

**METHUEN CITY COUNCIL REGULAR MEETING  
GREAT HALL, SEARLES BUILDING  
April 5, 2010 - 7:00 p.m.**

Chairman John Cronin called the regular meeting of the Methuen City Council, scheduled for April 5, 2010 to order with all members present

ACCEPTANCE OF AGENDA

MOTION BY: Councilor Giordano seconded by Councilor Campagnone, to amend the agenda to take TO-10-3 out of order and place it after Proclamations.

UPON VOTE: UNANIMOUS

INVOCATION/PLEDGE OF ALLEGIANCE

Father Armano from Saint Monica Church gave the Invocation. Councilor Pappalardo asked for a moment of silence for fallen Methuen serviceman Eric Currier who was killed in action in Afghanistan. Everyone remained standing for the Pledge of Allegiance

ACCEPTANCE OF MINUTES

MOTION BY: Councilor Zanni seconded by Councilor Campagnone to waive the reading and accept the minutes of previous meetings: March 16,2010

UPON VOTE: UNANIMOUS

CORRESPONDENCE/PROCLAMATIONS

Mayor Manzi and the City Council presented a Proclamation to decree National Library Week, April 11-17, 2010 in appreciation of librarians and library workers and to encourage all residents to visit the library.

MOTION BY: Councilor Pappalardo seconded by Councilor Campagnone to proclaim.

UPON VOTE: UNANIMOUS

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City Council presented Father Keyes, Pastor of St Lucy's Church in Methuen a Proclamation for his numerous services as Pastor and his personal dedication commitment and work for the benefit of others. The City Council extended their best wishes and continued success to Father Keys.

MOTION BY: Councilor Giordano seconded by Councilor Campagnone to proclaim.  
UPON VOTE: UNANIMOUS

City Council presented Charlotte Blood with a proclamation acknowledging her many years of service to the community and the honor of having the Bruce Blood Memorial Scholarship renamed "The Charlotte Blood Scholarship. The city congratulated Charlotte Blood and her family as outstanding citizens

MOTION BY: Councilor Uliano seconded by Councilor Kannan to proclaim.  
UPON VOTE: UNANIMOUS

(Out of order)

Ordinances:

TO-10-3 Ordinance Revising Contract Authority of the Mayor (Req Clr Pappalardo and Clr Giordano)

The Mayor had vetoed the original vote on this ordinance.

MOTION BY: Councilor Giordano to override the mayoral veto. Seconded by Councilor Pappalardo

Mayor Manzi stated he sent a memo to Council wanting to initiate a compromise that will achieve the goals that City Council had laid out, primarily transparency. The Mayor does not have a problem sending contracts ten days before a meeting but given the amount of contracts and the amount of time is troublesome and does not think it is workable. He sent three components one being the ten-day rule sent in advance of the Council meeting. He would support any changes to collective bargaining that would impact compensation and send to council or a designee of the council or Finance Committee or whoever the council designates. This is full transparency in meeting that goal. The Mayor is asking that this be given a chance, sustain the veto and allow him to move forward.

Councilor Giordano said he respects the Mayors feelings but out of that respect he feels Council is losing some of its power. The original vote on this was 8-1. The mayor has his votes, he is a good politician but we should vote this issue up or down. This was (at one time) ten thousand dollars now it is fifty thousand. Council is losing power and that is the reason he brought this before Council.

Councilor Pappalardo agreed with Councilor Giordano. She thanks the mayor for wanting to compromise but one of the compromises is for Council to get the contracts ten days in advance but council is not allowed to vote on them. She feels the amount of twenty-five thousand dollars is fair . Other cities have a norm of twenty-five thousand (some less) and why does Methuen have to be the fifty thousand. There are concerns with the summer months (July/ August) and she is willing to come in to a special meeting if needed. Having the contracts ten days before lets Council look at them but not do anything about them.

Mayor Manzi stated he understood the rule change to be contracts that need to be approved would be sent up ten days in advance. He is not saying between the window of

twenty-five and fifty, if Council accepts the compromise he will make a pro-active effort to give all of the contracts.

