



## CITY OF SOMERVILLE, MASSACHUSETTS CLERK OF COMMITTEES

March 2, 2022

### REPORT OF THE CONFIRMATION OF APPOINTMENTS AND PERSONNEL MATTERS COMMITTEE

| Attendee Name      | Title                    | Status  | Arrived |
|--------------------|--------------------------|---------|---------|
| Judy PinedaNeufeld | Chair                    | Present |         |
| Kristen Strezo     | Vice Chair               | Present |         |
| Charlotte Kelly    | City Councilor At Large  | Present |         |
| Jesse Clingan      | Ward Four City Councilor | Present |         |
| Jake Wilson        | City Councilor At Large  | Present |         |

Others present: Hannah Carrillo - Mayor's Office, Jessica Pavao - Personnel, Anne Gill - Personnel, Scott Whalen - SPD, Darcy Haynes - Constable, Stephanie Widzowski - Assistant Clerk of Committees.

This meeting was held via GoToWebinar and was called to order by Chair Pineda Neufeld at 6:00 pm and adjourned at 7:14 pm. (Councilor Kelly left at 7:00 pm for another meeting.)

#### Approval of the February 2, 2022 Minutes

The minutes were accepted on a roll call vote of 5 in favor, none against and none absent.

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| <b>RESULT:</b> | <b>ACCEPTED</b> |
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#### 212898: Requesting the re-appointment of Darcy Haynes as Constable.

Mr. Whalen introduced Constable Haynes, who spoke on his own behalf of his years of experience.

Councilor Kelly asked about Mr. Haynes' primary duties and what equipment he uses on the job. Mr. Haynes said he carries out orders from the courts, and that he is licensed to carry a firearm but has chosen not to carry one.

Councilor Kelly mentioned the eviction moratorium still active in Somerville and asked if Mr. Haynes would uphold it. Mr. Haynes said that if the court issued an eviction, he would honor the court's decision. Councilor Clingan said he believes it is important not to carry out eviction orders if a moratorium is in place and urged Mr. Haynes to consider that. He also clarified that the judge does not order the constable to execute an eviction; Mr. Haynes would get to choose

whether or not to act. Councilor Wilson also urged Mr. Haynes not to act on eviction notices during the moratorium.

Councilor Kelly asked about the number of illegal evictions that have happened since the moratorium went into effect; Liaison Carrillo said she would look for that information. Councilor Kelly noted that in less than two months, there will be a sharp increase in evictions. Vulnerable residents may end up homeless as soon as the moratorium expires. Given that and Mr. Haynes' answers during this meeting, she said she would not be comfortable voting to reappoint him.

Chair Pineda Neufeld asked Mr. Haynes what portion of his job is serving eviction orders, and how he provides resources when serving evictions as per the Housing Stability Notification Act. Mr. Whalen relayed the question to Mr. Haynes. Mr. Haynes said that he does very little eviction, and that he does not provide alternatives or resources during evictions.

Councilor Kelly made a motion to vote on the item.

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| <b>RESULT:</b> | <b>APPROVED. [4 TO 1]</b>              |
| <b>AYES:</b>   | PinedaNeufeld, Strezo, Clingan, Wilson |
| <b>NAYS:</b>   | Kelly                                  |

**212968: That the Director of Human Resources provide an update on the status of hiring a permanent Chief Fire Engineer.**

Dir. Gill said that they submitted a proposal on Feb 23 and are expecting to hear bids back by Mar 16. They will award the contract in early April. They are making use of an outside assessment center, with Civil Service's permission. The rationale for this was that Civil Service primarily makes decisions on candidates on test scores, and Dir. Gill said she did not believe that these tests accurately identify qualities of a leader.

Councilor Clingan asked how Civil Service and this assessment center interact - what information Civil Service gets from the assessment center. Dir. Gill said that they receive a profile developed by the assessment center. Councilor Clingan asked how the city legally justifies use of different assessment standards for hiring this position. Dir. Gill said that towns are allowed to develop profiles based on specific needs. Councilor Clingan responded that this sounds like a workaround to Civil Service, and while he agrees that test scores are not always the best measure of a qualified candidate, and would be comfortable marking the item as work complete, he said he wanted to do more research.

