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Finance Committee Meeting Minutes

JUN 13 2023

March 8, 2023 at 6:00 PM

The meeting was called to order by Chair Bridget Matthews-Kane at 6:00 PM. In attendance were Finance Committee members Councilor Bridget Matthews-Kane, Councilor Richard K. Sullivan, Jr. and Councilor Brent Bean. Also in attendance was Director of Public Works Fran Cain, Police Captain Jerome Pitoniak, Personnel Director Annie Larkham, City Clerk Kaitlyn Bruce, City Councilor Ralph Figy, City Auditor Vicki Moro and Assistant City Solicitor Shanna Reed and Scribe of the Finance Committee Karisa Zerbato.

Councilor Matthews-Kane asked if anyone from the public would like to speak during public participation.

Under "Public Participation" the Finance Committee was addressed by City Councilor Ralph Figy of 53 Brookline Avenue. Councilor Figy stated he would like more information on agenda item #7. He questioned the cost of the original vehicle and the need to upgrade it by \$46,000.00. He further added that there are multiple items that have multiple motions that should come out of those items, specifically items #4 and #5.

A motion was made by Councilor Sullivan for the approval of the recently signed American Federation of State County and Municipal Employees, Council 93, Local 1676 (Foreman Union) Successor Agreement for the period of July 1, 2022 through June 30, 2025. In addition, approval of a transfer in the amount of \$12,189.02 from the Reserve for Future Salary Increase from the General Fund Account #1950000-519999 to fund the agreement as follows: \$4,010.18 to the Land and Natural Resources FT Salary Account #14990000-511000 and \$8,178.84 to the Highway FT Salary Account #14210000-511000. The motion was seconded by Councilor Bean.

Prior to the vote, Shanna Reid stated there are two old opinions from the Law Department dated January 21, 2000 and March 26, 2013 which are still relevant and reflective of good law. She further stated that M.G.L. c.150E, section 7 states that the employer (the Mayor) must submit to the appropriate legislative body (Finance Committee) within 30 days after the date the agreement is executed by the parties or a request for an appropriation necessary to fund the cost items. She added that the Finance Committee does not approve the contract, it only approves the cost items. Councilor Matthews-Kane asked if only the Finance Committee can't ask questions or if it applies to other committees as well. Ms. Reid stated the contract isn't being negotiated. She further stated that School Committee contracts go before the School Committee under Executive Session. She continued that she is not going to discuss negotiation strategies in an open session. Councilor Matthews-Kane asked why this is coming up now as the Finance Committee has asked questions in the past. Ms. Reid stated she will not discuss her negotiation strategies in an open session and is not sure why it was done previously. She further stated if there is a cost item concern it can be sent back to the negotiation table. Councilor Sullivan stated that he agrees with the opinion and that the contracts shouldn't be coming however in the past it has occurred. Councilor Bean questioned if cost items could be asked about. Ms. Reid stated the Mayor is the one authorized to approve the language and negotiate with the Union. Councilor Matthews-Kane stated the financial agreements are tied to the negotiations, the money is being

given because the City is getting something in return. She asked if they can ask what that is. Ms. Reed stated she believes the Mayor would only approve the contract if he believes that the administration got what they needed out of the contract. Councilor Bean asked how this contract is different from the police contract. Councilor Sullivan stated that Ms. Reid would have not answered the questions. Ms. Reid agreed. Councilor Bean stated a ruling on these questions legally needs to be obtained. Ms. Reid stated she has two opinions with case law that supports her decision. Councilor Matthews-Kane stated it was not explained to her that she was not going to be allowed to ask questions. Ms. Reid responded questions can be asked however she is not going to answer negotiation questions. Councilor Matthews-Kane stated she has a problem with the contract and for two years has been fighting to get the gender language taken out. She further added she has been in contact with Civil Service in regards to this. Ms. Reid asked Councilor Matthews-Kane if she looked at item #9 in the agreement. Councilor Matthews-Kane stated she reached out for clarification to the Civil Service. Ms. Reid stated none of this information was relayed to the negotiation team. Councilor Matthews-Kane stated she thinks this is critical and wouldn't take much to revise it. Ms. Reed stated she agrees but it is not a cost item to be discussed. Ms. Reed stated the word foreman is being taken out and being changed to Public Works Supervisor if that is the only concern. Councilor Matthews-Kane stated this was one of her concerns and that City Council has the right to talk about it on the floor.

A motion was made by Councilor Bean to hold this item in Committee. The motion was seconded by Councilor Sullivan. The motion passed 3-0 with Councilor Sullivan, Councilor Bean and Councilor Matthews-Kane voting YES.

A motion was made by Councilor Bean for the acceptance of two Grants in the amount of \$12,717.38 and \$106,478.16 from the Federal Emergency Management Agency (FEMA) to the City of Westfield to cover costs incurred during the Covid pandemic. The motion was seconded by Councilor Sullivan.

