

METHUEN CITY COUNCIL REGULAR MEETING
TUESDAY, APRIL 17, 2007 – 7:00 p.m.

Chairman Zanni called the regular meeting, scheduled for Tuesday, April 17, 2007, to order with all members present, with the exception of Councilor Corey Rahme.

Acceptance of the Agenda

Chairman Zanni announced that the resolution regarding the Mismanagement of the grant HSOP has been withdrawn from this meeting's agenda until the next meeting.

MOTION BY: Councilor Giordano, seconded by Councilor Cronin to accept the agenda. UPON VOTE: UNANIMOUS.

Father Waters from the Lady of Our Good Counsel gave the Invocation for the evening with special recognition and prayers to those involved in the tragedy at Virginia Tech. Everyone remained standing for the Pledge of Allegiance.

Chairman Zanni said he would ask the Mayor to lower the Flags in observance of the National tragedy that occurred at Virginia Tech.

ACCEPTANCE OF MINUTES

MOTION BY: Councilor Cronin, seconded by Councilor Andrew to waive the reading and accept the minutes of previous meeting, April 2, 2007, regular meeting. UPON VOTE: UNANIMOUS.

PROCLAMATION/CORRESPONDENCE

Chairman Zanni read a Proclamation declaring April 15-21 "National Library Week". MOTION BY: Councilor Cronin, seconded by Councilor Willette to proclaim. UPON VOTE: UNANIMOUS.

Chairman Zanni presented the Proclamation to Krista McLeod, Director of Nevins Memorial Library.

PUBLIC PARTICIPATION

Linda Soucy, 10 Kirk Street, spoke in favor of the two items on the agenda, Contract C-07-16 and TR-07-34, resolution regarding waiver of fees. Ms. Soucy provided a brief overview of the Methuen Arlington Neighborhood. They are a non-profit neighborhood organization that works very hard to help the families and residents of Methuen to expand the opportunities available to them. They work in a target area that is low to moderate income that has over 46% of the people who are single, female head of household. She included in the packet distributed to Council the top ten benchmarks

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that they consider have been successful to the neighborhood (copy attached). They have an after school homework center and decreased crime in the neighborhood. Previously, there were thirty five prostitutes and ten known drug houses in the neighborhood and now there are none. The neighborhood has built relationships and partnerships with many agencies including the City of Methuen and the State of Massachusetts, have worked to increase home ownership on Tenney Street, - it went from 16% to 78% home ownership on one street through a strategic plan that was implemented to improve this neighborhood. There is a summer parks and recreation program that has over 100 children in attendance every day. The children are fed breakfast and lunch, play strategic games, and are involved in arts and crafts. Most importantly, it's a supervised, structured environment that enable the parents to work stress free. Man, Inc. runs a karate program that builds self-esteem and respect for the children of the neighborhood. They run a job-training program that helps people prepare their resumes and also work to show them how to go out on interviews. Man, Inc. works with local businesses to help them get jobs because transportation is such an issue in the neighborhood; Man, Inc. works with local businesses to hire from within. They run a satellite library Monday through Saturday, working with the Nevins Library to provide books to the children who cannot get up to the Nevins Library. Man, Inc. runs a summer basketball league for 120 youths that have never played basketball before and they learn to be part of a team. Many children have gone on from starting at five, six, and seven years old in this league to go on and play for the varsity team in Methuen. Man, Inc. also has an adopt a family program that helps families that are experiencing financial difficulties throughout the holidays, to have gifts and food for their children, which is all done on a volunteer basis. There are many other things that Man, Inc. does and they are very excited tonight to be here to finally hopefully have a center that will allow all the children that want to come to come to Man, Inc.'s facility. They are proposing a community center that will hopefully allow at least 200 children per day to come to. Right now there are 70 children that are coming after school, voluntarily. They are trying to improve their education.

