

Budget and Finance Committee

12/1/22 6:00 pm Council Chambers

Meeting Post: <https://www.cityofnewburyport.com/budget-finance/events/307156>

Roll:

B/F: Zeid, Khan, Wright

Other Members:

Staff: Andrew Levine, Ethan Manning

Agenda:

Planning to discuss:

COMM00449_11_28_2022 Letter Jim McCarthy re: Conservancy check for a crab apple tree (B&F)

- Mike Hennessy – 4 to 5 plaques are left and feel that we'll be closing out on that
- Zeid – Is this the end of the list
- Hennessy – Thought would be done July 27th but things end but then a new list was sent
- Zeid – Is there more?
- Hennessy – Communication break down but we're not sure of what we don't know
- Khan – How do we get the information
- Hennessy – I guess the spreadsheet can change.
- Khan – Is the spreadsheet final. Can we get more information?
- Khan – want to know people are done
- Hennessy – Have asked 4 times
- Khan – Can we help?
- Levine – We're hoping to get more information? When? Maybe next month?
- Khan – Does this get discussed at Parks Comm
- Hennessy – there were some approvals.
- Khan – Bench policy?
- Hennessy – can the policy work across
- Hennessy – policy is being forwarded
- Wallace – Makes sense in the future with experience. Doesn't make sense to pull city resources. On any type grant, there could be contractor or something like that
- Wallace City Resources – Taking away from other work
- Khan – Not going to revive the bench program.
- Levine - What happens to the benches that have been gifted 5 years
- Hennessy – we have 173 benches, running out of room. 200 seems like about the right number

- Wright – thinking about friends of group. Urges caution, if we go in that direction we need to make sure there is oversight and accounting
- Wallace – Agree with prior, want a list of all of the groups, a policy would make sense, BIS is confused
- Khan – is veteran’s conservancy bricks at veteran’s memorial?
- Hennessy – DPS has installed in Brown school, then inn st was different
- Zeid – we need a financial policy for dept. heads, we need to see the plan
- Jane Snow – 9 Coffin St. Did come from meeting. Think that it would be important. Think that all groups should have this information. Tie into all programs – sports and after school program. Not saying spent wrong way but we want to see it.
- Wallace – Would be interesting if we could get KP Law in here. It was very helpful to hear from them. Question – separate bookkeeper. Why are those separate?
- Manning – Additional bookkeeper was strictly focused on reconciling on city accounts. They didn’t work with external groups.
- Wallace – Who is bookkeeper for?
- Manning – NYS, Parks, Parking and for a time COA but now they have an office manager
- Wallace – can we get those?
- Manning – bookkeeping document
- Wallace – would be good to see what budgeting
- McCauley – One thing I would add to that, not just gifts. It’s also grants. There are some departments that run on grants. Appears open checkbook that City is writing checks on that. More governance and oversight makes sense. Thinks that they can raise money but not be part of operations. We need to separate.

Information Requests:

- Result – 2 documents – The plan to unwind this conservancy and some kind of a policy for Department heads
- Wallace – Curious to see what bookkeeper is working on. Assume things are going through open checkbook
- Wallace – KP Law resources

See below for vote

COMM00448_11_28_2022 Emails re: bench and plaque updates

- See above.
- **Motion to Receive and File collectively (448 and 449) – AK/MW 3-0**

ORDR00336_03_28_2022 ARPA Amesbury 250K (COTW)

- Gotten feedback from City employees, etc
- Meeting next week to go over next week

TRAN00140_11_01_2022 P&D: Waterfront Park Paid Parking Fund \$40,000 & Harbormaster Retained Earnings \$20,000 to Market Landing Park Expansion Project \$60,000

- Motion to recommend approval contingent upon a recommendation from Harbor Commission, AK/MW
- McCauley – Last Trust meeting, they did not approve this
- Port – Believes they have 2 meeting and approved in the second iteration
- Could be a meeting behind

Motion to Recommended Approval contingent on Harbor Commission voting AK/MW - 3-0

TRAN00141_11_01_2022 Mayor: General Fund Free Cash \$500,000 to Stabilization Trust Fund \$500,000

- 4.3m, tax rate (700k), parklets (18k), and finally culvert (656k).
- \$2.6m is current balance
- \$500k is floor
- 6 votes to go in, 8 votes to come out
- Wright – when would you tap this money
- Manning – this is when we can't pay the bills. Faced with a deficit or contracts that we can't cover
- Wright – so catastrophic
- Manning – yes
- Manning – we could skip a year
- Levine – Probably look to ARPA next and then take it from there
- Levine – Look at other uses, etc
- Zeid – Ok going to hold on free cash
- Levine – Probably going to look to it for smaller requests. Universe for ARPA projects.

Motion to Recommended Approval AK/MW - 3-0

ODNC00129_11_01_2022 Defining Conflict Rule for Dept. Heads (COTW)

- Zeid – introduce
- Wallace – State law, can't fundraise unless there is an allowance to do so
- Wallace – want it to comport with state law
- Wallace – what about executive director or administrator?

