

**MINUTES OF THE ADMINISTRATION AND FINANCE COMMITTEE
MEETING HELD ON APRIL 3, 2019**

An Administration and Finance Committee Meeting was held on Wednesday, April 3, 2019 at 7:00 P.M. in the City Council office, Room 204.

Committee Members: Committee Chair Colin LePage, Councillor Melinda Barrett, Councillor William Macek, Councillor Mary Ellen Daly O'Brien. Council President John Michitson also attended.

Department Heads: City Solicitor William Cox

Attendees: Mike Katsulis

The meeting began at 7:06 P.M. and the following items were discussed:

- 1.) **Doc. 13-N** – Communication from Councillor LePage requesting a discussion regarding the Rules and Regulations of the City Council. *The Committee received and reviewed the responses from City Solicitor Cox regarding proposed amendments to the Rules and Regulations of the City Council as requested at the March 6th meeting. Regarding Rule 13, the City Solicitor stated: “As to Rule 13 – It is up to each individual member to decide whether they have a conflict of interest and should not participate in an agenda item. My opinion is that it is not the role of the President or any other member to make or seek rulings as to another member’s conflict or potential conflict of interest. Generally speaking, the issue of a conflict of interest is personal to the individual member. I don’t think the words ‘public hearings and/or special permits ...’ are necessary as the Rule refers to ‘agenda items’ which would encompass all items. What sometimes may happen is that Councillors sit through the agenda item, don’t speak and then declare an abstention due to a conflict just before a vote. This is not a good practice as the Ethics Commission is clear that Councillors should leave the room for the entire time the agenda item is on the floor. Realizing that on occasion a Councillor should interrupt the proceedings and indicate they wish to leave the room due to a conflict.” Regarding Rule 20, the City Solicitor stated: “As to Rule 20 – I don’t see Councillor Daly O’Brien’s item as being included in the current provisions. The Council may want to add a new Rule – ‘Municipal Employee Contracts and Salary Ordinances – All municipal collective bargaining agreements and other employee contracts sent to the City Council by the Mayor shall be placed on file with no further action taken, except as to the appropriation of funds necessary to fund the collective bargaining agreements and employment contracts. The approval of any change or alteration to a salary ordinance which requires an increase in wages or other financial benefits to employees shall not be acted on until such time as a financial disclosure form, agreed to by the Mayor and City Council, signed by the Auditor, Department Head and the Human Resources Director is provided to the Council.” As discussed previously at the March 6th Committee meeting, proposed changes are to: (renumber Rule 2A to 3, Rule 3 to 4, Rule 4 to 2A), Rule 10, Rule 11, Rule 13, Rule 20, and Rule 30. Additionally, the Committee proposed adding Rule 21, (and renumbering the remaining Rules that follow) and not amending Rule 37 as previously noted. A motion was made to send the proposed amendments back for full Council discussion and approval at the April 9, 2019 Council meeting, passed unanimously.*

- 2.) **Doc.38-I** – Communication from Councillor Macek to refer City’s Ch. 255 – Zoning, Article XVIII, Solar Energy Systems, Sec. 255-185 thru 255-194 to Administration & Finance Com., and specifically Sec. 255-186(A) Large-scale ground-mounted solar photovoltaic installation. *Councillor Macek discussed some of the issues that he found in the current ordinance, such as whether the definition of “nameplate capacity” refers to alternating current (AC) or direct current (DC). The definition of “occupies more than three acres of land” as to that referring only to the area of the*

solar panel installation, and not including other accessory equipment, structures or access roads. He also discussed his concerns with Sec. 255-186(A) which states “Large-scale ground-mounted solar photovoltaic installations are allowed only in residential districts.” Additionally, he also discussed his concerns with sections pertaining to “Dimensional requirements” and “Design and performance standards.” After a lengthy discussion on all of the matters stated above, a motion was made to have the City Solicitor consult with Orlando Pacheco and Mark Bobrowski to further revise and amend the ordinance and schedule a future meeting (date to be determined) with the Committee, passed unanimously.

- 3.) Doc. 38-K** – Communication from Councillor Macek requesting to discuss solar panels on proposed commercial buildings. *Councillor Macek provided the Watertown Ordinance to require solar Installations in Certain New Projects*. This item was combined with Doc. 38-I listed above.*
- 4.) Doc. 13-V** – Communication from Councillor Daly O’Brien to discuss information needed by City Council when their approval is required to accept new employee contracts, measures to avoid contractual catastrophes. *The Committee reviewed the new “Collective Bargaining Financial Disclosure” form* that was recently created to further disclose the current and future financial costs of employee contracts. The Committee also reviewed the proposed new Council Rule (#21; Municipal Employee Contracts and Salary Ordinances) as submitted by the City Solicitor. A motion was made to have this new Rule included in the proposed Rules and Regulations of the City Council for full Council discussion and approval at the April 9, 2019 Council meeting, passed unanimously.*

The meeting adjourned at 8:29 P.M.

Respectfully submitted,

Colin LePage, Chairperson
Administration and Finance Committee
Haverhill City Council

April 5, 2019

CL/bsa

* Doc. 13-N – Proposed Council Rules & Regulations

* Doc. 38-K – Watertown Ordinance

* Doc. 113-V – Collective Bargaining Financial Disclosure form

c: Mayor James J. Fiorentini
City Council