

CITY COUNCIL STANDING COMMITTEE
Budget & Finance Committee
Thursday, May 5, 2011 – 6:00 p.m.
1st Fl. Council Conference Rm. – City Hall

-MINUTES-

Present: Chair, Councilor Steven Curcuru, Vice Chair, Councilor Paul McGeary, Councilor Jacqueline Hardy

Absent: None.

Also present: Councilor Theken, Councilor Tobey, Councilor Mulcahey, Councilor Verga; Councilor Ciolino; Linda T. Lowe; Kenny Costa; Jeff Towne; Police Chief Michael Lane; Fire Chief Dench; Deputy Fire Chief Stephen Aiello; David Bain; Mike Hale; Gregg Cademartori; David Bain; Firefighter Phil Bouchie; Mary Richardson; Police Sgt. Lianos; Police Lt. Auld and several other Police and Fire Department members

**The meeting was called to order at 6:00 p.m. Items were taken out of order.
A quorum of the City Council was present.**

ADDENDUM:

1. *Consider the layoff/dismissal of the Assistant City Auditor*

Councilor Hardy in her role as Council President read a statement into the record as follows:

“It has been said that we live in a society which features a government of law, not of men. That is just as true in the City of Gloucester as it is in our federal and state governments. Our government is defined by a City Charter and by ordinances enacted pursuant to State law. That Charter is the Constitution of our City, and it makes it very clear that there are multiple bodies of government which are charged to run the affairs of our City: an Administration, a Council, a School Committee, and numerous appointed bodies. No one of them is all powerful, and each of them must work with and respect the prerogatives of the other bodies of our local government. As citizens we need to be assured that the checks and balances built into our City Charter continue to stand strong and are respected by those who run the affairs of our City. So, when it comes to the conduct of City affairs, the Mayor and Council must work in tandem, respecting the rules and engaging one another in partnership. And we need to recognize the divided structure of our Charter and the “checks and balances” that are built into it. The Council is in charge of the City Clerk’s office and the Auditor’s office; and the Mayor is in charge of the rest. Each can question the conduct of the other in how it fulfills these responsibilities, but neither can interfere in the other’s fulfillment of those responsibilities. By attempting to terminate the Assistant City Auditor, the Administration has violated this rule; and we need to say “no.” And in saying “no”, let’s make something very clear: there’s a reason why people chose the “checks and balances” system of divided government with a sharing of responsibility – they want decisions made in fair and balanced ways, after careful deliberation, collaboration, and with an open exchange of competing points of view. That didn’t happen here; and it needs to stop - here and now. I ask the Council to join me in drawing a line in the sand not only for this Council, but for future Councils to come, or until such time as the registered voters of the City of Gloucester vote to eliminate the checks and balances system of our government by voting to change our Charter.”

The Councilor noted as Council President she had received emails from Mary Richardson, Assistant City Auditor and Kenny Costa, City Auditor challenging Ms. Richardson’s layoff for such reasons as there is a division between the Administration and the legislative side of City government. Because time was of the essence as someone’s job and livelihood is in jeopardy, she asked for the Special City Council meeting to

refer this matter to B&F and the B&F addendum to their agenda. For discussion purposes she brought a motion forward (see pg. 2) for further discussion.

Councilor Curcuru asked David Bain, Personnel Director to explain the Administration's stance on this matter. **Mr. Bain**, who didn't feel he'd be able to explain that stance fully, would explain his thought process. He was given a list by people within the Administration for certain layoffs deemed necessary. Of that list, most were union members, and found no impediments in their union contract to preclude their layoffs. He did not review the Charter, nor the ordinances or anything similar. Mr. Costa brought to his attention over the past few days that there could be a problem with Ms. Richardson's layoff. Today he asked the City Solicitor to look into this and to give a legal opinion which he expects to the next day or Monday (May 9th) to see what the actual status is. He stated for the record that this was a layoff, and not a malicious act on anyone's part. **Councilor Curcuru** clarified that his understanding is that there is now a question [on this layoff]. **Mr. Bain** responded there is a question now on the layoff, but at the time he thought they were on firm ground or he would have recommended against it. He apologized to the Councilors if this had been his mistake. Further, if the Council is correct, he agreed Ms. Richardson should not lose anything by this act. If the Council is right, which they well may be, and then she would not lose anything by it. **Councilor Hardy** wished to limit this not to the merits of performance but to speaking of the City Charter and to the division of Executive to Legislative branch of government and is what the motion was directed towards.

