

NEW BEDFORD, MASSACHUSETTS

MEETING: COMMITTEE ON FINANCE
DATE: MARCH 09, 2020
TIME: 6:34 P.M.
PLACE: CITY COUNCIL CHAMBER, ROOM 214, MUNICIPAL BUILDING

PRESENT: COUNCILLORS LINDA MORAD, CHAIRPERSON; IAN ABREU, VICE CHAIRMAN; DEREK BAPTISTE; NAOMI CARNEY; HUGH DUNN (6:38); MARIA GUESTA; BRIAN GOMES (6:49); SCOTT LIMA; JOSEPH LOPES; WILLIAM BRAD MARKEY

ABSENT: NO ONE

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Councillor Morad called the Finance Committee Meeting to order and took attendance; no one was absent.

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Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting a salary request for Ms. Elizabeth McNamara being considered for the position of Associate City Solicitor, at Step 3, Grade M-12, which is \$76,397.00 (Ref'd 02/13/2020) was received and placed on file by Councillor Lopes and seconded by Councillor Abreu. (1)

Councillor Lopes asked Solicitor McDermott about the applicant's experience and she stated Ms. McNamara has been an Attorney for six (6) years, has spent five (5) years in the JAG Corp, and one (1) year in private practice; so approving Step 3 would create equality within the Solicitor's Office to the number of Solicitors and their number of years practicing law.

Councillor Carney asked about the difference in salary because Step 3 is listed at \$74,900 as opposed to the \$76,397 being requested. Solicitor McDermott explained this was due to the recent increase of the AFSCME contract approvals.

On motion by Councillor Lopes and seconded by Councillor Abreu, the Committee VOTED: To recommend to the City Council APPROVAL of the COMMUNICATION, Mayor Mitchell, to City Council, submitting a salary request for Ms. Elizabeth McNamara being considered for the position of Associate City Solicitor, at Step 3, Grade M-12, which is \$76,397.00. This motion passed on a voice vote.

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Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting a request to classify as "Special Municipal Employee", the positions of Special Legal Counsel and Hearing Officer (Ref'd 01/09/2020) and AN ORDER, was received and placed on file by Councillor Abreu and seconded by Councillor Markey. (2, 2a)

Councillor Carney made a motion to receive and placed on file the list of the City of New Bedford Special Municipal Employees, submitted by Solicitor McDermott; this motion was seconded by Councillor Markey.

Councillor Carney asked Solicitor McDermott to explain the Special Municipal Employee process. Solicitor McDermott explained this process allows people to represent other clients with other issues that are not in conflict with the reason the employee was hired by the City. For example, if they retained an Attorney to represent the Board of Health for a legal issue, then that Attorney would not be able to take on a case that involved suing the City. She also used the Parallel Project issue as an example that the Board of Health would need an Attorney on staff as they conduct hearings.

Once an employee is designated, the designation continues until their assignment/employment task is completed. The City does keep the employee on the Special Municipal Employee list for possible future use. She stated the Council did have the ability to designate the assignment for one project. Solicitor McDermott explained that keeping an attorney for example on this list allows them to access an attorney in an expedient manner. This helps with easy access.

Councillor Morad asked who would pay for the attorney and she was told that half would be paid by Parallel Products and the other half by the Board of Health. She did not see the Board of Health bill being more than \$15,000 and this amount would come from the \$250,000 appropriation previously approved by the City Council. Solicitor McDermott stated that so far only \$50,000 of the appropriated money has been spent.

On motion by Councillor Lopes and seconded by Councillor Lima, the Committee VOTED: To recommend to the City Council ADOPTION of AN ORDER, relative to classifying the position of special legal Counsel and Hearing Officer as "Special Municipal Employee" positions. This motion passed on a voice vote.

Councillor Lima made a motion to adjourn, which was seconded by Councillor Markey.

This meeting adjourned @ 6:53 p.m.

ATTEST:

Denis Lawrence, Jr.,
Clerk of Committees