

METHUEN CITY COUNCIL REGULAR MEETING
MONDAY, JUNE 7, 2010
GREAT HALL, SEARLES BUILDING

Chairman Cronin called the regular meeting to order at 7:00 p.m. with all members present.

ACCEPTANCE OF THE AGENDA

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

Councilor Zanni, seconded by Councilor Kannan to move TR-10-45 out of order, as the next item after public participation.

UPON VOTE: 8 yes, 1 no

UPON VOTE: (adopted as amended) UNANIMOUS.

Invocation/Pledge of Allegiance

Reverend Joseph Wilkes gave the Invocation for the evening. Everyone remained standing for the Pledge of Allegiance.

ACCEPTANCE OF MINUTES

Councilor Pappalardo requested that public participant Guy D'Ambrosio's name be removed from the group of public participants who spoke in favor of the high school. He didn't speak in favor or against but felt that this wasn't the right time to vote for the school.

MOTION BY: Councilor Zanni, seconded by Councilor Uliano to adopt the minutes, as corrected. UPON VOTE: UNANIMOUS.

CORRESPONDENCE/PROCLAMATION

Chairman Cronin read and presented a Proclamation recognizing Lori Aliano for her action stopping a school bus at the Marsh School, proclaiming Wednesday, June 2nd as Lori Aliano Day. Mayor Manzi and Representative Linda Dean Campbell also presented citations.

MOTION BY: Councilor Zanni, seconded by Councilor Pappalardo to proclaim. UPON VOTE: UNANIMOUS.

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Veterans' Agent Thomas Hargreaves (226 Oakland Avenue), Joseph Bella, and James Smith presented two flags that flew over ships on D-Day, to the City of Methuen. These flags were donated by Mr. & Mrs. Michael Markey, displayed in the museum at the Nevins Library prior to the library's expansion and elimination of the museum. These flags are being re-donated to the city for display at City Hall. Mr. Hargreaves, Mr. Bella, and Mr. Smith presented some brief history and the flags importance. Michelle McCormick, Mr. Markey's daughter, was also present for this honor and valuable donation to the City of Methuen.

Police Officer Dan O'Connell (four-year employee of the Methuen Police Department) spoke on behalf of Jose Pita, 3 Magnolia Street. He said the city is facing the prospect of losing its most valuable resource, personnel. 90 workers citywide and an additional 22 teachers are being laid off because of this year's budget cuts. He understands that the city has a shortfall of cash. It doesn't make sense to sever ties with its most important resource. These people not only work in the community, most of them live here and they spend their money here. When these layoffs happen, he expects some of these families to move onto other communities to become contributing members of society elsewhere. He would have to look at the possibility of living and working in a different city and possibly even moving out of state. He said he is not the only police officer in this situation. There are 27 other stories similar to his. He knows that the city has spent an extensive amount of time and money to train each and everyone of its police officers. He asked, "How much more money and time will be wasted if those officers that are laid off never come back?" He spoke of an instance at the Framingham Police Department where this city had laid off five officers to save \$350,000. In six months, they spent \$500,000 covering overtime shifts. He hopes that Methuen does not find itself in the same situation. He will be affected immediately by the reduction of the police force if he does lose his job and also be affected by the reduction of the city workers around the city. The clerks have an important job to do. He shouldn't need to wait 45 minutes at city hall for a dog license. The custodial staff provides a vital function – without them who when cleanup the floor when a student gets sick at school. The firefighters do more than just put out burning buildings. Police officers do more than just stop bank robbers, which they did a few weeks ago (the individual was on the FBI's most wanted list). Police respond to medical calls with the fire department, countless quality of life issues. Instead of asking a neighbor to bring in their barking dog, police are called anonymously to settle a neighborhood problem. Police are called when someone starts mowing their lawn at 7:00 a.m. on a Saturday. As police officers, they accept this as a fact of life. He asked, "Who will be there to perform these duties when 44% of the police department is laid off?" There are 64 officers in the city now. 44 are assigned in patrolling the city. By reducing the police force by 28 members, we will be left with 36 officers for the whole city. This doesn't account for the school officers or our detectives or some of the officers who perform special functions. He urged members to keep all the members on police and fire because from a public safety standpoint, it is important not to lay off vital personnel. He stated that the morning after he received his termination notice, he started a group on Facebook called "Save the Methuen Police Officers" and hopes to be able to provide information to some of the families affected by these layoff notices. The outpouring of support from our community astounds him. To date, there are

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820 members; a Methuen Police officer at one point in their life has touched all of those people. Officer O'Connell shared an example of the types of calls received by Methuen police and firefighters. He introduced Jose Pita who was in an accident on an icy night in December 2009. Officer O'Connell said he responded to the scene with six of Methuen's firefighters: Lt. Tim Sheehy, Brian Cullman, Mike Janowski, Kevin Barry, Jessie Kattar, and Mike Firth. Officers Larry May, Jason Lenar, Tom McMenamon, Scott Leever, and Derek Licata also responded to the crash site, all did a great job. Officer Alacorn had the horrible task of going to Jose's home to notify his wife. (Five of the officers and four of the firefighters who were there that night are being laid off.) Shortly after leaving work, Jose's car spun around on Milk Street and he hit a fence. A piece of fence fractured the back of his skull on his left side and upon arrival Officer O'Connell thought he was deceased. The firefighters immediately went into action and Jose was transported to Lawrence General Hospital. After clearing the accident, he went to Lawrence General to follow up and was told Jose had been transferred to Tufts New England Medical center. He couldn't get an answer from Tufts Medical Center but a few days later a nurse told him Jose was in intensive care and expected to recover. He visited Jose in April and met his wife and two children. They discussed the accident and all agreed that Jose wouldn't be here today if it wasn't for the police officers and firefighters who responded that night. This is just one of the countless calls that we as police officers and firefighters receive. They do their jobs and do them well. The police and fire departments are like an insurance policy. No one likes to pay his or her insurance bill but everyone is glad to have the policy when a catastrophe occurs. Last year, he asked the City Council how much would you want to get paid to carry a gun and put on a bullet proof vest to go to work? This year's question is "the insurance bill is due, will you pay it?"

