

METHUEN CITY COUNCIL REGULAR MEETING
MONDAY, OCTOBER 1, 2007 – 7:00 p.m.
GREAT HALL, SEARLES BUILDING

Chairman Zanni called the regular City Council meeting to order at 7:05 p.m., with all members present.

ACCEPTANCE OF THE AGENDA

MOTION BY: Councilor Cronin, seconded by Councilor Giordano to accept the agenda as amended (include TR-07-82 Resolution Establishing a Sewer and Water Task Force (committee) (Req. of Clr. Zanni) (EPA); TR-07-83 Resolution Submitting a Home Petition for the Purposes of Exempting the Position of Chief of Police in the City of Methuen from the Civil Service Law; TR-07-84 Resolution Accepting Gifts of Land – 17 Bay State Road (Map 11-123, Block 109AF, Lot 6 and 63 Hampstead (Map 806, Block 74, Lot 20C)

UPON VOTE: UNANIMOUS.

Invocation/Pledge of Allegiance

Father Waters from Our Lady of Good Counsel gave the Invocation for the evening. Everyone remained standing for the Pledge of Allegiance.

ACCEPTANCE OF MINUTES

MOTION BY: Councilor Andrew, seconded by Councilor Willette to waive the reading and accept the minutes of September 20, 2007 – regular meeting.

UPON VOTE: UNANIMOUS.

CORRESPONDENCE/PROCLAMATION – None

PUBLIC PARTICIPATION

Jack Burke, 49 Canobieola Road, thanked the Council Chairman for the upgrades to the website. It was back in place with all the actual hyperlinks today. He then spoke on TR-07-09 the ordinance amending the comprehensive zoning of the city parking of business vehicles. He said that he hoped during discussion, Council would amend the ordinance to specifically state Methuen School buses and not any school bus (such as Dracut or Haverhill, etc.) Mr. Burke said he had some discussions this past week with Councilor Corey Rahme on TR-07-82 resolution establishing a sewer and water task force. He read his suggestions relative to the Task Force: The minutes on all the public hearings held this year on the water and sewer rate should be made available to that Task Force. The 9 appointees should meet and amongst themselves appoint a chairperson. The chairperson shall not be determined by the Council, only the appointees. The Council shall set clear and unambiguous goals for the task force. Especially since it is a 60-day task force it should be very, very clear what the output back to this Council should be. At the last Council meeting, it was mentioned that there should be perhaps citizen visualization meetings. He'd like the task force to have a list of all sites where visualization meetings could take place with the names of contact people because if its necessary to have these visualization sessions, we don't want to be slowed down by having to figure out where to hold the meetings or who to get in touch with. That information should be presented to that Task Force. At the first meeting of the Task Force any and all members who were appointed should be prepared to set the meeting dates for the duration of the Task Force, the sixty days, meeting weekly, as a minimum because of the time constraint of the sixty days. He said he would be more than willing to advise this Task Force in any capacity that they may deem necessary and he is also advocating the use of a tool known as a process creation method which is used within industry when you're trying to create a process that either doesn't exist or is poorly documented. It is more or less an eight-step process that allows you to hone in on a problem, find a solution, and implement that solution. It is a very quick and easy structured method for doing exactly what he believes this task force is being created to address.

Natalie Clancy, spoke of her opinion on school buses being parked in Methuen. At the last meeting she mentioned some figures about savings to the City of Methuen if drivers were allowed to continue to park their buses on their personal property and not on the streets. One of the councilors did contest those figures or expressed doubt. She distributed copies of these figures to Council. The bottom line basically is that the figures are for five large buses and twelve small buses and that the total cost savings for one year would be approximately \$20,790. If you multiply that out times the three year contract that would be sixty two thousand three hundred and seventy dollars savings just allowing those buses to be parked on the driver's property. If there were any problem with buses being parked in the yard or on the street during the daytime, you would have to multiply that figure times two, which would bring it up for one year to \$41,580 and then for three years \$124,740. A Councilor brought up a concern about personal use of

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the buses, expressed that they had seen them being parked at Market Basket and places like that. Trombly Bus company has a strict policy against personal use but they have accepted the fact that when drivers are coming back from their office on the Dracut Line, they're welcome to stop at Market Basket on 110. Drivers are allowed to stop at Haffners (on Pleasant Valley Street) to fill their gas tanks and are also allowed to park their buses at the mall or at Market Basket. Speaking for herself, she would never take her bus out of her yard, go shopping and then come back to her yard. She has a car for that purpose. That is not an appropriate use for a school bus. There are some benefits that when the bus is parked in their yards. They are not going downtown through the rotary and adding to that traffic problem in the morning. Another is of course, as mentioned by Councilor Corey Rahme, the CO2 emissions and the carbon footprint is reduced keeping buses on their property. The other benefit is when there is inclement weather and delay, we reduce the delay for picking up students because drivers are right there in our neighborhoods for pick up and there is one other very important point I think should be noted is that those who have our buses on our property are available for school evacuations. A number of situations last year included bomb threats at the high school. She said she is minutes from the high school and thinks any parent can appreciate that there's a great comfort factor involved in knowing that your bus driver doesn't have to drive to one end of town in their car, pick up the bus and come back. They are available for immediate evacuation.

Dorothy Kalil, 8 Oakridge Street in Methuen said she saw an East District Councilor on the government access channel and he indicated that the increases adopted by Council last week were going to be retroactive. That was not their understanding. She never heard one mention of anything being retroactive with this new flat rate increase. Peoples' water bills in some cases are going to double with the flat rate. She needs to know whether or not it is a retroactive increase or not.

Chairman Zanni said that would be taken up on the agenda later in the meeting.

Dorothy Kalil said she doesn't think anyone objects to the drivers having the buses in a residential area during the day, during working hours. They're saying that they can't be garaged overnight. There's nobody enforcing the zoning. One Councilor mentioned selective enforcement. That's been going on in this town since former Mayor DiZoglio when he created twelve steps before anyone could complain about a zoning violation. If someone sees something wrong in the community, it cannot be reported unless a direct abutter of the person does it. That needs to be changed and it needs to go back to the way it was prior to the changes that were instituted at that point in time where anybody in the town could report a zoning violation. People could report a zoning violation anonymously. They didn't have to leave their name or anything else like that. That way people are not deterred where they don't want to cause a problem in their neighborhood by reporting a neighbor that may be doing something wrong. These things need to be looked at before any changes are made to our zoning laws.

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Alex Vanett, 314 Pelham Street, spoke on a traffic safety issue. He asked that the resources be allocated for the installation of a flashing traffic signal on the apex of a curve located at Pelham and West Street. He invited any body that has doubt in the need for this traffic signal to please come and review it and they will see the need

Councilor Andrew asked if he is requesting a blinking light or a regular stoplight.

