

**METHUEN CITY COUNCIL REGULAR MEETING  
GREAT HALL, SEARLES BUILDING  
January 22, 2008 - 7:00 p.m.**

Chairman Lahey called the Regular meeting of the Methuen City Council, scheduled for January 22, 2008 to order at 7:00 pm with eight members present. Councilor Quinn was absent.

ACCEPTANCE OF AGENDA

MOTION BY: Councilor Zanni seconded by Councilor Cronin, to adopt the posted agenda

UPON VOTE: UNANIMOUS

INVOCATION/PLEDGE OF ALLEGIANCE

Fr. Waters from Our Lady of Good Council gave the Invocation. Everyone remained standing for the Pledge of Allegiance

ACCEPTANCE OF MINUTES

MOTION BY: Councilor Cronin seconded by Councilor Willette to waive the reading and accept the minutes of December 17,2007-regular meeting, December 20, 2007 –special meeting; and January 2,2008 – regular meeting.

UPON VOTE: UNANIMOUS

CORRESPONDENCE/PROCLAMATIONS None

PUBLIC SERVICE

GRANTS: None

LICENSES: None

PUBLIC PARTICIPATION

Jack Burke 49 Canobieola Road spoke regarding Contract C-08-15 extension of sewer with Dracut. Mr. Burke is asking what the no-cost dollar value would be and would it require (he would recommend) an inflow infiltration study? He is also asking for a workshop with all parties so that the citizens can understand what the scope is. He is asking if Community Development is involved given the Master Plan had references to this contract. Has Community Development anticipated some of the growth (west end) and what the impact would be? Mr. Burke referenced the Master Plan. Mr. Burke questioned the issue of appointments and the publishing of said appointments in a newspaper (as stated in the City Municipal Code) notifying all citizens in the community and giving them the opportunity to apply for said position. Mr. Burke also referenced TR-08-9 establishing a 21<sup>st</sup> Community learning Center Revolving Fund. This was a grant now expiring. We are creating a fund to gather money to continue this program. He asked if there is a comprehensive program for the City regarding the 21<sup>st</sup> Century CLCC. Mr. Burk is suggesting that the Code be complied with or amended. He understands this program is only running at the Tenney and Timony Schools. This is an after school program and should include all school districts. Mr. Burke asked: how many students and families this program affects? What is the per- pupil and per- hour rates? What was the size of the grant expiring and what is the plan to fund the new account? Is this fund being authorized and approved by the school committee? Mr. Burke thanked the Council for their time.

The Clerk read into the record a letter from Dorothy Kalil, 8 Oakridge Street Methuen regarding the vote of Council to override the Mayoral vetos. The letter stated that it would be setting a precedent for dealing with future matters and is the Council willing to sacrifice that kind of loss of power.

CONTRACTS

C-08-15 Town of Dracut for Sewer Service Between the City of Methuen and the Town of Dracut.

MOTION BY: Councilor Cronin seconded by Councilor Pappalardo to table to a workshop.

Chairman Lahey stated the representative is here to answer questions from the Council. Mayor Manzi said that he presented the contract and would like to speak on the issue. Mayor Manzi said the representative is here from CDM and he provided Council with a narrative on this issue and would like to move towards passage as soon as possible. If Council wishes to have a workshop it would be with the City of Methuen, (Dracut will not be there) DPW and CDM.

Councilor Cronin asked why Dracut would not be at the workshop?

Mayor Manzi stated the contract has been negotiated between Dracut and the City of Methuen. The Mayor represents the City and he can answer the questions on our (city) side. Dracut will not come here and the Mayor will not go the Dracut Board of Selectmen.

Councilor Pappalardo asked why would Dracut not want to be here?

Mayor Manzi stated that Council could submit questions to Dracut but he and CDM are here to answer any questions. This is a Methuen matter.

Chairman Lahey suggested that if there are questions we could ask the Mayor or the representative from CDM and not be concerned (at this time) with Dracut.

