

Personnel Action Committee

Minutes for meeting on 10/24/2023 Meeting at City Hall, Council Chambers - 5:00 PM

Committee Members - Chair Cindy Harris (present), Councilor Ralph Figy (present) and Councilor James Adams (not present).

The Law Department has requested that we ask if anyone is audio/video recording or livestreaming the meeting - None.

We have one item on the agenda.

Submitting the appointment of John E. Garber, Esq. to the position of part-time Assistant City Solicitor for a three-year term to expire in September, 2026.

Law Department's First Assistant Shanna Reid states Attorney Garber is an invaluable member of that department. Attorney Reid says since 2014 he has provided exceptional representation to the City in all areas of Litigation. Mayor McCabe has requested Council to reappoint him to a three-year term.

At his last reappointment, all Councilors at the meeting voted yes. It was stated then that Attorney Garber was first appointed by Mayor Knapik and confirmed by the City Council when he replaced Attorney William O'Grady who was appointed a District Court judge.

In the legal field he is known as an expert litigator. He oversees all litigation in Superior Court for the City of Westfield, and guides and reviews our Law Department in litigation cases. He also consults with the City's department heads and schools, mostly on employment issues, injury and land use matters.

His role has reduced considerably the need to hire outside legal help.

As well as serving part-time for our City since 2014, his professional background includes:

November 2002-present – He is co-founder of Weinberg and Garber, P.C., Northampton, MA. As a litigation attorney his firm concentrates on high stake cases including being part of a multi firm team that in 2016 obtained a thirty two million dollar jury verdict in a wrongful death case in Hampden County Superior Court. He handles all aspects of litigation in the State and Federal courts, in administration agencies and in arbitration mediation.

From 1996-2002, he was a Litigation Associate at Shoenberg, Fisher and Newman where he supervised cases in State and Federal Courts.

He was President of the Hampshire County Bar Association, is CPCS certified for court appointed cases and is a mock trial judge and coach for high schools and colleges. He has an impeccable reputation in the court system.

At his last reappointment Councilor Figy sated "my highest compliments to Attorney Garber and his work." Councilor Onyski stated that "Attorney Garber has done a good job and it's great that we have a litigator in the Law Department."

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Also, at that time, Councilor Mello had sent to the Personnel Action Committee five questions for Attorney Garber which were presented to him, and his answers were given at that meeting, concluding with – that his priority is always the course of action which is in the best interest for the City and his decisions are always legal-based.

Chair (to Committee Member Figy): Any comments or a motion.

Motion made by Councilor Figy to recommend the reappointment of Attorney Garber, 2nd by Councilor Harris.

All in favor – Harris – yes,

Figy - yes

Motion passes on a 2-0 vote.

Chair: The minutes will be as stated at this meeting and given to the City Clerk tomorrow, October 25, 2023.

Motion to approve the minutes for this meeting of October 24, 2023 made by Councilor Figy, 2nd by Councilor Harris

All in favor – Harris – yes

Figy – yes

Motion passes on a 2-0 vote.

Motion to adjourn made by Councilor Figy, 2nd by Councilor Harris.

All in favor – Harris – yes

Figy – yes

Motion passes on a 2-0 vote.

Meeting adjourned at 5:14 PM.

Submitted by Cindy Harris, Chair October 25, 2023