

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE
MINUTES OF MEETING OF JANUARY 15, 2020

The Finance Committee meeting was called to order by Council President James Walsh at 12:00 p.m. in the City Council Chamber, Room 219, City Hall. Finance Committee Members Councillors Ronald Cormier and Elizabeth Kazinskas were also present.

Others participating were DPW Director Dane Arnold; Community Development & Planning Director Trevor Beauregard; Community Development & Planning Assistant Director Jeffrey Legros; Human Resources Director Debra Pond; City Auditor John Richard; and, City Clerk Alan Agnelli.

President Walsh asked if anyone present planned to record the meeting, in accordance with the requirements of the Open Meeting Law, as follows:

Any person may make a video or audio recording of the open session of this meeting so long as it does not interfere with the conduct of the meeting. All documents and exhibits used or referenced at this meeting shall be submitted in duplicate to the City Clerk, as they become part of the minutes of the meeting. Is there anyone present who will be recording this meeting?

No one responded.

1-1 Reading and Approval of Minutes of Prior Meeting.

On a motion by Councillor Ronald Cormier and seconded by Councillor Elizabeth Kazinskas, it was voted to approve the Minutes of the December 11, 2019 Regular Meeting, as printed.

2-1 #10229, An Order Appropriating \$400,000.00 from Free Cash to Greenwood Pool Demolition Account (In City Council and Referred to Finance, 1/6/2020).

Councillor Ronald Cormier opened the discussion by recommending that the Order be returned to the Executive Department as there should be an engineering report that identifies whether an imminent danger exists. He said that there should be a preliminary plan for reuse of the land, including the former National Grid Substation parcel, and that a plan should include projected costs and a timeline for implementation.

Councillor Cormier moved to return the Order to the Executive Department for further information, including an engineering report certifying a need for demolition and for a land reuse plan, including the former National Grid Substation parcel that includes projected costs and a timeline for implementation.

Councillor Elizabeth Kazinskas seconded the motion.

On the motion, Councillor Kazinskas recommended that such a Plan be timely submitted to the Council, adding her concern that delays may affect the cost for demolition and/or reuse.

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Citing the Mayor's correspondence, President Walsh stated that the Committee needs a better sense for reuse of the parcels, particularly since the Mayor seeks to use \$400,000.00 from Free Cash to demolish the building.

On the motion, it was voted unanimously to recommend that the following Order be returned to the Executive Department for further information, including and engineering report certifying a need for demolition and for a land reuse plan, including the former National Grid Substation parcel that includes projected costs and a timeline for implementation.

AN ORDER APPROPRIATING FROM FREE CASH TO GREENWOOD POOL DEMOLITION ACCOUNT.

ORDER: That there be and is hereby appropriated the sum of Four Hundred Thousand Dollars and No Cents (\$400,000.00) from Free Cash to the Greenwood Pool Demolition Account.

2-2 #10230, An Order Appropriating \$95,500.00 from Sewer Surplus to Sewer Capital Project Pump Station Upgrades Expense (In City Council and Referred to Finance, 1/6/2020).

DPW Director Dane Arnold informed the Committee that the appropriation would fund evaluation, design, and construction services for improvements to the Dyer and Coleman Street sewer pump stations. He said that \$600,000.00 is the estimated cost for construction of both stations and that the recent \$1,750,000 Loan Order for sewer main installation and upgrades, which provides for upgrades to the Willis Road Pump Station and the City Hall Avenue sewer upgrades, should have a sufficient surplus to cover the cost of the Dyer Street and Coleman Street upgrades.

On a motion by Councillor Ronald Cormier and seconded by Councillor Elizabeth Kazinskas, it was voted to recommend that the following Order ought to pass:

AN ORDER APPROPRIATING FROM SEWER SURPLUS TO SEWER CAPITAL PROJECT PUMP STATION UPGRADES EXPENSE.

ORDER: That there be and is hereby appropriated the sum of Ninety Five Thousand Five Hundred Dollars and No Cents (\$95,500.00) from Sewer Surplus to Sewer Capital Project Pump Station Upgrades Expense.

3-1 A Measure Confirming the Mayor's Appointment of Priya Gandbhir to the position of Assistant City Solicitor for term expiring 1/3/2021.

