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June 3, 2009

REPORT OF THE COMMITTEE ON FINANCE
MEETING AS A COMMITTEE OF THE WHOLE

The Committee on Finance convened on June 3, 2009, as a Committee of the Whole with Chairman Maryann Heuston presiding and Committee Members Aldermen Bruce Desmond, Rebekah Gewirtz, Sean O'Donovan, Walter Pero, John Connolly, William Roche, Thomas Taylor and William White also present and voting. Also present were Administrative Assistant Jessie Baker, Director of Traffic and Parking James Kotzuba, Police Chief Anthony Holloway, Officer Jack Leuchter from the Police Employees Association, Steve Winslow from SPCD, Assistant City Solicitors David Shapiro and Robert Collins, Personnel Director Richard Tranfaglia, Finance Director Edward Bean and interested members of the public.

187034 – Notice re: Somerville Junction Park:

Chairman Heuston recused herself from all discussion on this item.

Mr. Winslow addressed the members and informed them that this park, located at 112A Central Street, was created on land donated by the Cambridge Health Alliance. The city received a \$200,000 site specific reimbursement brownfields cleanup grant from the EPA. The required work to the park was performed for less than the full amount of the grant, so the full \$200,000 was not drawn down. Notice being placed on file at the Registry of Deeds stating that some contamination remains which would place limitations on future use, e.g., no vegetable or fruit trees could be planted nor schools built unless further cleanup of the site is performed. Mr. Winslow assured the members that the city has complied with DEP regulations.

187266 – Amending Ordinance 1-11(b) regarding parking fees:

Mr. Kotzuba addressed the committee and estimated that these fine increases, when included with the parking meter fees and other initiatives, would generate an additional \$1,468,000 in annual revenue. Mr. Kotzuba reviewed the list of proposed increases and noted that some of Somerville's fines are double those of Boston and Cambridge. The members questioned how the proposed increases were derived and Mr. Kotzuba stated that in most cases, the fines were raised by \$10.00 where the fine was not already at the allowed cap. Alderman O'Donovan requested that Mr. Kotzuba determine how many fines are at presently at the state cap and how close the others are and he asked if the permit parking increase was punitive, financial or a combination of both. Alderman Desmond questioned if these increases were discussed at SomerStat meetings and Mr. Kotzuba indicated that they were. Alderman Roche said that there should be a different system for increasing fines rather than simply adding \$10.00 to each of them and he suggested that Mr. Kotzuba work with SomerStat to analyze the data and review the rates, explaining that increased

revenue should not be the only reason for the increases. Public safety and quality of life issues should be considered in setting the fines. Alderman Roche requested that a list of all fines and their structures be provided to the committee.

Other questions raised during the discussion included:

- The feasibility of tracking repeat permit parking offenders and progressively increasing their fines,
- What methods would be used to inform the public about the increase for parking in a bus stop,
- Whether fines could be set based on the number of axles on a vehicle and
- Parking permits for real estate agents and the enforcement process for violations of their use

Chairman Heuston indicated her preference for increasing fines based on the number of axles and she asked Mr. Kotzuba to make recommendations and to determine how high city would be allowed to go. Chairman Heuston also spoke about enforcement for double parking offenses and asked if the PCO's feel empowered enough to write those tickets. Mr. Kotzuba replied that, for live parking, the PCO's would give the driver one chance to move the vehicle or else be ticketed. Chairman Heuston also spoke of constituents complaining about receiving parking tickets in the mail even though they never had a ticket on the windshield of their vehicles. Mr. Kotzuba attributed those instances to a driver pulling away while a ticket is being written and by kids removing tickets from the vehicles.

Chairman Heuston requested that all requested information be provided prior to the next committee meeting on June 10, 2009.

187490 – COPS grant:

Chief Holloway explained how grant will be used.

187582 – Agreement with Police Employees Association:

Mr. Collins explained the provisions of the agreement and told the members that the employees furloughs, comprised of 1/52 of their salaries, would be re-paid to them in 2012, without interest, at the base rate in effect in at that time. There was a great deal of discussion over the application of the Quinn Bill and its benefits, as related to this agreement. Mr. Collins informed the members that if the Board of Aldermen approved this item, then they would be approving the agreement. If the Board votes the item down, then collective bargaining starts over. Mr. Collins, responding to a question, stated that all non-union furloughs would also be re-paid, but in 2011. Mr. Bean told the members that the city might have a better sense of the state's budget in next few days and that the Mayor must present the city's FY-10 budget to the Board of Aldermen by June 24th. Mr. Bean also stated that the city would have to budget money in for the Quinn Bill, thereby increasing the city's deficit.

Alderman White requested that a breakdown of all furlough amounts be provided to the committee prior to the start of deliberations on the FY-10 budget. Chairman Heuston asked that this be further broken down to show union vs. non-union positions and when the re-payments are scheduled to be made. Several members stated that more time and information was needed to make an informed decision on this item.

Chairman Heuston requested the following information prior to the next Finance Committee meeting:

- A copy of the proposed agreement,
- A summary of Mr. Collins' comments, including the options available to the city,
- Prior agreements that show the Evergreen clause,
- The cost of the furloughs,
- Overtime information and costs,

- How many members would be covered by this agreement and
- How many individuals are or would be covered by the Quinn Bill and their ranks.
- Similar information as it applies to Superior Officers, as well.

187619 – Transfer of funds from E911:

Chief Holloway explained the reasons for the transfer request.

The FY-09 budgeted amount for overtime in the Police Department is \$616,000 and the department has expended \$895,000 in overtime expenses to date.

Chairman Heuston spoke about the upcoming schedule of meetings for the FY-10 budget, noting that the longer the mayor can wait to submit the budget, the more accurate it would be, however the committee would have less time to review it. Larger departments such as the Police, Fire and Public Works would need more time for review whereas some smaller departments, with less variation in their budgets, might present brief summaries. It is expected that the mayor will present the budget between June 16th and 24th.

Mr. Bean stated that C 44 § 32 allows the mayor to present a 1/12 fiscal budget for up to 3 months, however, it would not hold the city in a favorable light with respect to its bond rating. Alderman White asked Mr. Bean to verify with the DOR if the 1/12 refers to the prior or new budget.

The committee discussed matters before it and took action on the following 3 items:

187034: Communication from Mayor - Requesting authorization to execute a Notice of Activity and Use Limitation related to 112A Central St. (the Park at Somerville Junction), in order to avoid future issues related to soil handling.

RECOMMENDATION: Should be approved

VOTE: Unanimous, 7 - 0 in favor

187490: Communication from Mayor - Requesting approval to expend a grant of \$23,910 from the COPS Office for Police equipment and services under the Secure Our School grant program.

RECOMMENDATION: Should be approved

VOTE: Unanimous, 7 - 0 in favor

187619: Communication from Mayor - Requesting approval of a transfer of \$88,000 from the E911 PS Acct. to the Police PS Overtime Acct., to cover overtime and contractual obligations.

RECOMMENDATION: Should be approved

VOTE: Unanimous, 7 - 0 in favor