Mr. Vanett said his background isn't in traffic safety. He is just identifying a problem. Somebody with more expertise in the matter would be able to come up with a solution. It is a very dangerous corner and he is requesting that it be looked at. Perhaps a caution light would work, something of that nature.

Chairman Zanni said Mr. Vanett approached him regarding this issue a while ago. The Police Department is looking into this. It is a bad situation.

Councilor Quinn said the first thing is to move the crosswalk right at the bend.

Mr. Vanett said he'd like to get some signs.

Councilor Quinn said the sun is in the driver's eyes and people cannot see the kids when they turn the corner. She suggested speaking with Ray DiFiore to try to alleviate part of the problem by moving the crosswalk.

PUBLIC SERVICE:

Grants: None

Licenses: None

Contracts: C-08-10 Local 3699 of the American Federation of State, County and Municipal Employees, AFL-CIO Methuen Support Staff Employees Unit (collective bargaining)

MOTION BY: Councilor Leone, seconded by Councilor Cronin to remove contract from the table. UPON VOTE: UNANIMOUS.

MOTION BY: Councilor Cronin, seconded by Councilor Leone to approve. UPON VOTE: UNANIMOUS.

C-08-11 Yankee Fire & Rescue, 1311 Park Street, P.O. Box 839, Palmer, MA 01069 for 2007 PL Custom Medium Type 3 Ambulance in the amount of \$164,751.00.

MOTION BY: Councilor Cronin, seconded by Councilor Leone to approve.

Councilor Giordano asked Chief Gallant what happens to the old ambulance.

Chief Gallant said in this case, it would be traded in. The actual cost was \$176,000. Councilor Andrew asked how many times the ambulances go out each year.

Chief Gallant said there are three ambulances. The first one goes out on approximately 4,000 calls per year. The second goes out about 1,500 and the third one is not in service a lot. It's mostly used as a backup (when its in service and we have manning on duty) but probably 100 to 150 times. He stated the ambulance they are trading in the 1995 ambulance. The other two in service is a 1999 and a 2004.

Councilor Andrew asked if there is a schedule to buy new ones or do they just wait until its time.

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Chief Gallant said, a couple of administrations ago, the department did have a schedule that every three years they purchased an ambulance. Over the course of the last half dozen years, it got pushed back. The 2004 ambulance in use now has 119,000 miles on it now.

Councilor Andrew said if there was a scheduled replacement, the maintenance charges would be a lot less. (Chief Gallant said definitely less.) Councilor Andrew said it would be much more productive to do that, an automatic replacement schedule. Councilor Andrew said it might be something to look at in the future. Chief Gallant said the 2004 had a new motor installed a few weeks ago. Luckily it was under warranty. The ambulances get a lot of heavy hard use.

UPON VOTE: UNANIMOUS.

OTHER CITY OFFICERS AND COMMITTEE REPORTS - None

OLD BUSINESS

TR-07-73 Resolution Establishing an “Eli Takesian Monument” Trust Fund

MOTION BY: Councilor Giordano, seconded by Councilor Corey Rahme to adopt. UPON VOTE: UNANIMOUS.

TR-07-74 Resolution Accepting Miscellaneous Donations for the Purchase of a Portable A.E.D. System

MOTION BY: Councilor Corey Rahme, seconded by Councilor Andrew to adopt. UPON VOTE: UNANIMOUS.

TR-07-76 Resolution Authorizing a Transfer of Funds to the Unpaid Bills Account, Human Resources Department

MOTION BY: Councilor Quinn, seconded by Councilor Corey Rahme to adopt. UPON VOTE: UNANIMOUS.

TR-07-77 Resolution Authorizing Expenditures from the Castle Fund

MOTION BY: Councilor Corey Rahme, seconded by Councilor Giordano to adopt. UPON VOTE: UNANIMOUS.

TR-07-81 Resolution Supporting Certain Employees and Officials of the City of Methuen (Req. of Clr. Leone)

Chairman Zanni passed the gavel to the Vice-Chair.

Chairman Zanni and Thomas Kelly left the room. Vice-Chair Corey Rahme read the resolution.

MOTION BY: Councilor Cronin, seconded by Councilor Andrew to adopt. UPON VOTE: UNANIMOUS.

Chairman Zanni and City Auditor Tom Kelly returned to the meeting.

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Ordinances:

TO-07-09 An Ordinance Amending the Comprehensive Zoning Ordinance of the City of Methuen, Section V-K Parking of Business Vehicles (remove from the table)

MOTION BY: Councilor Lahey, seconded by Councilor Corey Rahme to remove from the table. UPON VOTE: UNANIMOUS.

MOTION BY: Councilor Cronin, to adopt the recommendation of the Methuen Community Development Board. The voted 5 – 0 with two abstentions against the change as proposed.

Councilor Cronin withheld his motion

MOTION BY: Councilor Lahey, seconded by Councilor Willette to adopt.

Councilor Corey Rahme thanked Dorothy Kalil for her comments and acknowledged Natalie Clancy for her eloquence. There is a school bus in her neighborhood. The safety of the children is more important to her than the visual of a yellow bus across the street. These drivers are hardworking people and have served our city for years and she would strongly advocate for them to keep their buses at their homes in their driveway, especially during the day, so they don't have to make repeat trips. The police department indicated to her that buses couldn't be parked on the street for more than one hour. She urged the Council to support this ordinance, especially during the day. Councilor Quinn said she understands they're hardworking people and applauds them. But everybody that gets up has a cup of coffee, gets in their car and they drive to work. They're also hardworking people. Regarding the bomb threats, the school department does a great job. Once there's a threat, they get the kids out of the building, away from the buildings. They don't necessarily have to get right on a bus to get home. They're in a safe places. If there are snow delays, the kids have snow delays so they're also home a little longer – It doesn't pertain to it either. Councilor Quinn said she doesn't have a problem with the drivers getting their bus in the morning, pick up the kids, drop the kids off, go back to their home, and leave the bus at home. It's a working day, and in the confines of those hours (7:00 to 3:00), drivers should have their buses. But at the end of the day when they leave the job, they need to take the bus back where it belongs. She commended the bus drivers for doing an excellent job but believes their neighbors shouldn't have to look at the buses because that the job they've chosen to do. Once the school days over, the bus goes back.