Scott Foster, 33 Camden Street, stated that he and his wife looked for opportunities in and around Methuen to purchase their first home but were limited as to the price of that home. The Methuen Arlington Neighborhood offered them an opportunity to be able to purchase and afford their first home but there were some concerns about the quality of life in that neighborhood. It appeared to him to be a neighborhood that could go either way. He and his wife spoke with Linda Soucy, who knew the neighborhood well. Based on the information they got from her and what she and other residents of the neighborhood were trying to do, it was clear that if he and his wife were as involved in the neighborhood and organizations with some of the other residents, they could at least do their part to ensure that the quality of life increased. He and his family have done what they can to maintain that quality of life, not just for them, but for their neighbors as well. If anyone has seen the homework center on a busy day, any day during the week is a busy day; clearly there is just no more room for additional children. There are children that get turned away just because there are no more chairs, no more space to put them. He looks at it as an opportunity similar to preventative maintenance to a vehicle. There are times when its more cost effective to maintain your

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vehicle than it is to let it get run down but there are times when there are things that need to be replaced. The community center is a way to ensure that the quality of life doesn't go backwards and end up in a similar situation where he knows the neighborhood has been in the past. He hoped that the Council has an opportunity to see more about what the organization does and the Council's vote is favorable.

Karen Hayden, spoke in support of TR-07-31, asking that the Council oppose the repeal of the 166A of the Massachusetts State Code. Our current cable franchising system works. There is no reason to repeal these laws. The benefits far outweigh what we will get in return. The system includes a mechanism to have public hearings, to hear what the people of Methuen want, to negotiate for certain things that benefit this community. We'd no longer have a say and certain things would not be negotiable anymore. The telecommunication providers already kind of have a leg up on some other cable competitors because they don't need permission to construct a new system. They can do it under their Title II authority as a phone company. They can come in and start their upgrades without any special license or permission. It is fair to say that Methuen would lose a lot if this law goes through and she hoped that the Council would make our voice heard at the State House by approval of this resolution.

Jack Burke, 49 Canobieola Road, spoke in support of TR-07-31. He'd like to make sure that the Council keeps MCTV here in Methuen. He'd like them to vote in favor of this bill stating that they are opposed to any changes in Massachusetts Laws which would affect the three cable stations we have here in Methuen. We should be proud of all three stations that give the citizens a chance to express themselves. Without this law on the books, he is not sure we have anything to replace it. He also asked that the Council support TR-07-31.

Carrie Totto, 6 Sevoian Drive, said that although she does not live in the Arlington Neighborhood, she is an employee of Man, Inc. since January of 2000, beginning as a computer instructor, promoted to part-time program director in October of 2005. She's been there long enough to be able to see what has been done and it is good for the neighborhood. She just pulled a few quotes and statistics from a website in Massachusetts, 2020.org, regarding after school programs that kind of relates to the Methuen Arlington Neighborhood. Children today spend only 20% of their waking hours in school. The traditional school calendar is an 186 hour days, which means that each afternoon during the school year and every day during the summer, families need a place children can be safe and well cared for. Over 70% of American children live in families where adults in the household work outside the home. As a result, there's been tremendous growth in summer and after school programs over the past several years. Despite this growth, only 50% of children participate in after school programs. However, 500,000 are seeking more after school programs. This community center has been a long time coming. For the past five years, approximately 70 children a day complete their homework and projects in 700 square feet of space. With the additional space of the community center, Man, Inc. will be able to reach out to many more youth of the Methuen Arlington Neighborhood and offer more resources and programs to keep them

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safe and afford them the opportunity. She then asked the City Council for their support to move the community center project forward.

John Meheea, 4 Camden Court, Lawrence, said although he is not a Methuen resident, he has had the opportunity to work at the Methuen Arlington Neighborhood since its opening in 2001 and can give the Council an outside perspective on what kind of affect this center has had in the neighborhood. He's seen most of the kids grow up and they come voluntarily. He is a Merrimack College graduate and works as a graphic designer and he still has had time to come to the homework center. He is also a byproduct of such an after school program, in essence having a network of people that care about what you have to do and they are there to support you. He can't stress enough of the importance of this homework center, not only because of the space constraints that they have right now but with the new center, they'll be able to offer those opportunities to the children that come voluntarily to make better of their time and offer that to a lot more kids with the new center.