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| <b>RESULT:</b> | <b>WORK COMPLETED</b> |
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**213055: That the Chief of Police and the Chief Fire Engineer appear to discuss the appointment process for new hires and promotions.**

Dir. Gill introduced HR Manager Pavao, who explained the process. When there is a vacancy for a police or fire position, a request is sent through the Mayor's Office. With approval, the position opens through Civil Service. Qualified applicants are listed ranked by test scores and with Somerville residents receiving priority. Personnel has to consider twice the number of vacancies plus one; for example, if there are 5 vacancies, they need to consider at least 11 candidates. Then candidates are informed about the job duties and onboarding process. Candidates' information is

sent to investigative services, which has sometimes been outsourced in the past. Background checks look at information such as employment and driving history. Then a panel interviews successful candidates. Panels have included staff from HR, the chief of the police and fire departments, and recently the Director of RSJ. At this point, candidates are either offered a position or bypassed. If bypassed, a candidate has the right to appeal through Civil Service. Those with offers go through physical exams, including drug tests. Finally, they meet with the Mayor, appear before the Committee and City Council, and get sworn in.

Councilor Clingan asked about the number of vacancies in the police and fire departments, to which Ms. Pavao was unsure. Councilor Clingan asked about the 12 planned new hires. Ms. Pavao answered that they are finishing up the medical component and should appear before the Committee soon.

Chair Pineda Neufeld added that a vacancy list was sent to committee members. It lists 11 open officer positions.

Councilor Wilson asked if social media checks are conducted, and if so, if the candidates are asked to provide their handles, to which Dir. Gill answered yes, but the investigative firm can find their social media accounts without help. Their background checks are very thorough and also include criminal and sex offense registry checks. Councilor Kelly asked if candidates are informed and consenting of social media checks. Dir. Gill said that they are explicit with candidates during the job orientation about the exhaustiveness of the background checks.

Councilor Clingan asked about the residency requirement for firefighters. Ms. Pavao said she was unsure if the requirement still exists. Dir. Gill said that candidates should live within 25 miles. Councilor Clingan said it would be best to hire from within Somerville, but recognized salary and housing constraints.

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| <b>RESULT:</b> |
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| <b>WORK COMPLETED</b> |
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**213045: That the Mayor consider implementing a residency exemption for members of commissions who are required by law to remain on their respective commission until a replacement has been appointed.**

Councilor Clingan explained that there are many committees, some defunct. Some are dictated to exist by state/federal law. Without quorum, these committees would not be able to meet or function. This item is intended to address the issue of quorum for committees whose attendance is falling. Councilor Clingan would like an update from the Administration because he heard that the Persons with Disabilities Commission was recently changed by charter, and he wanted to know what is possible with other commissions. He also wanted to know which commissions were required by law.

Liaison Carrillo said that at their most recent meeting, it was decided that the current chair of the Persons with Disabilities Commission will stay in that position until they are able to appoint new members. Councilor Clingan asked if this commission was required to exist to be in compliance with ADA. Councilor Wilson shared a list of commissions required by law emailed out by the City Clerk.

Councilor Strezo spoke to her experience as a commissioner, which informs her view that recruitment and retention are complicated processes that benefit from dialogue. She said that

with the number of residents in the city, it is hard to believe that these commissions have so few participants. She is willing to discuss with the Administration on developing strategic plans for recruitment.

Councilor Kelly spoke to barriers that prevent residents from participating, including website accessibility and instability of housing for renters. Renters constitute 65% of Somerville's residents, and may be forced to leave the city if rent rises, despite wanting to participate.

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| <b>RESULT:</b> |
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| <b>WORK COMPLETED</b> |
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**212985: That the Committee on Confirmation of Appointments and Personnel Matters discuss and revise the process for reviewing appointments and re-appointments.**

Liaison Carrillo referred to a recent press release, which outlined a phased process. They are looking to re-examine all parts of the appointment process. Recruitment is the largest issue, about which they are collaborating with Communications. The challenge is allowing commissions and boards to keep operating during the overhaul, which means filling vacant seats. There is an active call for the Persons with Disabilities Commission as well as the Library Trustee Board. They are making sure calls are translated in standard Somerville languages as well as Mandarin. One goal is to expand the Advisory Appointments Committee, which currently only has three members, and set a regular meeting schedule. Liaison Carrillo stressed that this is a collaborative process, and that they are balancing timeliness with thoroughness and equity.

Councilor Wilson thanked the Administration for spelling out this policy, and expressed his support for expansion of the Advisory Appointments Committee and setting a regular schedule. He said he was unsure why some boards and commissions are missing from the memo. He noted that the Gang Advisory Board is now defunct, but that he wants to see the root causes of gang-related violence investigated. Councilor Wilson called attention to how many positions are unoccupied and implored the Administration to get boards up to speed. He wants to have a conversation about compensation, potentially offering compensation for all the expertise on these boards and commissions.

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| <b>RESULT:</b> |
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| <b>KEPT IN COMMITTEE</b> |
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**Reference Material:**

- Commission membership 2-7-2022 (with 212985, 213045)