

CHARTER COMMISSION PUBLIC HEARING
THURSDAY, DECEMBER 10, 2009

Chair Joseph Pappalardo called the Public Hearing to order @ 6:30 p.m. with all members present. Also in attendance, City Solicitor Peter J. McQuillan.

Public Participation

Tom Gradzuwicz, spoke in favor of term limits as they are now, noting term limits should be retained. He would like to see one four-year term in the districts and see them staggered every two years. That way it would retain some sort of stability from one term to the next. He suggested adding one more Councilor at-large where there are three Councilors now, for a four-year term and two Councilors would be elected every two years. For Mayor he would like to see just one four-year term, period, because then the Mayor would have a chance to do administration work and not have to run for re-election the second year. As far as School Committee, retain the way that committee is elected on the same basis that they are now, with term limits. He would also like to see the City Council have veto power over the School Budget rather than the way it is now. The Council receives one line item, take it or leave it. The School Committee budget is kind of out of control. This would make the School Committee and the School administration a little more accountable for the monies that they're asking us to give them and the spend. He would like to see Methuen get the most for our money in the school department and he doesn't think we are getting that right now the way things are handled as far as budgets are concerned. All the negotiations are done and its just handed to the Council for approval. That's not right.

John Cronin noted that adding one at large Councilor might create a problem because it would mean an even number of Councilors.

Tom Gradzuwicz said we could go with two and then one, four-year terms, with an election every two years. He would like to see new candidates and other people a chance to serve.

Dorothy Kalil asked Attorney McQuillan if they could do anything with the line veto on School Committee for the Council

Attorney McQuillan said it would take a review of the Municipal Finance Act; Chapter 44 is the procedure for the budget. It is very general in nature as to what a School committee budget or school budget that is submitted. He is not sure if it prohibits a veto. It would take some review and he would report back.

Gerry McCall, 165 Hampshire Road, said the taxpayers must get involved in the budget process and must start to control costs in government. At the present time, Methuen has a City Council and a Mayor. He's a strong Mayor as evidenced by the many votes that we see, 7 to 1, 7 to 2, in favor of his requests. There is no balance of power at the present time. The voters and the taxpayers are crying for change, as evidenced by the recent number of blogs in the tribune. He suggested that the Charter commission compare the present form of government with our neighboring communities. In doing so, the commission should solicit comments from the citizens, taxpayers and ratepayers, consider their comments, do research, and prepare ballot questions carefully. The first form of government that he would suggest is the City Manager. Methuen had it in the past. He did some research and talked to local officials in communities have city

managers or town administrators, such as Andover, North Andover, Dracut, and even Lowell. They are satisfied. “Are they wrong? Are we right?” He is concerned about the administration at the present time. The Mayor signs all the contracts. For example, we haven’t had a change in our consultant for our infrastructure needs like water and sewer, or the building of the water filtration plan for over 20 years. Its not good management practice to skirt around the provisions of 30B. He submitted a copy of a letter to the commission from the Inspector General to the Town of Webster and it illustrates exactly what he’s talking about. He noted it’s the same firm that Methuen does business with. We’ve had them for twenty years. The Essex County Response Contract (emergency response plan) was signed, with really no approval from the Council. The Mayor, with his signature, signed a contract that’s going to cost the City of Methuen between 700 and a million dollars a year and once that contract is signed, you can’t get out of that contract for five years. That’s \$700,000 to a million and the reason he says a million is because a couple of the major communities who are involved in the contract dropped out, North Andover and Andover. Again, are they right? Are we wrong? Haverhill also isn’t a member. He asked if the Charter commission would consider establishment of a Water Sewer Commission and Cemetery Commission. The board would be elected by the people and would be in charge of all the administrative work in these particular tasks associated with these and the financial part of it too. In other words they would collect all the receipts, etc and under their jurisdiction the money would be apportioned in concert with what work had to be done.

Dorothy Kalil asked if the sewer and water commission would be an elected commission or appointed.

Mr. McCall said he would like to see the members elected. He recalled the establishment of the sewer and water task force, who deliberated for months, drafted their rates and then the members all resigned.

Barbara Grondine asked if it was possible to withdraw from the response system, now that there is a signed the contract with them, the \$700,000 to one million dollar contract.

Mr. McCall said he did not know whether Mr. McQuillan could speak to that. He believes under the Section 40, Chapter 40, Section 4A, the Mayor has the authority to sign this contract without approval from the Council.

Barbara Grondine said she thought the Council did approve it.

Attorney McQuillan stated that’s not the process that was initiated or employed for the purposes of the contract. Regarding the authority to withdraw or terminate, there are provisions in the contract that provide for that.