Councilor Pappalardo stated that Council should have a workshop because Council has not had enough time to examine this contract and Frank Russo is on vacation. She does have questions and would like to have a workshop.

Mayor Manzi stated the representative from CDM is here and can answer any questions the Council may have.

Councilor Zanni asked for an overview of Contract C-08-15 sewer service between the Town of Dracut and the City of Methuen.

Tom Morgan representative from CDM stated that in the packet given to the City Council is the City of Methuen/Town of Dracut Inter-Municipal Agreement for the Conveyance of Wastewater Basis Agreement. This will provide significant benefit to both communities (overview attached). The contract elaborates on and describes what the project is and sets the terms of participation for both communities. Dracut will fund the construction of a new sewer system designed to accommodate projected flows from specified areas in both Methuen and Dracut. Dracut will construct and transfer ownership to Methuen of a new watershed conveyance infrastructure valued at \$7.6 million including project-financing costs. Mr. Morgan referenced a diagram and the agreement pertaining to Conveyance Infrastructure, Infiltration/ inflow investigation/remediation. (Attachment).

Councilor Zanni asked if the new lines would affect housing going across anyone's land? Mr. Morgan stated that the only land involved would be a future road in the cemetery. It will be all existing streets. Under the terms Dracut will pay to Methuen \$1.2 million in funding to investigate and remediate problems within the Bolduc Street and Burnham Road pump stations. The work will be completed between 2008 and 2012. Mr. Morgan broke down how the \$ 1.2 million would be dispersed.

Councilor Zanni stated the Dracut wastewater flow projections would be over a twenty-year period.

Mr. Morgan said that is correct and if improvements have to be made the contract allows Dracut to pay their share.

Mayor Manzi referenced the Burnham Road pump stations that will require upgrade within the next twenty years. Mayor Manzi stated the key component of the contract is the ability of Dracut to enter into the Greater Lawrence Sanitary District. They will go in as a capital member, pay a capital fee and pay according to their flows. Dracut will be assessed by the GLSD; Methuen is a 40% owner of the GLSD and derives benefit from the capital entry and the flow revenues. The GLSD has the capacity to take these flows. Councilor Zanni stated this is a thirty year contract and there are instances where it can be altered by either side.

Councilor Zanni asked if it would be inspected each year?

Mr. Morgan stated it would be evaluated continuously.

Councilor Zanni asked what would happen if the flows go over the contractual amount? Mayor Manzi stated that would trigger a violation of the contract by Dracut. We would have to go back and negotiate a new deal and evaluate if the capacity was there to do it.

This is built into the contract.

Councilor Leone asked if we are doing a \$150,000 up-grade what percentage of the flows will belong to Dracut?

Mr. Morgan referenced the chart (part of the attachment)

Councilor Leone asked of the 40 homeowners affected would they be given the opportunity to install stubs on the property?

Mr. Morgan stated they would have that option to tie in.

Councilor Pappalardo stated that her concern is opening up the sewer lines for Dracut. There is a lot of land that will be opened up for development and that will impact traffic on route 113 and North Lowell Street. Councilor Pappalardo asked about the 160-sub division development (Dracut side) on Wheeler Road? Toward the Parker Road area. Residents need relief on North Lowell Street without any more development that could impact that whole area. Councilor Pappalardo noted there was (at one time) talk of an access road. Maybe the City could negotiate with Dracut and get an access road there. Mayor Manzi stated that when he was on Council he was in favor of that idea. State Representative Linda Campbell is still in favor of that idea. Speaking with her on that issue reminds him that it is a State road and a Mass highway state issue. Beyond our ability because it is a high dollar project. If the State is willing to sit with the City we are willing to examine that issue. It would be unfair to expect Dracut to fund any portion of that road it is Mass highway control. It is not controlled by Methuen; it is not controlled by Dracut. The Mayor is willing to do this as soon as he can get all the participants to sit down and discuss it. Mayor Manzi would like to address the traffic issue and he agrees with Councilor Pappalardo the traffic issues are severe but this contract is not the vehicle to get Dracut to do what is beyond their power to do.