Derek Jones, 98 Ashland Avenue, said he arrived here this evening as a consequence of a letter he forwarded to the Mayor, noting that he spoke verbally to the President concerning a campaign that he has launched in the Lawrence High School of which he is part of. He stated that the use of the "N" word by American youth today is abominable and unless something is done we will lend ourselves to a society that has become seriously degenerating. Referring to what transpired earlier this week in Virginia, his opinion is that unless and until the adult population of this society come to recognize that there has been a perpetual decline in the standard and the quality of life across this nation, we are going to be condoning our youth and young people behaviors that could only reduce our society to what we would not want. The purpose for him in this exercise is to bring not only a higher level of education in the Methuen area and across this state but across this nation. The demographics of this country are constantly increasing where the minority majority will prevail if we do not take handle of the quality of education we are offering our kids. We are in a sad state of fear. He's had reason to speak to a number of schools administrators and it was appalling to know that officials in the Superintendent's office in Texas as well as in New York did not know what the "N" word connotes. He stated that he is an African decendent. On February 10th of this year we met in Virginia, Jamestown, Virginia to celebrate 400 years of the blacks arriving in this country. He then asked the Council if his request for a resolution banning the use of the "N" word is an inappropriate request when people do not recognize that our contributions allow us to have the quality of life that we have today and a country second to none in this World. The United States of America is considered the best and second to none in human civilization. As he said before, his forbearers suffered at the hands of those who were in charge of the society at the time and they helped to build this nation. He asked that the Council revisit his request submitted to the Mayor relevant to the passage of a resolution banning the use of the "N" word in public places. Mr. Jones had in his possession a copy of a resolution that was passed in New York City, passed in a number of cities in the state of New Jersey and which he has submitted to the City of Boston through Councilor Turner. He also referred to an article that appeared in the

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National Journal for Schools, the May issue, what it says in its headline “Schools make effort to ban the “N” word. This is as a result of the efforts of schools in the Oozing New York area as well as the Linden Bain Johnson High School in Austin Texas. The picture depicts high school students. These seniors made sweatshirts and sold those shirts advertising the ban of the use of the “N” word. He conducted a survey among the staff and faculty of the Lawrence High School and has all the information available for Council review. As far as he is concerned the use of “N” word among our youth today, not only in the Lawrence, Boston, Haverhill and Methuen area; is a national disaster that we must address and address urgently.

Chairman Zanni requested a copy of the resolution.

Mayor Manzi said he had a copy available.

PUBLIC SERVICE

A) Grants: None

B) License:

Second Hand Dealer Application (Renewal)

George and Mary Simonian d/b/a Lockhaven Antiques – 512 Merrimack Street, Methuen

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

UPON VOTE: UNANIMOUS.

Second Hand Dealer: Steve Morgan DBA Game Stop Inc. – New and Used Video Games and Systems. 184 Haverhill Street Methuen. (Renewal)

MOTION BY: Councilor Willette, seconded by Councilor Andrew to approve.

UPON VOTE: UNANIMOUS.

Special Excavation: 56 Union Street MOTION BY: Councilor Willette, seconded by Councilor Cronin to approve. UPON VOTE: UNANIMOUS.

Special Excavation: Jane Road/ Hadley Road MOTION BY: Councilor Willette, seconded by Councilor Cronin to approve. UPON VOTE: UNANIMOUS.

Special Excavation: 68 Timber Lane MOTION BY: Councilor Willette, seconded by Councilor Cronin to approve.

Councilor Lahey asked the Mayor if there have been any complaints regarding the road repairs.

Mayor Manzi noted that in the past we have received complaints but right now he is not aware of any. During the last Council session, the bond was increased and that covers it just in case there is a problem. UPON VOTE: UNANIMOUS.

Contracts: C-07-16 Pope Industries, Inc, 68 Maple Avenue, Atkinson, NH 03811 for Methuen Arlington Neighborhood Center in the amount of \$541,427.00.

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

Councilor Cronin said he asked for some documentation on this project, specifically the plan. He said he is trying very hard to support this and believes in the

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programs which are successful. He is appreciative of the people that donate their time in making it successful. On the high school level, he is familiar with what goes on and how they work and the benefits they have to the kids they serve. He definitely supports the programs but he has concerns and questions. One is that they are going to take grant money that was specified for another area in the Central District and move it.

Mayor Manzi said the reprogramming of that money, from point A to point B in this case, is done simply because of the fact that we were not going to be able to utilize the money toward the intended purpose. More testing needs to be done on the Appleyards' site and he will come back with that money. In his view it was something that was acceptable. As much as he supports the programs, if this was a situation where one was going to suffer and one was going to gain, he would look to do it another way. The money cannot be used this year for Appleyards and this doesn't impede our ability to get Appleyards done.