- Manning – there is a really good publication that DLS has put out. “Public purpose limitation”
- Manning – Anti-aid amendment comes into play
- Manning – here’s what’s already out there
- Wallace – Conservancy, problem was that it was really part of the job description. That’s a real problem.
- Khan – concern about board. Veteran’s is dept. head. Might be a need to be on a board. What is covered in contracts?
- Wallace - Conflict of interest
- Wright – when first looked at it. Very unfortunate that we have spell it out that is so self-evident
- Wright – generally think it’s a good idea.

ODNC00130_11_01_2022 Grants, Gifts, and Fees (COTW)

- Zeid – introduced ordinance
- Wallace – want to make sure comports with State Law. Can KP Law review?
- Wallace – do you want to repeat state law or strengthen it
- Wallace – there is no threshold on gifts in state law
- Manning 44/53a – Department head present gift to Council
- Wallace – remove the threshold
- Khan – should we codify it, if it needs to be stated. What do you think Ethan?
- Manning – Acceptance of all grants, that becomes a big process
- Manning – could be a lot of grants
- Khan – what is the expectation on grants?
- Manning – worried that it could be onerous
- Zeid – just want to see them come through
- Manning – City contribution would need to be approved
- Manning – Staff time is always a question mark
- **Ideas:** Remove threshold gifts, add threshold for grants, research on grants, KP law input?
- Jane Snow – thinks it’s important. We want to keep an eye as these grants can mushroom and staff time is important. What is the commitment of our staff.

Keep in Committee, AK/MW 3-0

ODNC00132_11_14_2022 Mandated Reporting

- Khan – Is this similar to 2-176
- Zeid – Yes, I can read this
- Khan – Could it be integrated into it?
- Wright – seems weird that we have an auditor who is also finance director
- Manning – brought in independent auditor

- Wright – do we get audit report
- Manning – Yes this is how municipal works
- Wright – Still seems odd
- Khan – open to editing but want to be careful. Want to keep language reasonable. Maybe misappropriation.
- Khan – there is some reliance on the administration to bring the right candidate forward.
- Khan – don't bring forward challenging appointments
- Khan – could be some merging
- Wright- let's not reinvent the wheel
- Jane Snow – in other towns, you can't serve on a board at all.
- Wallace – There are lots of rules and there are rules. Employees – elected officials, etc.

MW/AK Keep in Committee, 3-0

Not planning to discuss:

COMM00443_11_01_2022 59 Low St. FAQs (COTW)

ORDR00388_11_01_2022 NYS Facility Bond Order (COTW)

Public Comment:

See above

Motion to adjourn:

AK/MW – 3-0

Recording:

https://us02web.zoom.us/rec/share/Rwp3iaNgAllppgzqKT7aj2wqEDbRlaTh2bVwSTD1JCVuM6Ovhr2Tedwq_jogpMJX.v7uql7C4pzn3wiW9

Passcode: ^n3V*?6S

For the record: Email from Parks Manager dated 12/1/22

Councilors Khan, Wright and Zeid:

I am writing this to respond to Communication COMM00448_11_28_2022, which is now under consideration by the Budget and Finance Committee. I was hoping to comment on this exchange between Lise Reid and Councillor Vogel, especially the section of "Bench Update- Duplication of Efforts".

It states that the Parks Department has been duplicating her efforts rather than coordinating with her on benches. After Ms. Reid left the Parks Department, I began working with her to finalize the list of benches and plaques so that the work promised to donors could be completed. She continued to work with the Parks Conservancy as a volunteer to close out these projects. I have continued to correspond with Ms. Reid on these issues, though responses are slower from her now as this program is not her primary responsibility.

She suggests that we made a duplicate order of a plaque for the Manzione granite bench, and that she had ordered one already and it is due to appear any day. In this situation, I have written communication from the Parks Commission Chair on 10/12/22, stating that Ms. Reid would not be pursuing getting a plaque and or giving her the bench but would refund Ms. Manzione her money. After this, Chair Ted Boretti stated that he wanted to donate the bench and plaque to try to rectify the situation. I then ordered one, only to find out that Ms. Reid is now saying she ordered one as well.

Ms. Reid also states that she had supplied a spreadsheet to myself and the Mayor's office on 7/27/22 listing all of the final work to complete the bench program. This was presented as the final list of plaques and benches, and it was not communicated to me that changes were made after that date. The Parks Department thought we had completed all of the work in late October, though it now appears there were additional plaques and benches promised that were not communicated to us in July.

The communication also states that Ms. Reid typically has volunteers to do the installations and finds it interesting that we have time and money to do it. The Department has made a commitment to completing this project in a timely manner, and does not have extra resources, other than the hard work of our staff, to facilitate this. We have no intention of paying for anything that the Conservancy bench program is responsible for.

We look forward to closing out this project and can answer whatever questions the Council has about it.

Thank you for your time,

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