Councilor Lahey said it's obvious this doesn't have a chance of passing but he's going to speak in favor of it anyway. It's a shame that the only reason this is before Council is there happens to be a dispute between two neighbors and for some reason it encompassed every Methuen school bus driver. Otherwise, Council would have never even heard about this issue. He doesn't know how long drivers have been doing this, but believes its been for a prolonged period of time. They provide a service to Methuen public school system and it is on their property. He understands there is a zoning law but it is a shame not to give them the opportunity and try this for one year. If complaints are received, rescind it

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Councilor Leone said he didn't have much to add to what Councilor Quinn said. But this situation did highlight something for him and he recalled that, in the past, our school bus contracts always required that the buses be parked in Methuen overnight, permanently garaged in Methuen. McKinney Bus Company was on Merrimack Street. Appleyards for years was on Lowell Street. Laidlaw was on Union Street and all of a sudden now the buses are garaged in Dracut. Dracut gets the motor vehicle excise tax. Methuen gets nothing. He said he will not support the overnight parking; but would go along with the daytime parking. He suggested that the next time the bus contract comes up in front of the School Committee, they really should consider putting that restriction back in, "that school buses be garaged in Methuen" so that we get some benefit out of them and also cut the travel time down for the drivers.

Councilor Giordano asked if a motion could be made that this Council allow this to happen during the daytime. Seconded by Councilor Corey Rahme.

Chairman Zanni asked that this be brought up at the end of discussion.

Councilor Giordano agreed.

Councilor Willette said he supports Councilor Lahey on this. The dispute had nothing to do with the presence of a school bus in the person's neighborhood. Collectively, they've had school buses in the neighborhood and never had any complaints. He and Councilor Lahey tried to work on this issue to compromise to have a limitation of two school buses per property and would have to be related to the family members on that property. To him, it's not a safety issue if it's on a person's property. At first he was told that it's okay to park during the daytime hours and then it was corrected that was not the case. If Council doesn't do anything tonight, these drivers will have to go back to the yards with their school buses, resulting in multiple trips to process the kids and bring them to school. He is willing to compromise and commended Councilor Lahey for bringing this issue forward. It was something one neighbor used in a dispute with another, having nothing to do with buses and all the school bus drivers were told to bring their buses back to the yard. He was told that's not selective enforcement. There was a lot of misinformation regarding this. If it's not a school bus, it could be a recreational vehicle, a large truck, a boat, etc. He suggested compromise.

Councilor Giordano asked if this needed to go through the entire process again if the Council allows these drivers to park during the daytime. Right now the proposal is to allow drivers to park buses overnight at their home.

Attorney McQuillan said he wrote an opinion to the Community Development Board with a copy to the Acting Chair at the time regarding on street parking. It's not implied in the measure itself.

Councilor Giordano asked if the current proposal could be amended.

Attorney McQuillan responded, no, because it would be a new proposal with a whole different make up. It would have to go through the procedures again.

Chairman Zanni said, from an informational point of view, school has already been in session for a month. The way it stands right now, his understanding is that the drivers have to pick up their bus. This new proposal is for two buses, not one. What we've had in the past is that some residents had no problem with one bus.

Councilor Giordano said the way it stands right now is that these people can park their buses in the yard at night.

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Chairman Zanni responded, no they park their buses at their home. And during the day after they drop off the kids, they go back to their home, then go back for their run. When they are done, they go back to their home at the end of the day, the way the ordinance currently exists.

Councilor Cronin said the way he understands it, the ordinance that exists is anything over one ton is banned from overnight parking.

Councilor Leone noted “ $\frac{3}{4}$ ton commercial vehicle”

Councilor Giordano said they come to the City Council asking if Council would change the ordinance for them because they can't currently park overnight.

Chairman Zanni said the way the ordinance currently reads is that a bus or $\frac{3}{4}$ ton vehicle could remain at one's home. In this case, the discussion is about a bus. The way it was done is during the course of the day the bus driver takes that vehicle from their home, picks up the students, drops them off at the school during their run, if they have a second run -do the same. At the end of the day they take their bus back to their home.

Councilor Leone said the ordinance does not allow the parking of commercial vehicles over $\frac{3}{4}$ ton overnight.

Chairman Zanni said right now the way it is the buses have to go back each day.

Councilor Andrew said the ordinance is that the buses have to go back; but the practice has been that they take them home.

Chairman Zanni asked how many buses are involved.

Response from the audience and Councilor Andrew - 17.

Councilor Lahey said based on this internal review committee, enforcement of the current ordinance is based on complaints received and this system seems to work. He doesn't understand why it affects 17 drivers, when only one person complained.

Councilor Leone said the ordinance currently states that commercial vehicles over $\frac{3}{4}$ ton are not allowed to park overnight.

Councilor Lahey asked how it is enforced.

Councilor Leone said the ordinance says $\frac{3}{4}$ ton overnight parking is not allowed. To him, that means that daytime parking is allowed. Drivers go home during the day with the bus. Once they finish their workday, they return the bus to Tromblys.

Councilor Lahey said basically you're saying that there are no vehicles over $\frac{3}{4}$ ton parked overnight anywhere in Methuen.

Councilor Leone said if Councilors want let these buses park overnight, then with an over $\frac{3}{4}$ ton vehicle should be allowed to park overnight, too, trucks, trailer truck, greyhound buses, whatever it is. Council should not be singling out one group and pitting them against the rest of the community. If it is done for one group, Councilors should do this for all.

Councilor Lahey said if this is the way we enforce the one, we should enforce across the board. If we're going to enforce anything over $\frac{3}{4}$ ton based on one complaint and that covers the whole City of Methuen. That's what they did with the bus drivers. There was one complaint, one neighborhood dispute, but yet they punished the other 16 bus drivers that didn't get any complaints. Councilor Lahey suggested that Council not change the ordinance and enforce it the way it is written.

Councilor Cronin said Council is not the enforcement authority.

Councilor Giordano said his question was answered that they can do this during the daytime. What they are trying to do is change this at night.

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Councilor Quinn responded, yes.

Councilor Willette asked what the present policy is on this.

Attorney McQuillan said the present policy is that now it's in the yard.

Councilor Willette said it has to go back. He is willing to work on this but he didn't appreciate misinformation. Currently as its constructed the buses have to go back to the yard during the day. Council received clarification.

Councilor Leone looked into the Zoning Ordinance book.

Councilor Andrew said he was on the Council before when there were some challenges in the Valley. A gentleman had one truck and he did a little bit of work, a little bit of hauling stone and hauling loam. He parked the truck in his back yard and there was a challenge from a neighbor and that was the only one. In the meantime and that goes back talking probably ten years ago and there hasn't been another complaint until this issue. He noted that, during the administration with Dennis DiZoglio, if your neighbor has a problem or your neighbor's neighbor has a problem, they would address that problem with your neighbor or your neighbor's neighbor and you.