Councilor Tobey inquired which bargaining unit the Assistant City Auditor was under and that there was a contract in place; which **Mr. Bain** informed him was the GMAA and also confirmed a contract was in place. **Councilor Tobey** followed up with asking if there was a sense the contract in any way might alter the provisions of the Charter as relates to the reporting authority that exists between the Council and the Auditor's office which Mr. Bain stated, "not the Charter, no." **Councilor Tobey** continued that based on MGL c. 150E, §7 does not enable the Administration to assert jurisdiction over the Auditor's office. **Mr. Bain** responded, "not jurisdiction over the Auditor's office, no."

Councilor Ciolino asked why the City Solicitor was not there. **Mr. Bain** didn't know but believed she'd not been asked to be present. He reiterated he had asked her that day for her to look into the matter and give her opinion on it to make sure they could get this cleared. If he made an error, he wished to see it corrected and not to compound it. **Councilor Ciolino** continued by asking why she was not asked for an opinion sooner. **Mr. Bain** again stated he thought he was on firm ground. Mr. Costa was the person who raised this issue with him which made him question the layoff and thought they should look into Mr. Costa's assertions and see if they could "fix it."

Councilor McGeary read GCO §2-109(a):

"The office of Assistant City Auditor is hereby established. The Assistant City Auditor shall be appointed by the City Auditor subject to the confirmation of the City Council, and shall hold office for the remainder of the term for which the City Auditor making the appointment was appointed and until his successor is chosen and qualified."

Councilor Ciolino asked when they would deal with the City Clerk's office.

Councilor Tobey did not wish to speak to the quality of the Assistant Auditor's performance; rather, it was to speak as to how the function of the Auditor's office is viewed in the Statehouse. He related it had been a great thing to run into Robert Nunes who heads the Division of Local Services, and to see the changed demeanor he presents when it comes to the state of the City of Gloucester's finances, most critically its bookkeeping practices viewed which he believed were in poor circumstances not that long ago. He felt the Council needed to recognize that they have to sustain both now and in the future the resources necessary for that audit function to continue to be done well so that they never lapse back into the financial problems that existed not too long ago. They also need to hold as a Council very true to the to the Gloucester voters in 1975 who enacted this form of government expecting the Council to be a partner in the financial management of the City. It is very important in the aftermath of the last council meeting in speaking of prerogatives, that they respect those that the Council conferred on the institution.

Mr. Costa thought this position is critical to the Auditor's office. They report to the DOR, outside auditors, and State Auditors. He needs the assistance and help. Last year they did very well having filed all reports on time last year. Now they're putting the audit function at risk. He would like to see this position restored to keep the integrity, checks and balances of the office, and control within the City which is what they strive for.

MOTION: On motion by Councilor Hardy, seconded by Councilor Curcuru, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council that in accordance with and pursuant to Gloucester's Home Rule Charter, §2-7 and Gloucester Code of Ordinances §2-109, that the Budget and Finance Committee recommends to the full City Council, as the appointing authority for personnel in the Office of the City Auditor, that it declare that the supposed April 28, 2011 termination of the Assistant City Auditor, Mary Richardson by the Administration of Mayor Carolyn Kirk is null and void inasmuch as that Administration is not the appointing authority for the Auditor, Assistant City Auditor or the staff within the office of the City Auditor, and therefore lacks the legal capacity to terminate employees within the Auditor's department; and, further, that Mary Richardson return forthwith to her performance of her duties as Assistant City Auditor without a lapse in service, loss of any pay or benefits to which she was and remains entitled due to her employment in that position.

[NOTE: All eight City Councilors present were in support of this motion.]

Councilor Ciolino felt they should do the same thing for the City Clerk's office layoffs and learn what the mechanism would be. **Councilor Tobey** wished the facts were identical but believed they weren't and believed they should find out from General Counsel how the different fact pattern might influence the Council's role. The Council elects the City Clerk and confirms the Assistant City Clerk and chooses the Clerk of Committees, Charter 2-12; but it does not extend to the staff. Therefore they need to find out that difference. He thought that General Counsel be asked to explore this matter to provide a written opinion and be in attendance. **Councilor Theken** also believed since that was the purview of the O&A Committee that they should take it up at their next meeting of May 16, 2011.

MOTION: On motion by Councilor McGeary, seconded by Councilor Hardy, the Budget & Finance Committee voted 3 in favor, 0 opposed to refer the matter of the City Clerk office layoffs to the O&A Committee as well as to General Counsel for a written opinion prior to the O&A meeting of May 16, 2011 and for her to appear at that meeting to address the same issue.

