



City of Westfield, Massachusetts

Minutes for Charter and Rules Committee (Ad Hoc) of October 21, 2019 @7:000 PM Room 315A City Hall

ATTENDING: Chair Matt Emmershly, Member Councilor William Onyski, Member Councilor Les LeFebrve

AGENDA:

RECORDING: Kerrie Tabb Springdale Road, Westfield, MA

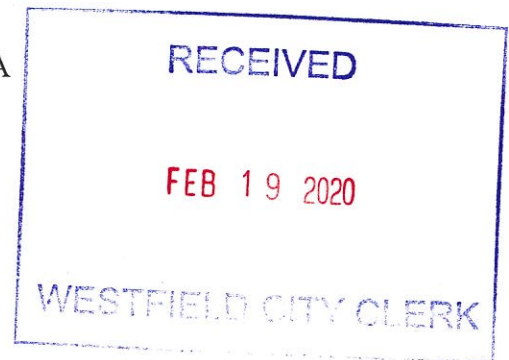
APPROVAL OF MINUTES FROM 2/19/19

--Accepted 3-0

APPROVAL OF MINUTES FROM 4/24/19

--Not all received the 4/24/19 Minutes

--Voted 3-0 to leave in committee without action



PUBLIC PARTICIPATION:

--Councilor Brent Bean supported CORI checks for City Council members. Moreover, other city departments and committees require CORI checks in order to work directly with the public and the City Council should also. Defining and implementing of the CORI check procedure, and the different levels of CORI checks need to be defined next. It was determined that the next step Councilor Matt Emmershly will need to talk to City Personnel and Law Office on CORI check background related information on CORI checks.

No other public participation topics.

OLD BUSINESS

- 1) That the Charter & Rules Committee to review the current City Council Rules, collect suggestions for edits from the City Councilors, and make recommendations for revisions. (1/8118, 12/ 19/18)

--Voted 3-0 to leave in committee without action

- 2) Motion of Councilor Surprise to add the following municipal budget process regarding the Submission of the Annual Municipal Budget to the Westfield Home Rule Charter.

Explanation: Submission of the Budget. The Mayor shall submit the annual City budget, recommending appropriations for the next fiscal year by organization/object code or order number, to the City Council no later than May 15. The City Auditor or appropriate authority, shall provide a copy of the Mayor's proposed budget to each member of the City

Council and to each member of the Finance Committee or successor entity and shall also post copies of the Mayor's proposed budget in the City Clerk's office and in the public library for inspection by the public, and a digital copy shall be posted on the city website, and a link to the digital copy shall be posted on the Official Facebook page of the City of Westfield. The Mayor's budget recommendations shall include, for each appropriation, by organization/object code or order number, the specific source of funding for that appropriation and, if any single appropriation is to be funded by multiple sources, the proportion of the amount which is to be funded by each source. Sources of funding may include, but are not limited to, property tax revenues; fee revenues, specifying the type of fee collected; state aid, specifying the "cherry sheet" account; state grant revenues, specifying the particular grant program; state reimbursements, specifying the state program; federal grant revenues, specifying the federal program; and private gifts. The Finance Committee or successor entity shall consider the adequacy of the funding sources and shall recommend decreases in any appropriation if it finds that the listed funding source cannot adequately fund the appropriation. Commencing in fiscal year 2020, the proposed operating budget submitted by the Mayor shall be a zero-based budget for 1/3 of all the departments of the City. One-third of all departments shall be staggered every fiscal year thereafter. Said budget shall be subject to all of the requirements of the Westfield Home Rule Charter. For the purposes of definition, a zero-based budget shall start with no authorized funds and shall not be based on the previous year's appropriations. It shall not be an incremental budget. The goals and objectives for each department shall be clearly stated within the operating budget of each department. Each line item in each department's budget shall exist solely to accomplish the stated goals and objectives of the department, and the amounts provided for each department's budget must not exceed a reasonable amount necessary to accomplish such stated goals and objectives. (11/11/18, 12/19/18, 1/14/19, 2/19/19)

--This was a Phase 3 action

--Voted 3-0 to leave in committee without action

- 3) Motion of Councilor Surprise to add the following municipal budget process regarding Annual Expense and Appropriation Estimates for all Municipal Departments, Boards, Officers, and Committees to the Westfield Home Rule Charter.