Audience agreed.

Councilor Andrew said if he doesn't have a problem with his neighbor bringing home a bus (it doesn't affect him or his family), why should it allow someone who has a grudge against them for whatever reason to be able to complain, and perhaps put that individual out of business. In the past if a neighbor complained that someone was not in compliance, they tried to work it out. If not, the individual had to abide by the rules. He has a problem asking everyone to comply when there was only one complaint. If your neighbor doesn't complain, there is no complaint.

Councilor Lahey asked who authorized all the buses not to park overnight.

Chairman Zanni said that was the call of the Building Inspector, who followed the way the ordinance exists today.

Councilor Lahey said he didn't follow the way it has been enforced in the past.

Chairman Zanni said, prior to the end of the school year, there was a cease and desists. Bus drivers came forth. All of a sudden they were being tagged because of an abutter's complaint. The ordinance is being followed for everyone.

Councilor Lahey said that is what he doesn't understand. Why is it everyone and not just the one individual whose neighbor had the complaint?

Chairman Zanni said his understanding is the ordinance was followed the way it exists throughout the town.

Councilor Leone – point of information – said he checked the zoning ordinance book and the way it's written is daytime parking is not allowed. Councilor Willette was correct. He asked Attorney McQuillan if Council could amend this proposal so that it only applies to parking during the day, during school hours, on days school is in session.

Attorney McQuillan said the Councilor is changing the fabric of the proposal and it would require a new submittal as an amendment to the Zoning Ordinance, which requires an entirely independent statutory process. Council can't amend an initial proposal based on recommendations of the Community Development Board. It's a whole new proposal.

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Chairman Zanni said the consensus of the Council is that there is no problem with the buses parking during the day time, going from their home to and from school and back to their home again (during the course of the day). Council has before them two recommendations; one from the internal review group that met on safety issues and the other from the Community Development Board with a list of recommendations. Council is looking at a compromise, possibly just one bus, not two.

Councilor Giordano asked the Chairman to speak with the Solicitor to refine this ordinance to allow bus drivers to park during the day.

Chairman Zanni agreed.

MOTION BY: Councilor Giordano, seconded by Councilor Andrew to table.
UPON ROLL CALL VOTE: 6 no, 3 yes (Clr. Andrew, Clr. Corey Rahme, Clr. Giordano)

UPON ROLL CALL VOTE: (main motion to adopt) 5 no, 4 yes (Clr. Willette, Clr. Andrew, Clr. Corey Rahme, Clr. Lahey)
Item failed.

Councilor Corey Rahme asked for the time frame involved for this to go through the process again.

Chairman Zanni noted it could be three months.

Consideration of Appointments

MOTION BY: Councilor Corey Rahme, seconded by Councilor Cronin to approve the following appointment submitted by Mayor Manzi

Historic District Commission	Term to Expire
*David A. Sigillo, 23 Quincy Street, Methuen, MA	09/17/08
UPON VOTE: UNANIMOUS.	

NEW BUSINESS

Resolutions:

TR-07-78 Resolution Declaring a Parcel of Land in the City of Methuen as Surplus Property and Authorizing the Same for Sale – Broadway

MOTION BY: Councilor Corey Rahme, seconded by Councilor Leone to adopt for first read and schedule a public hearing.

UPON VOTE: UNANIMOUS.

TR-07-79 Resolution Declaring a Parcel of Land in the City of Methuen as Surplus Property and Authorizing the Same for Sale – Danielian Way

MOTION BY: Councilor Corey Rahme, seconded by Councilor Quinn to adopt for first read and schedule a public hearing.

UPON VOTE: UNANIMOUS.

Councilor Cronin requested that Council receive a map in the future so they know where the property is.

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TR-07-80 Resolution Authorizing Acceptance of a Federal Grant Administered by the MA Board of Library Commissioners; “On the Same Page, Methuen Reads”

MOTION BY: Councilor Giordano, seconded by Councilor Corey Rahme to adopt for first read.

Councilor Quinn said this is a great program and asked for more information regarding how many books are available, how they’ll be distributed through the city, and if they are free.

Councilor Corey Rahme noted that on page 4, item 17, it says the Library must submit four progress reports to this agency following the format provided in the agreement. It says progress reports must be submitted no later than April 15, 2007. She asked if the Auditor knew how this would work.

Mr. Kelly said he hasn’t seen anything yet on this grant; but would look into it on Tuesday.

Councilor Giordano said it is excellent the way this informational package was presented to Council.

UPON VOTE: UNANIMOUS.

TR-07-82 Resolution Establishing a Sewer and Water Task Force (Committee)(Req. of Clr. Zanni) (EPA)

MOTION BY: Councilor Corey Rahme, seconded by Councilor Cronin to adopt an EPA for the good and welfare of the community.

UPON VOTE: UNANIMOUS.

MOTION BY: Councilor Corey Rahme, seconded by Councilor Cronin to adopt and amend per Jack Burke’s recommendations.

“The 9 appointees shall meet and amongst themselves appoint a chairperson. The chairmanship shall not be determined by the Council, only the appointees. The Council shall set clear and unambiguous goals for the task force. A list of sites for Citizen Visualization meetings shall be forwarded to the members of the task force. If the Task Force determines, as stated, that citizen input is required, this list with contact names should be available to expedite the setting up of sessions. At the first meeting all members shall be prepared to set meeting dates for the duration of the Task force. This will be a weekly meeting as a minimum as time will be of the essence. All data and meeting minutes from the City Council water rate sub committee shall be forwarded to the newly formed task force.”

Councilor Giordano asked who would be assigned to take the minutes of these meetings.

Chairman Zanni indicated that there would be a tape recorder available for them to use and tape their meetings.

Councilor Lahey asked what the deadline is for the Council to submit names.

Chairman Zanni said he wrote this up last week when Councilors suggested this. He would like Councilors to submit the names to the Council Clerk by Friday, October 5th, so that letters could be sent to these individuals. By the next Council meeting, the Task Force could already be setting up their dates.

UPON VOTE: (amendment) 8 yes, 1 no (Clr. Leone)

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Councilor Leone said he doesn't think this resolution is exactly in keeping with what Councilor Andrew was asking for last week. This reads as if Council wants a Task Force to review what we did as far as setting the rate and that's not the understanding he got from Councilor Andrew. He thought Councilor Andrew wanted the Task Force to review the methodology that the water department was using to calculate the expenditures and revenues that went into calculating the rates.

Councilor Andrew noted "and if it was the proper rate to be charging them. Again, reviewing the rate."

Councilor Leone said Council doesn't need to give up their responsibilities – their responsibility is to set a rate.