2. Executive Session under MGL c. 30A §21(a) (1) of Agenda Item #1

Executive Session was determined by the Committee to be unnecessary and not entered into.

1. Continued Business

- A) Follow up on Comprehensive Report from CIAB to Council slated for City Council Agenda for May 24, 2011

Jeff Towne, CFO explained they sent out packets to all departments in November to get the process started and that the CIAB is a good representation of the community. Their difficulty is that the departments haven't had enough time to make comprehensive lists for them. They've had the departments submit their plans; they'll make tweaks to make it simpler to follow to gain more information from the departments. They've gone through all the submittals and have had a preliminary view, reviewed them and answered any Board questions. They've had the Chiefs, the DPW Director, and the Newell Stadium Building Committee before them. They established a threshold of what a capital

project should be for them to look at. They are trying, when debt comes off line, to establish a capital budget. Regarding what the Council will receive, the Board has a one year plan with some items that are in outer years such as the combined emergency services headquarters, new engines, dozers, dump trucks; repairs to the rink; plow trucks, Newell Stadium, City Hall, CPA funds etc. **Mr. Cademartori** noted the members were eager to come to B&F; but he wished to make sure the status of where the plan is, is not a reflection on their diligence. It is that they don't have a complete picture in order to provide the Council with a five-year plan although they wanted to provide one, but do not have one at this time. They're in a position of having some departments with fewer projects; a better understanding of timeframe or that they're grant funded dependent (i.e. some of the waterways projects) that rely on State and/or Federal funding and that will be fed into the real knowns of some of the other operations like the DPW. Mr. Hale has been working to put together the five-year plan for the enterprise funds and his department which is a big piece of it, and the schools as well. Without that kind of context it is difficult; they can make recommendations on what they've seen but they will not have a five year roadmap, which **Mr. Towne** agreed with and added this facility director was supposed to come on in the fall and only came on recently. He and Mr. Hale are still assessing after taking over all the school buildings. Their goal is to say this is what they've reviewed; these are their recommendations; and come to City Council telling them they tried their best and can only work with what they were given. The Board does a great job. He assured **Councilor Hardy** they take minutes and **Mr. Cademartori** would make sure they're on file. **Councilor Curcuru** stated they mentioned enterprise accounts, and brought up the repairs to the rink; given the rink, did that fall under their purview even though it is an enterprise account and will be self sustaining. They also mentioned the waterways. He also didn't believe that fell under the CIAB purview also. **Mr. Towne** believed it would. **Mr. Cademartori** noted that would be more like the dredging projects; Magnolia Pier would fall under their purview because there may be City funds expended on a project like that along with grant matches. **Mr. Towne** added this is supposed to be a coordination effort of all departments. If waterways has something that involves the DPW, the CIAB has a full connection so there is real coordination. There will be a better program next year from CIAB as they'll start earlier giving them the ability to plan out for a true five-year picture. **Councilor Curcuru** asked if any of this would be reflected in the upcoming FY12 budget, especially the enterprise accounts. **Mr. Towne** didn't believe the rink was brought forward to them which was an oversight. However, equipment has been before them and reflected in this upcoming budget – a loan authorization and corresponding short term debt. That list will be given to the Council on May 10th along with the capital list. **Councilor Curcuru** asked about prioritization. **Mr. Towne** stated they haven't gotten there yet, in general. **Councilor McGeary** asked if they have a count of projects and a ballpark figure over time. **Mr. Towne** did but not with him. He noted the combined public safety facility, Newell Stadium. They focused on general fund projects. The school roofs went before them but the Board didn't put an opinion on it. They haven't talked about elementary schools yet. **Mr. Costa** asked about the facilities manager and would he act as an OPM. **Mr. Towne** stated they would not have him act as an OPM but they've discussed that. The School Roof program has an OPM as part of the contract. **Mr. Towne** stated they have done the homework to prepare the project. **Councilor Curcuru** noted that they've had to select an OPM as part of the State contract process. They may not see a contract until the middle of July. Some of this work will be done during the summer and fall. They then discussed the particulars of the process and contract of the School Roof Project. **Councilor McGeary** asked if they identified any emergency items. **Mr. Towne** thought the public safety building was critical with response times and the current condition of the Central Fire Station and the Police Station. To him and to the respective Chiefs this would be priority to get it going when construction costs are low, recognizing here is never a good time to do it, but the City is going to have to. They'll have to talk to the unions about combined local dispatch and sharing training rooms, a facility that is up to date. If they time it right with the debt coming off in '16, '17 and '18, he felt it is something the City should do. **Councilor Hardy** asked for a summary of the debt that's being retired, and also that the Committee gave their thanks to the CIAB. **Mr. Towne** complimented the Board's diligence. **Councilor Hardy** asked to make sure the minutes are on record with the City Clerk. **Mr. Cademartori** stated they are a group that takes a step back and takes a look at all departments