Councilor Pappalardo stated this is opening up Dracut and the traffic impact in the next five years will be horrific. The residents in that area are opposed to this.

Councilor Kannan asked of the forty homes tying in, would they be charged a betterment fee?

Mayor Manzi stated they would not be charged a betterment fee. (A charge for running a line)

Chairman Lahey stated if they were to have a stub, they would have to hire a private contractor to do that job.

Councilor Giordano asked if engineering have met with people from the Lowell Street area? Many residents do not know what is going on. That would be one reason to have a workshop on this issue.

Mr. Morgan said he has not met with any residents.

Mayor Manzi said that would be up to the City. This is betterment to the city. The Mayor stated he is willing to talk to the neighborhood. He does not believe that we can take a betterment that is good for the City and tie it to traffic concerns. With or without this contract we will be forced to do I/I work that the ratepayers are going to have to pay. If we forgo \$1.2 million in I/I work it is a decision the City Council will have to make. Mayor Manzi would have a neighborhood meeting but he did not think that betterment to the neighborhood would cause a problem. It is the recommendation of the Mayor to vote this tonight.

Councilor Giordano asked if the project would go out to bid and when will the project start?

Mr. Morgan stated it would go out to bid and start in the Spring going down Lowell through the cemetery onto paper streets.

Councilor Willette said the construction would not take place until Spring. This project predominately favors Dracut.

Mayor Manzi stated “no”.

Mr. Morgan stated the contract certainly favors Methuen.

Councilor Willette stated that Dracut could develop the area with the new infrastructure. They have no hesitation putting their Industrial Parks on the line with Methuen sending all of their trucks to Methuen. He has not seen a good neighbor policy with Dracut. If this is a rush to judgment he will vote “no”. If we wait for the workshop he will vote to table. He wants to hear from the neighbors, Mr. Russo and pose questions in a workshop format.

Mayor Manzi said that he is willing to go to a workshop. He recommends that this be voted tonight. If Council wants the workshop the Mayor will be there, as will the Engineering Firm and Frank Russo.

Councilor Giordano called for the vote to table to a workshop.

Councilor Cronin stated that he sees the contract as a plan for Dracut to have massive development in that area. Methuen roads are not equipped to take the impact of traffic. The neighbors deserve input for any development going into Dracut. The people deserve a say as to what goes on in their neighborhood.

UPON ROLL CALL: (table to workshop) 5 – yes 3- no. The item is tabled to a workshop for Monday, January 28,2008 at 6:30 pm.

D) Order Calling for Presidential Primary – February 5,2008

MOTION BY: Councilor Willette seconded by Councilor Giordano to adopt.

UPON VOTE: UNANIMOUS

OTHER OFFICERS AND COMMITTEE REPORTS

OLD BUSINESS

RESOLUTIONS.

1.TR-08-1 Resolution Authorizing Acceptance of Donations to Methuen Fire Department and Appropriation Thereof (William and Camille Hemsworth and Angeline Pappalardo)

MOTION BY: Councilor Cronin seconded by Councilor Pappalardo to adopt.

UPON VOTE: UNANIMOUS

2. TR-08-2 Resolution Authorizing Acceptance of a Grant from the National Endowment for the Humanities.

MOTION BY: Councilor Pappalardo seconded by Councilor Cronin to adopt.

UPON VOTE: UNANIMOUS

ORDINANCES: None

CONSIDERATION OF APPOINTMENTS

Cable Advisory Board: John Molori, Kingsley Lough

MOTION BY: Councilor Cronin seconded by Councilor Zanni to approve

UPON VOTE: UNANIMOUS

Conservation Commission: Suzanne Lamoureux; Christopher Parsons

MOTION BY: Councilor Cronin seconded by Councilor Zanni to approve.