Councilor Andrew said he is looking for recommendations.

Councilor Leone said they did that – there was some discussion as to whether or not the revenues and expenditures that the department was using to calculate that rate were disclosed to us properly and accurately and he went along with the formation of the Task Force to look into that aspect. That was a major thing.

Councilor Andrew agreed.

Councilor Leone pointed out it doesn't say that. It says they're going to look at the rates. We've been looking at the rates for six months, set them, and did a good job doing so. He doesn't need anybody else coming back saying they didn't do a good job setting the rates. Its great if the Task Force wants to look into the collection of the information used. That's what he wants them to do.

Councilor Andrew said if there were problems in setting the rate, he would like them to recommend resetting the rate with those problems solved.

Chairman Zanni said, looking at it from an informational point, the last part of the resolution says "to gather pertinent information and data relative to the sewer and water rates within the city, review the same and submit a report with their recommendation to the Methuen City Council within 60 days." They're going to have an opportunity to review what Council did plus any other pertinent information they have. That's the way it is set up. Its not set up to try to change something – we have some things we've done here as a Council, and spent a lot of time on it. They, in turn, are going to gather all information that's pertinent to this and they will make recommendation to this Council. This Council has said that they will abide by the recommendation of that group and that's what Council set forth. That does not limit them to getting information.

Councilor Andrew said one of the things in that motion he made was that the billing cycle would be from October 1st to December on the February bill. They'd be no retroactive. There's nothing in his motion whatsoever that says retroactive. From what he understands it will be retroactive

Chairman Zanni said that he didn't know about that.

Councilor Andrew said Council needs Ray DiFiore or Frank Russo.

Councilor Leone said to ask Tom Kelly.

Chairman Zanni asked Mr. Kelly to return to the meeting. Referring to the minutes, "there is a motion made and seconded to adopt a flat rate as proposed. There will be a task force made up for recommendations. These recommendations will be adhered to in the next billing cycle in February. The Council will make up a task force of nine citizens, one from each Councilor. Councilor Willette offered a friendly amendment

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that the Council legislatively field legislation to create a permanent Board of Water and Sewer Commissioners which could be discussed at a later date”.

Councilor Andrew said his example was that you can't go in and buy a coke, drink it and have the merchant say to you “I raised that price yesterday, you have to pay me more money”. People can't use water today and have the town say they approved a rate increase, so you have to pay more money for the water used. He doesn't believe it should be retroactive.

Councilor Giordano said the Council passed this last meeting and it becomes effective thirty days after Council passes it.

Attorney McQuillan said that is correct.

Councilor Giordano further stated that's when the new rates would start, 30 days after Council passed it. He asked if he was right or wrong.

Councilor Lahey suggested that Council ask Mr. Kelly.

Attorney McQuillan said if its not specified, if it's not in the measure that the rates are retroactive, they're not. Its not implied. It has to be specified.

Councilor Andrew said it wasn't specified.

Attorney McQuillan said if its not specified and the motion passes as is or passes without a retroactive clause, it would perspective be effective in 30 days.

Councilor Leone said the measure adopted was entitled Fiscal year 2008 Water Rates. Fiscal Year 2008 started, July 1st.

Attorney McQuillan said there was no retroactive specificity in it. It might have started at that time. It is a year in term and if you don't specify retroactivity in the measure, then you can't imply it Councilor.

Councilor Quinn asked if there is language that speaks of retroactive.

Attorney McQuillan responded, no there isn't.

Mr. Kelly said no, but it has to be retroactive because we have to raise five million dollars.

Councilor Lahey said that is the way he understood it.

Councilor Giordano said the legislation passed comes into play after thirty days. It does have anything about retro.

Chairman Zanni said the way the ordinance reads, that's correct.

Councilor Giordano said and that's the way it has to go unless Councilors want to change it. It doesn't matter if he needs five or ten million dollars, that's what it says.

Councilor Lahey said there's nothing that was ever said about retroactive. When Council set the rates, it was for that year. Once Council set that water rate, you were basing the next three bills to recoup what was lost on the first bill. Someone may have used the wrong word “retroactive”. It's not retroactive. It's the water rate for that fiscal year.

Mr. Kelly said that is correct.

Councilor Lahey said he understood that.

Councilor Leone said he understood that, too.

Mr. Kelly said it is the same as setting the tax rate. Council knows what is needed for tax revenue and right now we're working under the old tax rate that was set in 2008. In December, bills will go up accordingly to pick up the previous two quarters.

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Councilor Lahey said he thinks the confusion is that some of the Councilors understood it – the way he is explaining it and some didn't.

Chairman Zanni agreed.

Councilor Andrew disagreed.

Councilor Cronin said he never would have voted for it if it were that was his understanding. His understanding was that it doesn't take affect for 30 days after the legislation is passed. That's the normal of everything Council passes. Unless it's an emergency preamble, it doesn't take affect for 30 days from when it's adopted.

Chairman Zanni stated there was no EPA on this. That's correct.

Councilor Giordano asked how it could be changed. It was passed and comes into affect in 30 days.

Attorney McQuillan said Councilors have a right to change it. That's a legislative prerogative.

Councilor Giordano said he didn't want to change it.

Councilor Leone said Council is going to meet again at least two or three more times before the next bill goes out. Council has plenty of time for the Solicitor to clarify this with the Auditor and advise the Council as to what the situation is.

Councilor Andrew said when he brought this up, it was stated at the meeting before the votes were taken, he did not want this retroactive.

Councilor Giordano said it is not fair to the ratepayers to go back to July and August. He knew that the Mayor was looking for more money but he never said it was going to go back to July/August.

Chairman Zanni said Council has the next two weeks to review and bring forth what has to be done at that point. The amendment is approved and now it is the question of passing the main motion as amended.

MOTION BY: Councilor Corey Rahme, seconded by Councilor Andrew to adopt TR-07-82 as amended. UPON VOTE: UNANIMOUS.

Chairman Zanni requested that the Council submit the name of their committee member to the Council Clerk by Friday, October 5, 2007,

Councilor Giordano asked if this could be brought back for reconsideration to vote on the whole rate issue again.

Chairman Zanni said the reconsideration should be tonight.

Attorney McQuillan said reconsideration would have to be this evening from a member of the prevailing side. A motion to reconsider is a privileged motion.

MOTION BY: Councilor Giordano, seconded by Councilor Cronin to reconsider his vote on the rates.

Councilor Cronin said he went along with Councilor Andrew's motion because in his mind what he was proposing was no retroactive increase, where people would get almost a double bill for the summer months. He can't accept that. He thought Councilor Andrew's motion sunsetted in February and was going to be revisited again. That is the only reason he voted for it.

