

NEW BEDFORD, MASSACHUSETTS

MEETING: COMMITTEE ON FINANCE
DATE: JUNE 16, 2020
TIME: 7:01 P.M.
PLACE: HELD REMOTELY IN ACCORDANCE WITH THE GOVERNOR OF MASSACHUSETTS' MARCH 12, 2020 ORDER SUSPENDING CERTAIN PROVISIONS OF THE OPEN MEETING LAW G. L. C. 30A, SECTION 20 AND THE CITY COUNCIL'S VOTE TO WAIVE RULE 21A

PRESENT: COUNCILLORS LINDA MORAD, CHAIRPERSON; IAN ABREU, VICE CHAIRMAN; DEREK BAPTISTE; NAOMI CARNEY; DEBORA COELHO; HUGH DUNN; MARIA GIESTA; SCOTT LIMA; JOSEPH LOPES; WILLIAM BRAD MARKEY

ABSENT: COUNCILLOR BRIAN GOMES

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Councillor Morad called the Finance Committee Meeting to order and took attendance. The Clerk read a Communication from Councillor Gomes explaining his absence from this meeting. This Communication was received and placed on file by Councillor Lopes and seconded by Councillor Lima.

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Councillor Morad told the Committee that item number six (6) was sent to Committee by accident and she is looking to take it out of order and approve it. Item number six (6) was taken out of order without objection. It is as follows:

Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$20,000.00 from COMMUNITY SERVICES, CHARGES & SERVICES to ZOO, SALARIES & WAGES (Ref'd 6/11/2020) was received and placed on file by Councillor Lopes and seconded by Councillor Abreu. (6, 6a)

On motion by Councillor Lima and seconded by Councillor Lopes, the Committee VOTED: To recommend to the City Council ADOPTION of the ORDER, for the TRANSFER of \$20,000 from COMMUNITY SERVICES, CHARGES & SERVICES to ZOO, SALARIES & WAGES. This motion passed on a voice vote.

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Councillor Morad asked the Committee to take items one (1) and nine (9) up together, so without objection they were taken up together as follows:

Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$625,000.00 from SNOW, CHARGES & SERVICES in the amount of \$320,160.00; FACILITIES AND FLEET, SALARIES & WAGES in the amount of \$178,000.00 and FACILITIES AND FLEET, CAPITAL OUTLAY in the amount of \$126,840.00 to GENERAL GOVERNMENT UNCLASSIFIED, CHARGES & SERVICES (Ref'd 6/11/2020) was received and placed on file by Councillor Lopes and seconded by Councillor Abreu. (1, 1a)

Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$153,800.00 from FACILITIES & FLEET, CAPITAL OUTLAY to FACILITIES & FLEET, OTHER FINANCING USES (Ref'd 6/11/2020) was received and placed on file by Councillor Lopes and seconded by Councillor Abreu. (9, 9a)

Councillor Carney asked if any of this money was for COVID-19 expenses and she was told no, that the funds requested were from past cuts made by the Council during the budget process last year. These funds were the result of a snow removal surplus and DFFM unfilled vacancies.

Councillor Morad expressed her concern that funds are requested each year for positions, and they are not being filled by DFFM. She was told that most of the positions were trade positions, e.g. carpenters and they are difficult to fill. They are looking at the budget much closer this year to make sure that vacant positions are reviewed and not submitted if not needed. She was told the loss of people related to the excess in the 400 and 800 accounts.

Ari Sky, CFO, stated the capital projects planned to get underway were delayed or not able to happen at all due to COVID e.g. the Assessor's Office rehab.

Councillor Lopes asked CFO Sky to provide a list of the last three years of positions that are chronically advertised but not filled. CFO Sky was not sure how to do this, but he would put together something.

On motion by Councillor Lopes and seconded by Councillor Giesta, the Committee VOTED: To recommend to the City Council ADOPTION of the ORDER for the TRANSFER of \$625,000.00 from SNOW, CHARGES & SERVICES in the amount of \$320,160.00; FACILITIES AND FLEET, SALARIES & WAGES in the amount of \$178,000.00 and FACILITIES AND FLEET, CAPITAL OUTLAY in the amount of \$126,840.00 to GENERAL GOVERNMENT UNCLASSIFIED, CHARGES & SERVICES. This motion passed on a voice vote. (1a)

On motion by Councillor Lopes and seconded by Councillor Giesta, the Committee VOTED: To recommend to the City Council ADOPTION of the ORDER for the TRANSFER of \$153,800.00 from FACILITIES & FLEET, CAPITAL OUTLAY to FACILITIES & FLEET, OTHER FINANCING USES. This motion passed on a voice vote. (9a)

