

METHUEN CITY COUNCIL PUBLIC HEARING  
MUNICIPAL BUDGET – 6:45 P.M.  
GREAT HALL, SEARLES BUILDING

Chairman Cronin called the Municipal Budget Public Hearing to order at 6:45 p.m. with all members present.

Acceptance of the Agenda

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

FY 2011 Municipal Budget

Dan O'Connell asked that the Mayor and Council consider revising the City Budget to include full funding for personnel of the police and fire departments. He said he spoke two weeks ago about some of the calls Methuen Police Officers regularly respond to. Tonight, he spoke about the cost of severing Methuen Police Officers using his information as an example. Along with paying the state for his unemployment, the City will be responsible for paying us for accrued vacation, comp, and sick time. He has accrued 235 ½ hours comp and vacation time, paid out at his overtime rate, that equals \$8,637.00 plus sixteen days of sick time at \$100 per day, an additional \$1600 for a total buyout of \$10,237.00. Twenty-eight officers paid out for similar time accrued are \$286,636, that the City of Methuen will be responsible on July 1st. It costs a lot to fund the professional officers of the Methuen Police Department. As the training officer and use of force instructor he has reviewed all of the use of force reports for the last three years and is proud of the officers that he works with. They are taught to use as much or as little force as necessary to complete the job. They have repeatedly found ways to solve problems with minimal force, sometimes by putting themselves in harms way, more often than they should. Police brutality is a hot topic and everyone is familiar with the U Tube video "Don't taze me bro". Our officers are trained to the highest standards and he is confident in saying these are officers our community can be proud of. These officers know their jobs, know the streets of Methuen, and most importantly they know right from wrong. They don't take bribes and they aren't influenced by politics. Every community demands that their police officers be held to a higher standard. That is why lowering the wages of these officers will be detrimental to the City of Methuen. The city does not want to be in the position of hiring new officers with minimal qualifications and

blemished backgrounds. He spoke of time spent in China earlier this year and police corruption, which he doesn't wish to see here in the United States. Last year, I was involved in an incident that happened during training. He had to testify about what he observed about the Methuen Police Departments use of force policy and his knowledge as a use in force instructor. During the hearing he was verbally attacked for how he did my job and for telling the truth. He said there are times when you can be wildly unpopular for telling the truth and there are times when you can be a hero. He will always tell the truth. He understands that voting for higher taxes will make members unpopular. But its time to speak the truth and admit the tax rate is not set high enough. He doesn't understand how the city can fund the fireworks and pay for overtime for those same fireworks if they're laying people off.

Frank Korn, President of the Methuen Superiors Officers Union, 9 Jefferson Road, spoke of the citywide budget cuts and potential layoffs of city employees. The City of Methuen will be forced to manage with a reduced budget this year because state aid to municipalities was cut by the state approximately 3.4 percent from last year. It appears that there are only three options in overcoming the revenue shortfall from the state: layoff city employees in order to balance the budget, negotiate concessions from all of the city union memberships in order to balance the budget, increase the property tax levy to the citizens of Methuen. Any of the above choices will be difficult to make. Nevertheless members need to make a decision prior to July 1st. If they chose to layoff municipal employees, they must decide that cuts are necessary and determine how the cuts will affect the citizens of Methuen. If they chose to layoff employees from the DPW, the citizens must be willing to accept that there will be delays in snow removal, salting and sanding of the roads. There may be an impact on the bi-weekly pickup of recycled items, the repair of potholes and the various other quality of life issues that the DPW addresses on a routine basis, will probably be affected. If they chose to layoff Methuen firefighters, if Lawrence also layoffs firefighters, that will have an impact on Methuen in terms of mutual aid. If they cut Methuen firefighters and do not have enough Methuen firefighters to contain a fire, a catastrophic accident, or other type of disaster, and Lawrence is called for mutual aid and they are not able to respond to our emergency, "What are you going to do about it? You can roll the dice and gamble that it won't happen but would if it does happen? Does anyone remember the Malden Mills fire? Do you remember the Christmas morning when officer Tim Henrick was shot on duty and there was a substantial working fire in the City of Methuen?" Quick responses from police and fire personnel saved officer Henrick's life. What are the chances of something like that happening again? The chances of something like that happening again and directly proportional to Murphy's Law. If there were 28 police officers laid off there would be manpower issues. Last week, Chief Lavigne related that if 28 police officers got laid off that the police department would go from running eight marked cruisers per shift to four cruisers per shift that would be half of the current. Police coverage. He wondered if the citizens of Methuen think that's an acceptable cut. Methuen police officers respond to every medical aid call and every reported motor vehicle accident, not to mention domestics, assaults, robberies, alarms and murders, as well as other various routine calls. If Lawrence lays off thirty to forty police officers and our four cruisers are tied up on other serious calls, what are the chances that Lawrence will respond with mutual aid for our next serious call. He asked, "Would if it is only an alarm call? Do

