



CITY OF SOMERVILLE, MASSACHUSETTS CLERK OF COMMITTEES

February 19, 2020

REPORT OF THE CONFIRMATION OF APPOINTMENTS AND PERSONNEL MATTERS COMMITTEE

Attendee Name	Title	Status	Arrived
Mary Jo Rossetti	Chair	Present	
Jefferson Thomas ("J.T.") Scott	Vice Chair	Present	
Wilfred N. Mbah	City Councilor at Large	Absent	
Jesse Clingan	Ward Four City Councilor	Absent	
Matthew McLaughlin	Ward One City Councilor	Present	

The meeting was held in the Committee Room and was called to order by Chair Rossetti at 6:03pm and adjourned at 8:18pm.

Others present: Frank Wright - Law; David Shapiro - Law; Shannon Phillips - Law; Malik Drayton - OSPCD; Ellen Collins - Personnel; Chief David Fallon - Police; Captain Richard Lavey - Police; Deputy James Stanford - Police; Deputy Stephen Carrabino - Police; Khushbu Webber - Mayor's Office; Kimberly Wells - Assistant Clerk of Committees

209550: School Committee Member Sarah Phillips requesting an exemption under MGL c268A s20(d).

Mr. Shapiro explained that the exemption is due to a classification of School Committee members as Special Municipal Employees, and any who have a financial interest in a city contract, may participate in their role with an exemption from the City Council, which is the nature of this request. Ms. Phillips has an indirect financial interest in a city contract. Ms. Phillips clarified that a program that the nonprofit that she works for (Mass Insight Education and Research) operates is an AP program, which has a contract with the city for \$22,500 for professional development for teachers, fee waivers for students, and other items. She does not do any work with this contract, nor is she paid through this contract, but is responsible for data security at the company, as well as for evaluating program effectiveness through statewide data that would include Somerville's data. She also oversees the staff member who would provide data to the administration in Somerville if requested.

Mr. Shapiro added that a Special Municipal Employee has more flexibility than a regular employee (City Councilors are regular employees). Councilor McLaughlin asked for clarification about how this is different from the previous school committee member, who represented undeserved populations in interactions with City departments. That individual was acting as an agent, on behalf of a client. This case does not involve representation, but rather a financial interest. That individual also took on that role while already serving as a School Committee member.

Chair Rossetti noted that many requests of this nature have not been approved. She asked for clarification about why Ms. Phillips would actively seek a position when she knew that a financial

conflict would exist. Ms. Phillips believed that she would be able to recuse herself from anything involving her employer but would be able to serve fully otherwise. Councilor Scott clarified that if Ms. Phillips did not participate in any relevant activities on behalf of her company, she would not need to come before the Council. The connection seems tangential and clear, and the contract is minor. The agency is less than 40 employees and has a \$6M-\$7M budget. Since the Special Municipal Employee designation exists for School Committee members, this request is within reason. The status in general is a topic for further discussion.

Councilor McLaughlin also asked Mr. Shapiro if there were other consequences and if a disclosure would still need to be filed. Mr. Shapiro noted that there is still a clear role that Ms. Phillips cannot take any official action on matters that she has a financial interest in. She will recuse herself if any business happens to come before the School Committee. He suggested that Ms. Phillips reach out to the Solicitor for any issues or questions. Councilor Scott noted that the state's Conflict of Interest Law Office is also an excellent resource.

The committee voted to approve this item on a voice vote of 2 in favor (Councilors McLaughlin and Scott) and 1 against (Councilor Rossetti).

RESULT:

APPROVED

209491: Requesting approval of an exemption for David Gibbs pursuant to MGL c268A, s20(d).

Mr. Gibbs explained that the reason for the exemption is that prior to his application to the Affordable Housing Trust Fund (AHTF), the City issued an RFP for an organization to administer a contract to assist with providing housing assistance to households at risk of eviction. His organization, Community Action Agency of Somerville (CAAS), was subsequently awarded that contract. Mr. Gibbs is the executive director, and oversees the organization, but does not have a direct financial interest and is not paid from this contract.

Councilor Scott noted that this seems similar to the predecessor in this role, and the interest is not direct.

Councilor McLaughlin noted that the AHTF does allocate funds, and those funds could be allocated to CAAS, which is a concern. Mr. Gibbs shared that CAAS does not build affordable housing and the scale of contracts that they are awarded is quite small. He does also feel comfortable recusing himself where appropriate.

Councilor Scott expressed confidence in Mr. Gibbs's understanding of the need to recuse, and expressed appreciation for Mr. Gibbs also recusing himself from any work at CAAS that may relate to this contract.

RESULT:

APPROVED

209404: Requesting confirmation of the appointment of Titania Ng to the Conservation Commission.

Mr. Drayton shared Ms. Ng's background in remediation and ecology and that she would be an asset to the Commission. Ms. Ng has lived in Somerville and attended Tufts and she would like to be able to serve to give back to her community. Most of her work is on projects that are not in Massachusetts, so she does not foresee any conflicts.

Councilor Scott asked where this puts the capacity on the Commission, and Mr. Drayton shared that this makes it full. Councilor Scott asked if there would be an opportunity for students to serve, and the Commission has been discussing the potential for Associate Commissioners, who could be a part of the discussion without voting rights, and would be a great role for a student. The Councilors commended Ms. Ng's background and resume and willingness to serve.

