



## MEETING OF CITY COUNCIL

TELEPHONE CONFERENCE

WESTFIELD, MASSACHUSETTS

AUGUST 18, 2020 AT 5:30 PM

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the City of Westfield **CITY COUNCIL** will be conducted via remote participation. Specific information can be found on the City of Westfield website at [www.cityofwestfield.org](http://www.cityofwestfield.org). For this meeting, members of the public who wish to listen to the meeting may do so by tuning into Channel 15 or online at [westfieldtv.org](http://westfieldtv.org). No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the City's website an audio recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

The City Clerk called the roll. All thirteen Councilors were present.

President Bean informed the Council that the update on the water system will be only on the previous questions that were submitted. There will be no additional questions allowed. President Bean announced that Mayor Humason, Public Works Director Dave Billips and Heather Stayton, Systems Engineer for the Department of Public Works, were remotely present at the meeting. Councilor Allie asked how the questions would be addressed. President Bean informed the Council that the questions will be answered in the order in which they were received. President Bean informed the Council that Ms. Heather Stayton will be answering the questions submitted.

Ms. Heather Stayton, read the following document as follows:

"On June 18<sup>th</sup> City Council passed a motion requesting that an update on Wells 7 and 8 be given by the DPW Director and Councilor's written questions with regard to said update on Wells 7 and 8 be answered. On June 25<sup>th</sup>, 15 questions were subsequently submitted by three individual Councilors, many of which went far beyond the scope of an update on Wells 7 and 8. On July 28<sup>th</sup> an additional 37 questions were submitted by one Councilor who had also previously submitted questions, many of which again went far beyond the scope of an update on Wells 7 and 8 and also included questions from residents in addition to the Councilor's questions. Many of these resident questions also go far beyond the scope of an update on Wells 7 and 8.

Prior to this meeting the Water Department consulted with the Law Department regarding Charter Section 26. As the Mayor's previous communication to Council indicated, Charter section 26 allows the Council to request specific information from the Mayor in the form of written questions submitted to the Mayor for a meeting to be held not earlier than one week from the date of the receipt by the Mayor of said questions. This section of the Charter also requires that the information requested be within

Council's jurisdiction. Wells 7 and 8 and the water system as a whole are not within Council's jurisdiction. While recognizing there is an additional provision in Charter Section 26 which allows for the Council to investigate a financial transaction, which financial transaction may be within their jurisdiction, that is not the case here. There is no financial matter relative to Wells 7 and 8 before the Council. This Charter provision does not permit for investigations into a matter that is not within Council's jurisdiction.

Although Wells 7 and 8 and the water system as a whole are not within the jurisdiction of City Council, Mayor Humason has asked that the Water Department answer those questions pertaining to Wells 7 and 8 which were submitted back at the end of June and new Councilor questions which were submitted at the end of July. In consultation with the Mayor and DPW Director Billips, it was determined that I was best suited to answer these questions as a result of my job duties, education and involvement with the project.

For those of you who may not know me, I'm Heather Stayton, the Systems Engineer for the Department of Public Works. I graduated from Cornell University with a degree in Biological and Environmental Engineering. I am also a licensed professional Civil Engineer and a grade 3 licensed public water distribution system operator in the state of Massachusetts. It is my job, along with the rest of the DPW-Water Division, to safeguard the water system for the City of Westfield and make sure that we are complying with regulations as well as meeting our goal to provide clean, reliable drinking water to the City that meets and exceeds all appropriate state and federal guidelines for drinking water. I've given presentations to the AWWA, NEWWA, MWWA, Cancer House of Hope, taught classes, participated in roundtables, and fielded countless phone calls on the subject of PFAS and the contamination here in Westfield. Westfield, and our expert consultant firms, has been recognized nationally by Water and Waste Digest with the #1 Top Project award for 2019 for our comprehensive work to address the PFAS issue in our water. The Westfield PFAS Emergency Response that quickly put in place temporary and permanent treatment measures to treat water from wells that had been contaminated with PFAS, a chemical found in firefighting foam used at the Barnes Air National Guard Base, gained high praise from the publication.