you believe that a city resident is going to think that a ten, twenty, or thirty-minute response delay on their house alarm is going to be acceptable? What are the chances of catching a burglar twenty minutes after the alarm sounds?" There will be a certain amount of spill over from Lawrence if their police force is reduced. There is another issue regarding personnel at the Methuen police department, and that would be the clerks. The clerks cannot be replaced with untrained part time citizens to save money. The clerks provide vital services and they have received professionalized training so they can navigate such complex issues such as the release of authorized public information. Clerks communicate with attorneys, insurance companies, court officers, and need to know what information can be released and cannot be released. Often this is sensitive information that could result in litigation if it's not done correctly. The clerks have a working relationship with the officers, the City Solicitor, Accounting, and various departments at the district court. Council has some very important decisions to make in the next week or two. He urged the Council to please choose wisely for the sake of the city and the citizens of Methuen.

John Becker, Representative of the Methuen Police Patrolmen's Association, Local 394, of the Massachusetts Coalition of Police. The Massachusetts Coalition of Police is a statewide police union that represents police officers and dispatchers in over one hundred towns and cities throughout the Commonwealth. He urged the Council to reject the budget in so far as it includes the current proposed police budget. The union believes that this is 28 out of 64 patrolmen is too drastic a cut for the people of the City of Methuen. 44% of the patrol force gone on July 1st is not something that makes sense not only the officers and their families will be affected but the people of Methuen as a whole who rely on them to keep the peace. The cuts really are staggering. He's looked around the state and even over the past couple of years in the depths of the current recession, he has not seen a department that has cut and proposed to have a cut that's so deep into the patrol force. He urged the Council to consider the consequences of such cuts. These are the officers on the street. They are the most visible public safety officers. They are the first responders. They are the front line of defense against crime. These are not the people that you want to lose and go from as the last speaker said eight cruisers to four. It's really a devastating change in the quality of life for the people of Methuen and that's not right. He could say similar things for the proposed cuts for the firefighters as well. He recognizes that the City Council has limited ability to access those funds and appreciates that but thought that is just another reason why this budget is something that should not go forward in its current form and the union urges Council to reject it.

Steven Buote, Fire Chief, said he previously conveyed the affect of these cuts. He wanted to clarify something that he mentioned last week. He was asked if overtime was a contractual item and responded that it was not. Although the amount of overtime funding for the budget is not contractual, there is contract language that specifies how and when overtime is assigned and at what rate it is paid. There is also additional contract language such as minimum shift staffing that is supported solely by overtime funding. In essence, overtime is not necessary contractual but there is contractual language that the overtime budget supports. He spoke of a recent fire at the Holy Family Hospital. The amount of staffing that Methuen Fire Department and Methuen Police

Department had that evening as well as the staffing of the Holy Family Hospital security as well as the hospital staff really relates to the outcome that we had. The fire was kept to a minimum. Although it went to three alarms, some patients were relocated in the hospital. It was contained to the area of origin. Following that, at about 3:00 a.m. Sunday morning, there was a two-alarm fire on North Lowell Street. The occupants of the fire were injured with cuts and second degree burns. On top of that the Methuen firefighters extinguished a blaze and kept the damage minimal but they also went in and rescued two dogs that were trapped in the house that certainly would have perished if they didn't have the manpower on scene.

