

CITY OF GARDNER, MASSACHUSETTS
CITY COUNCIL FINANCE COMMITTEE
MINUTES OF MEETING OF APRIL 11, 2018

Finance Committee Members present were Council President Scott Graves and Councillor Ronald Cormier. Councillor James Walsh was absent. City Clerk Alan Agnelli was also in attendance.

Other Officials Participating: Mayor Mark Hawke; City Auditor John Richard; Superintendent of Schools Mark Pellegrino; School Business Administrator Robert Detweiler; School Committee Chairman Robert Swartz.

Other in Attendance/Not Participating: School Committee members Jennifer Z. Pelavin and Melody Phelps; and, Executive Assistant Michael Nicholson.

The meeting was called to order by Council President Scott Graves at 12:00 p.m. in the City Council Chamber, Room 219, City Hall.

President Graves asked if anyone present planned to record the meeting, in accordance with the requirements of the Open Meeting Law, as follows:

Any person may make a video or audio recording of the open session of this meeting so long as it does not interfere with the conduct of the meeting. All documents and exhibits used or referenced at this meeting shall be submitted in duplicate to the City Clerk, as they become part of the minutes of the meeting. Is there anyone present who will be recording this meeting?

No one responded.

1-1 Reading and Approval of Minutes of Prior Meeting(s).

On a motion by Councillor Ronald Cormier and seconded by President Scott Graves, it was voted to approve the Minutes of the March 28, 2018 Meeting, as printed.

2-1 FY2019 School Department Budget

Mayor Hawke informed the Committee that his Budget Recommendations are in the process of being finalized and that he hopes to file it with the City Council by the end of May, if not sooner.

Opening his budget presentation, Superintendent of Schools Mark Pellegrino cited changing demographics in the school system since 2003 that show significant increases in “high-needs groups” such as 19% English Language Learners (“ELL”), socioeconomically disadvantaged students, and 23% SPED. He added that these factors greatly impact the District’s educational costs.

He outlined the impact of “Choice-In” and “Choice-Out” students.

- Choice-Out costs the District \$5,000 per student.
- Choice-Out SPED at \$6,500 per student.
- Out-of- District SPED placements cost from \$70,000 to \$100,000 per student.

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- In FY2018, Gardner lost \$1.6M to out of district students (300 students) and that, for the first time, no students left for out-of-district placements - “stopped the exodus.” The goal is to stop the outflow permanently – may take 4 to 5 years to accomplish.

Budget process began with meeting with all Directors and School Principals – process was “data driven” – getting the “best bang for the buck.” Salary budget reduced by \$1.2M from initial proposals.

Budget Additions

- BCBA – Board Certified Behavioral Analyst to train Registered Behavioral Therapists (“RBT’s”).
- SPED Paraprofessional

Cuts made to other areas in order to fund these positions. He noted that two critical positions were added during the current fiscal year.

Adjustments

Retirements by the end of the current FY will result in a reduction to the budget gap – hiring new staff at lower salaries (\$96,500 savings). Budget Impact \$114,000.

Salaries

Administration up \$104k with the addition of a third administrator at GMS, a Dean of Students. Need to improve culture for students in grades 5-7 – huge transition period for kids – focus on changing behaviors – engaging the students. Positive culture affects school’s relationships with parents.

Increase in substitutes salaries – to pay competitive wages to attract and retain subs.

Expenses

Other Programs – Out-of-District Placements – up \$115k.

Information Services – up \$44k to implement a replacement schedule– not nearly adequate – no replacement cycle for technology/IT equipment – need \$300k to get caught up.

Transportation – Rob Detweiler reported 8% increase due to transporting foster children and for transporting homeless children to Gardner schools under McKinney-Vento

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Bottom Line - \$1.1M increase over FY2018. \$50,600 increase in Chapter 70 Aid. City contribution up \$306,000 (minimum).

Mayor Hawke reported only \$100k available for municipal budget; \$200k pension obligation increase; \$150,000 increase in Monty Tech Assessment with fewer students than in current year.

Mr. Pellegrino – Budget gap of \$848,059. The Schools rely heavily on State Aid. Additional funding through an override would help with school's programs and could turnaround schools and “stop the bleeding” in a few years.

Rob Detweiler – If the School Department loses art and music, then students interested in these disciplines with choice-out to other school districts.

Proposition 2½ Override Ballot Question and Special Municipal Election.

Citing Councillor Walsh's e-mail to the Mayor, President Graves stated the importance of knowing the Mayor's Budget Plan for FY2019 before determining whether an override is necessary.

Councillor Ronald Cormier suggested that in order to keep the process moving, he recommended that the Committee recommend that the Council refer the Measure to the Council as Committee of the Whole for further study.

On a motion by Councillor Ronald Cormier and seconded by President Scott Graves, it was voted to recommend that the Council refer the Measure to the Council as Committee of the Whole for further study.