On a motion by Councillor Ronald Cormier and seconded by Councillor Elizabeth Kazinskas, it was voted to recommend confirmation of the Mayor's Appointment of Priya Gandbhir to the position of Assistant City Solicitor for term expiring 1/3/2021.

President Walsh noted that Atty. Gandbhir is being reappointed.

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3-2 A Measure Confirming the Mayor's Appointment of Dr. Michele Parker to the position of Member, Board of Health, for term expiring 12/31/2022.

On a motion by Councillor Ronald Cormier and seconded by Councillor Elizabeth Kazinskas, it was voted to recommend confirmation of the Mayor's Appointment of Dr. Michele Parker to the position of Member, Board of Health, for term expiring 12/31/2022.

President Walsh noted that Dr. Parker is replacing Dr. John Mulqueen who recently relocated to another community.

Councillor Kazinskas added that she knows Dr. Parker personally and praised her qualifications.

3-3 A Measure Confirming the Mayor's Appointment of Robert O'Keefe to the position of Information Technology Director for term expiring 1/7/2023.

On a motion by Councillor Ronald Cormier and seconded by Councillor Elizabeth Kazinskas, it was voted to recommend to the City Council to confirm the Mayor's Appointment of Robert O'Keefe to the position of Information Technology Director for term expiring 1/7/2023.

President Walsh noted that he has received very good feedback about Mr. O'Keefe's job performance.

3-4 A Measure Confirming the Mayor's Appointment of Stephen Hirons to the position of Sealer of Weights and Measures for term expiring 1/8/2021.

On a motion by Councillor Ronald Cormier and seconded by Councillor Elizabeth Kazinskas, it was voted to recommend to the City Council to confirm the Mayor's Appointment of Stephen Hirons to the position of Sealer of Weights and Measures for term expiring 1/8/2021.

3-5 A Measure Confirming the Mayor's Appointment of Lyndsy Butler to the position of Conservation Agent for term expiring 1/8/2023.

Community Development & Planning Director Trevor Beauregard informed the Committee that Lyndsy Butler applied for the position of Assistant Director of Community Development and Planning, but the position was given to Jeffrey Legros, the City's Conservation Agent, thus leaving his position vacant.

He said that Ms. Butler worked as Administrator in the Townsend Land Use Department for five years and then as Land Use Coordinator for the past year and formerly worked for the Massachusetts Department of Correction and the Sheriff's Office for eight years. She recently completed her MBA from Fitchburg State University and is currently enrolled in Suffolk University's Public Management Program in Littleton, he added.

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Continuing, Mr. Beauregard said that Ms. Butler started working as Conservation Agent during the last week of December.

President Walsh expressed concern that she started working before she was appointed by the Mayor and confirmed by the City Council. It was noted that the Mayor did not file a temporary appointment certificate for her.

Mr. Beauregard said that the position needed to be filled right away.

On a motion by Councillor Ronald Cormier and seconded by Councillor Elizabeth Kazinskas, it was voted to recommend to the City Council to confirm the Mayor's Appointment of Lyndsy Butler to the position of Conservation Agent for term expiring 1/8/2023.

4-1 #10226, Correspondence from the Mayor Relative to the Title and Compensation of the Executive Secretary (Introduced under New Business and referred to Finance, 12/16/2019; More time granted, 1/6/2020).

Opening the discussion, Councillor Ronald Cormier noted that the Mayor's request to change the position title and to increase compensation at this time has implications beyond this position and suggested that such a change should require input from a new executive administration.

Councillor Cormier moved to return the request to the Executive Department for consideration during the FY2021 Budget process.

Councillor Elizabeth Kazinskas seconded the motion.

On the motion, Councillor Kazinskas cited the current uncertainty of Mayor Hawke's intentions and suggested that the Executive Secretary deserves additional compensation for assuming many more responsibilities since the Executive Aide position has been vacant for a long time. She questioned whether any action could be taken at this time to provide additional compensation during the interim.

Councillor Cormier agreed that the Executive Secretary has assumed many more duties and that her presence is vital; however, the changes in the Mayor's office should be studied along with the other positions and that it isn't appropriate to change the Executive Department staffing structure at this time.