bringing a good perspective. They'll try to get a report to the B&F Committee for anything that is in capital for this year. **Mr. Towne** closed with the CIAB's priority is only what they've seen before them. They're doing the best they can. He believed that they would have a better handle on matters for the next fiscal year with the CIAB recommendations. **Councilor McGeary** asked about the debt coming off in 2016; when could they start bulking up on short-term borrowing; which **Mr. Towne** thought would be in late 2014. **Councilor McGeary** thought they could start looking at larger projects now. **Mr. Towne** believed they should start looking at buildings and to pay cash for dump trucks and ambulances (two are needed at present). The goal is a mix of long term debt but operating cash capital. In lean times you can't raid the capital operating budget. There could be flexibility in how they pay for things going forward.

- B) Memorandum from Director of Public Works re: Public Works Reorganization for FY2012 (Cont'd from 04/07/11)

Councilor Curcuru noted Mr. Hale was before them as there is a funding aspect to the DPW reorganization.

Mike Hale, DPW Director explained that through the office of the Mayor he has submitted a restructure of the DPW for both labor and management positions, expressing it is not wholesale change. The business office has been affected with the City/School facilities merger. Warrant articles, payroll, and more have been assumed by his business office. The school side building custodians and maintenance personnel were brought up to the DPW pay rate as a result of the merger. They have a five member business office whose responsibilities have seen a significant increase. The \$2.8 million budget on the school side is now handled by them. The clerical help is down to four and his confidential secretary has to fill in now. In the past 10 years they've seen a 35% reduction in staff. Seven in management have been assimilated which now includes him. This reorganization is a reallocation of work responsibilities. The operations manager was hired as the Beach & Recreation Manager and is currently doing the equivalent of what three managers would have been doing. They're now asking for an Assistant Director of Public Works which existed in the 1970's and 1980's. He provided O&A at their 5/2/11 meeting with a motion by the Council approving that position from 1988. When he is absent by charter and ordinance no one can take on his position as the department is structured. It is at present a bit of shuffling as to who has responsibility for what. Mark Cole is the point person at present and is not compensated. With AFSCME position, when employees are out whoever steps in to their role is paid that higher grade rate. All managers are paid on a 35 hour week and frequently work significantly higher work hours. They're short seven management staff members in 10 years. They're looking to reallocate duties. They're asking of putting a position in the flow chart to be held for a later date, a place holder position and not proposed in this fiscal year's budget. **Councilor Hardy** asked if these positions are selected in the new budget—the grade increases in his business offices. **Councilor Curcuru** noted what they're discussing current position pay grade differentials. The new positions that are line item in budget but not funded are two different things. **Mr. Hale** stated there are no new positions but have a placeholder for a future date for a Superintendent for Grounds and not funded in FY12. **Mr. Towne** stated there will not be any money in FY12 for that. On inquiry from **Councilor Curcuru**, **Mr. Hale** stated they should have addressed the business office at the time of the merger. One operations manager's grade brings them to the rest. **Councilor Curcuru** related to the Committee that when the DPW took over the schools Mr. Hale did make clear to the Council he would have to come back about this. **Mr. Hale** stated this was why he told them he would come back for managers. **Mr. Towne** noted the school staff was still going to process bills and payroll after the merger, but it was taken over by the DPW because it was too complicated. **Councilor McGeary** stated that the merger brought no administrators or managers other than the facilities manager that was vacant which **Mr. Hale** confirmed. **Councilor Curcuru** asked about cost. **Mr. Hale** replied that for eight positions it is \$53,482 for the fiscal year to upgrade the positions and not fund any new positions. They're asking to compensate them for what they're doing now. They are moving up the eight employees one grade. He couldn't guarantee the business office or the union of bringing them up one step. He can't say who the manager would be that would become the Assistant