Prior to the vote, Councilor Matthews-Kane stated she will get more information in regards to this item and present it to the full City Council. The motion passed 3-0 with Councilor Sullivan, Councilor Bean and Councilor Matthews-Kane voting YES.

A motion was made by Councilor Sullivan for the acceptance of a Grant from the Commonwealth of Massachusetts Executive Office of Technology Services and Security (EOTSS) that will provide cybersecurity training to the City of Westfield and Westfield Public School Employees. The motion was seconded by Councilor Bean.

Prior to the vote, Councilor Matthews-Kane spoke to Lenore Bernashe. This is the fourth year that the City has received this grant from the State. This grant will provide training to City and School employees. If the grant isn't accepted the City would have to pay \$30,000.00 to purchase the training from an outside party. The motion passed 3-0 with Councilor Sullivan, Councilor Bean and Councilor Matthews-Kane voting YES.

A motion was made by Councilor Bean for the transfer of \$47,672.42 within the Police Department from the Towing and Storage Account #24210714-585001 to the Equipment Vehicle

Account #12100000-585001 to upgrade an upcoming vehicle purchase to the Hybrid model to save on fuel costs. The motion was seconded by Councilor Sullivan.

Prior to the vote, Captain Pitoniak stated this is to purchase a Hybrid vehicle. He further added that in the next purchase cycle he would like to purchase one Hybrid cruiser and see the cost savings and if it works out then he would look into purchasing Hybrid's for the entire line. The Hybrid vehicle being purchased will be used by the Traffic Bureau. He further added that car 18 is at the auction yard, car 1 was transferred to the Building Department and car 4 was transferred to the Conservation Department. Councilor Bean asked what the cost difference is between a regular vehicle and a Hybrid vehicle. Captain Pitoniak stated approximately \$3,400.00. Councilor Bean asked what the balance is in the Towing Account. Vikki Moro stated approximately \$40,000.00 after the purchase. Captain Pitoniak stated that in order for the City to receive grants it is important to have Hybrid vehicles. Councilor Bean asked if the City is still using Interstate Towing. Captain Pitoniak confirmed. Councilor Bean asked if the fees have increased at all. Captain Pitoniak stated no and the contract is renegotiated every three years. Councilor Matthews-Kane questioned what grants were being referred to. Captain Pitoniak stated when grants are filled out if a box is checked for a hybrid vehicle it is beneficial. The motion passed 3-0 with Councilor Sullivan, Councilor Bean and Councilor Matthews-Kane voting YES.

A motion was made by Councilor Sullivan for the 1905.00 from the City Clerk's FT Salary Account #11610000-511000 to the City Council Purchase of Service Account #11110000-520000 to cover costs associated with required legal advertisements. The motion was seconded by Councilor Bean.

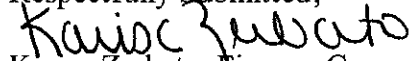
Prior to the vote, City Clerk Kaitlyn Bruce stated there has been an increase in the cost and amount of legal advertisements. She further added there is money in the FT Salary Account to cover the amount being requested. Councilor Matthews-Kane asked why there is money in the account. Mrs. Bruce stated because Karen Fanion retired in July and the position wasn't replaced until September and the prior Assistant City Clerk's position wasn't replaced until November. Councilor Matthews-Kane asked if there was just an increase in advertisements or if the cost went up too. Mrs. Bruce stated both. The motion passed 3-0 with Councilor Sullivan, Councilor Bean and Councilor Matthews-Kane voting YES.

A motion was made by Councilor Sullivan for the transfer of \$950.00 within the Department of Public Works Water Division from Workman's Comp FY23 Account #68004500-519200 to the Workman's Comp FY 22 Account #68004500-519200 to cover previously incurred costs recently billed to the department by Personnel. The motion was seconded by Councilor Bean.

Prior to the vote, Fran Cain stated this was a bill for an employee that has since retired. It is to cover the costs of a medical evaluation. Councilor Sullivan asked if the City requested the evaluation. Mr. Cain confirmed. Councilor Sullivan asked if the invoice came from the provider. Anne Larkham confirmed. Councilor Sullivan asked if this bill was from last year. Mr. Cain confirmed. The motion passed 3-0 with Councilor Sullivan, Councilor Bean and Councilor Matthews-Kane voting YES.

A motion was made by Councilor Sullivan to adjourn the meeting at 6:29 PM. The motion was seconded by Councilor Bean. The motion passed 3-0 with Councilor Sullivan, Councilor Bean and Councilor Matthews-Kane voting YES.

Respectfully Submitted,

Handwritten signature of Karisa Zerbato in black ink.

Karisa Zerbato, Finance Committee Scribe