Maria Lavigne, a 22-year employee of the Methuen Police Department, taxpayer, spoke of a situation where she and her father were out for lobster and he started choking. She applied the Heimlich maneuver and she lost him. She couldn't do it anymore, called 911. They were wonderful. Officer Deleon and Officer Tardiff came in and took over CPR. The Methuen firefighters came. They saved her father. If these people are laid off, "Who is going to be there if something else happens?"

Katherine Lavigne, Chief of Police, Methuen Police Department, spoke about the proposed budget cuts and job losses of 28 police officers within the Methuen Police Department. She stated that Public Safety is the foundation of every community. Without a solid foundation of our police and fire department, you cannot successfully build and maintain schools, homes, businesses, and our streets. Last Monday, the department hosted their Memorial Day services, which honors those members who served our police department and built the solid foundation on which we stand today. Every guest speaker acknowledged the officers in attendance noting that it was because of their dedication and service to the city that helps make this great city a safe place to live. "How is it then that we repay these men and women who dedicate their lives to each citizen by serving 28 layoff notices?" Every action has a reaction. These cuts will result in catastrophic consequences within this city. These are challenging economic times but the more challenging times get, the more important it is to support your public safety. With the tough economy comes a rise in crime, a rise in calls for service to quality of life issues, domestic crimes, violent crimes, house breaks, and larcenies, to

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name a few. “During these difficult times, is it appropriate or responsible to cut your patrol division by half?” Within the past year, the police department reorganized to allow for increased numbers in the patrol division. This reorganization has met with much success. Many Councilors and many residents have commented on the increased presence in their neighborhoods, the parks, and the businesses. This presence has been a deterrent to crime. Directed patrols have taken advantage of crime mapping information and put the officers in the hot spots within the city ensuring proper use of officer time. This presence will diminish with layoffs of half the patrol division. With it will certainly come increased crimes. Now the consequence will be the Methuen Police Department will become a feeder system to other police departments, looking to save on training of officers and they will be getting quite a deal. Bringing on a new officer to the force is a minimum cost of \$41,000, when you consider the training, uniforms, equipment and salary. In other words, Methuen taxpayers have made an investment in each of these officers. She noted she would provide a summary of the costs at the budget workshop. Of the 28 officers who have received their layoff notices, well over half are Methuen residents. We are laying off Methuen’s own community members. She urged members to please consider the consequences of laying off half the patrol division and suggested a Law Enforcement Assessment before considering layoffs.

Larry May said he is in shock over losing half of the patrolmen and thirty-three firefighters. The other night, ten minutes out of roll call, every available officer except one officer was called out to calls. They were at those calls for a substantial period of time. One officer was left to patrol the entire city while the other officers were tied up and that’s at full staffing right now. The proposed cut, taking these officers off the street, is catastrophic. Half the people that are out on the streets while residents sleep at night patrolling and officers during the day are gone. Overtime costs would become exorbitant. The city is going to put wear and tear on the officers left behind and they’re not going to be able to keep up. A minimum number of officers are needed on the street for the public safety and the safety of those officers. Response times – right now they respond to calls immediately and are there within minutes. As Maria Lavigne stated, they were able to arrive immediately and save her father’s life. That’s not going to be the luxury when you layoff this many people. Calls will wait it for the officer to get there and firefighter to get there after they go to their other calls. A cut of that many employees is devastating to this community. He asked that the Council work with the Mayor and come up with an alternate solution because the departments can’t adequately function like this.

Steve Buote, Fire Chief, lifelong resident of the City of Methuen, Fire Chief of the Methuen Fire Department, spoke about the disturbing issue facing the City of Methuen, its fire department, the residents, businesses, and visitors of our great city. The economy has suffered around the World, across the country, throughout Massachusetts and certainly here in Methuen. People have lost jobs. Businesses have closed and municipal services have been cut. In Methuen, city employees took voluntary cuts in pay and benefits to help the city through this down turn. Methuen fire department also laid off three firefighters. They are the only department that actually went through with layoffs. Thankfully, through perseverance, the department was able to secure a federal

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grant of almost \$500,000, which allowed us to bring back those three layoffs and hire three additional firefighters. He explained that the department is still five positions short by reason of eliminated positions, long-term injuries, and unfilled retirements. This has caused the North End Fire Station on Howe Street to be closed completely or partially for most of this past year. Now the department is told to cut another 22%, which translates to over two million dollars over the past two years, which bring them back to an operating budget of what it was in FY 03, eight years ago. This does not take into account, the \$500,000 currently being saved by the city that is being covered by the grant. If this \$500,000 is overlooked, it will be compounded which in turn sets the department up for an even deeper cut next year. He has already handed out thirty-three layoff notices due to this projection. Layoff number 33 is a veteran firefighter with over twelve years on the job. Layoffs number one, two, and three are currently in the Massachusetts Firefighter Academy. They left their previous jobs to become Methuen Firefighters. They will graduate from the Academy this Friday, June 11th, begin their assignments Sunday, June 13th and be laid off two weeks later. He hopes that these thirty-three individuals can find employment in other cities and towns across Massachusetts who are hiring firefighters. It would be wise for these other communities to take advantage of the time and expense that Methuen has invested producing these professional firefighters. Coupling these thirty-three layoffs with the twelve positions they are currently short, it adds up to forty-five positions. The Methuen Fire Department will be reduced to half of its current staffing. All three outlining fire stations, East Street, Howe Street, and Bean Street, will all close. The Central station will be the only one left open. Having these three outlining fire stations closed encourages vandalism. If a closed fire station gets broken into and vandalized, that could result in an enormous cost to the city to repair or force a decision to permanently close that station. There are millions of dollars worth of equipment in these buildings that could be damaged or destroyed. It happened in Lawrence. It could certainly happen here in Methuen. Response times to the outer districts of the city increase from three to four minutes to twelve minutes or more and that is only if we actually have apparatus and personnel available to respond at all. If not, Methuen would have to depend on another community to respond to our emergency from their own city or town, increasing the response time to 20/30 minutes or more. Anything more than a routine response will also require assistance from a surrounding community. Again, they will not be responding from within Methuen, but from their own community. That will also produce 20 to 30 minute response times and possibly more. That's an incredible amount of time to be waiting for an ambulance or other fire personnel for emergency medical call or other service. Currently our response time to any part of the city is less than 30 minutes on average. Speaking of other services, the Methuen Fire Department responds to a vast array of emergency services. Some of these services are life threatening, having various degrees of urgency, and some are routine in nature. What may be considered a routine call for the department may be a true extreme significance to the person who is waiting for a response. A reduction of personnel would force them to prioritize calls. Responses that are non-life threatening will have to be placed on a list in order or priority. Calls for water emergencies, sewer emergencies, electrical emergencies, animal complaints, lock outs, public assistance and any other non-priority calls will either be placed on a list or referred to a private emergency contractor. Not only would this result in a significant delay but would also cause the property owner to be