DPW Director, but that person has to be appointed by the Mayor and confirmed by the Council. In 1988 the Council gave that right to the Mayor to bring forward an appointee and the City Council would vote on and the term which O&A determined to be two years. Most of those managerial positions are an M9. The position of Assistant DPW Director was there already; the ordinance as shown in flow charts previously from the early 1980's which he showed the Committee (previously on file). The Assistant Director was lost through attrition. They've lost so many staff – reiterating again - 35% in ten years. The Highway Dept was 60 people and is now six and was part of another division. **Councilor Curcuru** asked if crossing of rosters was still an issue. **Mr. Hale** stated when he came on board they merged water and sewer, merging the work so they could move workers between the two. The Public Service Division was merged with Highway. The union recognized this need and worked with them to do that. **Councilor Curcuru** asked that because of the additional work if the reorganization didn't go through would they see grievances. **Mr. Hale** stated the business office would grieve. They have faith in him and the Council and understood this wouldn't be until July 1st. **Councilor McGeary** pointed out the only new position is the Superintendent of Grounds. The Assistant Director could be filled from within. **Councilor Hardy** felt the new positions would be the Assistant DPW Director and the Division Superintendent of Grounds which was also an old position that was abandoned but was there when they had existing staff. **Councilor Curcuru** asked if there were job descriptions were written. **Mr. Bain** believed there were and may need tailoring however. **Councilor Curcuru** asked how this affected the ordinance. **Mr. Bain** stated they have to amend the Personnel Ordinance. If there is backfill with staff they would not replace that staff person. He noted the Assistant Director would still be responsible for the central services. **Councilor Hardy** went through each of the eight positions in the packet with Mr. Hale who noted the Grounds Superintendent was new. The rest were all in place and were raising the grade, some full steps, others half steps. She asked how it is justified with all the layoffs. **Mr. Hale** stated that Public Works is not unlike the other two main groups. The DPW is an easy target and reiterated 35% of the working staff has been lost in 10 years with half the managers gone. The seven remaining managers are doing all that work. They are thin in labor staff. Contract services have filled in where staff is very thin. It is efficiencies within staff as well. Even with the reduction of management by 50%, and he believed they couldn't go thinner; but his office does a lot more with capital projects which was solely a function of Engineering Department previously which came to the DPW under Director Parks. That office has two staff engineers and a clerical position today. **Councilor Hardy** asked if the clerical position in Engineering was being rolled up in this which **Mr. Hale** stated it was not possible. Much of what was done in Engineering today is done now by the DPW due to the reduction in the Engineering staff. **Councilor McGeary** asked where the funding is coming from. **Mr. Towne** stated it is part of the bottom line draft budget presentation. It is not that they eliminated something for this. **Councilor Hardy** noted a little while ago there was a discussion as to an Assistant Auditor being laid off. She noted Mr. Hale is saying the same thing; that *he* needs an assistant when he can't fulfill *his* role for the smooth operation of *his* department. She believed this is the same issue. The law says it shall be appointed and wondered why it is good for some departments to have an assistant but not others and didn't see the fairness. **Mr. Bain** didn't know the answer. It is something that they and the Mayor have to work through to set the policy for the City. **Mr. Hale** noted comments also made earlier in the same discussion the Councilor referred to but also about not just the efficiency and productivity but how the City is viewed in audits. The day to day operations will be done but from the State and Federal government they are better off today than they were several years ago. With a more focused staff they've managed capital projects and consent orders well and have gone through deferred projects. **Mr. Costa** asked if the business office report to the Assistant Director and would they have a business background. **Mr. Hale** stated he will push to have Mr. Cole to run that and Mr. Cole does that now. **Councilor Hardy** asked if this new position this person would now have a greater ability to respond more quickly to Councilors requests and to prioritize them. **Councilor Ciolino** asked about the total budget which Mr. Hale confirmed will be about \$20 million. He added they lost people this year that aren't coming back. **Councilor Curcuru** stated they're decreasing their personnel line. **Mr. Towne** stated the Committee will see this on Tuesday when the budget is presented. They increased their contract services and were caught off guard with the school utilities for

