



Committee on Finance

May 24, 2010 – 7:00 pm – **Agenda**
City Council Chamber, Room 214 – Municipal Building

View Minutes

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1. Communication, Mayor Lang, to City Council, submitting AN ORDER, for the transfer of \$50,000.00 from PENSION, CONTRIBUTIONS, to CEMETERY, SALARIES & WAGES. (Ref'd 3/25/10)

- 1a. AN ORDER,

INVITEES: City Auditor Peter Schmidt; Cemetery Board Chairperson Judith Downey

2. Communication, Mayor Lang, to City Council, submitting AN ORDER, for the transfer of \$13,372.00 from PENSION, CONTRIBUTIONS, to LIBRARY, SALARIES & WAGES. (Ref'd 3/25/10)

- 2a. AN ORDER,

INVITEES: City Auditor Peter Schmidt; Library Director Stephen Fulchino

3. Communication, Mayor Lang, to City Council, submitting AN ORDER, for the transfer of \$13,379.00 from PENSION, CONTRIBUTIONS, to PURCHASING, SALARIES & WAGES. (Ref'd 3/25/10)

- 3a. AN ORDER,

INVITEES: City Auditor Peter Schmidt; Purchasing Agent Debra Travers

4. Communication, Mayor Lang, to City Council, submitting AN ORDER, for the transfer of \$15,000.00 from PENSION, CONTRIBUTIONS, to ASSESSORS, SALARIES & WAGES. (Ref'd 3/25/10)

- 4a. AN ORDER,

INVITEES: City Auditor Peter Schmidt; Assessors Administrative Assistant Peter Barney

5. Communication, Mayor Lang, to City Council, submitting AN ORDER, for the transfer of \$16,488.00 from PENSION, CONTRIBUTIONS, to SOLICITORS, SALARIES & WAGES. (Ref'd 3/25/10)

- 5a. AN ORDER,

INVITEES: City Auditor Peter Schmidt; City Solicitor Irene Schall

6. COMMUNICATION, Mayor Lang, to City Council, submitting AN ORDER for the TRANSFER of \$82,000.00 from STABILIZATION FUND, to GREATER NEW BEDFORD REFUSE MANAGEMENT DISTRICT. (Ref'd 4/22/10)

- 6a. AN ORDER,

INVITEES: City Auditor Peter Schmidt; Refuse Management District Director of Operations Hank Van Laarhoven

7. COMMUNICATION, Mayor Lang, to City Council, submitting AN ORDER for the TRANSFER of \$27,000.00 from PENSION CONTRIBUTIONS, to ZOO, SALARIES & WAGES. (Ref'd 4/22/10)

7a. AN ORDER,

INVITEES: City Auditor Peter Schmidt; Zoological Director Dr. William Langbauer

8. COMMUNICATION, Mayor Lang, to City Council, submitting AN ORDER for the TRANSFER of \$4,300.00 from PENSION CONTRIBUTIONS, to AUDITORS, SALARIES & WAGES. (Ref'd 4/22/10)

8a. AN ORDER,

INVITEES: City Auditor Peter Schmidt

9. COMMUNICATION, Mayor Lang, to City Council, submitting AN ORDER for the TRANSFER of \$1,000.00 from PENSION CONTRIBUTIONS, to AUDITORS, SUPPLIES & MATERIALS. (Ref'd 4/22/10)

9a. AN ORDER,

INVITEES: City Auditor Peter Schmidt

10. COMMUNICATION, Mayor Lang, to City Council, submitting AN ORDER for the TRANSFER of \$159,800.00 from DPI/WATER, SALARIES & WAGES, to DPI/WATER, OTHER CHARGES. (Ref'd 4/22/10)

10a. AN ORDER,

INVITEES: City Auditor Peter Schmidt; DPI Commissioner Ron Labelle

11. COMMUNICATION, Mayor Lang, to City Council, submitting AN ORDER for the TRANSFER of \$127,000.00 from DPI/WATER, CHARGES & SERVICES, to DPI/WATER, OTHER CHARGES. (Ref'd 4/22/10)

11a. AN ORDER,

INVITEES: City Auditor Peter Schmidt; DPI Commissioner Ron Labelle

12. COMMUNICATION, Mayor Lang, to City Council, submitting AN ORDER for the TRANSFER of \$13,500.00 from AIRPORT, OTHER CHARGES, to AIRPORT, SALARIES & WAGES. (Ref'd 4/22/10)