Councilor Cronin said the problem is we are not considered what they call a "mini-entitlement program" any more. This is the first year in the most recent years that we have to compete for community block money. There is no guarantee that we are going to receive any future funds designated for that site. Another problem is the fact that the city will not own the building. The building will be turned over to a private organization no matter how well intended they are. He is not questioning that. In the future who knows what could happen if they lose their funding.

Mayor Manzi said it was the considered view, after discussing different ownership structures, that this method was the best method to use. The organization understands that they'll be responsible for the ongoing upkeep and maintenance of the building, which takes that off of the city and places it squarely on them. The city is going to try to be helpful but the second component to that is that the grant was devised for the organization and applied for by the organization, structured within that entitlement grant for the organization, not for the City of Methuen. We also had some legal obstacles potentially with having City ownership of the building. It's the best solution and if something did go wrong, the City will be there.

Councilor Cronin said he certainly hoped so. He noted that the plan that says "preliminary, for review only". Who is designated as the builder?

Mayor Manzi said he believed the builder was Pope, Ind.

Councilor Cronin asked if they are supplying just the building.

Mayor Manzi responded, yes.

Councilor Cronin asked who is supplying the foundation.

Carolyn Finlay, project manager, introduced Barry Donohue, the project manager for Pope Industries. Ms. Finlay stated that Hutton Construction is donating the excavation services.

Barry Donohue stated that Pope, Ind. is the general contractor and are responsible for the entire project. They will co-ordinate any work they do with any work donated by anyone for the project.

Councilor Cronin asked if the concrete is being donated.

Mr. Donohue stated that within their contract, at this point, the general contractor is responsible for the foundation and the concrete.

Councilor Cronin asked where the funding is coming from for that.

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Mr. Donohue explained that they are the general contractor and somebody has volunteered to donate the excavation of the hole. From there, the general contractor will take over the work, with the exception of the back filling of the hole, which that same site contractor will take care of. But his company will co-ordinate it with them. Every step of the way, any work donated, they will co-ordinate with that subcontractor. Pope is the general contractor.

Councilor Cronin asked if there was someone familiar with the building codes.

Mr. Donohue explained that they are a licensed contractor.

Councilor Cronin asked if his company is KBS.

Mr. Donohue said KBS is the manufacturer of the modular buildings (plans were provided). What they call the first floor and the attic will be supplied by KBS. Pope Industries will construct the basement level, which will be occupied by WIC. He noted that the drawings are still a “work in progress” and that is why they say “preliminary”. An Architect has been hired to work with the engineer from KBS to get to this point but there are still logistics of the whole project that they are working out. The five hundred and forty one thousand is not just for the building. It’s for the total project.

Carolyn Finlay responded, yes. Mr. Donohue agreed.

Councilor Lahey said he had some similar questions. But, he went to Community Development and got the answers he wanted. He attended the public hearing when they explained the reasons for the money, where it was coming from and why, and what would happen to it. He was more than pleased with the answers. On the other hand what he would like to say is, being from the Arlington District many years ago, he remembers what the Arlington District was like. It was a place where you knew everybody, all your neighbors knew everybody by their first name. Over a period of time, it deteriorated to the point where it was strictly absentee landlords, drug addicts, drug houses, prostitution, and so forth. While some residents left, others like Linda Soucy and Kathy Ball and some of the others stayed there and took back the neighborhood. For fifteen plus years, you’ve had the Arlington Neighborhood Association, which used to be the Arlington District. Are we giving them a youth center or community center? He believes they earned it the old fashioned way and he is 100% behind this supporting it. He commended the Arlington Neighborhood for fighting so many years to achieve this.

Councilor Quinn said she loves this concept and idea. She has been to functions held in the neighborhood, such as the summer programs, and would like to see more of the community down there. She asked if it was possible to get other districts involved in this program.

Linda Soucy said the current problem is space, 700 square feet.

Councilor Quinn asked if this could encompass all of the children in Methuen.

Linda Soucy said she has no problem bringing more kids in but needs to have the staff in order to do that. If the school wants to supply teachers to come down or volunteer the parents, she has no problem with that at all. They are on constraints with their staff and have to raise funding to keep the staff going.

Councilor Quinn said you know you own it, you know you have to take care of it, you’re looking for community support, looking for volunteers and looking for the City Council to stand behind you and make this project run. Linda Soucy agreed. Councilor Quinn commended her for her efforts.