President Walsh noted that the Mayor's correspondence did not include a Job Description and an Ordinance amendment. He suggested that the new Mayor may desire to consider restructuring the staffing and noted that the Mayor did not fill the Executive Aide position for the entire year of 2019. He also said that the Mayor's Office once had a position of Administrative Assistant, but that the Ordinance defining the

position was repealed; however, the Mayor's current Budget contains a line item for Administrative Assistant.

4-2 **An Ordinance Amending the Code of the City of Gardner, Chapter 171 Thereof, Entitled "Personnel" to change Article IX. Vacations for City Officers and Employees, Section 171-36, Other full-time officers and employees; and, by adding new Section 171-37 (a) Conservation/Planning Agent, providing for additional vacation leave.**

Human Resources Director Debra Pond informed the Committee that Mayor Hawke directed her to submit the proposed Ordinance amendments to the Finance Committee, but that the Community Development and Planning Director was better suited to explain the amendments.

Community Development and Planning Director Trevor Beauregard explained that Ms. Butler, the new Conservation Agent, has an extensive work background and education and that she requested three weeks of vacation leave. He said that he discussed the request with the Mayor and that the Mayor agreed to offer her 3 weeks; however, he and the Mayor did not know that the City Code allowed for only 2 weeks. Therefore, he said, the amendment was proposed for a "one-time exception" for only the Conservation Agent, but that vacation leave should be looked at on a case-by-case basis.

Continuing, Mr. Beauregard stated that 4 of the 6 employees in his Department possess undergraduate or advanced degrees or have relevant experience and that without some flexibility, the City is limited in its ability to offer compensation packages to attract qualified persons. He said that when he was hired ten years ago as Economic Development Coordinator, Mayor Hawke and Rob Hubbard granted him with three weeks of vacation leave.

On questioning from President Walsh, Ms. Pond stated that the Mayor advised her that the only position to be considered for the additional week vacation leave is the Conservation Agent's position and that the Mayor did not provide any correspondence to support the request.

President Walsh questioned the authority by which she was hired, noting that she wasn't hired through a 60-day temporary appointment, although she has been on the payroll since the last week of December.

Ms. Pond stated that she was unaware whether the Mayor filed a 60-day temporary appointment, but that she understands that Ms. Butler will continue in the position even though the vacation leave may not be extended.

Continuing, Ms. Pond expressed concern that, if adopted, the Ordinance amendment would "open Pandora's box" as it would affect many other municipal positions, particularly those with similar educational qualifications and/experience. She said that perhaps the City should study the current vacation leave benefits for all positions and

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noted that in 2009, the City amended its non-union vacation leave benefits for department heads by adding a third week upon hire. She added that if a third week of vacation leave is granted to the Conservation Agent, it would then match the vacation leave for all new department heads and those with less than ten years of service in the position.

Councillor Kazinskas questioned whether Ms. Pond is aware of other examples of employees granted vacation leave beyond what is permitted by the City Code.

Ms. Pond responded by saying that she is aware of only Trevor Beauregard's situation, that when he was hired as Economic Development Coordinator, the Mayor directed her to allot 3 weeks of vacation leave to Mr. Beauregard upon his hire, which was beyond that which was permitted by Ordinance. She added that she objected to the additional week, but was overruled by the Mayor.

Councillor Cormier also expressed concern that such an arrangement would "open Pandora's box" and cause confusion.

President Walsh suggested that the issue of vacation leave be studied more comprehensively which should involve the input from the Executive Office.

The Committee suggested that the HR Director study and then formulate a comprehensive plan for vacation leave, as well as a Compensation Plan with steps.

On a motion by Councillor Ronald Cormier and seconded by Councillor Elizabeth Kazinskas, it was voted to recommend to the City Council to refer the Measure back to the Finance Committee for further study and that the Human Resources Director research methods to address vacation leave and compensation issues.

4-3 An Ordinance Amending the Code of the City of Gardner, Chapter 171 Thereof, Entitled "Personnel" to change Article XIII. Department Head Benefit Time and Longevity Pay, Section 171-53, Vacation, providing for additional vacation leave.

On a motion by Councillor Ronald Cormier and seconded by Councillor Elizabeth Kazinskas, it was voted to recommend to the City Council to refer the Measure back to the Finance Committee for further study and that the Human Resources Director research methods to address vacation leave and compensation issues.