12a. AN ORDER,

INVITEES: City Auditor Peter Schmidt; Airport Manager Edward DeWitt

13. COMMUNICATION, Mayor Lang, to City Council, submitting AN APPROPRIATION, for the transfer of \$400,000.00 from OVERLAY RESERVE, to GENERAL GOVERNMENT UNCLASSIFIED, SALARIES AND WAGES. (Ref'd 2/11/10, tabled 3/8/10)

13a. AN ORDER,

INVITEES: City Auditor Peter Schmidt

14. COMMUNICATION, Mayor Lang, to City Council, submitting AN ORDER for the TRANSFER of \$11,000.00 from TRAFFIC COMMISSION, SALARIES & WAGES, to TOURISM/MARKETING, SALARIES & WAGES. (Ref'd 5/11/10)

14a. AN ORDER,

INVITEES: City Auditor Peter Schmidt; Executive Aide to the Mayor Normand Audette

15. COMMUNICATION, Mayor Lang, to City Council, submitting AN ORDER for the TRANSFER of \$11,000.00 from PLANNING, SALARIES & WAGES, to TOURISM/MARKETING, SALARIES & WAGES. (Ref'd 5/11/10)

15a. AN ORDER,

INVITEES: City Auditor Peter Schmidt; Executive Aide to the Mayor Normand Audette

16. Communication, Mayor Lang, to City Council, submitting TWO (2) ORDERS to ADOPT the "local option on the state meals tax," which provides an additional tax on meals of .75%; this local option meal tax will amount to an additional .75 cents per one hundred dollars spent on meals, the Department of Revenue will allocate these funds directly to the City of New Bedford's General Revenue Account. (Ref'd 12/17/09, 2/8/10 – tabled, 3/8/10 - tabled)

16a. AN ORDER, (LOCAL OPTION STARTING APRIL 1, 2010) (Ref'd 12/17/09, 2/8/10 – tabled, 3/8/10 – tabled)

16b. AN ORDER, (LOCAL OPTION STARTING JULY 1, 2010) (Ref'd 12/17/09, 2/8/10 – tabled, 3/8/10 - tabled)

INVITEES: City Auditor Peter Schmidt

Chairman would like the Committees clarification on the following items:

17. Written Motion, Councillor Gomes, requesting that the City report to the Committee on Finance as to where the funding is coming from to loan the Harbor Commission and Redevelopment Authority the monies to purchase buses to transport those using the Ferry from the Intermodal parking area in the Northern Terminal to the State Pier; and further, that an explanation be provided as to how and when the monies will be repaid to the City and when the Redevelopment Authority and HDC decided to take part in the bus transportation business. (Ref'd 3/25/04, tabled 10/21/04, 12/11/06 - severed from NFA remain in committee, 10/21/09 – severed from NFA remain in Committee, 3/8/10 – remain in committee)

18. Written Motion, City Council President Gonsalves, requesting that the Committee on Finance meet with the City Auditor and the City Treasurer, to review the savings incurred from the change in health insurance for FY 2008, and the projected savings for health insurance in FY 2009. (Ref'd 4/10/08, 3/9/09 – tabled, 3/31/09 – info requested from Mr. Tringale, tabled 6/23/09, tabled 2/8/10, tabled 3/8/10)

18a. Communication, Health Insurance Consultant Steven Tringale, to Councillor Gonsalves, Chairperson, Committee on Finance, Re: City of New Bedford health insurance changes. (5/7/09, RPF, and tabled 6/23/09, tabled 2/8/10, tabled 3/8/10)

19. Written Motion, Council President Gonsalves, Councillors Lawrence, Saunders, Gomes, Alves, Coelho, Martins and Pimental, asking that the City Council request that the Mayor's Office, and the Department of Public Facilities provide the City Council with a breakdown of expenditures inherent in the renovation and rehabilitation of the Sister Avelar Community Center, and that the breakdown include the scope of the work, the cost of the work, a list of who is doing the work, and the source of funding for that work; and further, that the breakdown should be line by line. (Ref'd 12/18/08, tabled 2/11/09, 3/9/09 – tabled, 2/8/10 – tabled, 3/8/10 - tabled)

