

NEW BEDFORD, MASSACHUSETTS

MEETING: COMMITTEE ON FINANCE
DATE: SEPTEMBER 13, 2021
TIME: 7:00 P.M.
PLACE: CITY COUNCIL CHAMBER, ROOM 214, MUNICIPAL BUILDING

PRESENT: COUNCILLORS LINDA MORAD, CHAIRPERSON; JOSEPH LOPES, VICE CHAIRMAN; IAN ABREU; DEREK BAPTISTE; NAOMI CARNEY; MARIA GIESTA; BRIAN GOMES (7:05); SCOTT LIMA; WILLIAM BRAD MARKEY

ABSENT: COUNCILLORS DEBORA COELHO; HUGH DUNN

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

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Notice, City Clerk of reference of a COMMUNICATION, Community Preservation Committee to City Council, submitting the CPA annual budget for fiscal year 2022 (To be Referred to the Committee on Finance.) (Ref'd 07/15/2021) was received and placed on file by Councillor Lopes and seconded by Councillor Giesta. (1)

Jessica Bailey, Community Preservation Act Coordinator and Jennifer Carloni, Director of Planning were both present to answer questions from the Committee. Ms. Bailey gave an overview as it related to the submission of the CPA annual budget for fiscal year 2022. She explained the appropriations from fy22 estimated for Committee Administrative Expenses is \$74,217. The Reserves include \$148,436 estimated revenues for Housing, for a total of \$964,832. The application process for fy22 opens October 1, presentations November 12th and the awards will be issued mid-January 2022.

Ms. Bailey responded to questions from the Committee which revealed that the Commission currently has one vacancy, which will be filled before the award sessions take place. She also expects 2 to 3 dozen applications this year. The Committee asked for a breakdown on what the \$74,217 in administrative expenses are for and Ms. Bailey said she would send it to the Clerk to be sent out to the Committee.

On motion by Councillor Lopes and seconded by Councillor Markey, the Committee VOTED: To recommend to the City Council APPROVAL of the CPA annual budget for fiscal year 2022. This motion passed on a voice vote of all ayes.

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Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to the City Council, submitting a request to hire the Department of Resilience and Environmental Stewardship's Environmental Project Manager, Courtney Cohen, at Grade

M-12, Step 4 to compensate her commensurate with her expertise and decades of relevant experience (Ref'd 08/19/2021) was received and placed on file by Councillor Lopes and seconded by Councillor Markey. (2)

Michele Paul, Director of Environmental Affairs was present and gave an overview of the need for the Committee to approve a new hire pay increase to hire Courtney Cohen at Grade M-12, Step 4 to compensate her commensurate with her expertise to fill the position of Environmental Stewardship's Environmental Project Manager.

Councillor Morad reminded the Committee that should they approve this increase it would go against the residency compensation ordinance drafted and approved by the City Council, which the Council over-rode a Mayoral veto. She explained that this is an attempt by the Administration to circumvent the City Ordinance.

Several questions ensued from the Committee which established that three people were considered, two were considering moving to the City but withdrew their names from consideration and Ms. Cohen was selected but did not want to move from Dartmouth to New Bedford because she has young children in the local school system. The Department has been looking to fill the position since May of 2021. Two candidates came from New Bedford, but they were not qualified and were removed from consideration.

Councillor Carney expressed her concern that approving this request goes against the residency ordinance the Council worked so hard to put into effect.

Many of the Councillors voiced their support of the ordinance, but stated they understood the position needed to be filled and Ms. Cohen was the only applicant. Most of the Committee expressed that this would be a one-time concession as it related to the Administration and would vote to increase the step and grade.

Councillor Baptiste expressed frustration that the Committee had not received anything as it related to the appointment and that the Administration telling them that it is the right thing to do, is not right.

It was discussed that if the applicant was hired based on the current grade, it would be Step 1 - \$73,459 less the 10% in place according to the ordinance is \$66,113.10 Allowing the increase to Step 4-\$79,882, less the 10% would be \$71,893 for a difference of \$5,780.70.