Kenneth Leone, Sergeant, police officer for over 13 ½ years, a Sergeant for a little over 2 years, stated he is a street cop. He's always been a street cop whether it be on midnights, couple of other shifts, traffic unit. The only exception was when he had to be on the desk for eight months because he got hurt during work. He loves his job and loves coming to work. He's seen his officers kick in doors, chase guys in cars, bicycles, on foot, boats. The officers do a good a job. He is very proud of officers that work with him. Layoffs of this magnitude would be detrimental. The calls for service are going to get stacked up. Residents are going to wait ten, fifteen, twenty minutes, thirty minutes. The level of service that the citizens expect and deserve is going to go south quick and they can't put a price tag on what these officers do. They don't get paid for what they do. They get paid for what they're willing to do and what he asks them to do

Captain Randy Haggar – spoke as a representative of the Methuen Police Department Superior Officers, as a taxpayer and as the Commander of the Methuen Police Department Field Operations Bureau. He spoke about this year's budget and the affect that it will have and continue to have on our department, the city, and our police officers when he was transferred to the position of the Commander of the Field Operations Bureau; he attended each roll call and spoke to every platoon of officers. He relayed my message to each officer that each of them had something special to bring to the table within our department. They all had a vested interest making sure the department succeeded. They had 64 different personalities and qualities, which had the potential to make this department excel. He informed his personnel of the expectations of them to treat every person that they come in contact with as if they would want their family member to be treated by a member of our department. That every decision that they would make would be the best intent of this department and the city and it was because of the dedication of those officers, dispatchers, and civilian employees that our department has excelled and been able to maintain services even through these difficult times. Our officers, superior officers, dispatchers and civilian employees all have made great sacrifices over the past year to ensure that the services of your citizens have not been negatively impacted. In 2009, the city asked our department to help. Our clerks, dispatchers, officers, supervisors, all stepped up to the plate to give back 10% of our pay and although the city has grown over the past several years, the Methuen Police budget which he has been personally involved with has remained level funded at least the last four or five years. They learned to do more with less and were responsible with their budget. They continue to provide the citizens with exceptional service. Last July, due to staffing levels, they made a command decision within the management level to transfer