20. Written Motion, Councillor Gomes, requesting that the Administration advise the Committee on Finance as to what monies have been received over the years regarding the Route 18 project that has been proposed for this City, as there seems to be a conflict of what monies were coming, when they were coming, if they got there, and/or if they will ever get here, already resulting in a delay on this project until 2010. (Ref'd 4/23/09, 11/17/09 – waiting on Peter Schmidt to provide more info, 3/8/10 – remain in committee)
21. Communication, Mayor Lang, to City Council, submitting AN ORDER, that the Order of the City Council authorizing borrowing \$3,000,000 for constructing, equipping and furnishing an addition to and remodeling, reconstructing and making extraordinary repairs to the Hannigan School, is AMENDED to APPROPRIATE \$18,500,000, for constructing, equipping and furnishing a NEW Hannigan School on the site of the existing school, including the demolition of such existing school. (Ref'd 5/14/09, tabled 6/23/09- Invite Katherine Craven to next meeting, 3/8/10 - tabled)
- 21a. AN ORDER, (Amending 1 LOAN ORDER for Hannigan School) (Ref'd 5/14/09, 3/8/10 - tabled)
22. Written Motion, Councillor Gomes, requesting that the Administration notify and/or meet with the Committee on Finance, for the purpose of discussing where the monies that have been awarded, especially the \$800,000.00 for improvements in neighborhoods will be targeted, further, if possible, that the Councillors, and particularly the Ward Councillors, have some input as to what improvements/projects should take priority in their Wards across the City; and further, that the Administration take the opportunity to meet with the Committee on Appointments & Briefings to discuss this matter. (Ref' 9/24/09, 2/8/10 – tabled, 3/8/10 - tabled)
23. COMMUNICATION/VETO, Mayor Lang, to City Council, submitting a VETO of RELATED MOTION, #0001259, by Councillor Gonsalves, “Asking that the City Council send a letter to the City Auditor to ask him to cite which language in the Bond lists the expenses for the purposes of the field house in accordance with Section 10-26 of the City Code, which further would advise him that he is required by law to report to the City Council Committee on Finance and the Mayor any appropriations which are misappropriated in the course of the expenditure of that Bond if that expense not specifically mentioned.” ADOPTED and Rule 40 Waived – Yeas 9, Nays 2, IN CITY COUNCIL, JUNE 25, 2009, and presented to the Mayor for approval on June 29, 2009, stating reason for the veto is that, Section 10-26 provides for notice to the Committee on Audit only when the City Auditor determines that the liabilities against any appropriation appear to be for purposes other than those set forth in the appropriation (in the judgment of the City Auditor) and, in this case, the Auditor did not determine that liabilities incurred against any appropriation appear to be for purposes other than those set forth in the appropriation. (Ref'd 7/16/09, 3/8/10 – remain in committee)
- 23a. Related Motion, Councillor Gonsalves, asking that the City Council send a letter to the City Auditor to ask him to cite which language in the conf lists the expenses for the purposes of the field house in accordance with Section 10-26 of the City Code, which further would advise him that he is required by law to report to the City Council Committee on Finance and the Mayor any appropriations which are misappropriated in the course of the expenditure of that Bond if that expense not specifically mentioned. (Ref'd 7/16/09, 3/8/10 – remain in committee)
24. City Clerk of reference of a Written Motion, Councillor Gomes, requesting that the City Council along with the Mayor reverse their decision to cut out of the Budget the \$20,000.00 appropriated every year for the purposes of Walecka Movers providing storage, repairs and set-up for City elections since A. Walecka and Son Movers has done this for some 70 years here in the City with no problems, and this appropriation should be reinstated due to the fact that this work has been done by with professionalism and with no worries to the City about set-up; and further, this Councillor feels that, if monies are not reinstated, that the costs to the City will be much greater by having city workers set up and take down the equipment, etc., where, in the past, we have the convenience of this company taking care of this work for the City for all of these years and they should be able to continue to provide their services to the City due to the importance of each and every election running smoothly. (Ref'd 7/16/09, tabled 9/29/09, 3/8/10 – remain in Committee)

