

NEW BEDFORD, MASSACHUSETTS

MEETING: COMMITTEE ON FINANCE
DATE: OCTOBER 19, 2022
TIME: 7:03 P.M.
PLACE: CITY COUNCIL CHAMBER, ROOM 214, MUNICIPAL BUILDING

PRESENT: COUNCILLORS WILLIAM BRAD MARKEY, CHAIRMAN; SCOTT LIMA, VICE CHAIRMAN; DEREK BAPTISTE; SHANE BURGO; NAOMI CARNEY; HUGH DUNN (7:05); BRIAN GOMES; LINDA MORAD

ABSENT: COUNCILLORS IAN ABREU; MARIA GIESTA; RYAN PEREIRA

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Councillor Markey called the Finance Committee Meeting to order and took attendance. The Clerk read Communications from Councillors Abreu, Giesta and Pereira, explaining their absences from this meeting. These Communications were received and placed on file by Councillor Burgo and seconded by Councillor Baptiste.

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Notice, City Clerk of reference of a COMMUNICATION, Mayor Mitchell, to City Council, submitting a SEWER ABATEMENT REQUEST for SILAS NUTTER, 900 Peckham Road, New Bedford, MA 02745, Account No. 1029297, in the amount of \$5,673.24 (Ref'd 09/08/2022) was received and placed on file by Councillor Lima and seconded by Councillor Burgo. (1)

Jaime Ponte, Commissioner of Public Infrastructure, was present and answered questions from the Committee. He was asked if the city had a system in place to automatically notify the Water Department if there is an issue of abnormal water release at a residence or commercial business. Commission Ponte explained that per this particular account, the home in question has older equipment. So, there wasn't any way to know, in advance, that water was being released due to a leak until the meter was read. Once the meter was read, the realized there was an issue. He further explained that the city is in the process of switching all its meters to a modern system. This system will give the city the ability to notice abnormal water usage in a timely fashion.

On a Related Motion by Councillor Morad and seconded by Councillor Lima, the Committee VOTED: To recommend that the City Council send a letter to the Water Board, requesting that the water usage for Silas Nutter at 900 Peckham Road, New Bedford, that has been charged in conjunction with the sewer abatement be forgiven in full. This motion passed on a voice vote.

On motion by Councillor Morad and seconded by Councillor Gomes, the Committee VOTED: To recommend to the City Council APPROVAL of the SEWER ABATEMENT REQUEST for SILAS NUTTER, 900 Peckham Road, New Bedford, MA 02745, Account No. 1029297, in the amount of \$5,673.24. This motion passed on a voice vote.

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Notice, City Clerk of reference of a WRITTEN MOTION, Councillor Morad, requesting that Department of Public Infrastructure Commissioner Jamie Ponte provide the Committee on Finance with a summary report detailing current and past due Commercial, Industrial, Municipal and Residential accounts for Water and Wastewater billings as of January 31, 2022, said report shall include comparable information for the periods of March 2021 and August 2021 (To be Referred to the Committee on Finance.) (Ref'd 02/10/2022) (05/19/2022 – tabled 120 days) was removed from the table by Councillor Morad and seconded by Councillor Burgo. (2)

On motion by Councillor Burgo and seconded by Councillor Morad, the Committee VOTED: To receive and placed on file the graph submitted by Commissioner Ponte, detailing current and past due Commercial, Industrial, Municipal and Residential accounts for Water and Wastewater billings as of January 31, 2022. This motion passed on a voice vote.

Councillor Morad was concerned about the increase in past due balances as it related to water and wastewater billings. Commissioner Ponte explained the figures were off because of the dates that the data was taken. The Water Department ran their report up until October 13, 2022, when it would have been better to use the cutoff date of October 14, 2022. Councillor Morad expressed her disappointment that the Water Registrar Fred Gomes would not just run the correct date which would have provided the Committee with a more accurate report. She asked if the Water Department would be able to run a report that would be more appropriate for the Committee to review. The Commissioner told her he would be able to do this.

On motion by Councillor Morad and seconded by Councillor Burgo, 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 WRITTEN MOTION, Councillors Burgo, Giesta, Gomes, Markey, Morad and Carney, requesting that within the next 30 days, the City Auditor, City Solicitor and Interim Chief Financial Officer provide a detailed accounting of all monies spent to date from the \$250,000 appropriated by the City Council in August 2019 to retain the Boston based municipal law firm KP Law, PC to fund legal expenses in conjunction with the City's opposition to the expansion of Parallel Products; and further that in addition to said detailed accounting the City Council Committee on Finance be provided with copies of all invoices from KP Law, PC, or any other companies, reflecting itemized explanations for services provided (To be Referred to the Committee on Finance.) (Ref'd 08/18/2022) was received and placed on file by Councillor Morad and seconded by Councillor Burgo. (3)

Councillor Morad made a motion to receive and place on file packet submitted by the City Solicitor's office, which was seconded by Councillor Gomes. This motion passed on a voice vote.