I plan to read each Councilor question submitted and will then state the answer. You'll note as I go through them, that as I've previously discussed, some of the questions which were submitted were not regarding an update on Wells 7 and 8, which is the scope of what Council voted for, and therefore may not be answered. You'll also note that in places the Department was requested to bring various documents to this meeting. As there is no matter within its jurisdiction before the Council with regard to this subject, any request for responsive documents will need to be made by the interested individual pursuant to the Massachusetts Public Records Access Laws. Any responsive results may then be reviewed by the recipient to glean the information they seek from the documents.

Before I begin, however, I'd like to take the opportunity to let everyone here and everyone who may be listening in or watching at home know that the status of, and any updates with regard to Wells 7 and 8 and Wells 1 and 2 have been and continue to be discussed at the regular public meetings of the Board of Water Commissioners as these matters and those pertaining to the water system as a whole fall solely within its jurisdiction.

Further, during the June 18<sup>th</sup> Council Meeting I believe it was indicated that some of the questions with regard to Wells 7 and 8 being raised by Councilors were brought forward to them by residents. Some of

the questions which were then submitted to the Mayor in July were specifically identified as resident questions as opposed to Councilor questions. I'd therefore like to take this opportunity to remind residents and business owners I continue to be available to answer their questions via telephone and email. Throughout this entire process I have spoken with numerous residents about their questions and concerns. I'm also happy to address with them any questions they may have with regard to the water system as a whole. I can be reached by residents and business owners at 572-6226 or [h.stayton@cityofwestfield.org](mailto:h.stayton@cityofwestfield.org).

As a general update on water issues at Wells 7&8 and 2, the following is a summary of the updates given to the Water Commission on these sources.

On June 22, Owen District Road Water Treatment Plant was started up for its operational trial in accordance with MassDEP guidelines. Approximately 12 Million Gallons of water was produced through the treatment plant during this process, which was completed in early July. The Water Division received approval to operate from DEP on August 4 and will continue operating in accordance with our permit. All sampling done throughout the operational trial, as well as since the August 4 approval has shown the presence of PFAS in the raw water, and then non-detect at the midpoint of treatment in each vessel as well as non-detect at the point of entry into the water system. This demonstrates that the GAC is working as designed to remove PFAS.

The Well 2 Temporary Treatment Plant is running continually to keep up with demand for water in the City. Our operators are actively working to maximize water production from our other sources. We are sampling at this site in the raw water, midpoint of treatment, and at the point of entry to the distribution system monthly per the revised MassDEP schedule and reports show non detect for all compounds at the point of entry. More than 300 million gallons of water have been treated through this temporary vessel since it was brought online.

I'll now move on to the Councilor questions which were presented in writing which are the only questions that will be answered tonight. I will also identify each submitting Councilor. Some questions were submitted twice, once on June 25<sup>th</sup> and again at the end of July. I will only read and answer those once.

Questions:

*1. Well 2 has been running for about 1 1/2 years (much longer than 7&8) what are the statistics and testing results during this time at Well 2? (Councilor Sullivan)*

- The scope of the request voted on by council was an update on Wells 7&8. This is outside of that scope. However, as answered in my update, Well 2 has produced and treated more than 300 million gallons of water. Through this time, the sampling results have continually shown the presence of PFAS in the raw water and non detects for PFAS at the point of entry sample point.

*2. Please explain why the DEP would not allow Wells 7 and 8 to be turned on since last September. (Councilor Allie)*

- The DPW-Water Division requested that MassDEP allow us to begin putting water into the City distribution system from the treatment plant at wells 7&8 for the startup and commissioning process on June 11, 2020 and that permission was granted on June 17, 2020. Approval to operate after this initial commissioning was granted on August 4, 2020.