three community policing officers, their supervisor, as well as the traffic officers, their supervisor, and a detective from the drug and gang unit back to the shifts. They did so to maintain manning caused by the furlough days as implemented by the ten percent cut. The economy has suffered and they are barely keeping our head above the water. Their employees have worked hard over the past year to keep services at the same level they were a year ago after sacrificing ten percent of their pay, not to mention potential pay raises. They have been subjected to substantial amount of unnecessary stress and anxiety, especially coming into the budget season. It is unfair that the employees of this city and in his case, his employees and the Chiefs and the Captains behind him of the Methuen Police Department continue to have placed on them. We all know the state of the economy. Unfortunately, with the bad economy comes a rise in crime. The budget cuts, layoffs, and potential rollbacks slated to take effect July 1st, will cripple the Methuen Police Department. The Methuen community, which has repeatedly ranked one of the best places to live in the area, will see the affects. There will be less police visibility in the community and are going to require a lot more community cooperation to keep crime as low as its been. There has been a long debate over the connection between crime and the economy. Criminologists, sociologists, and police chiefs interviewed predicted a rise in crimes as the United States continued deeper into the recession. The article mentioned that according to sociologists crime has increased during every recession since the late 1950's and Methuen is not exempt from this statement. All agencies in the country are required to report crimes to the FBI. The major crimes, or as called part one crimes are labeled by the FBI as crimes of murder, rape, robbery, assaults, burglaries, larcenies, motor vehicle thefts and arsons. In Methuen, part one crimes are up overall 12% to date, comparing to the same period of January through June 2009. As we approach the summer months we also must take note according to FBI statistics crime rises an average of 10% during the summer months and in fact they note that teenagers get into more trouble with drugs, alcohol, thefts, and assaults during the same time. Basically, there are two separate types of policing that we know in history. From the early 1800's to the 1980's, patrol and criminal investigations dominated policing. This reactive policing involved uniform police patrolling the streets to prevent crime, to interrupt crimes in progress, and to apprehend criminals. Policing was incident driven. Research demonstrated that this type of reactive policing had limits for controlling crime and order. In the 1990s policing adopted what they call proactive policing strategies, in which police initiate action instead of waiting for the call to come in. And the Methuen police department currently works under this parameter of a proactive policing organization. Proactive policing is police initiated and driven. For example, know that a given area is know for certain kinds of crimes on certain days, police take the initiative and conduct directed patrol in the area in order to prevent crime from occurring, reduce the number, or to be there to make an arrest when the crime occurs. Policing in this generation also encompasses quality of life issues, working directly with the public and our citizens on such issues as graffiti, juvenile gangs, loitering in parks, disturbances, construction noise, barking dogs, skateboarders on business property annoying customers, junk cars on property, broken windows, traffic issues, not to mention the 300 plus foreclosed houses we now have in Methuen and 250 plus are empty. The rationale and policing quality of life issues is that if you police the small things the violent crimes and larger issues will be decreased and we have all witnessed the success of proactive

policing as demonstrated in the Methuen Arlington Neighborhood. He distributed a packet to Council, which included the current future manning levels of the police department. He noted 28 officers have received pink slips thus far with an addition talks of nine rollbacks of superior officers: a Captain, 4 Lt, and 4 Sgts. The command staff, Chief Lavigne, Captain Fram, McCarthy, and he have begun to analyze and prepare for the 2010 July 1st cuts. Regular workings of a shift require x number of officers bringing those numbers down will significantly reduce response to our citizens, particular calls for service require x number of officers. For example, a simple domestic call requires a minimum of two to three officers to respond. This is for safety reasons. Responding to domestic incidents results in more officers being assaulted or killed than any other call for service on officers responding to these calls two officers are needed just to separate the individuals who are fighting with one officer, if available, to be able to control and assist in interviewing and attaining potential witness identification. Others calls that require two or more police officers are bank alarms, burglar alarms residential alarms major accidents and traffic stops in which the officer feels his life may be in jeopardy or simple stops where there's two or more occupants in the car. In regards to their current budget page one of the attachment displays current staffing levels. The graphs outlined have the base of having ten officers currently assigned to any one shift. At this current moment we keep manning staff levels at a minimum of six officers on patrol at any time. The base of having officers assigned to any one shift has been dramatically reduced to six on that graph. This means prior to July 1st 2010, the department used the minimum of six patrols sector areas within the city. If they were fully staffed, they'd add an additional cruiser, an Oakland Ave cruiser or Prospect Street area cruiser, a traffic control cruiser. After July 1st, 2010, the Methuen police department with the above mentioned cuts would become a reactive based police department. All special services will be cut. They would not be able to adequately attend to the quality of life issues and would predominantly react to call service. They would basically triage calls for service regarding officer availability. Some calls will be stacked. Our citizens may wait for a call or may be told that the police will not be responding. If a domestic comes in at the same time an accident comes in, the officers will respond to the domestic, leaving the accident uncovered possibly. The command staff will not allow our officers in harms way and the supervisors will be instructed to stack calls accordingly based on severity and officers safety. On an arrest for example, an arrest takes from one and half to two hours to process. If officers are tied up on an arrest and is unable to respond to a call then the call will be stacked. This is a reality on how calls to service must be handled after July 1st, if the budget is presented in the way it is now. There are several items, which affect the minimal six officers on a shift. Shift staffing is affected by officers vacation time, sick time, contractual, personal and com time, not to mention if an officer is unfortunately involved in a line of duty injury or is out for an extended illness. Just take into consideration the remaining 36 officers having four weeks vacation time, leaves approximately 720 of vacation absent days from the shift which need to be covered. If 36 officers use on 5 of their 15 sick days that leaves another 180 days absent to cover. 36 officers use all three personal days that's another 108 days to cover. Court time, offices slated for court, who are scheduled for court on a regularly scheduled day shift, will leave their shift and attend the court appearance as directed by the judge. Officers also accrue comp time and may use that as needed. And this does not even include family medical