UPON VOTE: UNANIMOUS

City Clerk Tina Touma- Conway

MOTION BY: Councilor Cronin seconded by Councilor Pappalardo

UPON VOTE: UNANIMOUS

City Treasure/Tax Collector Ann M. Guastafarro

MOTION BY: Councilor Cronin seconded by Councilor Zanni to approve.

UPON VOTE: UNANIMOUS

NEW BUSINESS

RESOLUTIONS

1. TR-08-5 Resolution Amending the Rules and Procedures of the City Council of the City of Methuen – Rule X – Rules of Debate (Req of Clr Lahey)

MOTION BY: Councilor Zanni seconded by Councilor Willette to adopt for first read.

Chairman Lahey passed the gavel to Councilor Giordano in order to speak on his proposed motion.

Councilor Lahey stated the reason for this proposal is because in the past the Chairman has spoken on various issues. It has been said that the Chairman should be impartial. Councilor Lahey was of the understanding that nine councilors were to be impartial. Anyone who has the honor to be Chairman of this Council considers it a great privilege but not as much as the privilege of being elected by the people. The people did not vote us in to become a mute, referee or babysitter. The people expect us to represent them vocally. This resolution will allow the Chairman to speak on any issue one time without passing the gavel unless it is legislation he (chairman) has proposed and is no longer impartial. This is something he feels strongly about and hopes that council would consider the motion.

Councilor Cronin asked if this is a council rule issue. How does this pertain to Robert's Rules?

Mayor Manzi said that Robert's Rules would describe the Chairman as a referee who does not participate in debate. As a past Chairman's we have engaged in debate when we have passed the gavel. That has been the standard practice of this body. A ruling from the Chair on such a matter if unchallenged (5 members would have to challenge) would be allowed.

Councilor Lahey said that he checked with the Solicitor and was told that our Council Rules over-rule Robert's Rules. Robert's Rules only apply to what the Council Rules do not.

Councilor Cronin said that he never had a problem with passing the gavel. The Council Rules also stated that the Chairman does not have to vote an item unless he is a tiebreaker. Councilor Cronin wants to make sure that whatever Council does is proper.

Councilor Leone said that he thinks it is the duty of the Chairman to referee and keep order. If it is a particular item the Chairman is concerned with then he should pass the gavel.

Councilor Zanni said that serving for the past two years he does not see the need for this change. If there was an issue he did pass the gavel and was able to speak on that issue. It is important that the Chairman keeps order and if it is something pertinent he weighs in at the end. He does not see a need for a change in the current rules.

Councilor Willette can understand Councilor Lahey's view on this but as a courtesy it has always been the Chairman as the last person to speak on an issue. Council collectively allowed that because the Chairman represents the entire City of Methuen. Councilor Willette would like to have clarification regarding legislation the Chair is proposing. It could be codified in the language that he/she has to automatically pass the gavel to maintain decorum. This is only a first read we can tinker with this before the next meeting. It has always been respect for the Chairman that he/she is allowed to speak last on an issue and no one has ever challenged that practice.

UPON VOTE: UNANIMOUS

2. TR-08-6 Resolution Amending the Rules and procedures of the City Council of the City of Methuen – Rule XIV – Miscellaneous Rules (Req of Clr Willette).

MOTION BY: Councilor Zanni seconded by Councilor Giordano to approve for first read.

Councilor Willette stated that anything the Council does is voted by a majority vote. As it is now the Chairperson alone could authorize the reimbursement for travel for city councilors. This is a red flag. We basically do not travel but if we were to travel it should be approved by a majority vote of the council. If any councilor would rather nullify the rule for reimbursement for travel he would not object.

Councilor Zanni said that we do not have monies in an account for travel and he would strike it from the rules completely

Councilor Willette stated he would support that as a friendly amendment for second read to state that at no time would any Councilor seek reimbursement for travel.