*3. Please confirm the issue of carbon leaching arsenic, and explain how the issue was corrected. (Councilor Allie)*

- Arsenic is a naturally occurring element that can be found in small amounts in a wide variety of natural materials. Granular Activated Carbon, like that used in the Owen District Road Water Treatment Plant, tends to have a small amount of naturally occurring arsenic in it that is typically found in low concentrations in the first water that is put through a filter. This water was not put into the distribution system. These amounts typically reduce to negligible or non-detect levels as more water is put through the filters during start up. This is what we saw happen at the Owen District Road Water Treatment Plant prior to putting any water into the distribution system.

*4. How this will not be an issue in the future. (Councilor Allie)*

- We expect to see similar behavior from any fresh carbon, and the same protocols will be in place to verify the reduction in arsenic levels before a filter is put into service to serve the distribution system.

*5. How many gallons of water have been run through wells 7 and 8 to date. (Councilor Allie)*

No drinking water was produced by wells 7&8 until we received approval from MassDEP to do so. Once we received approval,

- In June, 6.198 million gallons of drinking water were produced by Wells 7&8
- In July, 6.258 million gallons of drinking water were produced by Wells 7&8
- So far in August, 18.452 million gallons of drinking water were produced by Wells 7&8

*6. What additional costs were incurred in the disposal of the water pumped from Wells 7 and 8 since last August? (Councilor Allie)*

- None.

*7. Can the 200k in the Water - Construction budget, assigned to Tekoa Dam (which is no longer needed for Tekoa work) be reallocated to find permanent solution to the pump/booster station problem, which you say has had issues for years, given that the return of wells 7 & 8 to service has caused renewed water pressure and lack-of-water problems for residents living on East Mountain? (Councilor Mello)*

- The scope of the request voted on by council was an update on Wells 7&8. This is outside of that scope. However, the Tekoa Dam Removal project is not yet complete, and we will need the money budgeted in order to complete the project. Important environmental permitting requirements, follow up reporting, and some finish restoration are still yet to be done. Returning wells 7 & 8 to service has not caused pressure problems. Except for when they were turned off in response to PFAS more than four years ago, those wells have been in service since the 1970's and the pressure gradient has not changed.

*8. Has any non-targeted PFAS analysis, total organic fluorine analysis, or total oxidizable precursor assay been performed on the water from wells 7&8, from the raw water, gac water, or finish (point of entry) water? If so please bring those laboratory reports. (Councilor Mello)*

- None of these tests or analyses are approved or required by either the USEPA or MassDEP. However, as shown in the 2017 Bench Scale Testing Memorandum, 6 pre-filter and 6 post filter samples of water from Well 8 were analyzed using a high resolution mass spectrometry suspect list of 975 anionic PFAS.

The criteria for matching were less than 5ppm mass error on the parent ion and less than 10% isotope ratio difference. No known PFOS or PFOA precursor compounds were identified in these samples. The levels of PFAS used in the bench scale testing is consistent with those both before and after removal and reactivation of the wells. These lab reports have been available for 3 years and can be requested as a public records request, which I will be happy to address through the legal process that is set up to do so.

*9. Regarding water from wells 7&8, what are the PFAS analyte concentrations in raw water, gac water, and finish (point of entry) water in the latest testing? What are the arsenic levels for each? Please bring these reports as well. (Councilor Mello)*

- The PFAS concentrations found in the raw water are consistent with the bench scale testing done in 2017 while all of the mid treatment water (referred to as gac water) and the finished or point of entry water sampling are non-detect for PFAS. I spoke to the arsenic levels previously in Councilor Allie's question 3. Again, as for lab reports, this is a public records request, which I will be happy to address through the legal process that is set up to do so.

*10. What other co-contaminants, both organic and inorganic, have been found in the water from wells 7&8, and how is this affecting or expected to affect the filter media and its lifetime? Please present those laboratory results as well. (Councilor Mello)*

- As described in the 2017 Bench Scale Testing Memorandum, basic water quality parameters including anions (chloride, sulfate, and nitrate) and total organic carbon were monitored, along with pH, EDB, arsenic, and PFAS. The selection of GAC as the filter media, and recommendations of a minimum of 27,000 empty bed volumes prior to filter change out were calculated taking these into account. Which means, we knew what was in the water and what needed to be done to meet the drinking water standards when the project was designed. And again, this is a public records request, which I will be happy to address through the legal process that is set up to do so.