leave act as we have had in the past for several individuals, not to mention the required in service training. Each officer is mandated through Massachusetts's law to attend one week of in service training per year, which results in another 180 days off which need to be covered. Due to the above potential absences, after July 1st, minimum manpower will decline to four cruisers within the city and possibly down to three depending upon the day. We will have four sector cruisers, a Lowell Street, a Pelham, combination Pelham Broadway, combination Jackson Howe car, and a Merrimack area. On the days we have only three cruisers, they'll have a west end car, an east end car and a center of city car. Effective July 1st, all non essential programs will be cut, which includes the police explorer program, college internship program, out of state vehicle registration enforcement, community policing division will remain cut, the traffic services division will remain cut, the drug and gang unit and the insurance fraud unit will be cut. Our emergency management officer from the city hall will return to the police department. The regional response officers, who respond to serious crimes, will be cut to minimal services, our accident reconstruction unit will be gone and we will not be participating in any extra services. The false alarm identification and ordinance enforcement program will be cut and our car safety seat program will be cut. There were certain questions, which came up last week in regards to certain line items within our budget. One being special detail and special detail as outlined in the budget is actually departmental overtime used to fill positions needed to bring minimal manning of shifts to its proper level when individuals are sick and use appropriate time off. It is also utilized when an officer is forced to work past regular hours to complete a call. If an officer responds to your house for a domestic he just doesn't leave at 4:30 because his shift is over. He must stay and finish the call and this is true for many types of calls and investigations. This also accounts for call-ins for special investigations. An example you all recall major incidences within the city happened over the last year. Examples are the woman who was found deceased at the VFW and the fatal accident on Route 110 when Mr. Bow was killed while jogging. All these instances involve special investigations above and beyond the scope of regular shift and the regular resources of the shift. Unfortunately, they cannot train every single officer as an accident investigator and one cannot predict when these major incidents will occur. As far as the court appearances line item, officers are required to appear at court. It is part of their duties. Just to give you an actual number between July 1st 2009 and June 30<sup>th</sup> 2010, 1,076 officers were scheduled to appear in court to testify at various proceedings such as dangerousness hearings, motions, trials, jury trials, grand jury, probation or to request search warrants and arrest warrants. These officers were scheduled and required to appear as a result of the court liaison office receiving a lawful summons from the district attorney or by defense attorneys, probation officers, etc. 1,076 officers – this averages out to about 89 officers a month. The court sergeant has already received 35 notifications for officers for this July, twenty of them being for officers who are on the layoff list. As far as uniform replacement, they wear their uniforms five to seven days a week, they wear out. The cost to replace police uniforms An example just a pair of pants is upwards over 100 hundred dollars a replacement of a jacket over 250 dollars boots or shoes over one hundred dollars a holster which we have to replace five of them two weeks ago over 130 dollars a piece leather gloves 25 dollars which we replace regularly due to officers using leather gloves on pat frisks, etc. The officers use their allowance responsibly. The amount of money they get

is not enough but they get by and they use it realistically to replace their items. He and each one of the Methuen police officers have a vested interest in watching this city succeed. The last thing we want to see is an officer gets hurt or a citizen does not receive the action they need to receive when they call for service. He urged Council to approve the budget at full staffing full levels for the police department.