instance. They're asking for replacement of vehicles which is part of doing business. **Councilor Hardy** noted part of the M8's are to moving to M9's. **Mr. Bain** commented most of those people (at that grade level) are not able to grieve; will it annoy them, yes likely, but they don't have recourse as far as filing grievances. **Mr. Towne** would make the same argument as Mr. Costa and would push for those upgrades feeling the City relies on those people to do a lot of work; and when staff was decreased they took on more. Each person they consider bringing back is a cut somewhere else as the budget which has to balance out. These are the tough calls and the operations still have to be done and people have to be paid for what they do. When people leave they don't fill them. Every time they lose a staff member the rest of the staff does the work and gets it done. There is no less work than previous years and sometimes there's more work. The Administration has to draw the line and has done the best with the limited resources they have. **Mr. Hale** thought expectations are higher than ever with response time and other provided services. There then was a discussion with Mr. Hale and the Committee of what the educational requirements versus the experience based qualifications are for the Assistant DPW Director. **Councilor Hardy** noted it is a tough time but didn't see the department getting much bigger or any other department. They knew when they took over the schools that their staff at the DPW would hit a wall. She didn't think she would but will support this tonight. **Mr. Towne** added that one thing that hurts is the lack of funding for snow and ice. If they are ever going to do an override, he would do one to get the base level of Snow and Ice to the \$1 million for one time only which would save them all from doing what they're doing now. **Mr. Hale** stated the low average is \$800,000. **Mr. Towne** noted it was \$1.6 million total this year alone. **Councilor Hardy** asked about the Assistant DPW Director as to who would make the determination to fill that position. **Mr. Bain** stated it is an ordinance change. **Councilor Curcuru** would vote for this now as he did at O&A; and that the DPW did a great job of taking on the schools and is proud of the DPW staff for it. They knew this day would come where they'd have to do this. **Councilor McGeary** would vote for this. He urged that if there is a year to tap the rainy day fund, this was the year to do it to maintain the needed City staff (referring to the \$750,000 they put aside in Free Cash). **Councilor Curcuru** asked if any free cash would drop back to the bottom line. **Mr. Towne** confirmed that about \$753,897 would which would be recertified next year.

MOTION: On motion by Councilor McGeary, seconded by Councilor Hardy, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council to accept the DPW reorganization chart dated March 14, 2011 in accordance with the City Charter §7-2.

- C) Appropriation request to fund first year of Police Contract and additional appropriation requests
From free cash: Discussion related to \$25,923.00 from free cash to be recommended for a purpose by the Gloucester City Council (Cont'd from 03/01/11)

Councilor Hardy explained they sent an email to the Council to ask for their suggestions as to how these funds should be spent. They need to encumber this money by June 30th. **Councilor Ciolino** stated the Auditorium needs a new sound system surveyed by someone who is a professional as to what is needed. It is not just an issue of replacing microphones and an amplifier; and to put out a request for a proposal. On inquiry by **Councilor Curcuru, Linda T. Lowe**, City Clerk noted it was the amplifier under the stage that blew and caused the system to fail. She worked with Grant Harris from the School IT Department; who spent a fair amount of time on it. The board built into the dais and the amp is outmoded. A vendor that the School Department uses, to get a new mixing board and have a much more current board and new microphones with wiring and cables, priced on line even with the labor, should not exceed \$5,000. The speakers are adequate. The cameras are a separate replacement matter. She felt it could be done and last for at least several years. Mr. Harris was talking about "Guitar Center" who is an approved State vendor that the schools have done business with and have proved reliable. If it is \$5,000, then the Purchasing Agent confirmed there is not a need for an RFP. She would invite the vendors to come in and informally survey the situation and invite the Councilors to participate as well. She assured they could rely on Mr. Harris' expertise. **Councilor Curcuru** asked if the podium mike would be part of this, which **Ms. Lowe**

said it would. If the Council agreed she could move forward, and it would take about \$7,000 all in. **Councilor Ciolino** noted when CATV came in and set up the cameras they were not actual TV cameras but surveillance cameras and felt those cameras should be replaced with digital cameras. He thought this should be the second item so that citizens can see them in the auditorium clearly which is not possible now. People complain they have trouble not just hearing the proceedings of a meeting but viewing them as well. **Councilor Hardy** pointed out the dais chairs were purchased in the 1990's and are in very poor condition; that they need good office chairs. **Councilor Theken** asked for space heaters for the winter and fans for the summer that do not disturb the sound system as there is an inadequate heating system and no cooling system at all, as well as the lighting which **Councilor Curcuru** agreed the lighting was a problem. **Mike Hale**, DPW Director stated they do need to replace that lighting as they are very old and inefficient, with the bulbs being expensive and specific to that exact type of lighting fixture. **Councilor Tobey** noted the lights were moved so they could put in the superstructure. It would not be a small job. He offered that he understood the replacement of the sound system, the cameras, and even the lighting which frustrates the public who watch the Council and the other many meetings held in Kyrouz Auditorium. Times are hard, and he felt they shouldn't replace the chairs at this time and not spend the money on things just because they have the money. **Councilor McGeary** pointed out that Staples have office chairs that run about \$75.00. **Councilor Ciolino** suggested that they get a price for the audio system, TV cameras and the chairs. **Councilor Hardy** reminded the Councilors that Mayor Kirk expressed if any portion of the \$25,932 remains, she would like it to go towards the master plan consultants for the Fort; the Mayor would accept anything towards that. **Councilor McGeary** agreed with the sound system, and the balance should go to the Fort as it is important to the City and a good use of funds. **Councilor Curcuru** had a problem with the money falling to the bottom line if unused as did **Councilor Tobey**. When the City Clerk gets those prices they would have the ability to take action at the next B&F meeting. **Councilor Mulcahey** asked if most of the Councilors are comfortable with their chairs, maybe they don't have to buy a new set but could be done selectively. **Councilor Curcuru** would wait to make that determination upon the receipt of quotes from the City Clerk. The Councilors discussed with Mr. Hale the kind of lighting for interior fixtures. **Councilor Theken** felt lighting should also be also a priority.