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Councilor Andrew said the City is not going to be responsible for any part of the funding for it. It is all coming from a grant?

Mayor Manzi responded, yes, in terms of the contract, its all coming from grants. The identified source is before Council on the contract.

Councilor Andrew asked if the city would be responsible for anything after the building is built, such as the cost of teachers, cost of custodians, etc.

Mayor Manzi responded, no.

Councilor Andrew said his only concern is whether or not future Mayors and future Councilors can deal with it and this can be a completely self-funding project and a self maintained operation.

Mayor Manzi said they've had very preliminary discussions with the School Department. The entire state is looking at the benefit of after school programs and the Arlington Neighborhood has been part of that debate. They're already providing neighborhood services. Right now there is no plan to bring Methuen teachers down there but should the opportunity arise he and the Superintendent would support it. As long as he is Mayor, he will be there.

Councilor Andrew said the \$125,000 for Appleyards would be returned for the Appleyards' site.

Mayor Manzi responded, yes. He'll be there for that as well.

Councilor Willette said he stands by the record of the Arlington Neighborhood, you see the night and day comparison over the past decade and half. Homeownership is up, crime is down, jobs are aplenty, and volunteer service is there. It's a micro-cause in the Arlington Neighborhood. They turned the neighborhood around and it didn't happen overnight. It was a partnership with community policing, the weed and seed program, and the clean-up campaign against the drug houses, and worked with Habitat for Humanity. There was outreach with voluntary and charitable groups like the Exchange Club. A network already in existence and as Linda Soucy indicated it was simply a matter of space. He stands by the great work of the Arlington Neighborhood. A lot of the funding that we receive as a community, whether it be Chapter 70 or the school improvements, was realized as a result of the demographics in the Arlington Neighborhood. There's going to be improvements in the Arlington Neighborhood and this is a capstone to it.

Councilor Giordano said he's worked with the kids in the Arlington Neighborhood for the past five years teaching karate and discipline. He knows a lot of them personally and wanted to say he is in favor of this project. It's something that a lot of people down there have been looking at.

Councilor Leone said several months ago he received a call from the Mayor, who had generously volunteered his services to work with the people from MAN, Inc. to make sure this project got off the ground. Because of his background in the building business, he was able to help them with budgeting and some of the planning. The concept here is wonderful. If you have a dedicated organization that's willing to work and get funding, we can utilize this concept to get some other facilities done around the city. He wants to stay with this project until the end and make sure he can use his expertise to get this done right.

Councilor Willette asked Linda Soucy to briefly mention the fundraising efforts.

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Linda Soucy reported that they have been involved in fundraising since 1992. They also have made sure that they will have the monies to keep the building going by having a tenant. The basement floor will be a tenant, who'll pay rent and that money will go to pay utilities and to maintain the building. They are looking at putting away \$2,000 to \$3,000 into an escrow account so that if something happens they've planned for it. Over the past fifteen years, they've kept every single program going even if there wasn't funding. People have stepped up to the plate and volunteered to do the program. She has no qualms on being able to continue and maintain their funding levels that they need. She announced that there is a Golf Tournament on July 30th; which is a major fundraiser this year.

Councilor Cronin said he is still concerned about the ownership of the building, which is a legitimate concern. You just never know what's going to happen down the road. He asked if there was an agreement with Man, Inc.

Attorney McQuillan responded, no, not to his knowledge, in relation to the center.

Councilor Cronin asked if the city owns the land.

Attorney McQuillan responded, yes we do. Right now, we don't have an agreement in place regarding maintenance of the land, but certain conditions have to be met for construction of the facility itself and the mechanisms kick in for transfer of the property to the organization who'll be running the center.

Councilor Cronin said we're going to transfer the property and not lease it for a dollar a year.

Mayor Manzi said he and the solicitor would discuss that. The building will be owned by the Man, Inc. entity but the land itself, we'll discuss.

Councilor Cronin asked if there is a mechanism that could be placed in an agreement that if something happens with Man Inc., i.e., they fold up, they disband, they get disinterested, it probably won't happen but the town would retain this building.

Mayor Manzi said a "reversion clause" could be included.

Councilor Cronin said if that could be included, then all his concerns would be answered.