*11. When the work on Dry Bridge Road is completed, will you still use wells 7&8 primarily or will those be taken down to reduced or limited use? (Councilor Mello)*

- We will operate the sources based upon the best judgement of our educated, experienced, and qualified operators based on the needs and requirements of the system at the time.

*12. How long do you expect water restrictions to be in place, and how are they related to bringing wells 7&8 back online? (Councilor Mello)*

- The Water Commission has enacted restrictions under its authority and the commission will determine how long they will last and under what circumstances these restrictions will be lifted.

*13. Have you coordinated with other City Department Heads (Park and Rec, Facilities, etc.) to ensure that City owned properties and sprinkler systems are operating within the limits of the water restrictions? (Councilor Mello)*

- The scope of the request voted on by council was updates on Wells 7&8. This is outside of that scope. However, Director Billips is the Director of the Department of Public Works, which includes water, wastewater, highway, land and natural resources, refuse and recycling, stormwater, and Parks and Rec, so yes.

14. Have you tested to find out how much PFAS (or any other toxic contaminants) may be leaching back out of the buildup along the walls of the aging distribution pipes in our system? If so please bring those data. (Councilor Mello)

- The scope of the request voted on by council was updates on Wells 7&8. This is outside of that scope. However, the ATSDR did take water samples at taps in 17 different locations throughout the area of their study. What they found is that there were no PFAS detected in 16 of 17 samples, and that the source of the PFAS in the one sample it was detected in was a refrigerator filter that had not been changed in quite some time. When a filter is not changed out when it is full, some of the material that it filtered out can re-contaminate the water it was put in place to filter. This filter was contaminating the water coming through the refrigerator filter with PFAS even though there is no longer PFAS in the water coming from the system.

15. With wells 7&8 online now, how is the City disposing of the spent filter media from the temporary GAC vessel currently at Well 2? Where does the carbon go specifically? Where's its final destination? Is it incinerated? If so, where? (Councilor Mello)

- When we get to the point where we need to change out the filter media, we will dispose of it in a way that meets all applicable laws and regulations in place at that time.

#### Councilor Mello's 7/28 Questions

1. Are wells 7 & 8 fully operational and putting filtered water into the distribution system now? If so, is this a conditional arrangement? Has the Owen WTP received full approval from MassDEP?

- As discussed previously in my update, the DPW-Water Division has received its permit to operate the Owen District Road Water Treatment Plant from MassDEP. A permit, by its definition, is a conditional approval. Just like all of the other water sources and treatment systems in the City.

2. How much water from wells 7 & 8 have been put into distribution since January 2020? Since June 2020? Since July 2020?

- Answered previously in response to Councilor Allie's question 2.

3. Thirteen PFAS were found in the bench scale sample sent to Chris Higgins at the Colorado School of Mines. They are: PFPeA, PFBS, PFPrS (MPFBS), PFHxA, PFPeS (MPFOS), PFHxS, PFHpA, 6:2 FTS (MPFOA), PFOA, PFHpS (MPFHxS), PFOS, PFNA, and 8:2 FTS. How many of these compounds is the City of Westfield regularly testing for?

- The scope of the request voted on by council was an update on Wells 7&8. This is outside of that scope. However, the City of Westfield tests for the complete list of compounds required by Mass DEP in its sampling schedule.

4. ~~Has any non-targeted PFAS analysis, total organic fluorine analysis, or total oxidizable precursor assay been performed on the water from wells 7 & 8, from the raw water, GAC vessels water, or finish (point of entry) water? If so, please provide those laboratory reports.~~

- Asked and answered above in original Councilor Mello question 8.