On motion by Councillor Lopes and seconded by Councillor Markey, the Committee VOTED: To recommend to the City Council Approval of the request to hire the Department of Resilience and Environmental Stewardship's Environmental Project Manager, Courtney Cohen, at Grade M-12, Step 4 to compensate her commensurate with her expertise and decades of relevant experience. This motion passed on a Roll Call Vote of Yeas 7, Nays 2, with Councillors Carney and Morad opposed.

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Notice, City Clerk of reference of a WRITTEN MOTION, Council President Lopes, Councillors Lima, Markey and Morad, requesting that the Mitchell

Administration and the Department of Public Infrastructure establish a payment plan for all past due / outstanding water and sewer bills incurred during the COVID-19 Pandemic, the payment plan shall be structured so that all past due amounts are paid in full by the end of April 2022; and further that details of the payment plan along with the verbiage being sent to the rate payers be shared with the members of the New Bedford City Council within the next 30 days (To be Referred to the Mitchell Administration and the Committee on Finance.) (Ref'd 04/08/2021) (5/17/2021 – tabled until after the Budget Hearings) was removed from the table and received and placed on file by Councillor Lopes and seconded by Councillor Abreu. (3)

Jamie Ponte, DPI Commissioner and Justin Chicca, Superintendent of Wastewater were present to address the Committee. Commissioner Ponte gave an overview of the Public Infrastructure payment plan for all the past due/outstanding water and sewer bills incurred during the COVID-19 Pandemic.

On motion by Councillor Lopes and seconded by Councillor Carney, the Committee VOTED: To receive and place on file the draft hardship payment plan from Department of Public Infrastructure. This motion passed on a voice vote.

On motion by Councillor Lopes and seconded by Councillor Gomes, the Committee VOTED: To receive and place on file the copy of the aging of the past due billing from the Department of Public Infrastructure and Wastewater. This motion passed on a voice vote.

During the discussion it was revealed that the past due billing majority were residential bills and the commercial outstanding included one to two known businesses. The current figures compared to pre-COVID-19 are dramatic. The DPI is hoping to begin enforcing these guidelines in October and execute payment plans throughout November. The Administration is in support of the draft presented to the Committee. It was explained that shut offs would begin November 1st. Notice of shut offs would be sent out in October and the customer would have thirty (30) days to pay their bill or at the very least 50% of it. DPI would work with those who had outstanding bills. There was concern that if someone could not come up with 50% that the city would not work with them. The Commissioner said that he would work with anyone in getting their water bills paid.

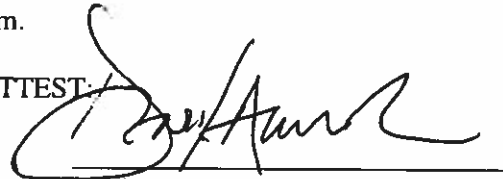
Attorney David Gerwatowski, Legal Counsel for the City Council was present and answered questions from the Committee. He informed the Committee of some problems as it related to the draft payment plan. The City Code has language in place on how to handle delinquent payments and they differ dramatically from what is being proposed. He recalled many years ago when the Council approved monthly billing that they never changed the City Code. Currently there are two different codes one that addresses the payment of water bills and wastewater bills. The current code does not allow for room to allow a payment plan. He also pointed out that the hardships listed in the draft are not hardships as many are not permanent positions, and a hardship should identify a temporary position. For example, if you are on SSI this is a long-term issue and not a hardship. He explained that the Finance Committee does have the ability to create an ordinance within its Committee and there would not be a need to refer to Ordinance. Once the changes were submitted to the Council for consideration if there were proposed changes it could then be referred to the Ordinance Committee.

On motion by Councillor Lima and seconded by Councillor Abreu, the Committee VOTED: To table this matter for sixty (60) days. This motion passed on a voice vote of all ayes.

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

This meeting adjourned @ 8:41 p.m.

ATTEST:

A handwritten signature in black ink, appearing to read "Denis Lawrence, Jr.", written over a horizontal line.

Denis Lawrence, Jr.,
Clerk of Committees