City Solicitor Jaikes gave an overview of the payments issued to KP Law to fight the Parallel Production proposal as well as an explanation as to when KP Law was removed from the project and replaced by the firm Beverage and Diamond.

Councillor Morad expressed concern that the \$250,000 originally approved by the City Council for the City to pay KP Law to fight the Parallel project and not to fund another law firm to look to establish to create a Host Community Agreement. She did not believe these funds should have been used to pay Beverage and Diamond.

Solicitor Jaikes disagreed with the Councillor stating that funds were legally spent and that the Host Community Agreement was spent to vigorously fight the Parallel Project, got Parallel to concede to not handling Bio-solids, which led the Administration to have a victory. The Administration then decided that while they would not be making the decision on the business, they would take steps to secure agreements beneficial to the city with Parallel should they be granted a permit to conduct their business in the city. This is why the Administration chose the Host Community Agreement route.

Councillor Lima stressed his concerns about the Host Community Agreement being negotiated as well. He stated that the bottom line was that the Council went on record against the proposal and approve the \$250,000 in funding to fight the project.

On motion by Councillor Morad and seconded by Councillor Carney, the Committee VOTED: To table this matter for ninety (90) days. This motion passed on a voice vote.

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Notice, City Clerk of reference of a COMMUNICATION, Councillor Morad, submitting an email and spreadsheet from CFO Sky regarding the City's current COVID-19 Expenses as of June 5th (To be Referred to the Committee on Finance) (Ref'd 06/25/2020) (Updated spreadsheets provided by the CFO's Office and distributed to all Councillors – 10/20/2020; 02/08/2021; 08/10/2021; 11/24/2021; 05/16/2022) (Item tabled – 10/19/2020; 02/10/2021; 8/16/2021) (11/29/2021 – tabled 3 months) (05/19/2022 – tabled 90 days) was removed from the table and received and placed on file by Councillor Morad and seconded by Councillor Carney. (4)

On motion by Councillor Morad and seconded by Councillor Gomes, the Committee VOTED: To receive and place on file the packet provided by Mike Gagne, CFO. This motion passed on a voice vote.

Mike Gagne, CFO was present and gave an overview of the Covid-19 spending and recovery from various government agencies. He explained that of the \$8,403,705 that the city submitted in expenses through the states CARES Act, that the city received \$8,340,651.51; a 98.5% reimbursement. He attributed this to the incredible and diligent work done by Emergency Management Director Brian Nobrega and Sharon Thomas of the CFO's office.

The city has also submitted covered items to FEMA and to date have only received \$984,000 from them. The city has submitted \$4,035,784.68 to FEMA. It was explained that FEMA takes a very long time to reimburse communities. They were given the example that the city just this year received reimbursement for the major snowstorms that hit the city a few years ago. Mr. Gagne said that Covid is still a very active matter in

the city and where the Federal Government has not yet lifted the State of Emergency, the city is able to submit costs incurred to FEMA.

On motion by Councillor Morad and seconded by Councillor Burgo, the Committee VOTED: To table this matter for one hundred twenty (120) days. This motion passed on a voice vote.

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On motion by Councillor Burgo and seconded by Councillor Gomes, the Committee VOTED: To waive the reading and refer out to the City Council recommending "No Further Action" on items five (5) and six (6). This motion passed on a voice vote. They are as follows:

Notice, City Clerk of reference of a WRITTEN MOTION, Councillor Morad, requesting, that the Acting Chief Financial Officer immediately supply to the Committee on Finance a listing of the applications received through April 28, 2022, under the Enhanced Façade Improvement Program funded by the ARPA program, said listing shall include the date of application, application amount, business name, address and nature of the building improvement project; and further, that the Chair of the Committee on Finance call a meeting of said Committee prior to May 15, 2022, to review the requested information. (To be Referred to the Committee on Finance.) (Ref'd 04/28/2022) (05/09/2022 – tabled 45 days) (5)

Notice, City Clerk of reference of a WRITTEN MOTION, Councillors Morad, Lima, Burgo, Baptiste, Gomes, Carney, and Dunn, submitting a copy of a Communication regarding Request for Response #22130143 – Vacant or Abandoned Property Rehabilitation, a City of New Bedford program funded under the American Rescue Plan Act; said communication requests the City Council's involvement in securing a twelve-month extension of the Administration's deadline for submission of proposals for funding under the Request for Response #22130143. (To be Referred to the Interim Chief Financial Officer and the Committee on Finance.) (Ref'd 09/08/2022) (6)

Councillor Burgo made a motion to adjourn, which was seconded by Councillor Dunn.

This meeting adjourned @ 8:06 p.m.

ATTEST:



Denis Lawrence, Jr.,
Clerk of Committees