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Councilor Lahey said he didn't have any confusion over it. He recalled both Frank Russo and Tom Kelly both saying that the reason they were holding the bill back in the first place was so that they wouldn't have to recoup the losses from the first bill on the next three bills. They've said it on more than one occasion and he heard it just fine.

Councilor Quinn said no matter when, whether it is a month, three, four, five months, the longer Council waits, the bigger the bill because we've got to go back to the beginning of the fiscal year.

Mr. Kelly explained that the revenues that the city is counting on have to meet the appropriation or the expenditures of the Water Enterprise Fund. It should go back. Other than that, we're going to have a revenue shortfall. It goes back to July 1st.

Councilor Giordano said Mr. Russo was asked if we were going to charge them for July, August, and September and he said no.

Chairman Zanni disagreed. Councilor Quinn also disagreed.

Councilor Giordano said he would never have voted for the proposal if it meant double billing.

Chairman Zanni said the way it was explained by Frank Russo and Tom Kelly, the intent and what was mentioned was the fact that they needed to raise money and it would be retroactive. The last bill received was from June prior to that. The new bills coming out will reflect July and August as well.

Councilor Andrew reiterated that he did make a statement about buying the coke, drinking it, and then being charged more money after the fact. He didn't want it retroactive.

Chairman Zanni said the way it was understood by him and others here was that it would go back to July.

Councilor Giordano said he wanted to reconsider his vote because he wasn't under that impression.

Councilor Cronin said all those proposals failed when they were voted on. It wasn't until Councilor Andrew made his motion that it passed. All the other motions failed.

Councilor Andrew asked the Solicitor to clarify what happens if the motion to reconsider fails and further asked if we'd at the rate Council set starting as of October 1, billed in February.

Attorney McQuillan said that's his understanding.

Councilor Andrew said if the motion to reconsider passes, then someone can make a motion to make it effective July 1, which would make it retroactive. There is that possibility.

Attorney McQuillan said that's correct.

Councilor Andrew said if Council votes not to reconsider, it stands as it is and the bill will come out in January, or in February for the October through January, to December bill at the step rate that we proposed.

Chairman Zanni said no, the bill that is going to come out would be July and August as well. The bill sent out was only for June.

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Mr. Kelly the bill was not sent out earlier because the hope was to get a new rate set. If Council had set the rate prior to that bill going out, that bill would have been reflective of the vote taken.

Councilor Andrew said that's correct.

Mr. Kelly said what happened is there is a cash flow problem going on right now. The longer they waited, they weren't getting any money and decided to send the bill under the old rate with the understanding that the city needs to come up with 5.1 million dollars right now to operate the budget. If we don't recoup the rates, we'll have a revenue short fall. That rate that Council set will bring in the five million dollars. We've got to include July and August.

Councilor Andrew asked what the revenue would be under the old rate.

Mr. Kelly responded, three million dollars, two million dollars short. The Mayor mentioned that if nothing is going to be done, they'd have to go in and do some rescissions in the budget.

Chairman Zanni noted that the bills everyone received show only, not July or August. The new bills that come out will reflect July and August and that was based on being retroactive to ensure the revenues. The motion on the floor is reconsideration in terms of the vote taken at the last special meeting in terms of water and sewer rates.

UPON ROLL CALL VOTE: 5 no, 4 yes (Clr. Willette, Cronin, Giordano, Zanni) reconsideration failed.

TR-07-83 Resolution Submitting a Home Rule Petition for the Purposes of Exempting the Position of Chief of Police in the City of Methuen from the Civil Service Law

MOTION BY: Councilor Cronin, seconded by Councilor Giordano to adopt for first read and public hearing.

Councilor Corey Rahme said the reason that the police chiefs and fire chiefs are put in Civil Service to begin with has to do with insulation. That insulation is against political influence. It allows the individual to do what one feels as a law enforcement or fire safety professional to do what's right regardless of the political climate at the time. She cautioned Council not to remove this, not to remove it over to anything other than the civil service. She read from a website that speaks of all civil service questions. A municipal research and service center (MRSC) Washington DC, one of the very important parts says, unlike "at will" employees an employee covered by civil service has certain job protections. The employee may only be removed, suspended, demoted, discharged from his position for cause and then only after written accusation is set out in general terms has been given. She urged Council not to remove it.

Councilor Giordano said our Fire Chief is out of Civil Service and every three years he comes before Council for a contract. The City of Haverhill and Lawrence have police chiefs out of civil service and they are doing very well. Council is going to have a public hearing and everyone will be able to voice how he or she feels. He feels very strongly that Council should take it out of civil service.

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Councilor Lahey said he is a staunch supporter for civil service employees but this is the only department head in the City of Methuen that has Civil Service protection. A department head is just that, someone who goes for re-appointment every so many years. Under civil service, if you have someone who is not living up to their capabilities and they have the civil service protection, its not easy to remove them from their position. As far as department heads, it's unheard of other than that one position.

Councilor Andrew said it might not be a good idea to have a "knee jerk" reaction two days after Chief is put on administrative leave. We've had a Civil Service chief for 150 years or better and this is the first time we've had challenges and are in this position. In the alternative of what Councilor Lahey said, if you have a bad Chief you may have a problem getting him out. But if you have a good Chief and he's not in civil service, and you have a questionable Mayor, you may lose a good Chief because the Mayor's brother might want the job. His point is that there's no need to rush this evening. And could be put off for thirty days, sixty days, (whenever it needs to be done) in order to let Mayor do what he needs and Council understands what his plans are. Councilor Andrew suggested that the Chairman form a committee of three Councilors, of three people, or five people, some Councilors, some people at large and do the pros and the cons of the Civil Service and the non Civil Service position and bring that back to the Council within thirty days. Then Council could make a decision of whether or not they should take this position out of Civil Service or leave it in.

Councilor Leone suggested Council adopt for first read and table to a public hearing. To him a public hearing with the citizens' input is better than forming a subcommittee.

Chairman Zanni said he understands both sides and noted that this does not affect the present police chief. He's under Civil Service and its not going to affect him.

Councilor Quinn said Councilors have their opinions and are knowledgeable to this point. She would prefer a public hearing instead of a committee.

Chairman Zanni noted that it is important for Council to follow the process, keeping in mind that if there is a public hearing on this issue, the room will be filled with people coming for in favor and against.

Councilor Giordano said he wants to hear from the citizens, whether they are for or against it. He noted this legislation was drafted six months ago and he finally brought it forward. It is not a "knee jerk" reaction. Its something that he's thought about for a long period of time, not because of all that's going on now, but because he thinks the people in Methuen should have the opportunity whether they want a chief in civil service or not. If it came to that point, he'd support a ballot question, if he had to. He's asking for to give the citizens the opportunity to speak.