Mayor Manzi said he believes everyone would be okay with that. He will include a "reversion clause" and submit the language to the Council through the Chairman. That shouldn't be a problem. Mayor Manzi thanked Councilor Leone who did a great deal of work at his request. He also thanked Gino Barone of Trident Companies for working on this project at no charge. He's done a great job.

Chairman Zanni noted that the total amount should be \$541,527. On the owner/contractor agreement, it is stated under Article 2; "on time of completion that substantial completion within 90 days of said date upon starting", which is on the second page. He thanked the Mayor because Gino Barone is the representative from the community on site all the time, at no cost. Chairman Zanni asked if there is security on site to make sure materials stored on site are not stolen.

Mr. Donohue said the owner of the company; Doug Pope would be best to answer these questions. Materials are either stored are stored at F.W. Webb or on site. They weren't planning on a security person or a security system. A fence will be installed and locked. Once the building is located on site, it will be locked and secured which is their standard procedure for all of their projects.

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Chairman Zanni said there is a guarantee upon completion, which is good. He referred to a statement which conflicts with the 90 days to completion. It states a completion date of 200 days under summary of work, section 01010, in accordance with Article 9 of the terms and conditions. He wants everyone to realize that once the project starts, if its not 90 days, it could take 200 days.

Carolyn Finlay said the 90 days refers to “substantial completion”, which is defined jointly between the owner being the city and the contractor (delivery of the building). The final completion, which would entail all of the finished work that is involved and things like that, is set at 200 days. The 90-day time frame for “substantial completion” and the 200-day time frame for final completion is actually something that is sort of a rule of thumb for the state as to how they handle all of their modular building contracts so they went with what the state used in terms of deadlines.

Chairman Zanni said so its somewhere in between. In other words from 90 days to 200 days it could be a number in between.

Mayor Manzi said depending upon what the definition of what the two terms are “substantial completion” and “actual completion”, they’ll have to meet that benchmark. The 200 days would be completion of the entire project.

Mr. Donohue agreed that for a project like this the 200 days should be plenty of time.

Mayor Manzi said the 90 days would be something less than an ability to move in and start doing business.

Chairman Zanni said the way the contract reads is 90 days its not completed, but almost completed. He doesn’t want people to think that when this project starts, that within 90 days it’s going to be almost finished. We are looking at a possible 200 days for completion.

Mayor Manzi said the advantage that we have in terms of the understanding the contract terms is that for the entire process, the neighborhood people have been involved in the negotiations.

Linda Soucy said it was their understanding that it was 90 days to build the building offsite at KBS, and then when it arrives the total time frame that it will take will be the complete 200 days. But its 90 days that they need at KBS to make the building.

Chairman Zanni said that isn’t in the contract.

Attorney McQuillan said “substantial completion” for a modular structure technically means in the course of the business that all the components are delivered on site and those components are assembled to create the main structure. That is “substantial completion”, that will happen within 90 days. Within the 200 days or the 110 days after that as Carolyn said the finishing, everything that goes into the amenities of the building, the basic structure, the delivery of the components and assembly of those components that constitute the structure itself (bare structure) is 90 days. Under the state statute, state guidelines for a modular structure that is defined as “substantial completion”.

Mr. Donohue thanked Attorney McQuillan for that definition. He noted his company has been proactive to keep the process moving through some delays. He said he thought the contract was signed on Monday.

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Carolyn Finlay said it is not signed yet. The city has all of the paperwork from Pope Industries. There's a performance bond, a payment bond. On their side it is all ready to go.

Mr. Donohue said what they've been doing to keep the process moving along is the reason why Council has engineered drawings from the factory. Without a completed signed contract, they've continued to work with the factory and the town. They've met with the tenant and also with the people from Man, Inc., as if they had a contract. They have an estimated delivery date of the modular building by the end of June. We're going to be well within those 90 days and they hope that by being proactive and getting the front-end work done that even after the contract is done, they'll be done well before the 200 days.

Chairman Zanni said asked what the hours of operation are right now at the center.

Linda Soucy stated that the hours would be the same. Currently they are in the office from 8:30 a.m. until after 7:00 p.m. every night, Monday through Friday, and Saturday from 10:00 a.m. to 3:00 p.m.

Chairman Zanni mentioned the building would be sided and maintenance free. He then asked if a color was chosen.