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billed directly for the services. Methuen is a city of almost 50,000 residents, with over 7,000 emergency responses per year and over 6,000 emergency ambulance calls. Methuen has a busy fire department. These 6,000 ambulance calls generate two million dollars per year in billable revenue. When these ambulance calls are handled by another emergency transport service, that agency bills for the service, thus reducing Methuen's revenue even further. Another effect of a reduction of this magnitude would be that emergency medical technicians who haven't been assigned to ambulance duty for fifteen to twenty years would once again be regularly assigned to an ambulance. Ambulance duty demands a far different type of physical activity than that of firefighting. Those who are regularly assigned to ambulance duty are far less likely to suffer job related injuries than those who are not accustomed to this type of day-to-day assignment. Having 40 or 50 year olds performing duties that they are no longer adapted to would undoubtedly produce injuries, thus further decimating our staffing levels. Chief Buote stated this is information members should know while making their decisions as to the level of services the citizens of Methuen deserve. He's been meeting extensively with Mayor Manzi trying to find ways to close this gap and plans to attend budget workshops, public safety meetings, and layoff hearings beginning next week. He has a meeting scheduled with the state Fire Marshall and the Fire Chiefs from the City of Lawrence and surrounding communities to address this struggling issue. They are all trying to find ways to prevent these layoffs and the devastating effect that would result and hopes that the Methuen City Councilors are equally committed to exploring all possible avenues in continuing to provide the level of service that this community of 50,000 should have. I thank you for your time and welcome the opportunity to work collectively in finding a solution to this crisis that we're all in together.

Tom Firth, 1 Currier Street, stated that his house was broken into around Christmas time. His wife's jewelry among other things were stolen. The intruders tossed the house. Through due diligence of Detective Cushing and other members of the Methuen Police Department they caught these individuals. One of the people that brought the officers to catch these people is one of three in the Fire Academy. Through work with the detectives and police department, individuals responsible for 21 break-ins as well as damage to Methuen businesses were caught. He thanked Detective Cushing and all the Methuen Police Officers. As both Chiefs spoke earlier, he asked members to consider cutting items in the budget instead of personnel. Mr. Firth suggested areas of cutbacks could include paperless storage, elimination of cell phones (currently 300), cutting back in other items to survive the economy. He looking to cut back items that add up to large dollar amounts that could save police, save fire, save teachers, and cut back some items in the School department, which is the largest part of our budget. Teachers didn't take a pay cut last year and that's their right but the police and the firemen gave ten percent of their pay last year. These employees have families. Both Chiefs said it costs a lot of money to train these people, the men and women of the police and fire department as well as it costs a lot of money to retrain teachers. In the end between unemployment and overtime, its going to cost more money to lay these employees off. These departments have been level funded for twenty years. The fire department is at the levels they were in 1980, 1985, and 1990, the same as the police. Methuen has grown and

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it's a city that we need to protect. Hopefully Council can work with the Mayor, Mr. McQuillan, and Mr. Kelly and save these jobs.

Lt. Tim Sheehy, President of Methuen Firefighters Union, said he had a speech prepared but the police officers and the Fire Chief explained everything. He noted that he is in favor of the school. He understands that if the teachers took cuts it does not affect the city side of the budget. His children go to public school. The teachers deserve their raises. They do a great job. Walking in this evening, he saw Dan O'Connell who said he was going to read that statement about Jose and the accident. He remembered that call and thought the individual had passed away. Jose was standing right next to him in the hall and he had no idea. These things don't make the paper. Fire and police personnel constantly do CPR on people, constantly doing that and the two or three minutes it takes them to get there is when people survive. Once a person is brought back and goes to the hospital, employees don't know what happens. Personnel save a lot of people and it means a lot to them and their families. Residents may drive by when they're taking a break or getting something to eat but they have no idea the job that was done that day or the day before. He commented that there's a lot of fires, sometimes two multiple alarms such as the ones in April. He mentioned how Mike Fluet was injured on duty as a result of falling into a work pit during a fire at a transmission shop on Center Street. In the fire, he broke his humus and could have been killed. Police and fire go on dangerous calls, not every thing makes the paper. They can't afford these cuts. As the Chief said with 33 plus the attrition spots, its just going to decimate the fire department He's going to close three out of the four stations. All these buildings going up out on Howe Street, these \$500,000 \$600,000 houses on the golf course, and the new condos in Zambino's pit. Citizens are all paying good money. Their taxes are going to stay the same but their services are going down. They're not going to get anything. No one is going to respond to anything. The condos have sprinklers but they are ten or fifteen feet apart. As a result of the cuts response time is going to be horrendous. They can't afford these cuts and needs the Councilors support. The department is still working with the Mayor to try to work something out. The union is always ready to meet and try to do something.