Councilor Quinn agreed.

Councilor Cronin said this was discussed months ago. Council represents the citizens and he doesn't have a problem with them coming to a public hearing.

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Councilor Andrew said he knew about this months ago as well. The “knee jerk” reaction means that there is a lot of sentiment out there right now. He doesn’t know if it is positive or negative. He’s just saying that Council should wait to make their decision for a period of time, to allow the Mayor to do what he needs to do. Whether Council has a committee or not, it requires a public hearing anyway.

UPON ROLL CALL VOTE: 7 yes, 2 no (Clr. Andrew, Corey Rahme)

TR-07-84 Resolution Accepting Gifts of Land – 157 Bay State Road (Map 11-13, Block 109AF, Lot 6 and 63 Hampstead (Map 806, Block 74, Lot 20C)

MOTION BY: Councilor Corey Rahme, seconded by Councilor Quinn to adopt for first read. UPON VOTE: UNANIMOUS.

Chairman Zanni said in the future maps would be provided to Council

ANY OTHER BUSINESS FOR THE GOOD AND WELFARE OF THE COMMUNITY

Councilor Giordano requested that the Chairman schedule an Executive Session at the next City Council meeting, to include the Mayor, Mr. Kelly, and Attorney McQuillan for the purpose of discussing litigation.

Councilor Quinn requested that Ray DiFiore, DPW, take a look at the crosswalk on the corner of Marsh School, Pelham and West Street. When cars take that corner, people can’t see the kids when they’re crossing. She suggested moving the location of the crosswalk.

Councilor Corey Rahme asked that Attorney McQuillan return to the meeting.

Chairman Zanni congratulated the Methuen High School’s football team for their winning the game against Haverhill. He attended the game and noted they are doing an outstanding job.

Councilor Corey Rahme “thank you, thank you very much Attorney McQuillan. This is for the good and welfare of the community. I have the opinion that our city is in turmoil and that at the risk of sounding as if I’m politically plat forming, let me just say that I fielded several phone calls. Everyone seems to be investigating the City of Methuen, except for us. There are several lawsuits that exist. I’m not going to name the names of the lawsuits that exist here in our city. They are innumerable. The citizens deserve answers to numerous questions. I’ve been fielding these questions. I don’t have answers for these people or taxpayers. I have a question of the Solicitor, through the Chair please, have we complied with the subpoenas from the federal government? Has the city responded adequately and accurately and expeditiously to the outstanding issues facing our city, Mr. Solicitor? I want to know if the City Council would be willing to support my effort to have an independent investigator or consultant come in and look at our police department. I want to know if the City Council will stand with me this evening to support an independent investigator, maybe a former prosecutor, someone that doesn’t know anyone in this city, someone bigger than us, someone with no ties,

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someone that will give us answers that we deserve, someone that will answer questions on behalf of our constituents, someone that will answer questions that we have that are outstanding that we haven't been able to field. Rumors and innuendos abound. They're hurting our citizens. They're hurting our taxpayers and I personally want to go on record right now to say I would rather spend money for an independent investigator to come in to our city than end up in huge lawsuits in the future and I need either the Solicitor to consider these questions tonight and a self examination of the department and in the city if we have had expeditious response, adequate response to the subpoenas and everything that the Justice Department is looking for... I think that it would be prudent for us to ask for someone else, someone that doesn't know anyone in the city, to come in and look at us. Thank you, Mr. Chairman

Chairman Zanni: Did you want a response from the Solicitor?

Councilor Corey Rahme: its up to the Solicitor

Attorney McQuillan: I would be more than happy to respond but I will be very guarded in my comments given the fact that there is pending litigation against the city. As to the extent you described Councilor, I am not that sure. There are three major lawsuits I see in the City right now and they've been pending, not for a significant period of time, but a time that's expected under the rules of court for the purposes of tracking lawsuits. They are in hand. As to responses to subpoenas, I'm going to refrain, but I will respond in a very qualified manner. The subpoenas are always outstanding. So as to there being full compliance, I cannot give you an answer on that because a subpoena never stops being what it is, a demand for documents and information of what you have and what you come into. So I can't answer that question with any definitive response. As to investigations, I've been charged, my office has been charged currently with two investigations, one regarding the unfortunate tragedy that happened up at the Tenney Grammar School and secondly as a result of recent events, what transpired, or the lack of significant communication and or understanding between local government and its police department. That is going full sway. It has been undertaken as of Friday, when I received a request to do so. That is going to be something hopefully that is going to be extensive. That's going to be in depth, hopefully informative and have a positive result one way or the other. It is not; I'll say for the record, that it is not an investigation that's looking for any wrongdoing. Its an investigation that's looking for causes that lead us to where we are today in relation to the local government and its police department. Having said that, an independent investigator, for whatever purpose, whatever reason, I'd have to defer to the Council on that. As the Chief Legal officer of the city, investigations are something that are not alien to our department, something that we are familiar with by way of what has to be done for the purposes of gathering information and for the purpose of recommendation. So having said that, I'll finish my statement.

Councilor Corey Rahme: thank you Mr. Solicitor. Mr. Chairman would it be prudent for me at this time to ask, is it a vote that I need of support from the City Council to look at hiring a outside an investigator to look at our city's police department?

Chairman Zanni: You would need a vote for that. You just can't go out and hire. You'd have to have the city council approval.

Councilor Corey Rahme: I know that I'm asking if it would be prudent at this time? Should I make a motion for that sir?

Chairman Zanni: it's not on the agenda. Could she ask? It's not on the agenda

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Attorney McQuillan: it's not on the agenda, Mr. Chairman. It would probably be appropriate to.....

Councilor Corey Rahme: For the record, could I please have it placed on the agenda for the next city council meeting that an outside agency come in, someone that doesn't know anyone in this city to look at our city's police department.

Chairman Zanni: for the next agenda that would be placed on it.

Councilor Andrew: Mr. Chairman

Chairman Zanni: Councilor Andrew

Councilor Andrew: just a clarification, Councilor Rahme, you're asking for an outside investigator. Are you asking for a 2-11 investigation?

Councilor Corey Rahme I think I'm going – I think I'm going to have a consultation with our city solicitor before I call for a 2-11.

Councilor Andrew: a 2-11 is

Councilor Corey Rahme: a 2-11 for the viewing audience is a full investigation by the City Councilor

Councilor Andrew: a full investigation by the City Council and our Solicitor and if you chose and he is involved in some of the cases and cannot be the objective person for us, we have to hire an outside investigator. But it also allows the Council to be involved with the investigation. So, if you're asking for a 2-11, it's different than asking for an outside investigator.