UPON VOTE: UNANIMOUS

3. TR-08-7. Resolution Providing for a Legislative Override of a Mayoral Veto of Council Order No. 4758

MOTION BY: Councilor Cronin seconded by Councilor Giordano to adopt.

Councilor Leone said that Council voted nine /zero to pass the original measure. We did that as a vote of protest (not binding on the Mayor). Councilor Leone thinks the Mayor heard what Council was saying and does not see the need to continue this. The situation cannot be remedied until next budget cycle because of contractual obligations. There is no point to over ride this veto because the initial measure had no binding effect on the Mayor.

Councilor Cronin stated he does not have a problem with the veto on this item. The Mayor does not have to transfer the position (Water Registrar) that is his right and Councilor Cronin understands the Mayor's rights on this issue.

UPON ROLL CALL: 5- yes 3 – no ( Clrs. Leone ,Zanni , Kannan) MOTION FAILS

4.TR-08-8 Resolution Providing for a Legislative Override of a Mayoral Veto of Council Order No. 4759

MOTION BY: Councilor Cronin seconded by Councilor Giordano to adopt.

Councilor Cronin stated that this is not a personal attack on the present Mayor. Councilor Cronin stated that if this City Council wants to have an

“ad hoc “ committee to get answers, why can’t we (council) do that without a veto from the Mayor? The Council has rights; we have a separation of power. The people of the Community that developed the Charter specifically picked out the Council Clerk, Auditor and the Solicitor to work for the Council. Council can make an appointment and the Mayor can veto it. According to the Charter the Mayor can veto our appointments (our employees). The Charter is in drastic need of change. This particular measure was not an affair of the City. This was an “ad hoc committee” who were reporting to the Council findings on a specific issue. Council did not take their report and adopt it. Councilor Cronin does not believe a veto was the proper measure. This was not an affair of the City. No vote taken by that committee affected the City. They only reported a finding on behalf of the Council. They only did what Council asked them to do in order to have support from the community to aid the Council when making decisions on the water rates. Councilor Cronin believes the veto of the Mayor was inappropriate on this issue and he will vote to support the override of the mayor’s veto.

Councilor Willette stated that he supports an independent task force to look at the Task Force proposed water and sewer rates separate from the City Council. There was a diversity brought to the process with different opinions brought to the table and he would like to see that process continue. Councilor Willette did not entirely support all of the measures and recommendations put forth by the Task Force, their recommendations were not binding. Councilor Willette will support having a Task Force and hopefully in the future have a permanent structure of water and sewer commission that would independently review the water and sewer rates on an annual basis and have the commission bring forth its recommendations to the City Council.

Councilor Willette is looking at the budget process. He wants full detail of expenses, personnel and commitments the City has financially as related to water and sewer and the enterprise fund. He wants to continue the Task Force in order to have a permanent structure in place.

Mayor Manzi stated that Councilor Cronin indicated that his read of the Charter would lead him to believe that the Mayor would have the ability (as Mayor) to veto Council appointments. Council appointments are not measures and are outside the scope of Mayoral authority. The mayor would not have the ability to veto an appointment of any Council employee. He (Mayor) only has the ability to veto a measure. The resolution (veto) is a measure.

Councilor Cronin stated that definition is different from the legal opinion he received from the solicitor.

City Solicitor Peter McQuillan stated he is aware of whose supervision he works under and that is the City Council. Mr. McQuillan stated that he had a passing telephone conversation with the Councilor (Cronin) and said to him that he would have to take a look. Mr. McQuillan stated he did not give a legal opinion nor was it requested in writing. It was a conversation on the telephone. When he did address the issue it related to the capacity of the Mayor to veto Council legislation relative to establishing the

committee extending the term of the Sewer/Task Force under an emergency measure. That was the opinion he (solicitor) addressed. The “opinion” given over the telephone was a casual conversation and the solicitor apologized for misleading Councilor Cronin. Councilor Cronin stated that the solicitor stated to him (Cronin) that it was in the Charter “any vote” is what the solicitor said

Councilor Zanni said that he appreciated the work the Task Force had done but there was a discrepancy and it would have affected the affairs of the community. If the Task Force resolutions had been passed there would have been a \$351,000 shortfall.