This matter is continued to May 19, 2011.

Councilors Theken, Tobey, Verga and Mulcahey left the meeting at 6:35 p.m. There was then no longer a quorum of the City Council.

2. *Memorandum from Police Chief re: Summarization of the agreement with the Gloucester Superior Officers Association contract*

The Committee recessed at 7:55 p.m. and reconvened at 8:00 p.m.

Police Chief Michael Lane noted the City and the Superior Officer's Association after several months of negotiations came to an agreement with the City several months ago and noted the civility and equanimity in which the negotiations were conducted. He expressed that David Bain and Jim Duggan negotiated "admirably" for the City, and Sgt. Lianos also for the Superior Officers Association worked hard on the agreement in front of them which mirrors the Patrolmen's contract as to raises with the percentages essentially the same, which both sides feel is fair and equitable and is submitted for the Council's consideration for approval. He also agreed those remaining should be paid for what they do. The Superior Officers are down to 11 from 13. He noted Lt. Auld, who runs the Detective Division, has many other different assignments to handle, as an example – arraignments, court appearances, administrative work; as all other officers have two or three other assignments each as well. Staffing numbers will continue to be down; but they understand the fiscal realities of the times. **Mr. Towne** added part of this contract reduces the maximum accumulated total for sick leave from 250 days (2,000 hours) to 180 days

(1,440 hours) which will have a buyout at some point in time to buy that down. In effect this lowers the City's liability upon retirement in the future because it will take a lower amount of days at a higher rate in the future versus their staying at 250 days. **Sgt. Lianos** noted many aspects of this contract come on line in year three which would be in FY13. Councilor Hardy inquired regarding the sick time buyouts. **Mr. Towne** explained the buyout will be at \$65 to get them to 180 and \$75 going forward from that. **Mr. Bain** added all new Superior Officers will top at 180. **Chief Lane** explained to **Councilor Curcuro** that officers can accumulate 18 sick days per year. The Superior Officers rarely use any sick time. They show up all the time and are diligent. **Sgt. Lianos** noted the sick leave verification (undocumented sick days) is down from 10 to 8. If they are out over 10 days they need to provide a note or if they are out sick over two days in a row also. **Councilor McGeary** asked about Nasal Narcan training. **Chief Lane** noted very often they're the first on scene on a sudden overdose call. They can only do limited things, like a bag valve mask. Narcan is a narcotic reverser. They're willing to learn how to administer this via a nasal spray. If administered within four to five minutes of the overdose, it will work on these victims to reverse the overdose effects. The Fire Department has had great success with Nasal Narcan. Everybody would have this spray and will be good in saving lives. The officers are for this now. **Councilor McGeary** asked about the EMT language in the contract. **Chief Lane** noted they get an Emergency Medical Technician (EMT) stipend of \$1,700 and that is pensionable as well. The City has agreed to roll this into their base pay provided they keep up their certification. They're required to take a refresher course and 28 hours of Continuing Education Units (CEU's) ever two years. The contract allows them currently to be paid for 20 hours (of CEU's) which now is reduced to 16 years. They can sign up to do some of it on line to cut out travel time. They'll still be within their requirements. New patrolmen who get promoted to Superior Officers can keep that EMT certification if they come up to Sargent. If they become a Sargent without that certification, they would not then be allowed to become an EMT. **Mr. Bain** stated that is consistent with the contract. The Audit Report noted that there were too many EMT's in the Superior Officers group; it's quite likely they would use their skills less than the patrolmen. If they're not EMT's they're all still first responders which he believed was enough to handle most emergencies they encounter. He didn't think there was any degradation in services through the Superior Officer's contract. **Councilor Hardy** asked if there was liability insurance on all EMT's in the City. They are under one Emergency Medical Director (EMD). They also come under the Good Samaritan law. Fire Chief Dench stated it is implied that if they act to the level they are trained, that covers them. **Mr. Towne** added they are not covered for gross negligence. They do have public safety insurance. **Chief Lane** noted the Superior Officers did agree to a central civilian dispatch in essence. Mr. Towne explained that this is between Dept. 211 and 212. The entire \$22,846 will be in FY11 and break it out internally in the Investigative Department in 2012 **Councilor Ciolino** thought this was a good contract and hoped the Committee would move it to City Council. **Councilors McGeary** and **Curcuro** would vote in favor. **Councilor Curcuro** thought it a good contract and the Superior Officers are trying to work within what the City has. **Councilor Hardy** would also and thanked the policemen for their service.

