to something and say "I think it's a 10."

Councilwoman Kleckowski replies that, if someone can prove their position, it is appropriate, adding that is why we have HR professionals. She notes that is her preference: that there be more ability outside of the scope of these restrictive, out-of-date confines.

Mr. Richardson replies that this, unfortunately is the system that we have in place.

Councilwoman Kleckowski replies that we need to look at this. She continues, asking, regarding the labor-management, why, if the supervisor is on board with the employee's statement that they are outside their grade and that they are looking for an upgrade, why is the supervisor not bring this forward as a job description change to General Counsel.

Mr. Richardson replies that the contract has a clear guideline that it has to go through this process (labor-management) as opposed to the other process, which is used only for vacant positions and/or non-bargaining jobs.

Councilwoman Kleckowski opines that it is her understanding that it is in the purview of a supervisor to bring forward a job description change, adding that perhaps another Councilmember might address. She states that she believes that the Council has done this. She asks Councilman Giuliano and Councilman Daley if they recall.

Mr. Richardson interjects, saying that that is way the contract has labor-management process.

Councilwoman Kleckowski states that she is asking because it is her understanding is that labor-management is for a conflict working: the employee thinks that they should be, that they are working out of . . .

Mr. Richardson interjects, saying "class."

Councilwoman Kleckowski continues, and the supervisor believes that they are not.

Mr. Richardson replies that there is no difference between the two that Councilwoman Kleckowski is describing. The labor-management process brings forth applicants, who believe they are working out of their class, or are not properly assigned, or duties that need to be included, and, as Councilwoman Kleckowski has said, the Personnel Rules of classification require a review of a position. If it was vacant, they could do the same thing, adding that the contract is clear on the process for those unionized employees.

Councilwoman Kleckowski asks if this means that there is no ability for a supervisor to bring forward an employee's job description for changes outside of labor-management.

Mr. Richardson replies that the contract supersedes the Personnel Rules in that case.

Councilwoman Kleckowski asks Mr., Richardson if that is a yes or a no.

Mr. Richardson replies that he "is mostly sure that the contract is going to supersede."

Councilwoman Kleckowski replies that they can put it on the General Counsel Commission agenda for discussion as well as showing the Commission how Maximus works, using a scenario. She notes that if someone is a professional – an HR Director – they should have leeway.

Mr. Richardson interjects, asking if Councilwoman Kleckowski would like to schedule a meeting and go over it in more depth.

Councilwoman Kleckowski replies, "No," she believes it would be good, noting that she does not know who else may have seen how this function works, adding that would be great.

The Chair calls on Councilman Gerald Daley. He reminds the Council that it is 6:23 PM and there is another light on

Councilman Daley asks what the deadline is for people to apply for FY19-20 upgrades.

Mr. Richardson replies that he believes that it may have passed, noting that he cannot say for certain. He adds that it may have closed already, noting that they usually give about four (4) weeks.

(Inaudible comment/ unidentified speaker in audience.)

Mr. Richardson confirms that the application window has closed.

Councilman Daley states that the Council has the final say. He asks, if the Council rejects any of these, does that person get another bite of the apple in the current year.

Mr. Richardson replies, "No," adding that the contract is clear that it is not subject to appeal.

Councilman Daley reiterates that, once it comes to the Council, they are barred for another year.

Mr. Richardson replies that the employee is barred until the next contract.

Councilman Daley notes that, in his opinion, if a Department Head reorganizes or restructures the department and there are job responsibility changes, that they would have the right, notwithstanding the right under the contract to bring forward reclassification requests, impact bargaining, which the Mayor could initiate.

Mr. Richardson agrees.

The Chair calls on Councilwoman Linda Salafia, adding that it is now 6:25 PM.

Councilwoman Salafia states that she has one comment. She notes that when she walked into the Chamber, Mr. Richardson said that the Fire contract was written so it takes six (6) years to reach maximum.

Mr. Richardson replies that to progress to Step 6, an employee starts at Step 1 and then goes to Step 2 after a year.

Councilwoman Salafia repeats that there are six (6) steps, so it takes five (5) years to get to maximum step.

Mr. Richardson replies that he believes that is how the contract is written.

Councilwoman Salafia reiterate that it is not six (6) years to get to max.

Mr. Richardson replies that someone starts at Step 1, noting he is getting confused with the Police contract, which has seven (7). He notes that it is one (step) a year.

Councilwoman Salafia (inaudible).

Mr. Richardson agrees that it is to reach maximum step.

3. Questions to Directors Closes

There being no further questions for this director or any other director, the Chair closes the Questions to Directors at 6:25 PM.

4. Meeting adjourned

Councilman Eugene Nocera moves to adjourn. Councilman Sebastian Giuliano seconds the motion. There being no discussion, the Chair calls for a vote. The vote is unanimous with nine (9) votes. The Motion to Adjourn is approved.

The meeting is adjourned at 6:26 PM

ATTEST:

LINDA S.K. REED,
COMMON COUNCIL CLERK

K: review/ minutes 19 July 01 – Questions to Directors - minutes – 1 July 2019