Dawn McGovern, 16 Kensington Road, said she supports the Methuen High School. After hearing these stories, she can't believe it. "If we're putting a dollar value on losing these fine men and women who save lives, is it worth losing just one life?" If it was someone in her family, it would not be worth it. She hoped that the city keeps these men and women because they are definitely needed.

Jim Perrotta, 646 Forest Street, said the police and fire departments and some of the speakers really put some of the facts on the table. His tax revenue, as he understands it, goes about half to the municipal services and half to the school. He pays thousands of dollars and he would say to keep the police, fire, and other services in this building and the DPW active. That's what he looks for with his tax dollars. Methuen has grown over the years and has added staff to adequately cover the needs of the average taxpayer who looks for those services, no more or no less. There are people in this city who need to have their children educated properly and need a great education to move on to the higher levels of education so they can become active contributors to this society. He has no

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problem donating his tax dollars to the school. There is a five to seven million dollars of shortfalls in the police and fire and have two to three million dollars of shortfalls in the school budget. To add another 40 million dollars to the shortfalls over a period of time, understand, is not the right thing to do but there is a need to do something to the high school. He asked, “What do we do? Do we layoff police and firemen? DPW workers?” He said that is not the right answer. “Does Methuen fund the school for another 40 million dollars to renovate the high school?” That isn’t the answer either. The answer is to look at all these things and come up with a solution. He suggested members look at the high school renovation, check off the needs and eliminate the niceties, and possibly save millions of dollars there. Perhaps that would police, fire, municipal and DPW employees on board. He suggested tabling the renovation approval until a future date

Tim Smith, 27 Oneida Street thanked Mike Giarrusso for covering for him this evening and noted the union President and Chief did a nice job. He’s been a resident of Methuen for 27 years, attended the Pleasant Valley, the Timony, CGS, graduated from Methuen High School in 1995, and went on to graduate from U Mass Lowell in 1999. He’d like to think that the City of Methuen played a large role in who he is today. He still makes his home in Methuen, married with two boys, 3 and 1. He’s been a member of the fire department for six years, loves his job, and believes he is good at what he does. He works with a great bunch of men and women who are also good at what they do. For the second year in a row, while on duty, he received a layoff notice. While he still loves his job, he does not necessarily like what is going on around it. Last year, the fire department was given 15 layoff notices and the city laid off three. This year thirty-three notices were handed out and as of now it is unknown how much personnel they’re going to lose. Right now it’s his belief that the department cannot afford to lose a single body. They are currently running five firefighters short every day. Engine 6 at the North end station, Howe Street, which is shut down, leaves the residents of North Methuen without immediate fire suppression. Ladder one is responding on occasion out of the North End Station with only two firefighters on it. The NFPA, which is the organization that establishes fire safety codes and guidelines for fire service, recommends a minimum of four firefighters per piece of apparatus. With the current staffing level, they can no longer handle a two alarm fire without calling for mutual aid and have to rely on other communities to come in as back up, which can take well over ten minutes and during a working fire with people trapped or a firefighter down. Ten minutes might as well be ten days because by that time, they’re talking recovery and not rescue. This isn’t what is going to happen with layoffs. This is what is happening right now. With further cuts to the fire department, they could be looking at all but one station open, which in turn would drastically increase response time to many parts of the city, including his house. With the number of cuts that’s being considered, the fire department could run as low as twelve firefighters per shift. At this level of staffing, response time could increase to an additional ten to fifteen minutes to many locations of the city. He’s currently assigned to the ambulance and can attest to the utmost importance of response time and how the difference in two to three minutes can affect the survival and quality of life of our residents. The American Heart Association’s scientific position is that brain death and permanent death start to occur in four to six minutes after someone experiences cardiac arrest. He stated he was involved in two separate cardiac last year and today each of

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those patients is living a full and productive life. The Emergency Department staff at the Holy Family directly correlates each patient's survival and high quality of life to the quick response of the fire department. He commented that he finds it difficult addressing the City Council because he has so many concerns about what is going on in the city. He is here because he's battling to keep his job, which he loves. He is also here as a taxpayer and is concerned about the level of safety and education his family may receive if the city goes through the layoffs. He thanked the Council for their time and effort in finding a resolution to what he sees as a potential disaster.

Anthony Robito, 32 Pine Street, said for the past seven years he served as a police explorer donating and volunteering his time to learn as much as he can. People like Captain Randy Haggart, Dan O'Connell, Chief Lavigne, and Sgt. Kenneth Leone have taught him so much and for him to learn a lot from these officers means a lot. Cutting the staff means cutting more than just jobs. They'll be lowering the morale of these men who have taught the community so much. There is no other police department he can look up to more than the Methuen police. They've taught him so much and are heroes. Methuen would be losing the best heroes ever created in this city.

Mike Mulligan, 24 Madison Street stated he has lived here for about ten years and has a son who's just gotten into the school system in Methuen. He spoke in favor of the school renovations. There's been a lot of talk about the possibility of losing accreditation at the high school because of the open classroom concept. It might have been something cool to do when they built it but it's not an environment that's conducive to learning. Some people have a more difficult time to hear and learn than others and that background noise even for teachers that he's spoken to is quite overpowering and it comes down to who can talk louder, longest. The City Council has a responsibility not only to people here, but also to the future generation of people that are going to grow up here in the City of Methuen and that's the students because that's one of the most important commodities we have. He would hate to see the opportunity to do the right thing pass by. He asked, "Where do we come up with the money?" That's always an issue and there's some tough things in the future with the amount of firefighters that are going to be laid off, the amount of police that are going to be laid off, the teachers, we have to find a way to come up with this money but we also can't wait. He works in the construction industry and has been laid off for over year. He has no issue with his taxes being increased if it's going to keep firefighters, police, and teachers in the school to be built. It has to be done. They have to find a way to come together as a community and just get it all done. He hopes that this Council does the right thing, as they have so many times before, and looked out for the members of the community.

