

**METHUEN CITY COUNCIL REGULAR MEETING
GREAT HALL, SEARLES BUILDING
October 5, 2009 - 7:00 p.m.**

Chairwoman Deborah Quinn called the Regular meeting of the Methuen City Council, scheduled for October 5, 2009 to order with all members present

ACCEPTANCE OF AGENDA

MOTION BY: Councilor Giordano seconded by Councilor Zanni, to accept the agenda as posted.

UPON VOTE: UNANIMOUS

INVOCATION/PLEDGE OF ALLEGIANCE

Rev. Wilkes gave the Invocation. Everyone remained standing for the Pledge of Allegiance

Councilor Lahey requested a moment of silence for former City Councilor Carl Woekel who recently passed away.

ACCEPTANCE OF MINUTES

MOTION BY: Councilor Zanni seconded by Councilor Lahey to waive the reading and accept the minutes of previous meetings: September 21,2009

UPON VOTE: UNANIMOUS

CORRESPONDENCE/PROCLAMATIONS

Chairwoman Deborah Quinn and the Methuen City Council presented a proclamation celebrating the 50th reunion of the Methuen High School Class Athletes of "1959" and honored these athletes as an inspiration to our young people and expressed pride in bringing honor to our community.

MOTION BY: Councilor Zanni seconded by Councilor Leone to proclaim.

UPON VOTE: UNANIMOUS

PUBLIC PARTICIPATION

Elaine Aufiero – 20 Washington Street Methuen. Ms Aufiero is a legally blind resident of the city. She was before Council to speak on the amount of traffic at Howe and Jackson Streets specifically the blinking traffic light at where she needs to cross to get to the Rite Aid Pharmacy. The pedestrian signals do not work. She does have some vision but to cross that street (for her) is terrifying. When she is ready to cross that street people do not pay attention to her walking with a cane. Another issue is that the crosswalk (lines) is practically invisible being washed away over the years. She is asking for the crosswalk lines to be re-painted and when she presses the traffic button light that it will work and with a sound signal to let her know that it is safe, stop the traffic in order for her to cross to the other side safely.

Sid Harris (disability coordinator) said that he has spoken with the Mayor and DPW director Ray DiFiore. This is a Mass Highway issue; they (Mass Highway) do not want to touch this issue because it will affect all the other signals. This is frustrating and he feels Mass Highway is stalling. The first step would be to approach Council for help to push this along. It is a requirement by law that at a resident's request for a light, it be installed. There is a need in that area but Mass Highway is concerned that this will affect traffic (all the way) down to the Mall and that may have some legitimacy but he is more concerned with safety of a resident able to cross the street.

Councilor Giordano asked if anyone has spoken to anyone at the State level?

Mr. Harris said not at this time, he works for the city and would want the city to pursue that step. If the city cannot get any resolution then the resident has the right to file grievance with the State. His responsibility is to bring the issues to the people responsible and if he does not get action he will bring it to the next level.

Councilor Leone asked if there is a pedestrian button on that (light) post?

Mr. Harris said there is but it does not work, he thinks Mass Highway has disconnected it because it was affecting the other lights down through the Loop. This is a safety issue. This is a Mass Highway issue.

Councilor Leone stated the lights in that area are messed up. In addition to the operation of the button we would need an audible signal to indicate the walk signal.

Councilor Giordano stated they did that on Merrimack Street at Pleasant Valley.

Ms Aufiero stated that regarding traffic flow, this would not happen forever. The traffic light would work to stop traffic but would only be for a few minutes to cross. That is a lame excuse to fall back on because it would revert back to the original timing.

Councilor Leone requested a letter be sent to Mass Highway regarding this issue.

Councilor Zanni noted the Police Chief in the audience and we have a Captain in traffic control. The direction for this issue would be to go to the police department; they have a traffic division who can be in contact with the State. A letter will get shuffled around.

Council has direct access to the Police Chief and is she aware of this problem.

Chief Lavigne stated she was not aware of this problem but sending a letter would be effective.

Councilor Zanni is of the opinion that we do have something in place with traffic rules and regulations and this is in the Chief's court, have the head of the traffic division contact the State. If nothing happens at that point then the Council should get involved.