5. *Has EPA 533 been performed on the water from wells 7 & 8 raw, GAC vessels, and finish water? If so, please provide those laboratory reports.*

- Again, this is a public records request, which I will be happy to address through the legal process that is set up to do so. However, according to MassDEP's proposed Massachusetts MCL presentation given February 13 of this year, "labs must use EPA method 537 or 537.1 to analyze samples for PFAS; Method 533 was just released by EPA and MassDEP is open to comments on whether or not to approve its use."

6. *Have tests been performed on the raw, GAC vessels, and finish water at Owen WTP, for:*

- *Fuel and oil constituents used in fire training and dumped into dry wells, that have potentially traveled through the aquifer;*
- *Fuel, oil constituents, and solvents specifically from jet fuels and specifically from runway spills, hangar discharges, and jets that must spend their fuel or dump their fuel stores during a takeoff or landing emergency; and*
- *f. For the following compounds typically found in AFFF: Tetradecyl sulfate and Dodecyl sulfate?*

The scope of the request voted on by council was an update on Wells 7&8. This is outside of that scope. However, as I have explained, the City of Westfield tests for the complete list of compounds required by Mass DEP in its sampling schedule.

7. *How often are PFAS, Arsenic, pH, and other sampling /testing conducted on the raw, GAC vessels, and finish water at wells 7 & 8?*

- As often as needed to ensure that the plant is running properly and at least as often as required by Mass DEP in its sampling schedule.

8. *What were the PFAS analyte concentrations in raw water, gac vessels water, and finish water (point of entry) water in the latest testing? When were the last samples taken for each test? What are the arsenic levels for each? What is the pH for each? Please provide any reports for these as well, including tables/graphs to indicate how/if these values change or have changed over time.*

- Again, this is a public records request, which I will be happy to address through the legal process that is set up to do so, and this is outside the scope of the request voted on by council, which was an update on Wells 7&8. However, the City of Westfield regularly tests for the complete list of compounds required by Mass DEP in its sampling schedule.

9. *Is the pH taken at the lab or the WTP? Why?*

- The scope of the request voted on by council was an update on Wells 7&8. This is outside of that scope. However the answer is both.

*10. Is it true that as pH increases, fluorotelomers can oxidize into PFBA and PFHxA, so called "short chain" PFCAs that are harder to remove with GAC filtration?*

- The scope of the request voted on by council was an update on Wells 7&8. This is outside of that scope.

*11. How many gallons of water were flushed through the GAC filters to prepare them to come online? Where exactly was this water discharged and or disposed of? What was the cost of discharge/disposal? How does this affect the lifetime expectancy for the filter media? Please explain how the "system" has been or will be modified from its original design to accommodate these circumstances, and any related cost increases.*

- As many as were needed to commission the plant. The water was disposed of in accordance with all appropriate guidance received by state agencies including MassDEP and the Bureau of Waste Site Cleanup at no additional cost to the City and with no modification needed as this is all a normal part of the startup and commissioning of a treatment plant.

~~*12. What other co-contaminants, both organic and inorganic, have been found in the water from wells 7 & 8, and how is this affecting or expected to affect the filter media and its lifetime? Please provide these laboratory reports as well. Please explain how the "system" has been or will be modified from its original design to accommodate these circumstances, and any related cost increases.*~~

- Asked and answered in original Councilor Mello question 10.

~~*13. Have you tested to find out how much PFAS (or any other toxic contaminants) may be leaching back out of the buildup along the walls of the aging distribution pipes in our system? If so, please bring those data.*~~

- Asked and answered in original Councilor Mello question 14.

~~*14. With wells 7 & 8 online, how will the City be disposing of the spent filter media from the GAC vessels? Where does the carbon go specifically? Where is it's final destination? Is it incinerated? If so, where? How does the City verify safe disposal? What specifically is the City of Westfield doing to ensure its PFAS contamination is not becoming PFAS air discharges for another community?*~~

- Asked and answered in original Councilor Mello question 15.

*15. How much water had to be flushed through each of the GAC vessels to bring the Arsenic numbers down? Where did they start? Where did they end? Where are they now?*

- I answered this question in my response to Councilor Allie's questions and Councilor Mello's 2nd round of questions #11.