Ms. Soucy stated it is dark beige.

Chairman Zanni said referred to the drawing received over the weekend and asked if the stairs going up into the building are cement or wood, noting that wood over time will rot.

Mr. Donohue said the plan for the stairs in the back, an emergency exit, was pressure treated. There's also a ramp (pressure treated) coming off of the first floor which will be a handicap ramp that is going to run the length of the building and turn and come back until they can meet grade and get a walkway, which would be an asphalt walkway.

Chairman Zanni referred to the open areas and asked if we are bringing in lines for computers.

Linda Soucy said that is part of it.

Chairman Zanni asked what is going to be in the open area of the two floors; one is 826 and the other is 1126.

Linda Soucy stated that is where the children will be. They have fifteen new computers just donated to them and fifteen existing computers, totaling 30 computer workstations between the two floors. They'll be desks for kids to do projects and a library area where they can study quietly.

Chairman Zanni asked if funding is provided for the furnishings.

Linda Soucy said they already have all of the furnishings and the workstations.

Mayor Manzi reiterated that there were fifteen existing computer stations and fifteen new ones, networked and Internet ready.

UPON VOTE: UNANIMOUS.

Linda Soucy thanked the Council for their support.

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OTHER CITY OFFICERS AND COMMITTEE REPORTS

Chairman Zanni announced that Councilor Quinn will be the Chairman of the Historic Code Committee and Councilor Corey Rahme will Chair the Methuen Municipal Recodification committee. Councilor Andrew will be on both committees.

Chairman Zanni stated that Councilor Giordano, Councilor Lahey, and he would be having a meeting next Monday on the Charter Review at 11:30 a.m. in the Solicitor's office.

Councilor Quinn announced that a skateboard park meeting would be held on Tuesday's night at 6:00 p.m.

OLD BUSINESS

Resolutions:

TR-07-21 Resolution Providing for all positions in the labor service for the City of Methuen shall be subject to Civil Service Law. (Req of Clr Giordano)
(remove from the table)

Chairman Zanni stated that Councilor Giordano would like this item to remain tabled and there will be a meeting between Councilor Giordano, the Mayor, Councilor Lahey, David Bain, and himself.

TR-07-29 Resolution Authorizing Acceptance of a 2006 Survey And Planning Grant from the Massachusetts Historical Commission.

MOTION BY: Councilor Willette, seconded by Councilor Cronin to table.

UPON ROLL CALL VOTE: 5 no, 3 yes (Clr. Cronin, Clr. Willette, Clr. Andrew)

Councilor Cronin – point of information – asked if the motion to table is subject to discussion. He understands that Council cannot discuss the item but he wants to know if a Councilor could ask the reason for tabling.

Attorney McQuillan said a motion to table is not debatable. A Councilor may state the purpose for tabling. If there was a motion to table and seconded, it is not debatable.

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

Councilor Willette said this is still a fluid situation. He knows that there is a certain deadline for having a grant approved. He is not seeing what the rush to judgment is. Part of the grant is designed to formulate guide books for the stakeholders in that historical district and if that changes with this task force that is effect right now, you're going to lose part of that money because its going to be a waste of having set rules, changing rules midstream. He suggested delaying approval of this until the results of the task force are submitted.

Councilor Leone said the situation is extremely fluid at this point as stated. He would guess that the Community Development Department, especially a historic planner would not rush out and spend this money by publishing a hand book or guidelines that may be obsolete before it is distributed. Knowing that we are in a fluid situation here, it is prudent for us to accept the money. He doesn't think they'll spend it until they know what they are going to spend it on.

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Mayor Manzi agreed with Councilor Leone's comments. The Mayor further stated that he wouldn't expend the money until acceptable guidelines are in place.
UPON VOTE: UNANIMOUS.

TR-07-30 Resolution Authorizing Acceptance of a 2006 Essex National Heritage Commission Partnership Grant.
MOTION BY: Councilor Leone, seconded by Councilor Lahey to adopt. UPON VOTE: UNANIMOUS.

TR-07-31 Proposed Resolution Stating Opposition of the Methuen City Council to the Repeal of Chapter 166A of the General Laws. (Req. of Clr. Corey Rahme)
MOTION BY: Councilor Leone, seconded by Councilor Lahey to adopt. UPON VOTE: UNANIMOUS.