Explanation: Expenses and Appropriations of Departments, Boards, Officers, and Committees. The various Cityboards, officers, and committees charged with the expenditure of City money shall, not later than February 28 of each calendar year, prepare detailed estimates of the amounts deemed by them necessary for the administration of their respective offices or departments for the ensuing fiscal year, with explanatory statements of the reasons for any changes from the amounts appropriated for the same purpose in the preceding year. They shall also prepare estimates of all probable items of income which may be received by them during the ensuing year in connection with the administration of their departments or offices and a statement of the amount of the appropriation requested by them for the ensuing fiscal year. Such estimates and statements shall be filed with the office of the Mayor who shall at once transmit the same to the President of the City Council and to the Finance Committee or successor entity. (11/11/18, 12/19/18, 1/14/19, 2/19/19)

--This was a Phase 4 action

--Voted 3-0 to leave in committee without action

4) Motion of Councilor Surprise to add the following municipal budget process regarding the Responsibilities of the City Council Finance Committee to the Westfield Home Rule Charter. Refer to Charter and Rules Committee.

Explanation: Responsibilities of City Council Finance Committee. The City Council Finance Committee or successor entity shall duly consider the annual operating budget and may confer with said City boards, officers and committees and hold hearings if it deems it advisable. The Committee shall approve or disapprove the amount, in whole or in part, of the appropriation so requested. The Committee shall make a report of the matters so considered by it, with recommendations or suggestions relative thereto, and the same shall be posted in the City Clerk's office and public library and on the City's website at least seven days before the City Council's public hearing on the proposed City budget. Said Committee report shall state the total amount of the appropriations recommended by it in the entire budget and the approximate tax rate based upon said recommendations.

--This was a Phase 5 action

--Voted 3-0 to leave in committee without action

5) Motion of Councilor Surprise to add the following municipal budget process regarding the Filing of Grant Applications to the Westfield Home Rule Charter.

Explanation: Filing of Grant Applications. Any application for a grant in excess of \$5,000 filed with any other government agency or its subdivisions, private entity, not-for-profit entity, trust or individual submitted by or on behalf of the City, by any and all appointed and elected officials and employees of the City and all boards, commissions and authorities operating within and on behalf of the City and which requires a match by the City, shall simultaneously with said application also be filed by the person or body submitting said application with the City Clerk as a public record. For the purpose of this section, a grant shall be any request for funds, goods & services, information services or analysis and/or anything of value. Within three business days of receiving such an application, the City Clerk shall inform each City Councilor of the existence of the filing. This communication shall include, but not be limited to, the entity with which the application is filed, the person or body making the application on behalf of the City and a brief description of the nature of the application and any requirements of a match. (11/1/18, 12/19/18, 1/14/19, 2/19/19)

--This was a Phase 4 action

--Voted 3-0 to leave in committee without action

6). Motion of Councilor Surprise to add the following municipal budget process regarding Order for Appropriation to the Westfield Home Rule Charter.

Explanation: Appropriation Orders. All measures appropriating moneys shall be filed as an order and appropriately titled, e.g., "An Appropriation Order." Except as otherwise permitted

by law, all amounts appropriated by the City Council shall be expended only for the purposes specified. All measures appropriating moneys shall include the following provision or equivalent language: "Any moneys remaining in this appropriation which are not expended for the purposes specified shall be returned to the general fund, enterprise fund or otherwise originating fund and shall not be expended without further appropriation." (11/1/18, 12/19/18, 1/14/19, 2/19/19, 4/24/19)

--This is in Phase 2

--Emmershy to discuss further with the Law Department

--Voted 3-0 to leave in committee without action

7) Motion of Councilor Surprise to add the following municipal budget process regarding the Transfer of Funds to the Westfield Home Rule Charter.

Explanation: Transfer of Funds. All measures transferring funds shall include for each transfer the specific source of funding for that transfer, organization/object code or order number, and the specific organization/object code or order number where the funds are to be transferred to. Transfer requests shall include the specific purpose of the transfer. Transfer requests shall include all the necessary statutory authorizations when submitted to the City Council. (11/1/18, 12/19/18, 1/14/19, 2/19/19, 4/24/19)

--This is in Phase 2

--We agreed that this process is already in place but he will confirm for next time

--Voted 3-0 to leave in committee without action

NEW BUSINESS

8) Motion of Councilor Bean that a council rule or city ordinance be created pertaining to all city councilors being CORI (Criminal Offender Record Information) checked once in office and be REFERRED TO CHARTER AND RULES COMMITTEE. (8/15/19)

--There is a State Law that requires Mayors and School Committees to be CORI checked

--This can be added as either a Rule of Council or Charter Change

--Referenced Chapter 71 Section 38R

--Emmershy to contact Law and Personnel for further discussions

--Voted 3-0 to leave in committee without action

9) Motion of Councilor Bean, that a Code of Ethics ordinance be created for the City Council and be REFERRED CHARTER AND RULES COMMITTEE. (8/15/19)

--Most communities have a code of Ethics

10) Adjourn -- adjourned at 7:57 PM