*16. Please explain the PFAS detections in the laboratory report from May 4, 2020. Which PFAS were detected? Where in the system? What were the concentrations? What caused these detections? Was*



*this PFAS breakthrough, channeling, lab error? If lab error, why not use additional labs? Is there a reason we aren't using Eurofins/Test America? How will the City of Westfield prevent this in the future?*

- The scope of the request voted on by council was an update on Wells 7&8. This is outside of that scope. However, we tested extensively throughout the construction and commissioning process. Through the testing referenced, we saw detection of PFAS beyond the raw water and once we investigated the cause, we discovered that a valve was not seating properly. This issue was corrected and follow up testing was done multiple times before any request was made to put water into the distribution system.

*17. Where can residents have access to all of this information, and more importantly, current and up to date information about the quality and contaminants of their drinking water? Have you made all of this public record information available on the city's website? If not, why not?*

- All residents receive a water quality report in accordance with state and federal guidelines by June 30 of each year. This provides a full update on the water quality for the City and is posted on the website. Our PFAS drinking water results are also posted on the City Website under the PFC's Information and Updates page. In addition, if a resident has more specific information that they would like to see, this is a public records request, which I will be happy to address through the legal process that is set up to do so.

*18. Has the raw/gac/finish water from Wells 7 & 8 and the OWTP been tested - in the last 12 weeks - for the MCLs, Secondary MCLs, and other guidelines listed here:*

*<https://www.mass.gov/guides/drinking-water-standards-and-guidelines>*

- As I previously stated, the City of Westfield tests for the complete list of compounds required by Mass DEP in its sampling schedule.

*19. When the work on Dry Bridge Road is completed, will you still use wells 7 & 8 primarily, or will those be taken down to reduced or limited use?*

- Asked and answered in original Councilor Mello question 11.

*20. How long do you expect water restrictions to be in place, and how are they related to bringing wells 7 & 8 back online?*

- Asked and answered original Councilor Mello question 12.

*21. Can the \$200k in the Water Construction budget, assigned to Tekoa Dam (which is no longer needed for Tekoa work) be reallocated to permanently solve the pump/booster station problem, which Dir. Billips has said (in a 24 June 2020 email) had issues for years, given that the return of wells 7 & 8 to service has caused renewed water pressure and lack of water problems for residents living on East Mountain?*

- Asked and answered original Councilor Mello question 7.

22. What is the total amount of money spent to date to test and treat the contaminated water at Wells 7 & 8?

- As this quantity is both constantly changing, and has a direct impact on litigation efforts that the City is engaged in, I will not answer this question. What I can tell you is that what goes in to calculating this number is not only the bills that the City has paid to the contractor, but also money that has been spent through design, testing and sampling, permitting, consultants, staff and personnel within the City, and city resources like equipment and materials. All of those factors must be taken into consideration and at best what could be provided is a rough estimate. What venturing an estimated dollar amount at this time will do is cripple our ability to recover our costs from the entities who are actually responsible for this contamination.

As I have stated multiple times both in this Council and individually to residents and Council alike, I am happy to have a conversation to answer questions or concerns that individuals have regarding the water in the City. This, however, is not an appropriate or conducive format for answering those types of questions. I have answered the Councilor questions relevant to the matter that brought me here, an update on Wells 7 and 8, however, I will not be diverging into other matters as that is not what I was brought here for. If individuals would like answers to those questions, I would recommend that they contact the DPW-Water Division by phone or email to get answers. I would also recommend that they view or read the publicly available meeting minutes and videos from those Council meetings where the water bond was under consideration by Council because, although many of the resident questions submitted by Councilor Mello on July 28<sup>th</sup> are broad and/or non-specific, a great deal of the information they appear to be seeking was already addressed either tonight or previously in those public meetings.”