Chairman Zanni declared a brief recess.

Ordinances:

TO-07-6 Ordinance Amending the Provisions of Chapter 7, Section 7-3 of the Methuen Municipal Code Revising Contract Authority of the Mayor (Req. of Clr. Giordano)

Mayor Manzi said he mentioned to the City Council that he would not be in favor of this. In talking to Councilor Giordano and other Councilors, he understands that part of the idea here would be what was discussed regarding grants. Council would be satisfied if they had something that was more transparent. With regards to contracts, he has not signed a contract as Mayor that has not been approved as to legal form by the City Solicitor. As a Council employee, the City Solicitor would keep a copy of each contract and those contracts would be available for review. Council could request a copy from the Solicitor's office, if Council is comfortable with that scenario. He is willing to do that or anything that is reasonable to accommodate Council's desires.

MOTION BY: Councilor Giordano, seconded by Councilor Leone to table.
UPON VOTE: UNANIMOUS.

Consideration of Appointments

MOTION BY: Councilor Cronin, seconded by Councilor Giordano to confirm the following appointments as submitted by the Mayor in his memo dated April 6, 2007.

<u>Board of Assessors</u>	Term to Expire
*Donald Gallant, 18 Heather Dr., Methuen	01/01/10
<u>Historic District Commission</u>	Term to Expire
*Raymond Dufresne, 21 High St., Methuen	09/17/09

* indicates re-appointment

UPON VOTE: UNANIMOUS.

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NEW BUSINESS

Resolutions:

TR-07-34 Resolution Providing for the Waiver of Fees as Provided in Chapter 8,14 and 15 of the Methuen Municipal Code. (EPA Attached)

MOTION BY: Councilor Willette, seconded by Councilor Quinn to adopt an emergency preamble for the good and welfare of the community. UPON VOTE: UNANIMOUS.

MOTION BY: Councilor Willette, seconded by Councilor Quinn to adopt the main motion.

Chairman Zanni read the resolution for the edification of the citizens.
UPON VOTE: 7 yes, 1 no Clr. Cronin

Ordinances None

ANY OTHER BUSINESS FOR THE GOOD AND WELFARE OF THE
COMMUNITY

Mayor Manzi announced that the annual spring clean up is Saturday, May 5th, 9:00 a.m. to noon. He urged everyone to get involved in helping make our community clean. It's a great annual event. There will be a cookout after the event. More information is available through Jill Stacklin 978-983-8978 or the Mayor's office 978-983-8505.

REQUEST OF COUNCILORS

Councilor Lahey said he's been receiving numerous complaints pertaining to our vendor who picks up rubbish. The main complaint apparently is they have a tendency to take cardboard out of the bags and the barrels and leave them on the lawn. Unfortunately, when they do that the recycling company doesn't pick them up because the cardboard may be too big or for whatever reason. He knows we encourage recycling but this system is not working as it is. On many occasions the DPW workers have picked it up and on a couple of occasions he's picked it up for his constituents. We are going to have to have a little bit better system. He doesn't want to hear an explanation that no system is perfect.

Mayor Manzi said he's had a couple of different issues, but on the cardboard issue, the state mandates that cardboard not be part of the regular trash stream now. He doesn't think that they are being over stringent on it; but if cardboard is in your regular stream; you could suffer penalties for that. He wasn't aware that they were taking it out and will talk to the DPW director about that, but it is still not permitted to be in the stream and that is a state regulation that we are attempting to adhere to.

Councilor Lahey said when it comes to picking through the trash for cardboard there's got to be some kind of resolve other than leaving it on someone's lawn.

Mayor Manzi said he would contact DPW and find out what the vendor's take is on that. We were instructing them per state regulations that cardboard cannot be in our stream of rubbish. He will get some clarification on that.

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Councilor Giordano said the Methuen High School Marching Band did us proud Friday night at Disney World. He saw some video because one of his students has a daughter in the band. They looked very sharp and they were very impressive. Saturday they had a chance to be with the Disney Band Director. They've been having a good time.

Councilor Willette asked if people can report trash issues online or a main number available to call, for instance if someone dumps trash on the roadway overnight.

Mayor Manzi said there is an online reporting system now and the main DPW number and the Mayor's number.

ADJOURN

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

The meeting adjourned at 8:30 p.m.

COUNCIL CLERK