In the water/sewer enterprise fund. Their (Task Force) numbers were not correct. Councilor Zanni believes a Task Force is a good idea and the Mayor is in agreement. The next resolution (TR-08-10) is something the Council can move forward on.

Councilor Zanni will not support this override.

UPON ROLL CALL: 4 – yes 4-no (Clrs. Kannan, Leone,Zanni and Lahey) MOTION FAILS

5. TR-08-9 Resolution Establishing a School 21<sup>st</sup> Century Community Learning Centers Revolving Fund Pursuant to the Provisions of General Laws Chapter 44, Section 53E 1/2  
MOTION BY: Councilor Leone seconded by Councilor Kannan to approve for first read. Councilor Giordano asked the mayor for an overview of this proposal.

Mayor Manzi stated that this would be similar to accounts they have now and under the same statutory provisions the existing revolving accounts would be dedicated to funds raised in order to continue the grant funding program that is ending.

Councilor Pappalardo asked Mayor Manzi if we would continue this through private funds?

Mayor Manzi stated that he is unsure of the prospects but he will be in School Committee session (tomorrow) and if there are additional questions he will relay them to the Superintendent. It is the hope to raise enough money through private donation but he will get the numbers and have the information for the second read.

Councilor Leone stated the function of City Council is to allow the school department to set up this new revolving fund but they (school dept) are responsible for raising the money. They are not asking (Council) for money.

Mayor Manzi stated that under the statutory provisions City Council would have to re-authorize any funds not expended at the end of the fiscal year.

UPON VOTE: UNANIMOUS

6. TR-08-10 Resolution Establishing an Advisory Sewer and Water Committee (Req of Clr. Kannan/Clr Lahey)

MOTION BY: Councilor Zanni seconded by councilor Cronin to approve for first read. Chairman Lahey passed the gavel to councilor Giordano for the purpose of speaking on the item.

Councilor Lahey said that he believes mistakes were made by the Task Force, the Department Heads and the Administration and it ceased to become a group working towards one goal and became four groups at odds. Councilor Lahey did not want to lose the Task Force but wanted more structure. His recommendation would be to allow Councilors to appoint citizens if they so choose but to also have a sub committee of three

Councilors that would be attached not controlling. The sub committee would be there for their needs and requests of information and so on.

All recommendations / suggestions would go through the sub committee and in turn they will bring it to the full Council.

Councilor Kannan said she is co sponsor of this resolution and she believes it is a good idea to have such a task/watch group and it would be the sub committee that would bring the information/recommendations to the full council.

Councilor Pappalardo asked what are the concise goals for the Task Force?

Councilor Lahey said he would sit with the sub committee that he will appoint and sit with the Task Force and discuss the goals they want as to proceedings and findings. He wants all participants to work together.

Mayor Manzi said he is in full support of a citizen Task Force, appreciates the effort and will continue to be supportive and work cooperatively with the new committee. To be fair to the administration it is difficult to work effectively with the rhetoric and accusations that were charged against the administration against him personally by the previous Task Force and he is not prepared to work that way.

Councilor Willette said that he would support this for first read and believes it should be a permanent structure for the water/sewer commission. The timeline of December 31,2009 is to far into the future. The previous Task Force had sixty days and accomplished significant contributions to the process. He does not want to belabor an "ad hoc" committee going into next year. He would like a permanent structure and have people from the water/sewer profession as part of the commission. He believes the last Task Force had diversity and would hope the new committee will also but it needs to be a permanent structure.