Councilor Harris thanked speaker Heather Stayton, Director Billips, the Water Department, Water Commission and Law Department for their outstanding handling of Westfield’s water situation and the Water Quality Report which was extremely reassuring to the citizens. Councilor Flaherty also thanked Heather Stayton for her great presentation and this presentation was asked for by the Council so that it could be broadcast because not many people go to Water Commission meetings. Councilor Allie also thanked Ms. Stayton and agreed with Council Flaherty about having it broadcast for the public to hear. Councilor Mello also thanked Ms. Stayton and informed her that she has already put in public record requests for documents that were mentioned in the presentation.

Upon motion of Councilor Figy, for the Finance Committee, it was VOTED: That the sum of \$30,000.00 be transferred within the Law Department from Full Time Salary account #11510000-511000 to Purchase of Services account #11510000-520000 to be used for depositions, mediation, and other costs of litigation.

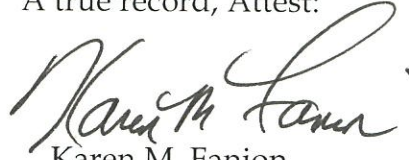
The vote on the foregoing was as follows:

Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes

Prior to the vote, Councilor Figy informed the Council that the transfer is a transfer within the department for costs of billing for July. It's not a Free Cash item. Councilor Mello questioned how this transfer will affect the salary of the City Solicitor's position and is it increasing the Purchase of Services account. President Bean allowed Mayor Humason to answer. Mayor Humason informed the Council that it has nothing to do with the City Solicitor's position. He explained that it's for a bill for outside Counsel. Councilor Mello questioned if this money is coming out of the City Solicitor's salary account does that mean that the hiring of new City Solicitor will not take place for a few months. Councilor Sullivan informed the Council that it's already two months into the fiscal year and a new City Solicitor has not been hired so there is extra money in that line item. Mayor Humason informed the Council that he has no plans to hire City Solicitor at this time. Councilor Figy informed the Council that the line item contains four full time salaries within the Law Department, but the vacant one is the City Solicitor's position. Councilor Sullivan informed the Council that it has to be the City Solicitor's salary because that is the one that's vacant. Councilor Flaherty agreed with Councilor Sullivan's answer. Councilor Flaherty informed the Council that the line item for outside Counsel is lower than usual due to budget constraints and most likely the law department will be coming back to Council for money for outside Counsel for cases and litigation that is beyond the capability and time capability of the Law Department. Councilor Flaherty informed the Council that there should be an executive session to have the Law Department inform the Council on how much is being spent on particular cases. Councilor Mello informed the Council that there are financial decisions that are being scrutinized for those that want to make a one-time donation to the City's budget. Councilor Bean informed the Council that he is very concerned with the not hiring of a City Solicitor and that the City is down bodies in City Hall. Councilor Flaherty expressed his concerned with the vacancies and he informed the Council that the putting together of the team for defined contribution plan vs defined benefit should wait until there is a City Solicitor and Personnel Director. Mayor Humason informed the Council that Shanna Reed is the acting City Solicitor he is looking at applications now for a Personnel Director.

At 6:19 PM, and upon motion of Councilor Harris, it was  
VOTED: To ADJOURN.

A true record, Attest:

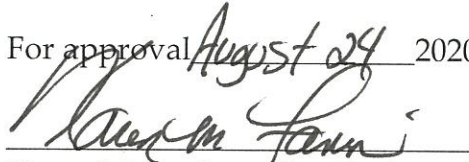


Karen M. Fanion  
City Clerk/Clerk of the Council

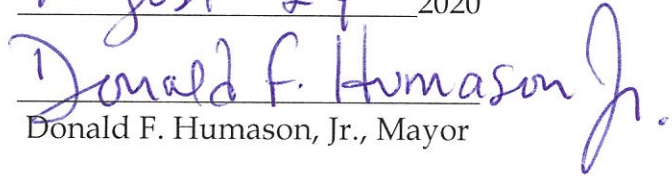
Presented to the Mayor

Approved by the Mayor

For approval August 24 2020

  
Karen M. Fanion, City Clerk

August 24 2020

  
Donald F. Humason, Jr., Mayor