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Items 2, 4 and 11 were taken up together, as follows:

Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$550,000.00 from POLICE, SALARIES & WAGES, to FIRE, SALARIES & WAGES (Ref'd 6/11/2020) was received and placed on file by Councillor Lopes and seconded by Councillor Abreu. (2, 2a)

Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$43,255.00 from POLICE, SALARIES & WAGES, to ELECTIONS, SALARIES & WAGES (Ref'd 6/11/2020) was

received and placed on file by Councillor Lopes and seconded by Councillor Abreu. (4, 4a)

Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$40,000.00 from POLICE, SALARIES & WAGES, to POLICE, CHARGES & SERVICES in the amount of \$20,000.00 and POLICE, SUPPLIES & MATERIALS in the amount of \$20,000.00 (Ref'd 6/11/2020) was received and placed on file by Councillor Lopes and seconded by Councillor Abreu. (11, 11a)

Councillor Lima asked what #4 was for and CFO Sky explained the cost of elections themselves were higher than they had budgeted for police details.

Councillor Lopes asked if any of the details were reimbursable from the State and he was told yes, they would cover the early openings of the polls. It will be \$6,800 and the City would be expected to receive it late in the year. Police details are considered personnel. The FY20 budget for Elections was \$308,000 in personnel the remainder of the budget was for the actual elections themselves.

Councillor Morad expressed concerns on items two and eleven as they relate to police salaries, that there seems to be a large excess amount of money. Ari Sky explained this had to do with some Grants that were received that covered dispatchers. Also, money was not spent on academies. The timing of the academies was directly affected not being able to get an academy in, in the Fall, and the cancellation of the Spring academy because of COVID-19. The same went for the NBFD, there are a lot of vacancies and there was a problem with academies. The Fire transfer will cover the overtime. The NBFD is at approximately \$1.5 million in overtime. FY20 only \$500,000 was budgeted for Fire Department overtime.

On motion by Councillor Lopes and seconded by Councillor Lima, the Committee VOTED: To recommend to the City Council ADOPTION of the ORDER for the TRANSFER of \$550,000.00 from POLICE, SALARIES & WAGES, to FIRE, SALARIES & WAGES. This motion passed on a voice vote. (2a)

On motion by Councillor Lopes and seconded by Councillor Giesta, the Committee VOTED: To recommend to the City Council ADOPTION of the ORDER for the TRANSFER of \$43,255.00 from POLICE, SALARIES & WAGES, to ELECTIONS, SALARIES & WAGES. This motion passed on a voice vote. (4a)

On motion by Councillor Lopes and seconded by Councillor Giesta, the Committee VOTED: To recommend to the City Council ADOPTION of the ORDER for the TRANSFER of \$40,000.00 from POLICE, SALARIES & WAGES, to POLICE, CHARGES & SERVICES in the amount of \$20,000.00 and POLICE, SUPPLIES & MATERIALS in the amount of \$20,000.00. This motion passed on a voice vote. (11a)

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Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$49,000.00 from RECREATION AND PARKS, SALARIES & WAGES, to EMS, CHARGES & SERVICES (Ref'd 6/11/2020) was received and placed on file by Councillor Lopes and seconded by Councillor Abreu. (3, 3a)

Councillor Morad asked why there was a salary excess in this department, and she was told that the Assistant Part Manager position was vacant for the first portion of the year. The position was approved in July of 2019 but was not filled until December 19th. The part-time Project Coordinator was promoted into this position, so the part-time Project Coordinator position is now vacant.

On motion by Councillor Lopes and seconded by Councillor Lima, the Committee VOTED: To recommend to the City Council ADOPTION of the ORDER for the TRANSFER of \$49,000.00 from RECREATION AND PARKS, SALARIES & WAGES, to EMS, CHARGES & SERVICES. This motion passed on a voice vote.

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Items 5 and 10 were taken up together without objection as follows:

Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$29,000.00 from TOURISM, SALARIES & WAGES, to MAYOR, SALARIES & WAGES (Ref'd 6/11/2020) was received and placed on file by Councillor Lopes and second by Councillor Abreu. (5, 5a)

Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$7,000.00 from MAYOR'S, CHARGES & SERVICES to MAYOR'S, SALARIES & WAGES (Ref'd 6/11/2020) was received and placed on file by Councillor Lopes and seconded by Councillor Abreu. (10, 10a)

Councillor Lima asked Ari Sky to explain the request and he was told the Council cut \$36,000, a portion of a Department Head. The cut passed even though the position was not vacant. Now, due to AFSCME contract funding they are looking to transfer the funds.