Councilor Pappalardo stated the Mayor is giving contracts for Council to look at for the twenty-five and over but Council will not be allowed to vote on them. That is her issue. Mayor Manzi stated if the goal is transparency Council will have the contracts. The mayor also noted there are two city council employees (Auditor and Solicitor) who see every contract. The Auditor verifies that the funds are available and appropriated (for every contract). The City Solicitor has to approve every contract for form. He currently submits them to City Council employees. If Council designates whom they want the contracts to go to he will send them to the Council Chair, (or) Finance sub-committee or whomever the Council wants them sent to.

Councilor Pappalardo (with respect) thanks the mayor for that but the full Council cannot sit (here) and vote on the actual contract, be it ten or fifty contracts. That is her concern. Councilor Hajjar stated that he sees this as collaboration. No one is giving up anything. This gets down to Council approving a contract between twenty-five and fifty thousand dollars. There were fifty-three contracts (last year). As he understands it the mayor will provide the contracts to any person the Council designates. Council can ask any questions of why did he spend the money, who did he go with and why. At a pre determined amount of time Council can determine if this plan is working. If after (for example) July, Council determines it would not interfere with the operations of the City and Council wants to approve the contracts is the mayor willing to support this decision. Mayor Manzi said given transparency he does not agree with the power argument. He does agree in order to promote transparency, if this is given a trial (two or three month trial, whatever Council designates) and Council comes back and states for good valid reasons they do not think the plan is working at that point he will run up the white flag. Councilor Hajjar said the residents want Council to approve contracts (as the finance committee has summarized) as an additional layer of checks and balances. Councilor Hajjar is willing to give this some time and would be able to give a determination after three months as to whether this is impacting the operations (of the city) or is this necessary based on what is seen in the contracts. He is willing to trial this for three months and then decides what is the correct limit. If then Council decides the twenty-five is the correct number what he is hearing is the Mayor is willing to support that decision. Mayor Manzi stated that is all he is asking for and he would agree.

Councilor Lahey said this is about responsibility. When things come up the Mayor takes a hit, Council takes a hit. He does not mind taking the hit if he is responsible. The Mayor does the approving of the contracts; Council looks at them but has no say. If Council is going to take the hit they should also take the responsibility that goes with it. If the contracts were given one or two days before is plenty of time to ask questions and get answers. Ten days would hold up the process.

Mayor Manzi asked for the consideration of a ten-day rule in order to allow him to ask for waivers he may deem appropriate. The intent is not to send a contract up four hours before the meeting, sometimes it happens and Council can vote it up or down.

Councilor Pappalardo stated she does not think this an impediment. July and August are the only months Council has one meeting a month. Fifty-three contracts do not come up all at the same time. Council could have a special meeting; she does not see a problem with that.

Councilor Pappalardo stated the mayor has his five votes. Council needs six to override. If the mayor has his votes he does not want this to happen (even with the compromises). Councilor Giordano had brought this forward in the past and it did not pass.

Mayor Manzi said it is not a matter of having the votes. He is willing to do what he outlined in the veto message.

Councilor Pappalardo is not willing to just look at the contracts for review. Council wants to vote on the contracts because it is their responsibility.

Mayor Manzi said he is a co-equal branch of government and he does not agree. He is trying to find a middle ground. It does not mean that Councilor Pappalardo has to agree with him but he is trying to meet her halfway. He does not agree with the threshold and in his view will degrade the office of the Mayor. It is something he cannot support. He will protect the prerogative of his office. It's been fifty thousand for some time and Council has the authority of appropriation (the ultimate power). Without appropriation and certification from (council employee) city auditor the mayor cannot enter into any contract.

Councilor Pappalardo will disagree with the mayor, she is not degrading the office of the Mayor. She thinks that after the end of two/three months the Mayor will not agree to give it (contracts) to the Council for a vote.

Mayor Manzi stated if the system he is recommended is adopted (as a compromise) at the end of a period of time and the city council makes an honest effort based on data and from what they see it is not working (he still will not like it) he will reconsider his position. The Mayor is asking for a period of time and go from there.