Judy Carelli, mother of two, said she is very sympathetic to all the employees that might lose their jobs but she is a strong supporter of the Methuen High School renovations. There are accreditation issues. There are also safety issues with Officer Gardner and Officer Licata being in schools and other officers being throughout the town of Methuen. There are issues with children's safety and Methuen High School. We have to keep our children safe and people employed. There needs to be more of a public

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instead of a private sense to government and maybe that will come up with a solution. The children need an education.

Karen Ferrullo, 94 Sevoian Drive, spoke in support of the high school renovations but made it clear that she doesn't want any of the fire or police to lose their jobs. She is a visiting nurse in town and had to get taken out in the ambulance from a patient's house in January and one of the guys that helped her, the fireman, was great. "Would if she didn't have him?" She was scared and her husband couldn't get her down the stairs from the patient's house. We cannot lose them. She feels very bad for them and feels bad for her kids and wants them to have an accredited high school but can we do something to keep them working and to get a high school. She said she spoke with John Cronin about what she would like to give up. If paying for trash pickup will keep these men and women working and a new high school, she is in favor of paying for trash bags. If it's that simple, the entire community can do that.

Chairman Cronin clarified that this is first reading of the budget tonight. Over the course of the next few weeks, Council will be meeting, with Workshops, Public Hearings, and not be taking any definite votes tonight. There will be a Special meeting on June 21st for the final adoption of the budget. Hopefully, between this meeting and that meeting, some negotiations can take place or maybe we'll get some good news from the state. The city does not have definitive numbers from them. The Mayor will be addressing that shortly. He mentioned that once public participation is over and there is a motion on the Council floor, the Council couldn't entertain anyone from the public speaking unless they're going to give us some expertise on that particular item.

Judy Carelli commented there are people from police and fire in the audience and asked if anyone from the teachers' union was present to express their opinion. Chairman Cronin said the Council hasn't seen the school budget yet. That's within the realm of the school department.

Chairman Cronin declared a brief recess.

TR-10-45 Resolution Authorizing the Borrowing for the Renovation of the Methuen High School

Councilor Uliano asked the Mayor if he would consider offering \$500,000 to offset any layoffs or services and asked if he would speak with Tim Sheehy and Larry May. She noted Councilors met with the Mayor and found a solution. The School is paying \$500,000 and the city is keeping \$500,000. She suggested that the union sit with the Mayor to see if he is willing to use any of the \$500,000 towards the unions. She noted Council couldn't add to the budget.

Councilor Lahey spoke of the Lawrence Eagle Tribune survey and noted that not one Councilor opposed the school renovation. There are questions on financing. Councilors are trying to do their job. He asked that Councilors be given time to do their job. Councilor Uliano spearheaded the meeting and Councilors are on board to support the school, close to 70 million dollars in funding with an additional \$200,000 annually from the school district to share the burden.

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Councilor Pappalardo noted that the public was misinformed that four Councilors were against the High School. \$500,000 could save jobs. Working with the Mayor, they found a way to take \$500,000 from the school side and \$500,000 makes the first payment on the school renovation.

Councilor Hajjar thanked the Councilors who worked with the Mayor. He noted that the School Building committee did a good thing for the city.

Mayor Manzi referred to the new spread sheets distributed and explained that the City Auditor worked with Boston. The percentage is better, 68.84% reimbursement to the City of Methuen. Positive numbers are reflected and it is not correct to say it has a negative impact. It does not call for debt exclusion and there's no impact on employment on the city side. He noted he is taking some money out of the school department budget to assist the city side, taking out FY 10 \$500,000 total overage (balance from the transportation) rolled into the FY 2011 slot and utilizing those funds to make the first high school payment. The non-net transportation item funded by the City Council, \$200,000 shall be moved over from this point forward, which is a \$200,000 benefit. In addition to the \$200,000 agreement with the Methuen School Department, the School Committee said they would make every effort possible to come up with additional money to assist the city. It will assist with the FY 2011 budget. On that basis, on the new numbers from the state, he urged the Council to vote in support and get Methuen High School renovated.

Councilor Pappalardo asked if the money taken from transportation has anything to do with the contract.

Mayor Manzi said they will still be paid but from a different source.

Councilor Pappalardo asked if the \$200,000 that the city is getting every year would still hold true no matter who is the administrator.

Mayor Manzi said the School Committee and the Superintendent are not bound by prior action of a previous School Committee, Councilors, or Mayors. Transportation is within Council purview and Council has the authority of taking it back should someone try to stop it. Council is limited to no authorization inside net school spending. The School Committee voted for the memorandum (\$200,000). They still have some avenues to explore.

Councilor Kannan noted this high school renovation does not have an impact on our current budget and thanked the Mayor, Senator Baddour, Representative Campbell, and the Councilors for their efforts.

Councilor Giordano took exception to the recent Lawrence Eagle Tribune article that stated four or five Councilors were against the school. Councilors never said that. The bond number changed and no one knew what it was going to be. Councilors wanted to know what was going on, doing their jobs as a City Councilor. Some of the calls were vicious and vulgar, inappropriate.

Councilor Zanni noted that this project started three years ago. He thanked Senator Baddour and Representative Campbell for their assistance. The end result is a benefit to our city and future generations of our community.

Chairman Cronin noted that the spreadsheet shows the city share of the total bond is \$34,323,916. The interest is \$37,317,178 for a total of \$74,803,294.

UPON ROLL CALL VOTE: 8 yes, 1 present (Clr. Cronin)

METHUEN CITY COUNCIL REGULAR MEETING
MONDAY, JUNE 7, 2010 – 7:00 P.M.