Councillor Morad asked if the additional \$24,000 was needed for the Census Coordinator position and was told yes. She expressed concern about the way the position was filled by the administration.

Ari Sky also explained the additional funds had to do with contract costs for the Mayor's Staff due to the AFSCME contract negotiations. There was also a shift in positions when Christine Arsenault-Cunningham took another position. Her position in the Mayor's Office was filled with an existing employee at a lower rate.

Councillor Lopes asked Ari Sky to check on past funding for this position, in his time on the Council he has not seen this position run out of the Mayor's Office, it is normally funded by CBDG Grants through Pat Sullivan's Office and Ari Sky said he would check.

On motion by Councillor Lopes and seconded by Councillor Lima, the Committee VOTED: To recommend to the City Council ADOPTION of the ORDER for the TRANSFER of \$29,000.00 from TOURISM, SALARIES & WAGES, to MAYOR, SALARIES & WAGES. This motion passed on a voice vote, with Councillor Morad opposed. (5a)

On motion by Councillor Lopes and seconded by Councillor Lima, the Committee VOTED: To recommend to the City Council ADOPTION of the ORDER for the TRANSFER of \$7,000.00 from MAYOR'S, CHARGES & SERVICES to MAYOR'S, SALARIES & WAGES. This motion passed on a voice vote, with Councillor Morad opposed. (10a)

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Items 7 and 12 were taken up together without objection, as follows:

Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$11,000.00 from INSPECTIONAL, SALARIES & WAGES, to TRAFFIC, SALARIES & WAGES (Ref'd 6/11/2020) was received and placed on file by Councillor Lopes and seconded by Councillor Abreu. (7, 7a)

Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting AN ORDER for the TRANSFER of \$25,000.00 from TRAFFIC, CHARGES & SERVICES in the amount of \$15,000.00 and TRAFFIC, SUPPLIES & MATERIALS in the amount of \$10,000.00 to TRAFFIC, SALARIES & WAGES (Ref'd 6/11/2020) was received and placed on file by Councillor Lopes and seconded by Councillor Abreu. (12, 12a)

Councillor Lima asked what the cost was for and Ari Sky told him that the Council cut \$36,000 from the budget which was supposed to be cut from the Department Head salary. The position was not vacant, and it also takes into consideration AFSCME contract negotiation payments.

Councillor Lopes asked if the Department Head has been replaced, he was told yes, Laurie Afonso has been promoted into that position; but they are still paying the former Department Head. Councillor Lopes wanted to know why; and Ari Sky said he was not in the position to comment on it and that he did not know or have an answer. Councillor Morad expressed the same concerns. Ari Sky suggested that the matter would be best reviewed with the City Solicitor.

The Committee suggested that they table the item and look to discuss with the City Solicitor.

On motion by Councillor Lopes and seconded by Councillor Abreu, the Committee VOTED: To table items 7, 7a, 12 and 12a at this time. 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 AN ORDER for the TRANSFER of \$26,000.00 from AIRPORT, SALARIES & WAGES, to AIRPORT, CHARGES & SERVICES (Ref'd 6/11/2020) was received and placed on file by Councillor Lima and seconded by Councillor Markey. (8, 8a)

Councillor Markey asked what the money was going to cover, and he was told extra expenses in public safety, painting and lighting around the airport.

Councillor Lopes expressed his concern that the request is a one-line request with no additional information. He would like to be provided with a better written description on what the transfer request entails.

Councillor Morad asked about a retirement in the department. She was told there was a retirement and that a part-time temporary employee was bumped up to fill the vacancy. She asked what the timeline was and was told a couple of months. She asked for additional information on the timeline for filling the positions left vacant by retirement.

On motion by Councillor Lopes and seconded by Councillor Abreu, the Committee VOTED: To table this matter at this time. 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 AN ORDER for the TRANSFER of \$100,000.00 from WASTEWATER, SALARIES & WAGES, to WASTEWATER, SUPPLIES & MATERIALS (Ref'd 6/11/2020) was received and placed on file by Councillor Lopes and seconded by Councillor Abreu. (13, 13a)

Councillor Lima asked what the expenditures were for and he was told for CSO monitoring and ADS meters to monitor water flow. There was the opportunity to do some work within the department.

Councillor Morad expressed her concern on the chronically larger excess in the salary line in the Wastewater budget. As explained there will be three vacancies going into 2021. Councillor Morad stated that the Water Department can raise their own funds and that the money raised is not being used for what it is intended for.