Councilor Uliano noted that when Mayor Manzi (at the time) was council chairman he was in support of the increased contractual authority for then Mayor Pollard. It is knowledge that she has that there were contracts written and agreed to that were two twenty-five thousand dollars (contracts) for the same company for the same amount so it would not go before Council. That is one of her concerns and the reason she will vote for the reduction. Councilor Uliano proposed a compromise to reverse the conditions. Go with the twenty-five thousand and see if that will work for three months and determine if the Council has stymied government and the ability for the Mayor to enter into contracts and hold up the process. If it does not work Council will come back and give (the Mayor) back the fifty thousand the Mayor is asking for. That would be her compromise.

Mayor Manzi stated that Councilor Uliano (at the time) did support the increase in the contractual allocation of fifty thousand. The example that Councilor Uliano has proposed, regardless of the contractual authority of the mayor, if he takes a contract or a service and it is determined that the cost is x amount of dollars and split the contract to evade the oversight of the city council or bid laws, that is called bid splitting and is illegal. There is oversight by the solicitor and auditor that prevents that. He is stating that contracts cannot be split and is illegal to do it. Under his compromise Council would have all contracts and if (anyone) detected (contract) bid splitting (is illegal) council would have those contracts to look at. He appreciates Councilor Uliano's offer but he will stand by his offer and would hope Council would take his proposal and after a pre determined amount of time they can revisit the issue and he would be happy to do that. Councilor Pappalardo agreed with Councilor Uliano's offer and would amend the ordinance to state so.

Councilor Zanni stated he did not support this the first time. Why twenty-five to fifty thousand. Why not ten or fifteen. A lot of what Council is discussing could happen at a lower figure. The end result would be to handcuff the Mayor. The fifty thousand is something that the Mayor and Council can live with. There are two city employees who work for the council, the Solicitor and the City Auditor. Anytime a councilor has a question they can go to them to see any contract. Councilor Zanni had asked (at the last meeting) to table this, wait the three months get a report from the finance committee and go from there. We do not know how many contracts will come before us between now and July. Councilor Zanni does not have a problem with the contracts going to council one week before a meeting. Councilor Zanni agrees with the Mayor's compromise. Councilor Hajjar asked if council could table this item. Councilor Hajjar would want time to evaluate this and come July council will decides if this is working or not. Chairman Cronin asked the same question and (today) and was told there is no time restraint for council to override this veto. It can be tabled.

Councilor Hajjar stated the data shows that if the line was drawn at all contracts the correct amount was twenty-five thousand. He does not know if this will impact the city and he would like to have the time to determine if it should stay at fifty or be reduced to twenty-five. He commends the Mayor for doing a good job in collaborating with the council and would delay this for three months to determine if it is working and trusts that the mayor will uphold his end of this compromise.

Mayor Manzi stated if council delays the override vote, the ability to override would still be there and he is willing to work with council on that. If there is a motion to table council has the option to bring it back and the mayor would leave that as an option. Councilor Giordano asked as the maker of the motion that the Council vote this up or down and not table this.

Councilor Pappalardo said fifty-three contracts equal 1.8 million dollars. Councilor Pappalardo believes the people that elected her are worth 1.8 million dollars for her to look at these contracts. She would like to vote this tonight and call for the question.

**MOTION BY:** Councilor Kannan second by Councilor Zanni to table.

**UPON ROLL CALL:** 5-yes 4-no (Clrs Giordano, Lahey, Pappalardo, Uliano)

#### PUBLIC PARTICIPATION

Guy D'Ambrosia- 19 Glen Avenue spoke on the mayoral contract authority. Voting to table is not showing transparency, we are not all on the same team. This is not about power it's about checks and balances and transparency; twenty-five thousand is plenty of money. Our deficit is six million and it's alarming that this is being tabled. We are broken as a city and he does not want to end up like Lawrence. Methuen is a great city lets wake up and get with reality and do something before its too late.

#### PUBLIC SERVICE

**LICENSES:** Game Stop – Second Hand Dealer- 184 Haverhill Street Methuen- Renewal

**MOTION BY:** Councilor Uliano seconded by councilor Campagnone to approve

**UPON VOTE:** UNANIMOUS

**OTHER OFFICERS AND COMMITTEE REPORTS**

Councilor Hajjar gave a report on the Finance Committee (handouts were given to council). The City Auditor reviewed the current revenue for FY2011. The revenues are flat compare to FY2010 with the exception of a state aid increase of 4 million dollars to the schools. The current projected FY2011 budget deficit is 6.3 million dollars. The Mayor has requested that all City departments develop a budget that reflects a 22% cut in expenses.

