

**CIVIL SERVICE COMMISSION
REGULAR MEETING
MAY 17, 2010**

The Civil Service Commission of the City of Milford held their Regular Meeting on Monday, May 17, 2010 in Conference Room C of the Parsons Government Complex.

1. Chairman R. Winfield called the meeting to order at 5:05 p.m.

2. Roll Call

Board Members Present

R. Winfield
R. Dowin
H. Healey
T. Toohey
J. Baldwin

Also Present

Mayor J. Richetelli, Jr.
John O'Connell
Lawrence Sgrignari, Esq.
Douglas Novak
David Sulkis
Emmeline Harrigan
James Cooper
Lauren Pisacane

3. H. Healey made a motion to table the minutes of the meeting of March 15, 2010.
R. Dowin seconded the motion. All were in favor.

J. O'Connell stated that the City was being represented by Attorney L. Sgrignari.

4. Consideration of Grievance #10-09/10, Grievant: David Sulkis

J. Baldwin made a motion to go into Executive Session. L. Sgrignari interjected that it is not proper to go into Executive Session on such matters.

J. O'Connell stated that the nature of the grievance is that Mr. Sulkis feels the duties of the Director of Permitting and Land Use overlap those of City Planner.

D. Sulkis stated that the duties of the Director of Permitting and Land Use usurp his duties and responsibilities as City Planner in that according to his job description, it is his duty to manage the Planning & Zoning Department and the budget for that department.

Mayor Richetelli stated that although the City passed an ordinance creating the Planning & Zoning department, and later amended that ordinance, following the findings of the KRIT report, the Board of Aldermen unanimously voted to repeal Articles 18-203 and 18-205 by creating the Department of Permitting and Land Use and combining the three departments into a new department with three divisions. The Director of the new department has the responsibility of managing the department. The Mayor stated that D. Sulkis himself said that the managerial aspects of the department amounted to only one half hour per week.

Chairman Winfield asked if any of the commissioners had any comments. J. Baldwin asked D. Sulkis what specific duties were being overlapped. D. Sulkis stated that in addition to the one half hour of paperwork, he no longer supervises anyone as his staff now reports directly to Mr. Novak and that Mr. Novak has taken away his ability to utilize staff resources as he sees fit. J. Baldwin asked if his job description specifies those duties. D. Sulkis answered "yes" and offered that every other municipality in the State runs the same way. He stated that all correspondence must now be looked at

first by Mr. Novak and that they are being treated like factory workers rather than professionals.

J. Baldwin asked if the ordinance creating the department superseded the job description. L. Sgrignari stated there is no easy answer and went on to say that the Ordinance removed the Planning and Zoning department as an independent department and made it part of the new department of Permitting and Land Use and that the Mayor has the right to delegate the job of overseeing the department to another. L. Sgrignari added that the impact to the bargaining unit is subject to negotiations and possible modifications can be looked at and discussed if necessary. He reiterated that the Mayor has the authority to delegate responsibility to a department head. R. Winfield asked for a motion to accept or deny the grievance. H. Healey made a motion to deny the grievance, R. Dowin seconded the motion and the motion passed 4:1 with J. Baldwin dissenting.

Consideration of Grievance #11-09/10, Grievant: Thomas Raucci, Jr.

J. Cooper stated that he is the President of the Milford Supervisors Association affiliated with NAGE and that T. Raucci could not attend the hearing due to illness. He stated that T. Raucci's grievance is similar in nature to D. Sulkis'. J. Cooper stated that he felt the City should have come to the union first and bargained the changes to the affected positions and then implemented the changes rather than the other way around. The Mayor stated that like the situation with D. Sulkis' grievance, it is within his managerial rights to assign duties to the Director of Permitting and Land Use following the decision of the Board of Aldermen.