MOTION: On motion by Councilor McGeary, seconded by Councilor Hardy, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council that \$22,846 (Twenty-Two Eight Hundred Forty Six Dollars) be appropriated from the General Fund Unreserved Fund Balance ("Free Cash") to the Police Department Budget for related personnel expenses for FY2011 resulting from the Gloucester Superior Officer Association settlement accounts as follows:

ACCOUNT DESCRIPTION	AMOUNT
101000.10.211.51100.0000.00.000.00.051 Police-Uniform, Sal/Wage-Perm Pos	\$9,709
101000.10.211.51320.0000.00.000.00.051 Police-Uniform, Overtime E911	\$3,695
101000.10.211.51430.0000.00.000.00.051 Police-Uniform-Night Differential	\$3,158
101000.10.211.51450.0000.00.000.00.051 Police-Uniform, Holiday Pay	\$2,157
101000.10.211.51950.0000.00.000.00.051 Police-Uniform, Career Incentive	\$2,027

101000.10.211.51400.0000.00.000.00.051 Police-Uniform, Longevity	<u>\$2,100</u>
	\$22,946

3. Memorandum from Licensing Clerk re: Proposed increases to Licensing Board Fees for FY12

Attorney Ed Pasquina, Chair of the Licensing Board stated that the licensing fees haven't been changed in the last 10 years their research indicated. They did a comparative analysis between other cities on the North Shore which indicated the fees should be increased because it is a way of getting revenue without taxing the citizens directly. **Councilor Curcuru** went through the submitted paperwork (on file) showing the intended increases which **Attorney Pasquina** explained to the Committee. **Mr. Costa** stated the fees taken in go to the General Fund. **Councilor Hardy** asked if there were anything the City charges for that others do not; which **Attorney Pasquina** responded they did not. **Councilor Hardy** asked how the secretarial staff has worked out. **Attorney Pasquina** thought it is working very well. **Councilor Curcuru** asked if there are enough hours budgeted for this person. **Attorney Pasquina** stated they've tried to have this person to have consistent hours, on Tuesdays and Thursdays, and she seems to be keeping up with the work. **Mr. Towne** confirmed that her pay is not being adjusted in the new budget. **Councilor Ciolino** asked how much revenue was taken in last year and what is anticipated. **Attorney Pasquina** stated it is \$134,000 and would increase about \$10,000-\$15,000 more in fees feeling these are not drastic increases, and commented entertainment licenses can increase their business significantly. What the existing fee was and what it is now is increased. It was \$50 – no matter the entertainment. **Councilor Curcuru** asked if there was a one-day license for entertainment. **Attorney Pasquina** stated it is a \$50 fee for a one-day entertainment license.

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to adopt the License and Permit Fee adjustments as proposed by the Gloucester Licensing Board (on file) dated February 17, 2011 AND FURTHER TO ADVERTISE FOR PUBLIC HEARING.

4. Ongoing City Financial Review

Mr. Towne did not have a matter at this time to review with the Committee.

This matter is continued to May 19th meeting.

5. Memo from City Auditor regarding accounts having expenditures which exceed their authorization And Auditor's Report

Mr. Costa reviewed his documentation (submitted at the meeting and on file) with the Committee with input from **Mr. Towne**. He also went over a nine month summary of FY11 budget to actual expenditures by Department which had been previously submitted to the Committee but were distributed to the Committee at this time (submitted at the meeting and on file).

A motion was made, seconded and voted unanimously to adjourn the meeting at 8:48 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- **Memo from City Auditor regarding accounts having expenditures which exceed their authorization and Auditor's Report**
- **Fiscal Year 2011 Budget to Actual Expenditures by Department submitted by the City Auditor**