Councilor Cronin gave a report on the meal tax committee regarding the feasibility of a meal tax implementation for the city. Councilor Cronin presented all of the information gathered from their meetings for the purpose of adoption to include the expected money into the budget. The Committee is not making a recommendation for or against. This is a report given to the Mayor to make a determination regarding the adoption of Chapter 64L, Chapter 27 of the Acts of 2009, a local meal tax. (handouts were given to the Mayor and Council).

Councilor Pappalardo questioned the Auditor report Council received, (pg 2) report issued March 22<sup>nd</sup> in addition and when will Council receive that report?

Assistant Auditor Louise Moss stated that report is still being prepared and finalized and should be given to Council within the next two weeks.

Councilor Pappalardo referred to page 46 No. 23. “outstanding lawsuits”. The city has not settled these lawsuits, how can we say they will not affect the city?

Solicitor McQuillan stated the potential for liability is what is defined as liability as a statutory sealing or the evaluation of the case . That was reviewed by his office and provided to the auditor and the independent auditors.

Mayor Manzi stated the key answer is “materially”. What it means is if there were a loss for the city it would not materially impact the financial state of the city.

**OLD BUSINESS**

**RESOLUTIONS**

TR-10-13 Resolution Authorizing Acceptance and Expenditure of FY’09 Economic Development Initiative-Special Project (EDI-SP) Grant – 2 Charles Street (effective upon passage)

MOTION BY: Councilor Zanni seconded by councilor Campagnone to adopt and make it effective upon passage

UPON VOTE: UNANIMOUS

TR-10-14 Resolution Authorizing Acceptance and Expenditure of FY 2008 Neighborhood Stabilization Program (NSP) Grant from the Massachusetts Community Development Block Grant, Neighborhood Stabilization Program (CDBG-NSP) (effective upon passage)

MOTION BY: Councilor Uliano seconded by Councilor Campagnone to adopt and make it effective upon passage

UPON VOTE: UNANIMOUS

TR-10-15 Resolution Establishing an AD HOC Committee of the City Council to be known as the "Personnel Ordinance Review Committee" (Req. of Clr. Pappalardo and Clr. Lahey) (amended 3/16/10)

MOTION BY: Councilor Lahey seconded by Councilor Uliano to adopt  
UPON VOTE: UNANIMOUS

Consideration of Appointments

Constable

Term to Expire

\*Richard Hayden, 17 Chausee Dr., Methuen 03/01/13

MOTION BY: Councilor Zanni seconded by Councilor Pappalardo to approve  
UPON VOTE: UNANIMOUS

Nathaniel Greene, 29 Frederick Rd., Braintree 03/01/13

It was discussed among councilors the question of hiring Methuen residents for these positions.

Councilor Uliano asked why a non-Methuen resident is being hired?

Mayor Manzi stated the application came to his office and he will not exclude non-Methuen residents for consideration. It is public policy for Council to approve or disapprove. This person passed all of the requisites and is before Council for their consideration. There is no set figure for constables and if they meet the criteria they are submitted to council for approval.

Councilor Uliano believes more Methuen residents would apply if they thought they had a chance of being appointed.

Mayor Manzi stated if Council would want him to not send up non-Methuen residents he will do that. There is no residency requirement but if that is the wish of the Council he will do that.

Councilor Uliano thanked the Mayor for his offer ultimately it is up to nine councilors to appoint or not.

Councilor Campagnone recalled a Methuen resident who applied for the job (years ago) and was denied. She will not support this non-resident because she feels there are many Methuen residents that have been ignored who are qualified to do the job.

Councilor Pappalardo thinks there are many Methuen residents qualified who have been denied and would rather see a Methuen resident appointed.