J. Baldwin asked if T. Raucci's job description read the same as D. Sulkis' job description concerning staff supervision. J. Cooper answered "yes" that the Building Department staff must now answer to D. Novak and that it is very much the same situation as D. Sulkis' situation. J. Cooper reiterated that bargaining should have taken place prior to the changes that were made. L. Sgrignari stated that T. Raucci's job description makes no mention of management functions, only supervisory and technical skills that are required. Chairman Winfield called for motions to accept or deny the grievance. H. Healey made a motion to deny the grievance, T. Toohey seconded the motion and the motion passed unanimously.

Consideration of Grievance #12-09/10, Grievant: Emmeline Harrigan

Ms. Harrigan stated that she no longer reports to the City Planner but that she needs to coordinate with the City Planner because their positions are intimately connected. She stated that the Director of DPLU does not have a good sense of what she does and that management takes punitive measures rather than looking at the work produced and that from a functional perspective reporting to the Director of DPLU doesn't make sense.

The Mayor stated that the job description for Assistant City Planner mentions assisting the City Planner, but that the Ordinance passed by the Board of Aldermen states that the Executive Director of the DPLU shall be the direct supervisor of the City Planner, Assistant City Planner, etc.

H. Healey asked E. Harrigan if she performs the same duties as before. E. Harrigan stated that she is currently doing the duties of the Zoning Enforcement Officer. L. Sgrignari stated that E. Harrigan's job description calls for the Assistant City Planner to act in the capacity of Zoning Enforcement Officer as the occasion demands and that she is confusing "assisting" with "reporting to". Chairman Winfield requested a motion to accept or deny Grievance #12-09/10. H. Healey made a motion to deny the grievance, T. Toohey seconded the motion and all were in favor.

Consideration of Grievance #13-09/10, Grievant: David Sulkis

D. Sulkis stated that this grievance is because he has been allowed to include travel time in his comp time since day one and that the time he travels to and from his home is the City's time and not time to be used for his own purposes. He stated that he has been computing it that way for 7 years. J. Baldwin asked if D. Sulkis had any documentation showing that travel time should be included in comp time. D. Sulkis said there isn't any documentation. The Mayor said that any inclusion of travel time in D. Sulkis' records was done without his knowledge and that no where does it say that an employee will accrue comp time from their home to the workplace. The Mayor further stated that no one else is compensated from the time they leave their house when returning to work. The Mayor then read part of a contract which stated that comp time is accrued at 1-1/2 times the hours worked "exclusive of travel time". D. Sulkis stated that it does not apply to his level as he is compensated one hour for one hour. H. Healey asked if that applies to D. Sulkis. D. Sulkis stated that over level 47 is a one for one payment. J. Baldwin asked if D. Sulkis knew of anyone else who gets compensated for travel time. D. Sulkis stated that he has never had the discussion with anyone else. Chairman Winfield requested a motion to accept or deny the grievance. R. Dowin made a motion to deny the grievance. T. Toohey seconded the motion and it passed unanimously.

5. Report of the Personnel Director

J. O'Connell reported that the department has been very busy filling jobs and that a bright spot in this kind of economy is that the quality of applicants has been quite high.

6. Open Jobs Report

J. O'Connell stated that the open jobs in the Wastewater department are going to be addressed later this week. He stated that some other open positions would not be filled until the probation period of the promoted individual ends. Chairman Winfield asked if any of the open jobs were being considered during the budget talks. J. O'Connell stated that none of the open jobs were in jeopardy of being eliminated by the Board of Aldermen. J. O'Connell stated that City Attorney Win Smith has scheduled a talk on the State Freedom of Information Act for the Boards and Commissions and will go over executive sessions. R. Winfield asked what was wrong with the minutes of the March meeting. J. O'Connell stated that the way they used executive session was not correct. Chairman Winfield commented that a formality was not followed. R. Dowin made a motion to adjourn. T. Toohey seconded the motion and all were in favor. The meeting adjourned at 5:49 PM.

Attest:

Lauren Pisacane