5-1 #10231, A Measure Authorizing the City to Enter in Contracts not-to-exceed 5 Years for School Transportation Services (In City Council and Referred to Finance, 1/6/2020).

On a motion by Councillor Ronald Cormier and seconded by Councillor Elizabeth Kazinskas, it was voted to recommend to the City Council to authorize the City to enter into contracts not to exceed five (5) years for School Transportation Services, pursuant to the provisions of Massachusetts General Law, Chapter 30B, section 12 and under the terms outlined in the Purchasing Agent's December 13, 2019 Memorandum.

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5-2 An Order Relative to the March 3, 2020 Presidential Primary.

On a motion by Councillor Ronald Cormier and seconded by Councillor Elizabeth Kazinskas, it was voted to recommend to the City Council to adopt the following Order:

PRESIDENTIAL PRIMARY ORDER
TUESDAY, MARCH 3, 2020

It is ordered that meetings of the citizens of this City qualified to vote in the Presidential Primaries shall be held on **TUESDAY, MARCH 3, 2020** for the purpose of casting their votes in the Presidential Primaries for the candidates of political parties for the following offices:

PRESIDENTIAL PREFERENCE.....FOR THIS COMMONWEALTH
STATE COMMITTEE MAN.....WORCESTER & MIDDLESEX DISTRICT
STATE COMMITTEE WOMAN.....WORCESTER & MIDDLESEX DISTRICT
WARD COMMITTEECITY OF GARDNER

It is further ordered that the polls shall open at 7:00 o'clock in the morning and close at 8:00 o'clock in the evening.

5-3 A Measure Authorizing the FY2020 Community Development Block Grant Mini Entitlement Plan.

Community Development & Planning Assistant Director Jeffrey Legros informed the Committee that the CDBG Application is due by March 6.

President Walsh suggested that Mr. Legros present the Block Grant Mini-Entitlement Plan to the entire Council in an informal session on February 3, 2020, since there are three new Councillors who should become familiar with the program and the process.

On a motion by Councillor Ronald Cormier and seconded by Councillor Elizabeth Kazinskas, it was voted to recommend to the City Council to refer the following Resolution to the Council as a Committee of the Whole:

FY 2020 COMMUNITY DEVELOPMENT BLOCK GRANT
Mini-Entitlement Plan

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARDNER AS FOLLOWS:

WHEREAS, the City council has reviewed the proposals prepared by the Department of Community Development and Planning for inclusion within the FY 2020 Community Development Block Grant (CDBG) Mini-Entitlement Plan; and

WHEREAS, the CDBG proposals seek funding for support of public social services, demolition, infrastructure repair and upgrade, economic development, rehabilitation, planning and design, and associated administrative costs; and

WHEREAS, the activities proposed within the FY 2020 CDBG Mini-Entitlement Plan meet the priorities identified within the City's 2018-2021 Community Development Strategy, and the 2004 Community Development Plan; and

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WHEREAS, the City does not possess the bonding capacity or have the availability of funds to appropriate from its general budget to undertake such projects and reliance upon grant funds is required; and

WHEREAS, the City Council supports each of the activities as being consistent with the City's goal of promoting quality programs for its citizens;

NOW THEREFORE, the City Council hereby extends its support of each proposed activity and endorses the City's FY 2020 CDBG Mini-Entitlement Plan to be submitted to the Commonwealth of Massachusetts, Department of Housing and Community Development.

6-1 A Measure Authorizing an Eighth Amendment to the April 9, 1968 Lease Between the City and Henry Heywood Memorial Hospital (Ref: Council Calendar No. 10119).

The Committee postponed further action on the Lease until Attorney Phillips completes additional research.

6-2 A Measure Authorizing an Easement Relocation Agreement Between the City of Gardner and Massachusetts Electric Company (Ref: Finance Committee Agenda No. 6-1).

The Committee postponed further action on the Easement until Attorney Phillips completes additional legal research.

NEW BUSINESS

The Committee was informed that the term of office for City Auditor John Richard expires on February 3, 2020, so the Committee recommended that the election for the City Auditor be placed on the February 3, 2020 Regular Meeting Calendar.

ADJOURNMENT

On a motion by Councillor Elizabeth Kazinskas and seconded by Councillor Ronald Cormier, it was voted to adjourn at 12:47 p.m.