MOTION BY: Councilor Giordano seconded by Councilor Zanni to approve

UPON ROLL CALL: 5-yes 4-no (Clrs Campagnone, Lahey, Pappalardo, Uliano)

Conservation Commission

Term to Expire

Robert Parker, 160 Lowell St., Methuen 12/31/13

MOTION BY: Councilor Campagnone seconded by Councilor Pappalardo to approve  
UPON VOTE: UNANIMOUS

Zoning Board – Alternate

Term to Expire

Ronald Marsan, 10 Hawkesbrook Ln., Methuen 12/31/11

MOTION BY: Councilor Campagnone seconded by Councilor Zanni to approve.  
UPON VOTE: 8- yes 1- no (Clr Uliano)

Chairman Cronin made note of the excellent job the Zoning Board did regarding the T-Mobile cell towers for the city, the residents and in backing up their statements and their

vote when they voted it down. Chairman Cronin thanked everyone involved for an excellent job.

Mayor Manzi acknowledge the Zoning Board the City Solicitor and Planning Board who worked diligently to give the city the guidance needed to come to a legally informed decision. They all worked hard and came to the right decision.

All Councilors acknowledged the excellent job done not only by the Solicitor and the boards but also the councilors for putting in place a very good ordinance and the residents who also worked hard, did their homework and showed up for all of the meetings.

Chairman Cronin asked that some of the money from the energy efficiency block grant be expended for new windows at the Quinn building. They are the worst for energy consumption.

Mayor Manzi stated he is not sure that would be grant eligible but he will look into all of the buildings and will look at the Quinn building.

Councilor Pappalardo requested a breakdown on the \$179,200 grant and how the money will be spent.

Mayor Manzi responded he would do that when it is determined how the money will be spent. He is still examining expenditures for single stream recycling. As soon as full allocation is determined he will send a report for every dollar spent.

Councilor Pappalardo also asked for a progress report on the public safety issues

Mayor Manzi said he will give a report.

Councilor Giordano asked for a workshop with the mayor to discuss the budget relative what the mayor is looking at and have dialogue as to how to save the city money. The mayor agreed to a budget workshop session with council.

Councilor Lahey asked the mayor if he anticipates a freeze on spending?

Mayor Manzi stated not at this time. He controls the purchase orders process. He receives reports from the auditor relative to where we are in the budget and if adjustments need to be made he will make them. Presently he has not implemented a spending freeze. He is not saying he will not impose a freeze; he is evaluating (spending) all the time.

Councilor Zanni asked the mayor if he has picked a coordinator for the technical consultant services (179,200)?

Mayor Manzi said internally he has not. He will show the grant, who is designated and every dollar spent of the amount allocated.

Councilor Zanni stated presently we are two-stream recycling and the plan is to go to one stream recycle to save money. Is this going to be a pilot program?

Mayor Manzi said he is examining doing more than a pilot program. Initially it was to utilize the money for a pilot program but he is discussing how to launch it as a citywide single stream effort. He is not sure it will be done but he will come back to Council and let them know. Single stream will improve the recycling rate and help to keep the solid waste costs down.

Councilor Zanni asked about the May 14<sup>th</sup> deadline for the “green community act”.

There is seven million dollars available. Only four communities have applied.

Mayor Manzi stated there is a reason for that and he is not sure he will apply but will look into it, he is not convinces it is correct for Methuen. He does have a fifty thousand dollar grant that will be before Council at the next meeting. The Green Community has it

ups and downs he does not disagree with it, there are some good portions to it but he is not sure he wants to proceed by May 14<sup>th</sup>. He is looking at it and will let Council know his decision.

Councilor Pappalardo asked about the vendor list she has asked for.

Mayor Manzi said the issue is putting it on the Internet; he will get back to her before the next meeting.

### NEW BUSINESS

Resolutions:

TR-10-17 Resolution Accepting A Donation from the Bruce Blood Scholarship Foundation to the Methuen Recreation Department

MOTION BY: Councilor Uliano seconded by Councilor Pappalardo to adopt for first read.

UPON VOTE: UNANIMOUS

TR-10-18 Resolution Amending Traffic Rules and Regulations of the City of Methuen – Handicap Parking Space – 16 Willow Street

MOTION BY: Councilor Uliano seconded by Councilor Zanni to table to a public hearing

UPON VOTE: UNANIMOUS

TR-10-19 (first read) Resolution Amending the Rules and Procedures of the City Council of the City of Methuen (Req. of Clr. Cronin)

MOTION BY: Councilor Giordano seconded by Councilor Campagnone.