The Mayor informed the Committee that the City will increase the base by the full 2½% in FY2019. He suggested that the override amount be less than the projected school budget deficit, or \$700,000.

President Graves questioned the reason for seeking less than the projected school budget deficit.

The Mayor said that the proposed amount is “what may be feasible for the average homeowner – about \$100 per year.” He added that the City is trying to do its share to help the schools.

Mr. Pellegrino noted that the proposed override amount would retain all 18 teaching positions.

4-1 **An Ordinance to Amend the Code of the City of Gardner by Adding New Chapter 295, to Be Entitled “Community Bandstand Committee.”** *(Continued from 3/28/2018).*

The Mayor informed the Committee that donations for the concerts are required to be deposited into a gift fund.

City Auditor John Richard stated that there is no record of a gift fund having been authorized for the band concert receipts and that the Department of Revenue advised that the donations must be placed in a gift account.

The Mayor added that he is unaware as to when the donations started for the concerts.

The Mayor suggested that the Bandstand Committee be handled by the Municipal Grounds Commission.

Councillor Graves stated that he asked the Law Department to advise the Council as to the best way to handle the dilemma.

On a motion by President Scott Graves and seconded the Councillor Ronald Cormier, it was voted to request that the Law Department issue an advisory opinion concerning the appropriate municipal entity to oversee the Bandstand Committee and concerts.

The Committee agreed to keep AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER BY ADDING NEW CHAPTER 295, TO BE ENTITLED “COMMUNITY BANDSTAND COMMITTEE,” on its Agenda until it receives appropriate legislation from the Law Department and/or City Auditor.

4-2 **An Ordinance to Amend the Code of the City of Gardner, Chapter 45 Thereof, Entitled “City Council,” to Add a New Article and Section Providing for Legal Counsel.**

President Graves informed the Committee that a letter was received today from the Law Department in response to the Council President’s request for review of the proposed Ordinance that would create the position of Legal Counsel to the City Council. Since the Committee received the letter today and has not had time to study it, the Agenda item will remain on the Committee’s future Agenda.

Mayor Hawke said that only the City Solicitor can bind the City.

President Graves responded, saying that the City Solicitor does not represent the City

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Council, adding that if the City Council disagrees with the Executive Department, the Law Department would never agree with the City Councils' position.

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 45 THEREOF, ENTITLED "CITY COUNCIL," TO ADD A NEW ARTICLE AND SECTION PROVIDING FOR LEGAL COUNSEL.

Be it ordained by the City Council of the City of Gardner as follows:

Section 1. Chapter 45 of the Code of the City of Gardner is hereby amended by adding thereto a new Article, to be Article II, and a new section 45-3, to read as follows:

§ 45-3. Legal counsel.

- A. The City Council shall have the authority to retain independent legal counsel of its own selection from time to time by majority vote, and legal counsel shall be a member of the Bar of the Commonwealth of Massachusetts in good standing.
- B. Legal counsel shall assist the City Council in the preparation and formulation of legislation and in the rendering of opinions concerning legal matters, either of a substantive or procedural nature, the provisions of § 140-2 of the Code of the City of Gardner notwithstanding.
- C. Any invoice or charge for payment from said legal counsel shall be paid from the City Council budget.

Section 2. Severability

The provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses, or part of this ordinance.

Section 3. Effective date.

This ordinance shall become effective on passage and publication as required by law.

AN ORDER APPROPRIATING FROM FREE CASH TO ELECTIONS AND REGISTRATIONS, WAGES.

On a motion by Councillor Ronald Cormier and seconded by President Scott Graves, it was voted to recommend that the City Council refer the following Order to the Council as Committee of the Whole for further study:

AN ORDER APPROPRIATING FROM FREE CASH TO ELECTIONS AND REGISTRATIONS, WAGES.

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ORDER: That there be and is hereby appropriated the sum of Fourteen Thousand One Hundred Fifty Dollars and No Cents (\$14,150.00) from Free Cash to Elections and Registrations, Wages.

AN ORDER APPROPRIATING FROM FREE CASH TO ELECTIONS AND REGISTRATIONS, EXPENSES.

On a motion by Councillor Ronald Cormier and seconded by President Scott Graves, it was voted to recommend that the City Council refer the following Order to the Council as Committee of the Whole for further study:

AN ORDER APPROPRIATING FROM FREE CASH TO ELECTIONS AND REGISTRATIONS, EXPENSES.

ORDER: That there be and is hereby appropriated the sum of Four Thousand Two Hundred Fourteen Dollars and No Cents (\$4,214.00) from Free Cash to Elections and Registrations, Expenses, detailed below:

Communications	\$ 445.00
Professional Services	3,369.00
Office Supplies	400.00

ADJOURNMENT

On a motion by Councillor Ronald Cormier and seconded by President Scott Graves, it was voted to adjourn at 1:13 p.m.