Councilor Corey Rahme: I wasn't asking for a 2-11, Councilor Andrew, but I am prepared to consider that. I'm asking for an outside agency to come in, someone that's not affiliated in any way with our city, someone who doesn't know anyone, someone who has no issues at hand with our City of Methuen

Councilor Lahey: Mr. Chairman

Chairman Zanni: Councilor Rahme is requesting that for the next meeting.

Councilor Lahey I just had a request for Councilor Rahme - if you would consider. I know you wanted to put it on the next agenda, would you consider putting it on the agenda after we have our Executive Session hearing where we might have a little bit more information, where we might be able to make that kind of decision to whether to support or not support you?

Councilor Corey Rahme: when are we having an executive session?

Chairman Zanni: Councilor Giordano requested it tonight.

Councilor Giordano I requested it – after the next meeting, have an Executive Session, after the meeting.

Councilor Corey Rahme: I didn't hear that

Chairman Zanni: Yes

Councilor Giordano: that was my proposal

Chairman Zanni: there was a motion made and seconded this evening.

Councilor Leone: I just wan to remind everyone that we don't have the authority to spend any money on an investigator

Councilor Corey Rahme: no, no we don't. We don't spend money. We take money away.

Councilor Leone: we don't have any money to pay an investigator or a consultant.

Councilor Corey Rahme: do we have money Councilor, and I'm sorry to speak through the Chair, do we have money for a lawsuit?

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Councilor Leone: we don't have any authority between budget cycles. The only person that can reopen the budget now and reallocate funds is the Mayor.

Councilor Corey Rahme: I know that sir.

Councilor Leone: I just want to point that out.

Councilor Corey Rahme: I'm asking for support from the city council, I'm asking for support from the city council to stand with me and make that request.

Councilor Lahey: and again, I'd just like to make the request, I don't think I could give you that kind of support until I've been in executive session and hopefully find some answers and some of the questions you're trying to get answers, maybe we will get at that executive session.

Councilor Corey Rahme: okay that's fine. Thank you Councilor Lahey

Councilor Willette: Mr. Chairman

Chairman Zanni: Councilor Willette

Councilor Willette: for the record, with all due respect, I will never vote for that motion because unless evidence presented to me, there's no justification for questioning the city solicitor. He's been completely objective.

Councilor Corey Rahme: I'm not questioning the City Solicitor sir I think your missing the point

Councilor Willette: you're looking for an independent. Are you looking for Ken Starr to come into the equation? Is that what you're looking for? I have complete confidence in the City Solicitor. I've never questioned his objectivity on any matter before the city of Methuen. I have the full confidence in him. And all due respect, if its brought to my attention I will not vote in favor of it. Thank you

Councilor Cronin: yes could I ask through the chair for the next meeting if we can get a legal opinion from Solicitor if any such investigation would tend to compromise the investigations that are presently underway, for the next meeting?

Chairman Zanni: the Solicitor heard that I think he could take that under advisement

Attorney McQuillan: Yes

Councilor Leone Motion to adjourn

Chairman Zanni: Wait a minute I have something to add - the only question I have and I mentioned this earlier with the Auditor and a couple of Councilors is that last Friday, I believe, that an appointment was made, there was an acting chief put in. There also is an acting, I believe now captain has moved up. There's also an acting Lt. that has been moved up and there's also an acting Sgt because of the various affects. My question is are these individuals going to be receiving compensation at that rate of pay or on a temporary basis are they maintaining their salary currently that they have? If its on a temporary basis, I can understand but to me it seem like if they are taking that position if we start going through this the domino affect, we're going to be talking a tremendous amount of money that we're going to have to put out for all these various positions. But I'd like that clarified to the Auditor tomorrow I will mention it to the Mayor as well but I have not gotten clarification of that yet.

Councilor Andrew asked that Lucille Donegan be recognized to come to the podium and speak for one minute.

Brief discussion amongst the Councilors.

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Lucille Donegan: I appreciate Councilor Rahme's idea of bringing in a new person. However, Methuen has always taken care of its own. We don't need an outsider coming in. In Haverhill we have a lawyer coming in that doesn't call the City Solicitor or call Mayor Manzi. She calls the Eagle Tribune. It's the female lawyer for Fulya Metin and her husband that they can't quite get together. I'm sick and tired of outsiders coming into Methuen to tell us what to do. You have capable competent people in Methuen to take care of this action. It really doesn't have to go any further than what you stated tonight. We've always taken care of ourselves. We don't need any more outsiders and further more we had one. We had so many town managers and one of them and we didn't get an outsider to get rid of him, namely Mr. McLaughlin. It was a group of us that lived here that didn't like him and hopefully helped him out of town and that's the same thing if you want a person to come in and talk to us, an outsider, that has no business doesn't know our background, doesn't know what happened previously, I think is a wasted effort and I'm just sick and tired of outsiders coming in and telling Methuen people what to do. Thank you for recognizing me, Councilor Andrew. Thank you.

Councilor Cronin: Motion to adjourn, Mr. Chairman

Councilor Corey Rahme: I just want to say what I'm asking for in a nutshell is for someone that has no connectivity with the ongoing investigations that are in our city regarding the police department and all the rumors and innuendos are flying through our city and I think for confidence building and for long term, healthy satisfaction and no future lawsuits to arise from this and to put it to bed completely once and for all I'm appealing to you to spend money wisely. We spend consultants all the time; nobody seems to be able to manage any department. We get everybody in to do everybody else's jobs. I'm asking for something not as an affront to our solicitor. You missed the point. Thank you.

Chairman Zanni: before we adjourn - I don't speak often on this but let me make myself perfectly clear. I had an opportunity last week to view our solicitor in court, only on an injunction, with other councilors present. I saw his capabilities first hand as other attorneys there were. He did a tremendous job as far as I'm concerned. I also look at us not putting out more money when we have our legal department within ourselves, in this case the Solicitor. If in fact the time comes up that we need outside legal advice, I'm sure the Mayor at that point in time will help our Solicitor if he has a lot on his plate. But I think its .. I don't think its right at this point in time to start to grandstand of what we should or should not do. I think its important that we move on we have things before us we don't know what's going to occur over these next 30 days and that's why I've asked about the aspect of these monies being expended for different people moving up. So with that said is there a motion to adjourn

ADJOURN

MOTION BY: Councilor Giordano, seconded by Councilor Andrew to adjourn.
UPON VOTE: UNANIMOUS.

The meeting adjourned at 9:15 p.m.

COUNCIL CLERK