25. Written Motion, Councillor Lawrence, asking that the City Council Finance Committee, meet with Administration, Economic Development Council, Treasurer and Auditor to discuss the creation of tax incentives to market and attract, Biomed/Life Science and Green Technology Corporations to the City of New Bedford. (Ref'd 11/12/09, 2/8/10 – tabled, 3/8/10 - tabled)
26. AN ORDER, amending the Order of the City Council, approved by the Mayor on August 17, 2001, as amended by the Orders of the City Council approved by the Mayor on February 15, 2002, and the Order of the City Council, approved by the Mayor on June 7, 2004, authorizing a borrowing of the \$11,784,000.00, to pay a portion of the costs of the Keith Middle School Project and the Order of the City Council, approved by the Mayor on December 1, 2006, authorizing a borrowing of \$46,348,165.00, appropriated for acquiring land for, constructing, equipping and furnishing a new Keith Middle School and cleaning up contamination caused by the closed landfill at the site of the new Keith Middle School and the surrounding area; that to meet this appropriation, the Treasurer, with the approval of the Mayor and the Committee on Finance , is authorized to borrow \$46,348,165.00 under Chapter 44 of the General Laws, Chapter 70B of the General Laws or any other enabling authority; that the Mayor is authorize to contract for and expend any Federal or State aid available for the project; that the Mayor is authorized to take any other action necessary to carry out this project; and that the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds and to provide such information and execute such documents as the Board may require for these purposes; provided, however, that the amount of the authorized borrowing under this Order shall be reduced by any amounts recovered by the City from responsible parties for the contamination clean-up is hereby amended to read as follows, responsible parties for the contamination clean-up portion of the project prior to the issuance of bonds or notes hereunder IS HEREBY AMENDED TO READ: “ORDERED: that \$41,848,165 is appropriated for acquiring land for, constructing, equipping and furnishing a new Keith Middle School and cleaning up contamination caused by the closed landfill at the site of the new Keith Middle School and the surrounding area; that to meet this appropriation, the Treasurer, with the approval of the Mayor and the Committee on Finance, is authorized to borrow \$41,848,165 under Chapter 44 of the General Laws, Chapter 70B of the General Laws or any other enabling authority; that the Mayor is authorized to contract for and expend any Federal and State aid available for the project; that the Mayor is authorized to take any other action necessary to carry out this project; and that the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds and to provide such information and execute such documents as the Board may require for these purposes; provided, however, that the amount of the authorized borrowing under this Order shall be reduced by any amounts recovered by the City from responsible parties for the contamination clean-up portion of the project prior to the issuance of bonds or notes hereunder.” (Ref'd 8/20/09, 2/8/10 – tabled, 3/8/10 - tabled)
27. Written Motion, Councillors Gonsalves, Dehner, Martins, Saunders, Gomes, Lawrence, Coelho, Morad, Duarte, Pimental, and Alves requesting, that the Committee on Finance meet with the City Solicitor, and the Department of Health Director to explore the idea of asking the State to make public health funding part of its cherry sheet formula. (Ref'd 11/24/09, 2/8/10 – tabled, 3/8/10 – tabled)
28. Written Motion, Councillor Lawrence, requesting, that the City Treasurer secure a price to purchase and incorporate the “Point of Pay” Electronic Program in departments that accept payments, e.g., Treasurer, DPI, Zoning Board of Appeals, etc., and report back to the Committee on Finance with this information within 90 days. (Ref'd 11/24/09, 2/8/10 – tabled, 3/8/10 - tabled)
29. Written Motion, Councillors Gonsalves, and Morad, requesting that Commissioner of Public Facilities Lawrence Worden, appear before the Committee on Finance to provide an update of monies expended and projects completed under the \$3,000,000.00 Loan Order granted at the July 16, 2009, City Council Meeting, for the purpose of remodeling, reconstruction, and making extraordinary repairs to City-owned buildings. (Ref'd 2/25/10, 3/8/10 – rpf documentation from DPF)

- 29a. Related Motion, Councillor Gonsalves requesting that the Council on Aging Members and DPF Commissioner Worden meet with the Committee on Finance to address why such a project (Hazelwood Community Center) was determined to go forward while the Bond for repairing City Buildings was pending. (Ref'd 2/25/10, invite: Blair Shanklin, 3/8/10 – rpf documentation from DPF)
30. Written Motion, Councillor Lawrence, asking that the City Council go on record in support of the City's attempt to secure the remaining funds in the New Bedford Harbor Trust to be allocated to City projects; and that the City Council agrees that most of the money, if not all of it, should have been and should be spent as close as possible to where the damage from the long-running contamination of the harbor has occurred; and further, that the Committee on Finance move forward with their request in securing an audit of the Harbor Trust and it's expenditures. (Ref'd 3/11/10)
31. COMMUNICATION, New Bedford Economic Development Council Director of Business Development Derek Santos, to City Council, advising that the Tax Increment Financing Board has APPROVED the REVISED TIF Application for BAYLINE, INC. and DMD DEVELOPMENT, LLC for a (10) year Tax Increment Finance Agreement, submitting REVISED Resolution for such. (Ref'd 3/25/10)
- 31a. RESOLUTION, Approving Certified Expansion Project Application and Authorizing the Mayor to enter into a Tax Increment Financing Agreement with Bayline, Inc. and DMD Development, LLC. (Ref'd 2/25/10)