MOTION BY: Councilor Giordano to amend the resolution to read all proposed contracts be submitted by the Mayor to Council for approval five (5) days prior to the next regular meeting. Seconded by Councilor Zanni to adopt as amended. (first read).

UPON VOTE: UNANIMOUS

TR-10-20 Resolution Authorizing Acceptance of a Grant from the Recovery Act State Fiscal Stabilization Government Services Fund to Support Massachusetts Fire Services Staffing (Round 2)

MOTION BY: Councilor Uliano seconded by Councilor Kannan to adopt for first read.

Councilor Lahey asked if there are lay-offs in July what happens to the money from this grant?

Fire Chief Buote stated the grants have changed, the State realizes the shape communities are in. Provided the layoffs are not directly influenced by the grant, the grant is safe. We will continue to receive the grant for the year.

Councilor Zanni asked if this \$231,000 grant includes firefighters and overtime?

Chief Buote said he applied for a certain amount of money but was not awarded the full amount he applied for. With what was awarded he was able to hire three additional firefighters and additional funds that he is able to use for the full award. The additional funds were put into overtime not necessarily for these three firefighters. It's an additional \$39,000 dollars that goes into the entire overtime account.

Councilor Zanni noted the grant allows for travel, training and consultant services. Are there consultant services built into the \$231,000 or is it solely for the firefighters.

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Chief Buote stated one hundred percent of the grant goes for the three firefighters with an additional \$39,000 for the general overtime budget. This is a one-year grant paid up front and submits quarterly reports that are reviewed closely and the city gets reimbursed quarterly.

UPON VOTE: UNANIMOUS

TR-10-21 Resolution Authorizing Acceptance and expenditure of Energy Efficiency and Conservation Block Grant (EECBG)

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

UPON VOTE: UNANIMOUS

TR-10-22 Resolution Providing for the Acceptance of Land from ALCRO Development, L.L.C.

MOTION BY: Councilor Campagnone seconded by Councilor Uliano.

Councilor Zanni questioned the right of easement across the property. The property is turned over to the city for one hundred dollars but they are able to use a portion of the land.

City Solicitor Peter McQuillan responded that this first came before Council in 2006. There was an issue of a lost original deed. The conveyance of the land to the city was one of the conditions in the Stone Castle project special permit. When the condition was made, Stone Castle was under construction and the back area abuts the Arrowwood neighborhood. The provision was originally in there in 2006. If it is Council's desire he can eliminate the easement language. This is a new deed. Back in 2006 Stone Castle was under construction and they were using the land at that time for storage for raw material not machinery. Presently the property is not being used for anything. It is over twenty acres, very expensive piece of property assessed an over half million dollars. It is one of the conditions that ALCRO convey the property (to the city) as "open space". If it is the desire of Council to eliminate the easement language the Solicitor will see that it is done. It is more superfluous than anything.

Councilor Zanni stated as it reads they will have the easement to go onto the property and stockpile materials. The residents do not want this.

Mr. McQuillan stated the builder is very respected and would be amenable to addressing any concerns of any abutter and without any reservations if this is a concern he will be amendable to omitting that language from the document.

Councilor Uliano asked if the offer of open space was a condition of the special permit to offer it back to the city. Is it clean, neat without any stockpiling other than easements for sewer and such in deeding this back to the city?

Mr. Mc Quillan stated he does not know the answer to her question. This was a condition imposed by the city and complied with the special permit. This open space was buildable and was contemplated as part of the project. Part of our zoning ordinance for a project of this size contemplates open space. And this was part of (his) compliance with the city ordinance. If it is the desire of the Council a new deed can be drafted omitting that language.