Rosemary Picarrillo 3 Shirley Avenue, stated she and her husband have resided in Methuen for 48 years, raised four children and in all that time never had to avail themselves of any emergency services until November 5<sup>th</sup>. She explained that her husband was home alone and suffered a major heart attack. He died. Within three minutes emergency services was there. The police were there and the firefighters. The firefighters took no time at all breaking down the door and they brought him back to life. That was once. He died again and again. Those firefighters worked tirelessly to bring him back and they did. They did and then a third time they gave him life again. She doesn't study the budget or know the statistics but is here to support police and firefighters. There must other areas that could be cut. She urged Councilors to consider and think about family that they love and what could happen if there were not enough responders. She introduced her husband who was in the audience.

Julius Pita and her husband Jose Pita came to the podium as she spoke of his horrible car accident on December 14<sup>th</sup> 2009. Because of the quick response and services received that evening from police and fire, she has a husband and her children have a father.

Captain Tom Fram, said he has 27 plus years of service with the police department, three more from the DPW giving him over 30 years of service to this community. He's served under different administrations and five different Chiefs and has been very fortunate in his career. He's done many jobs, been in different units and exposed to different experiences. He's been a street cop and a street supervisor up until just about two and half years ago when he was promoted to Captain and went into administration which is a whole new light for me but the majority of those twenty seven years have been patrol, detectives, patrol supervisor, detective supervisor, SWAT team supervisor, officer in charge of a shift for eleven years and knows what goes into police work in this community. They need every single person in that department to run it. As Captain Haggar spoke and told you the statistics of what will happen and what could happen the manning levels and all this other things dealt with on a daily basis, when it comes down to it you in this community is to provide a better quality of life for everyone. That's his job and the officials' jobs. If quality of life is their house, the foundation of that house is the Methuen police and the Methuen Fire Department. Public safety is the foundation and if they let the foundation crumble the rest of the house will crumble. He stated how he was fortunate to serve the community with Donald DeSantis Russ Moynihan, Bruce McDougall, Joe Harb, Bill Simone, Mike Hatem. Whenever there was a problem Donald DeSantis would say, "Do what's right for the department. Do what's right for the city." That is what he's asking the Council to do, do what's right for the city.

Pete Wendlandt, 526 Prospect Street, spoke of how the police and fire department helped him with personal situations at his home: a fire next door and an intruder who turned out to be a sex offender. They not only protected his home but his family as well. He is extremely grateful and urged the Council to fund a fully staffed budget.

Lyn Guther, 908 Riverside Drive Methuen, a resident for eight years spoke of several instances where she witnessed public safety employees doing their jobs. They responded quickly to fight a fire at her neighbor's home and another instance was to check a "no answer" call for an elderly neighbor. If Methuen does not have adequate staffing in our city, these types of services will go un-responded to and we will lose valuable residents that we have in this community that participate and not just ways by means of income and resources in the community but also volunteer services. These employees are our resources and are our most valuable asset. They should not be considered liabilities. Our safety is not a way to balance the budget. There are other ways.

Jim Robertson, 2 Wilson Street, Methuen people's lives are on the line. This is a safety risk. These residents are at risk by cutting down the number of police officers and fire personnel in the city.

Councilor Lahey said he appreciates public safety. His son is a firefighter. As a father he is very proud of him and fear for his safety. As a City Councilor he has to look at the bigger picture. Tonight there may be cuts that public safety won't be thrilled with. But its their intention to make as many cuts as they can in the budget with the hopes that he Mayor will use those cuts to lessen the impact on public safety layoffs and use as much of the stabilization fund to also lessen the impact. He doesn't see this Council raising taxes three and half million dollars.

Chairman Cronin just so everybody is clear, the City Council cannot add to this budget. All they can d by law is cut the budget but we cannot add monies to the budget.

ADJOURN

MOTION BY: Councilor Lahey, seconded by Councilor Kannan to close the public hearing. UPON VOTE: UNANIMOUS VOTE. Public hearing closed at 7:45 p.m.

COUNCIL CLERK