On motion Councillor Lopes and seconded by Councillor Markey, the Committee VOTED: To recommend to the City Council ADOPTION of the ORDER for the TRANSFER of \$100,000.00 from WASTEWATER, SALARIES & WAGES, to WASTEWATER, SUPPLIES & MATERIALS. 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 AN ORDER for the TRANSFER of \$210,000.00 from WATER, SALARIES & WAGES to WATER, CHARGES & SERVICES (Ref'd 6/11/2020) was received and placed on file by Councillor Lima and seconded by Councillor Markey. (14, 14a)

Councillor Lima asked what the money was being used for and he was told two water main emergencies took place that were not budgeted for, Nelson Street and Westfield Street.

On motion by Councillor Lima and seconded by Councillor Abreu, the Committee VOTED: To recommend to the City Council ADOPTION of the ORDER for the TRANSFER of \$210,000.00 from WATER, SALARIES & WAGES to WATER, CHARGES & SERVICES. 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 EIGHT (8) BUDGET ORDERS to maintain current City services during the month of July (Ref'd 6/11/2020) was received and placed on file by Councillor Lima and seconded by Councillor Lopes. (15, 15a-15h)

Ari Sky gave an overview stating that this was an interim budget for July. The State allows for the ability to pass three interim budgets in total. This is the case for this year because of COVID-19. There are a lot of unanswered questions as to how much the city will receive from the State. This is allowing the city to buy some time until there is more certainty of what it will receive from the State. This stop gap budget makes no assumptions what-so-ever but allows the City to meet its financial responsibilities for the month of July. On 7/15/20 the Mayor will present his budget to the City Council. In August they may need to issue another interim budget, but it will be slightly lower than July's. These budgets will be rescinded when the full budget for FY21 is approved. It will equalize the whole budget situation.

Councillor Morad asked if the State has not passed a budget yet, how is the city able to project a budget without knowing what it has for income. She was told the budget project being created currently is very conservative.

Ari Sky explained his concern is that Governor Baker's administration has hinted that his office will provide no guidance on the cherry sheet offerings. The Governor is leaving that up to the State Legislature. He is also waiting to see if they will be able to use the CARES Act funding they have received which is near \$8,000,000. There is a rumor this may happen and if it does this will help to stabilize the actual budget. The only tool left after that would be to use the third interim budget ability for the month of September.

Councillor Morad asked Attorney Gerwatowski if the administration was acting appropriately with the interim budget. He told her yes, that the Council can only cut and not add to this budget. The Mayor could have submitted a full year's budget but does have the ability to submit an interim budget. He went on to say the flipside is not submitting a full year's budget would mean that you would have to show what, if any, positions were being eliminated, but it appears the Mayor has chosen not to go that route.

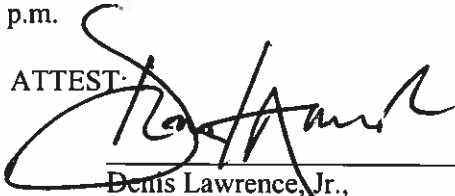
On motion by Councillor Lima and seconded by Councillor Lopes, the Committee VOTED: To recommend to the City Council ADOPTION of the ORDERS, as follows: a. ORDER, appropriating \$31,236,742.00 from ORDINARY REVENUE AND MUNICIPAL RECEIPTS of Fiscal Year beginning July 1, 2020 and ending June 30, 2021, for payment of current expenses of various municipal departments; b. ORDER, appropriating \$73,390.00 from Airport Receipts of FY21 in the Airport Budget; c. ORDER, appropriating \$8,869.00 from the Hotel and Lodging Tax in the Arts, Culture and Tourism Fund; d. ORDER, appropriating \$97,145.00 from Enterprise Fund Receipts of FY21 in the Cable Access Enterprise Fund; e. ORDER, appropriating \$2,917.00 now standing to the credit of the account of CCDA- TRAFFIC HANDICAP PARKING as follows: \$292.00 to Commission for Citizens with Disabilities, SALARIES & WAGES, \$2,625.00 to Commission for Citizens with Disabilities, CHARGES/SERVICES, \$0.00 to Commission for Citizens with Disabilities, CAPITAL OUTLAY; f. ORDER, appropriating \$55,965.00 from the Enterprise Fund Receipts of FY21 in the Downtown Parking Account; g. ORDER, appropriating \$3,990,767.00 from Wastewater Receipts of

FY21 in the DPI/Wastewater Budget; h. ORDER, appropriating 3,259,188.00 from Water Receipts of FY21 in the DPI/Water Budget. This motion passed on a voice vote.

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

This meeting adjourned @ 8:19 p.m.

ATTEST:



Denis Lawrence, Jr.,
Clerk of Committees