PUBLIC SERVICE:

Grants: Public Service Grant #656 Merrimack Street – Remove two poles and replace three poles

MOTION BY: Councilor Campagnone, seconded by Councilor Kannan to approve. UPON VOTE: UNANIMOUS.

Public Service Grant #657 – Jackson Street – Remove one pole and place one pole MOTION BY: Councilor Zanni, seconded by Councilor Kannan to approve. UPON VOTE: UNANIMOUS.

Licenses: Special Excavation – Lot 1 Atkinson Street

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

Second Hand Dealer – James M. Gurka, dba Broadway Thrift Shop, 133 Center Street, Methuen MOTION BY: Councilor Campagnone, seconded by Councilor Uliano to approve. UPON VOTE: UNANIMOUS.

Second Hand Dealer – George & Mary Simonian dba Lockhaven Antiques, 512 Merrimack Street, Methuen MOTION BY: Councilor Uliano, seconded by Councilor Campagnone to approve. UPON VOTE: UNANIMOUS.

Contracts: C-10-15 Brox Industries, Inc., for Bituminous Concrete Type L-1 and Bituminous Concrete Cold Patch, F.O. B. and delivered, not to exceed \$488,500.00

MOTION BY: Councilor Campagnone, seconded by Councilor Uliano to approve.

Chairman Cronin asked if this all Chapter 90 funds.

Mayor Manzi said yes.

Councilor Pappalardo asked for the list of roads that would be hot-topped.

The Mayor indicated he would send it up to Council Tuesday, if it is available.

UPON VOTE: UNANIMOUS.

C-10-16 Brox Industries, Inc., for Bituminous Concrete Pavement Type 1-L Concrete Handwork Curb & Berm Type A, not to exceed \$1,512,900.00

MOTION BY: Councilor Campagnone, seconded by Councilor Zanni to adopt.

Councilors asked how much Chapter 90 funds are available.

Mr. Kelly clarified that the bidding was done this way so that DPW could go to different companies when they need it. But the city cannot over expend what is in the Chapter 90 funds, which is approximately \$800,000. The city has to spend it in order to receive the funding. This is how it has to be bid out to get the unit price.

Councilor Pappalardo suggested, as was done ten years ago, forgoing the roads and not layoff some many employees.

Mayor Manzi said this isn't the process Councilor Pappalardo referred to.

UPON VOTE: UNANIMOUS.

METHUEN CITY COUNCIL REGULAR MEETING
MONDAY, JUNE 7, 2010 – 7:00 P.M.

C-10-17 Sealcoating, Inc., for Pavement Recycling/Road Sealing, not to exceed \$1,766,500.00

MOTION BY: Councilor Campagnone, seconded by Councilor Uliano to approve.

Councilor Lahey noted that when this is used on side roads it holds up. East Street and Prospect Street have been done three times. Before voting on this, he would like to see a list of streets. He is opposed to the contract if there are any main streets on the list because it doesn't hold up on the main roads. It never has. The city does this process three times and then end up hot topping the roadway.

Mayor Manzi said he would provide the list of roads that have been done, but he disagrees with Councilor Lahey's comments. There have been some issues on some roads, but no road has been done with this process three times.

MOTION BY: Councilor Lahey to table. (no second)

Councilor Hajjar asked why only company responded on this bid.

Mayor Manzi said he did not know.

Mayor Manzi said there is work that has to be scheduled. He recommended that council take a vote and he would provide the list of streets to be done with that process as well as streets that have been done.

Councilor Lahey asked for information on the main roads that have been done. Councilor Lahey withdrew his motion to table.

UPON VOTE: UNANIMOUS.

C-10-18 Sealcoating, Inc. for Random Cracked Sealing, not to exceed \$179,750.00 MOTION BY: Councilor Zanni, seconded by Councilor Campagnone to approve. UPON VOTE: UNANIMOUS.

C-10-19 Murray Paving & Reclamation, Inc., for Bituminous Concrete Pavement Reclamation, not to exceed \$175,070.00 MOTION BY: Councilor Campagnone, seconded by Councilor Hajjar to approve. UPON VOTE: UNANIMOUS.

C-10-20 Torromeo Industries, Inc., for Sand, Stone and Gravel, not to exceed \$120,750.00 MOTION BY: Councilor Campagnone, seconded by Councilor Zanni to approve. UPON VOTE: UNANIMOUS.

OLD BUSINESS

Resolutions:

TR-10-30 Resolution Submitting a Home Rule Petition for the Purpose of Waiving Certain Provisions of Massachusetts General Laws Chapter 40 and 30B (remove from the table)

MOTION BY: Councilor Campagnone, seconded by Council Hajjar to table to continued public hearing scheduled for July 12th at 6:30 p.m. UPON VOTE: UNANIMOUS.

METHUEN CITY COUNCIL REGULAR MEETING
MONDAY, JUNE 7, 2010 – 7:00 P.M.

TR-10-31 Resolution Calling Upon the Support of the City Council of the City of Methuen for the Passage of the Community Access Preservation Act (HR3745) (Req. of Clr. Uliano)

MOTION BY: Councilor Pappalardo, seconded by Councilor Campagnone to adopt.

Councilor Uliano said it keeps the Community Access TV out of the hands of Verizon and Comcast so they're able to put their own programs on and control it that way. If we go under Verizon and Comcast they'll have a menu up there that you'll never find your local TV.

UPON VOTE: UNANIMOUS.

TR-10-32 Resolution Authorizing Expenditure from Castle Fund

Councilor Zanni questioned why this is going through the Castle Fund when the staff through the School side should do it.

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

TR-10-33 Resolution Submitting a Home Rule Petition for the Purpose of Exempting Christopher J. Lane from the maximum age Requirement as a Police Officer in the City of Methuen.

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

Ordinances: None

Consideration of Appointments: None

NEW BUSINESS

Resolutions:

TR-10-34 Resolution Providing for the Adoption of the Fiscal Year 2011 General Government Budget

Councilor Pappalardo asked what the deficit is for Snow and Ice FY 2010.