MOTION BY: Councilor Zanni second by Councilor Campagnone to table in order for the solicitor to eliminate the easement language

UPON VOTE: 8- yes 1-present (Clr Kannan)

Ordinances:

TO-10- 4 A Special Ordinance Change the City Council Meeting Date from July 6, 2010 to July 12, 2010

MOTION BY: Councilor Giordano seconded by Councilor Pappalardo to adopt for first read

UPON VOTE: UNANIMOUS

TO-10-5 Ordinance Amending Chapter 7A of the Methuen Municipal Code  
(Req. of Councilors Zanni, Kannan, Hajjar)

MOTION BY: Councilor Uliano seconded by Councilor Zanni

Chairman Cronin noted this would need a two thirds vote of Council because of the similar ordinance brought forward (six months ago) by Councilor Lahey.

Councilor Lahey said he was upset when he saw this ordinance. His legislation failed six months ago, this is very similar legislation and he would have appreciated the courtesy of a phone call from the people who voted against it and now think it is a good idea. It does not matter whose name is on the legislation as long as good legislation gets passed.

Therefore Councilor Lahey will amend this ordinance to state *former city employees hired as appointed consultants be added to the list of side letters and stipends come before Council*. There was confusion last time with his legislation and the reason why it was tabled, redrafted and failed. The consultants he is concerned with were former city employees rehired as consultants. This is a very important part of the legislation because some of the consultants hired may not have been hired if they came before Council.

MOTION BY: Councilor Lahey, seconded by Councilor Zanni, to amend the ordinance and state "former city employees hired as (appointed) consultants be added to the list of side letters and stipends".

Councilor Hajjar asked why former employees why not look at all consultants being hired. The amendment should read all side letters all stipends.

Councilor Lahey stated side letters and stipends pertaining to all city employees or former city employees. He was told (six months ago) that council would be here forever if we had to do contracts on every consultant hired and it would bog down the Mayor. That is not his intention. He wants included in the ordinance consultants that were former city employees, being rehired by the city.

Councilor Kannan believes this ordinance is similar but different because the previous ordinance had a dollar amount (\$25,000). This ordinance does not have consultants included. Councilor Lahey's ordinance failed because it was not made clear. Councilor Willette (at the time) wanted more dialogue. This has the dialogue except for the consultants. If Council wants to add the language for consultants we can take a vote. The idea for this ordinance is to see (finance committee) what employees (in the city) are doing their job and receiving a side letter or stipend. Council (at budget time) is always questioning those side letters and stipends. Last year there were eighteen side letters and council does not see those because they are part of the collective bargaining agreements. It also makes council aware of the pre-paid items city employees receive that are additional to their salary for mileage, clothing, cleaning allowances, and travel and vehicle maintenance. Those are compensations some employees are getting.

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Councilor Lahey asked Solicitor McQuillan if the legislation was not similar why does it need six votes?

Mr. McQuillan said it is similar because it addresses stipends and side letters.

Councilor Lahey noted that if it does not get the six votes we would have to wait the full year to bring this back.

Mr. McQuillan agreed with Councilor Lahey and said that is why under the rules (7A) it requires two thirds.

Councilor Pappalardo stated how the previous (Lahey) legislation went on for three months before council brought it forward. It had nothing to do with outside consultants. It was a city employee retired June 30<sup>th</sup> and was brought back July 1<sup>st</sup> and got a \$24,000 dollar stipend as a consultant fee.

Councilor Zanni said that besides stipends there were side letters concerning salary adjustments involving eighteen people that he had never seen before and was never mentioned by anyone. We can go back and forth on this but we should vote this if it is good for the community.

Solicitor McQuillan stated for the sake of clarity he will draft it to be incorporated into the ordinance to read current "or former city employee"

UPON VOTE: ( as amended) UNANIMOUS

MOTION BY: (main motion as amended) Councilor Zanni seconded by Councilor Uliano to approve as amended for first read.

UPON VOTE: UNANIMOUS

ANY OTHER BUSINESS FOR THE GOOD AND WELFARE OF THE COMMUNITY

REQUEST OF COUNCILORS

ADJOURN:

MOTION BY: Councilor Giordano seconded by Councilor Campagnone

UPON VOTE: UNANIMOUS

Meeting was adjourned at 8:55 pm

Diane Lasonde/Council Secretary

I do hereby certify that at a meeting of which a quorum was present, the foregoing minutes were adopted by the Methuen City Council by a unanimous vote on April 20,2010