Councilor Zanni said that in another week we will be into February. The previous Council took a vote on the flat rate. We are looking to possibly change that in February. Everyone is in agreement to go to a five-tier system. Hopefully the Mayor will come forth with a proposal showing a five-tier rate. The people are not happy with the flat rate and want something to be done. If we had a five-tier system in place we could go up proportionally as was done in the past. That is what the people want.

Councilor Willette stated that there was a huge gap in the numbers and he will not support a 23% increase. He would consider uniform increases but not go from 14% to a 23% increase.

Councilor Zanni said it could be a 5 or 6% increase across the board. We need to look at it in proportioned, equally within the five-tier system. We need to put it into a type of formula, something everyone would be in agreement. We need to move quickly because the bills will be going out in February with the flat rate.

UPON VOTE: UNANIMOUS

7. TR-08-11 Resolution Accepting a Gift of Land – Meadows development, LLC  
(Kristen Lane Subdivision)

MOTION BY: Councilor Cronin seconded by Councilor Zanni to approve for first read.

UPON VOTE: UNANIMOUS

Ordinances: None

ANY OTHER BUSINESS FOR THE GOOD AND WELFARE OF THE COMMUNITY

REQUEST OF COUNCIL

Councilor Willette asked the Mayor to invite the Congressional Delegation to Methuen to discuss the necessity of a new centralized Post Office.

Mayor Manzi stated he would do that. He will be meeting with Senator Kerry and he is aware that the Post Office is at the top of our agenda. Mayor Manzi will also be in communication with Congresswoman Tsongas and discuss it with her also.

Councilor Pappalardo asked the Mayor if anything has been done since the recent theft that occurred in City hall?

Mayor Manzi said he has had a meeting with Chief Lavigne regarding this incident. He is also discussing recommendations relative to security in the customer service center and the building. The security discussions have been expanded to include all areas of the building (because of the theft). He will get back to Council with all of the results from these discussions.

Councilor Pappalardo asked that each department be asked what they would want put in place for security because each department is different. Some offices are secluded and they cannot see who is walking down the corridor.

Mayor Manzi stated he would expand the discussions with the Chief to include each department.

Councilor Pappalardo inquired as to the status of the Ladder truck, the insurance on the truck and the gentleman who hit the truck?

Mayor Manzi said at this time it is not back from Wisconsin but is due back within the next two weeks. We are using a ladder truck from the city of Lawrence and we thank them for that use.

City Solicitor Peter McQuillan noted the gentleman who hit the truck worked for a business entity and at the time of the incident his insurance was put on notice and all expenses incurred are to be reimbursed in total by the insurance company.

Councilor Pappalardo mentioned that she did speak with Congresswoman Tsongas and Representative Campbell regarding the Post office and she believes a meeting will take place to get something done. Councilor Pappalardo is looking for a satellite/ contract station on the West end.

Mayor Manzi said that relative to the satellite there has to be two parties. The Post office is willing to put in a satellite in a location if the location is willing to take it and it has to meet certain standards. The main Post Office is not undo-able. We have had the Postal Officials in to discuss the opportunity for a Post Office, if we could keep the cost the same for the lease, not increase the size but move to another building they would do that. The lease is up in 2009 and the Mayor has let them know how the City feels about this issue. A nice Post Office in a good location has the ability to be a catalyst for economic development and be a boom for the downtown area.

METHUEN CITY COUNCIL REGULAR MEETING

Executive Session for the Purpose of Discussing Ongoing Litigation

MOTION BY: Councilor Willette seconded by Councilor Leone to enter into Executive Session to discuss ongoing litigation and to include the Mayor and Solicitor. Chairman Lahey said the Council would adjourn from the Executive Session and not return to open session.

UPON ROLL CALL: UNANIMOUS

Diane Lasonde  
Council Secretary

I do hereby certify that at a meeting of which a quorum was present, the foregoing minutes were adopted by the Methuen City Council by a unanimous vote on February 4, 2008.