Mr. Kelly responded it is \$500,000.

Chairman Cronin asked if the city paid pension bill. Mr. Kelly responded, no.

Chairman Cronin asked if that's going to be addressed in next year's budget also. Mr. Kelly responded yes. Chairman Cronin asked if the city paid the \$170,000 for the previous Chief's case. Mr. Kelly responded no. Chairman Cronin asked if that would be part of the deficit. Mr. Kelly said, no. They are negotiating with that right now and it is not part of any deficit.

UPON VOTE: 7 yes, 2 no (Clr. Cronin, Clr. Giordano)

TR-10-35 Resolution Providing for the Adoption of the Fiscal Year 2011 School Department Budget

MOTION BY: Councilor Campagnone, seconded by Councilor Pappalardo to adopt.

MOTION BY: Councilor Zanni, seconded by Councilor Campagnone to table.
UPON VOTE: UNANIMOUS.

METHUEN CITY COUNCIL REGULAR MEETING
MONDAY, JUNE 7, 2010 – 7:00 P.M.

TR-10-36 Resolution Providing for the Adoption of the Fiscal year 2011 Greater Lawrence Regional Vocational Technical High School Budget.

MOTION BY: Councilor Campagnone, seconded by Councilor Zanni to adopt.

Councilor Hajjar asked if the numbers are correct. In 2009 it was 1.58 million, last year was 1.78 million, which is up 12%, and this year they're asking 2.11 million.

Mr. Kelly said the numbers are correct. That's part of the net school spending formula for the Greater Lawrence.

Councilor Hajjar said he understands how the formula works but he doesn't understand how the vocational seems like they took a 4% Chapter 70 cut and when they did that. Looking at the DOE website, the minimum contribution for Methuen at first was 1.95 million and now we've gone up to 2.1. It seems like they got a 4% cut in state aid like everybody else. Yet Methuen got hit with an 8% increase. Methuen has 20% of the enrollment and is paying 57% of the portion of their costs that the state doesn't fund. He doesn't know if there is anything Council can do to say we're not going to increase. We're not making up that piece. The number last year was at 244 and this year we are at 278, but its still bringing up the cost to Methuen almost \$600 per student. Lawrence already gets 138 million dollars in Chapter 70 money for their own school department. They only pay 6 million and they just got a 35 million dollar loan. Lawrence has 76% of the enrollment and they pay 20%. He understands it's the state but the question is "Is there anything we can do about this amount that they sent to us?"

Attorney McQuillan commented that's an accounting question more than it is a legal one.

Councilor Giordano said it was the same problem last year and Council didn't vote it until they came back and explained it to us.

Chairman Cronin if I remember correctly. I don't think Methuen voted in favor of the Vocational School budget last year.

Mr. Kelly said if the other three communities vote in favor of it and Methuen votes against it, it passes.

Chairman Cronin noted two communities need to vote "no".

Councilor Giordano said it still passed last year because the other communities voted in favor.

Councilor Hajjar noted Andover has 34 kids there and could care less about the \$400,000 that they're going to pay. North Andover has 26 students and they're going to pay \$350,000. They're not really going to care and Lawrence is getting a free ride. The city is stuck with the Greater Lawrence Voke Tech budget.

Attorney McQuillan noted that the original legislation creating the school provided one vote per community and it essentially acts collectively. Methuen could vote "no" but - proportionally, it doesn't work with the original legislation, going back to the mid-60's, it provides one vote for the community.

Chairman Cronin said the increase from last year to this year was \$363,000 and we had 34 more students this year than we did last year going there which is over \$10,000 a student, quite a bit higher for our students in Methuen. He can understand because you're paying for shop teachers, along with academic teachers and that drives the cost up quite a bit but we voted last year. He brought up the same questions last year.

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The City Council voted against the budget. He noted that no one at the vocational school received a raise last year and doesn't think they've settled any contracts this year.

Councilor Zanni said the same applies this year. None of them have taken a raise. According to the letter, there is no raise.

Councilor Hajjar - but their costs went up though, right?

Chairman Cronin said he believed the increase this year is due to the increase in number of students, 34 more than last year.

Mayor Manzi said that is right that Methuen has a rise in students this year but there was some formula change that resulted in cost shifting, directly from the City of Lawrence to the City of Methuen. At some point, going back a few years, Methuen took an increase based on a formula change that favored Lawrence and was essentially negative for Methuen without any increase in students.

Chairman Cronin said the whole problem is the Commonwealth of Massachusetts picks up almost 100% of the City of Lawrence School Budget, both on the vocational side and the other side. That's where the difference is and Methuen doesn't have that luxury. We have to pay it.

Councilor Zanni noted the figure of \$17,600 is almost double of what Methuen is paying in their school district.

Mayor Manzi said in terms of general public schools, the vocational school, on a per student basis, would be higher. The question is whether it should be that much higher than the Methuen system, but vocational education on a per student basis is definitely higher.

Mr. Kelly said if there are children in Methuen going to the Whittier School, we're being assessed for them "school choice". It could be discussed as a Finance Committee agenda item.

Councilor Hajjar it just seems like they took a 4% cut, probably every community took the 4% Chapter 70 cut, but it seems like they're just passing it on to the cities where we're living with the school department is cutting. He asked if there are other options if they don't talk to us about improving their cost structure.

Mayor Manzi said they'd be in for the Workshop so you can question them directly.

Councilor Zanni just a point of information – last year Methuen had 51 students going from Methuen to Whittier. Mr. Kelly responded, yes. Councilor Zanni asked if that's deducted from the vocational school. Mr. Kelly noted it's still part of the assessment. Councilor Zanni asked if the figure is available. Mr. Kelly said it would be in the budget book and suggested meeting to review it. Those are valid questions and we need to be prepared when they do come in and ask those questions of them.