Councilor Kannan asked if the crosswalk is in the purview of Mass Highway? Do they have to do it or can we have our DPW do it.

Chief Lavigne stated this is a bad time of the year to do that because of the upcoming winter with snow and plows. Our workers could do that job.

Councilor Kannan stated it would be a good idea to at least get the crosswalk done at this time and then continue with the signal button with the State.

Councilor Willette stated there was a mitigation fund that was diverted for other purposes. He was told (at the time) there were no problems in that area and they would put up cones and the issues would be resolved. From a safety, disability and infrastructure standpoint we are failing in that area. We had hundred's of thousand's of dollars in a mitigation fund related to Brooks Pharmacy that could have been dedicated to that area but was placed elsewhere by the previous administration. Councilor Willette does sympathize and is in support of whatever needs to be done. Sending a letter to our Representatives, Senator and Mass Highway will be the end result. The City can do cosmetic items locally through the Mayor's office; the Police Chief can do a traffic flow study but this is a direct result of the diverted mitigation money.

Councilor Pappalardo stated at the very least the City should do the crosswalks right away. DPW can do that and she does not care if there is snow or not, hopefully we will not have snow for a couple of months. Councilor Pappalardo asked that a request for the crosswalk re- painting be sent to DPW.

Councilor Willette asked (after the meeting) that City Auditor Tom Kelly look at the figures of what remains in the mitigation account. There are grant programs available and working with the Mayor and community development could provide help for the city in this area.

Mr. Harris stated this is a Mass Highway issue and should not be an expense to the City. A simple request from the City to put those in and if denied (she) has the right to file litigation to the State. Mass Highway was cooperative when requests for the lights on Merrimack Street were put in. Mass Highway's issue is the traffic flow down to the Loop affecting traffic. Someone is going to get seriously hurt in this area.

Ms. Aufiero and Mr. Harris thanked Council for their time and concern for this issue.

PUBLIC SERVICE

- A) GRANTS - None
- B) LICENSES - None
- C) CONTRACTS- None

D) ORDER CALLING FOR MUNICIPAL ELECTION – NOVEMBER 3,2009

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

UPON VOTE: UNANIMOUS

OLD BUSINESS

RESOLUTIONS

TR-09-60 Resolution Amending the Rules and Procedures of the City Council of the City of Methuen Rule 1 (d) – Special meetings
(Req of Clr Lahey) (amended)

MOTION BY: Councilor Giordano seconded by Councilor Zanni to adopt as amended. Councilor Lahey stated he is bringing this forward because it is not covered in the council rules. Challenging the chair is not the proper mechanism to allow someone to be

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recognized at a special meeting. He is not grandstanding; this is housecleaning in the council rules.

Councilor Willette stated that he wants public participation at the podium before council, before the voters. There have been meetings where people voice their opinions, there is no record and they are not accountable. As city councilors we are accountable for all our statements. Having all meetings (except for executive session) televised is a great process.

UPON VOTE: UNANIMOUS

TR-09-61 Resolution Authorizing Auctioning of Surplus Equipment

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

UPON VOTE: UNANIMOUS

ORDINANCES None

CONSIDERATION OF APPOINTMENTS None

NEW BUSINESS

RESOLUTIONS

1. TR-09-62 Resolution Authorizing Expenditure from the Edwin J. Castle Fund.

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

UPON VOTE: UNANIMOUS

2 TR-09-63 Resolution Accepting Miscellaneous Donations to the City of Methuen

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

Councilor Pappalardo requested that the resolution be read for the public and that Council sends thank you notes.

UPON VOTE: UNANIMOUS

ORDINANCES

ANY OTHER BUSINESS FOR THE GOOD AND WELFARE OF THE COMMUNITY
REQUEST OF COUNCIL

ADJOURN

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

UPON VOTE: UNANIMOUS

Meeting was adjourned at: 7:30 pm

Diane Lasonde/Council Secretary

I do hereby certify that at a meeting of which a quorum was present, the foregoing minutes was adopted by the Methuen City Council by a unanimous vote on October 19, 2009