RESULT:

APPROVED

209405: Requesting confirmation of the appointment of Henry Ayanna to the Urban Forestry Committee.

Mr. Drayton introduced a youth member candidate for the Urban Forestry Committee, who displays great initiative and follow through. Councilor McLaughlin asked why Mr. Ayanna applied for this role and he attends Somerville High School and is interested in both municipal government and how it works, as well as gardening, trees, and environmental issues.

Councilor Scott commended Mr. Ayanna's passion and data-driven work. Chair Rossetti also lauded Mr. Ayanna's work with a professor at Tufts and willingness to serve.

RESULT:

APPROVED

209406: Requesting confirmation of the appointment of Conor Guidarelli to the Urban Forestry Committee.

Mr. Guidarelli has studied soil and crop sciences and focused on soil health, and works at the Arnold Arboretum currently. He has been interested in witnessing the development in Somerville and how public spaces affect a community, and would like to use the momentum in the community to shift the perception of cities as a place of health. Councilor McLaughlin clarified that Mr. Guidarelli works as a horticulturist, and would not have any conflicts due to his work at the Arboretum. Councilors Scott and Rossetti commended the work that Mr. Guidarelli did with Recover Green Roofs.

RESULT:

APPROVED

209590: Requesting confirmation of the appointment of Police Officer Wolff Berrouet to the position of Police Sergeant.

Chief Fallon introduced Officer Berrouet, who has been with the Department since 1995 and has been very involved with the community since he joined. He has completed many specialized trainings and also speaks several languages: French, Haitian Creole, Spanish, English and Brazilian Portuguese.

Officer Berrouet shared that he is looking forward to serving the community. Councilor Clingan confirmed that he has seen a lot of changes in the city. He has had many positive experiences with Officer Berrouet and views him as fair, professional, and level-headed. Councilor Mbah asked Officer Berrouet to explain Black Lives Matter and how it has informed his experience in the community. As a black man, Officer Berrouet feels that his life matters, and the group was created to help everyone live in harmony and is an important way to promote unity. Councilor Scott thanked Officer Berrouet for his long work history. Councilor McLaughlin also thanked Officer Berrouet for his continued presence at events and for what he consistently gives to the community. Chair Rossetti asked about the candidate's experience with training new officers and prior to the requirement for formal training, Officer Berrouet volunteered to train new officers. She also suggested that he continue to spend time in the schools to encourage students to follow his path. The Chair clarified that the SARA method of problem solving stands for Scanning,

Analysis, Response, Assessment. She asked why the candidate waited to apply for a promotion, and he was also working a second job on the side in construction and wanted some more flexibility.

The Chair moved to enter executive session to review protected personnel information or to discuss matters related to individual candidates pursuant to MGL c30A s21(a)(1). The motion was approved.

No votes were taken in executive session.

RESULT:

APPROVED

209591: Requesting confirmation of the appointment of Police Officer Steve St. Hilaire to the position of Police Sergeant.

Chief Fallon introduced Officer St. Hilaire, who has served on several Departments since 1994 and has been an excellent community police officer, after serving as a detective for a number of years. He is well-respected in the department and the community, and has received community service awards in addition to a Medal of Honor.

Officer St. Hilaire expressed excitement to take the next steps in his career. Councilor Scott asked about the candidate's experience in the domestic violence unit, and it was a more challenging job due to the nature of the cases. He likes the experience of engaging the community before the negative events and promoting positivity. Councilor Mbah thanked Officer St. Hilaire for his hard work. Councilor Clingan noted that the community has changes and asked how Officer St. Hilaire has experienced that. He responded that there is always change and the city is welcoming to everyone, including his own father back in 1954. The city is open and changing for the better. Councilor McLaughlin confirmed that the Medal of Honor was for a fire in Harvard, where Officer St. Hilaire was able to gain access to the home and rescue a resident, as well as alerting others to help save additional victims. Councilor McLaughlin also thanked Officer St. Hilaire for his presence in the community and at events and for all of his work in the community. The Chair asked what Officer St. Hilaire was doing during the period from 2003-2014. After 2003, he went back to Patrol.

The Chair moved to enter executive session to review protected personnel information or to discuss matters related to individual candidates pursuant to MGL c30A s21(a)(1). The motion was approved.

No votes were taken in executive session.

RESULT:

APPROVED

209642: That the Director of Personnel appear before this Council to explain the failure to urge the Council to take expedited action on two Police Department promotions that would have diversified the superior officer ranks had the civil service list not expired before the Council was able to consider the promotions.

Ms. Phillips noted that due to the Civil Service process and human resources, she recommends that this discussion occur in executive session. Solicitor Wright first clarified for Councilor Scott that the concern is that it is reasonably likely to result in litigation.

The Chair moved to enter executive session. The motion was approved.

No votes were taken in executive session.

Councilor Scott emphasized that there is no fault of the City Council and the process is moving forward in a satisfactory manner.

RESULT:	WORK COMPLETED
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Handouts:

- BOARD ORDER #22524-2 (with 209642)
- W. Berrouet - additional info (with 209590)
- W. Berrouet - additional info2 (with 209590)