UPON VOTE: 7 yes, 2 no (Clr. Cronin, Clr. Hajjar)

TR-10-37 Resolution Providing for the Adoption of the Fiscal Year 2010 Sewer and Water Enterprise Fund Budget

MOTION BY: Councilor Zanni, seconded by Councilor Campagnone to adopt.

UPON VOTE: UNANIMOUS.

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

TR-10-38 Resolution Declaring a Parcel of Land in the City of Methuen as Surplus Property and Authorizing the Same for Sale – 40 Comet Road

TR-10-39 Resolution Declaring a Parcel of Land in the City of Methuen as Surplus Property and Authorizing the Same for Sale – Tobey Avenue

TR-10-40 Resolution Declaring a Parcel of Land in the City of Methuen as Surplus Property and Authorizing the Same for Sale – VP Lawrence Street

TR-10-41 Resolution Declaring a Parcel of Land in the City of Methuen as Surplus Property and Authorizing the Same for Sale – VP Cross Street

UPON VOTE: UNANIMOUS.

TR-10-42 Resolution Accepting a Gift of Land on Spencer Street From Virginia Broadhurst

MOTION BY: Councilor Campagnone, seconded by Councilor Zanni to adopt for first read. UPON VOTE: UNANIMOUS.

TR-10-43 Resolution Establishing a Dr. Shirley F. Callan Memorial Scholarship Trust Fund

MOTION BY: Councilor Uliano, seconded by Councilor Zanni to adopt for first read. UPON VOTE: UNANIMOUS.

TR-10-44 Resolution Accepting Emergency Management Equipment Distributed Through the Northeast Homeland Security Regional Advisory Council (NERAC)

MOTION BY: Councilor Campagnone, seconded by Councilor Zanni to adopt for first read. UPON VOTE: UNANIMOUS.

Ordinances: None

ANY OTHER BUSINESS FOR THE GOOD AND WELFARE OF THE
COMMUNITY

Councilor Pappalardo asked why the bid has been cancelled for the demolition of the buildings that the city received the grant on.

Attorney McQuillan said he reviewed a document today having to do with a demolition but received no notice of cancellation.

Councilor Pappalardo noted that the cancellation was on the website.

Attorney McQuillan said he did review a portion of indemnification of the contract and will double check with Patricia Antoon Tuesday morning for clarification.

Mayor Manzi said one of the properties that was scheduled and voted on as part of the bid process had to be taken out. He believes it was Camden Street and he will provide Council will more detail. The proposal will be rebid with Camden removed from the package. The neighborhood has been notified.

Councilor Pappalardo said she previously asked what portion the Merrimack Valley Planning Commission would receive out of that grant and hasn't received an answer.

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Mayor Manzi responded yes, if it was the demo grant. If there is an admin fee, he would provide that information to Council.

Councilor Pappalardo asked if the Mount Carmel School would be able to go from non-profit to profit.

Mayor Manzi said it is already done.

Councilor Pappalardo asked if the city is receiving tax revenue on it.

Mayor Manzi responded, yes. We converted it, and he knows there are some legal issues. He will provide the data on the conversion. It was brought to him and he asked that it be converted because its no longer a church use. He believes it is already on the tax rolls.

Councilor Pappalardo asked when the city would potentially see some tax dollars.

Mayor Manzi said the city might have already seen some.

Chairman Cronin requested a copy of the assessment.

Mayor Manzi noted he would provide a copy of the field card and will let the Council know if his information is accurate that we've put it on the rolls. And based on that, how much revenue we've derived from that.

Councilor Lahey asked Mr. Kelly how much local aid has been cut over the last 2 1/2 to 3 years. Mayor Manzi said, in a three year period, it would be fair to say that the city side is down as much as three million dollars

Councilor Hajjar just to clarify – that's the city side from the state, not the Chapter 70. Mayor Manzi responded, yes, and that's an important distinction. Chapter 70 has gone up but Councilor Lahey's question is the city side, non-school side.

Councilor Hajjar referred to the transfer report for the month of May and asked if it was just information, no vote required. Mr. Kelly responded, yes. Councilor Hajjar said there is \$19,524 for uniform replacement and there is \$19,524 for details. We put money in the budget for uniforms not expended and it goes into their details.

Mr. Kelly explained that part of their rescission was they weren't going to take their allowance for their clothing. In exchange for that, they would use that line item to pay for the outside detail. That's what you are seeing, these little transfers that as their line items pop, he'll send a notification over to the department head telling them to make those line items whole, within their budget.

Councilor Hajjar commented that the Council had approved a budget with uniform replacement for \$19,000 and it ends up getting spent for outside detail. He asked what would happen to the detail work if the Mayor said they couldn't move it.

Mr. Kelly said that is the purpose of the omnibus, to help them out, but it would have to come from another source somewhere, which we don't really have. If their line item is going to go in the red, they've got to find their money within their operating budget. There is no more reserve out there like we used to have, free cash. If they're having a problem with their operating budget, they've got to work within.

Mayor Manzi noted his signature is required for the transfers.

Councilor Kannan updated the Council on the Relay for Life this weekend. The first year Methuen raised over 171,000 (last year). Three high school students took over the realm, raised over \$200,000, exceeding the expectation. It was a huge community event. It was her pleasure to attend. It was again, another community event, run by high school students with a lot of adult support. When they were talking, they said Methuen

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is now tenth in the country to raise money for the Relay for Life. She applauded everyone who was involved in that.

Councilor Hajjar noted they are still receiving money, over \$213,000.

Chairman Cronin suggested having the three students at the next City Council meeting to receive a Proclamation.

Councilor Pappalardo said the Personnel Committee had their first meeting. Colleen McCarthy attended and provided some good information. The next meeting will be some time in July because of the budget workshops, etc. The committee is reading through the ordinances and have not come up with anything as of yet.

ADJOURN

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

The meeting adjourned at 9:40 p.m.

COUNCIL CLERK