Mr. McCall said he has a copy of the agreement and the press release. It is a five year contract and it appeared to him that the only way that Methuen could get out of that contract if they wished would be two years in advance. In other they’d have to start three years into the contract to solicit that they wanted to get out. The assessment depends on the population served and there are no inter-municipal agreements, such as we have with the City of Lawrence and Andover where the police come in and they’re indemnified, if anything happens to them while they’re here. This is a different type of a contract and it would seem to me that we should do something to address this kind of an issue. The balance of power should be with the City Council and the Mayor, not again as he said with 7 to 1, 7 to 2 votes as seen for two years.

Philip Lahey, 159 Woodburn Drive, said he is glad to see a Charter Commission before him and thanked everyone for his or her time. The Commission's role is important and will have an impact on Methuen from many years to come. Basically they are drafting Methuen's new constitution. He would like to see a stronger City Council. At one time the city council used to approve all appointments, promotions, even if it was seasonal help, they came before the Council. That changed a few years ago and he would like to see that changed back to give the Council authority to approve all appointments. When appointments come before Council they are made public. Rather than having the Mayor as Chair, elected School Committee members should be allowed to choose their own Chairman. He said he would like to see the Council more involved in the school committee. There was a time when the City Council would put a designated Councilor as the seventh person on the school committee, not as the chair, one of the sitting members to have his vote and to report back to the City Council. Those are two things that were in the City Charter and aren't anymore. He said he doesn't agree with having nine Councilors at large. If a Councilor is from a certain district, his/her feeling is going to be there more than anywhere else, especially if it's a neighborhood project. He suggested having equal representation of nine Councilors could be three Councilors from each of the three districts. The school side has one or two members participate in bargaining agreements. But Council only has the choice to vote yes or no on contracts before them. With so many unions in the municipality, it would be nice to designate one or two Councilors on the negotiating team. The City Council has the right to cut the budget but cannot add to it. If there were a cut that is so outrageous, he would like the Council to have the authority to place an item back into the budget (seven votes out of nine) to fund that particular item or position.

Michael Beshara, 6 Reservoir Street, born and brought up in the town of Methuen, 85 years ago. At the present time, theoretically you could have a brand new Council every two years, no continuity. He would like the commission to consider staggering the elections in such a way that you would elect one Councilor at Large and one from each district, each election. That way you would have continuity year after year, and you could set your term limits from there if you consider term limits.

Barbara Grondine asked if Mr. Beshara is suggesting having an election every year.

Mr. Beshara said the election could be every year or stagger it and have it every two years.

Ken Bourassa said it sounds like the Councilors would be on four-year terms but staggered. There would be an election every two years.

Mr. Beshara yes

Kathy Will, 7 Weymouth Avenue in Methuen, spoke of instances when the City Council has a quorum and it's suppose to be those present that vote. That's not what's happening now. If somebody doesn't agree or it doesn't go the Mayor's way, he has a revote. She doesn't think that's appropriate. The issue she's talking about is water rates, which didn't turn out the way Mayor Manzi wanted it to so he had a revote when one of the Councilors that was absent came back. Council should follow the present Charter and it should go by those that are present for a vote.

John Cronin said that is part of Roberts Rules of Order. The Charter does not govern that. Roberts Rules of Order govern the way a meeting is run and Council has to follow that. That's state law, federal law, and you can't just change that by inserting something like that in the Charter.

Maureen Donovan said she was under the impression an item couldn't come up again unless one of the Councilors that opposed it asked for it, to reconsider their vote. The Mayor couldn't call that for a revote. It would have to be one of the Councilors asking to have it reconsidered.

John Cronin noted it would have to be one of the Councilors on the prevailing side.

Maureen Donovan - it would be one of the Councilors on the prevailing side. The mayor could not call for that.

Kathy Will said if a Councilor doesn't show up for a meeting, then they don't get a revote, but that's only me.

Dorothy Kalil asked Ms. Will wanted to eliminate reconsideration.

Kathy Will said if there are five Councilors in a room and three vote yes on an item and one Councilor doesn't show up, then they should not have a vote.

Dorothy Kalil stated they don't do that – an item has to be reconsidered. Councilors just can't come in the next meeting and revote. One of the Councilors has to reconsider. If he voted in the affirmative whatever issue passes, he can reconsider that vote to allow the other person to now vote for it but that would be a Councilor.

Kathy Will said if a Councilor doesn't show up, if they don't think its important enough to be at the Council meeting, then they shouldn't be able to go in the next time and vote on it.

Maureen Donovan said reconsideration is used sometimes if a Councilor takes a vote, and after that vote receive calls or more information, that particular item could be reconsidered. The Mayor cannot do that. It has to be a Councilor.

Kathy Will, said the reason she became involved in Methuen politics is the zoning laws and she was unhappy with the Zoning Board. She received certified mail that they are going to build a house two or three streets over. She asked, "Why do I care?" But when they built a whole development twelve feet from her property line, a huge development, nothing from the Zoning Board. None of abutters received anything from the Zoning Board. Twelve feet from a property line is pretty close. Maybe the Zoning Board should be elected, not appointed. Something definitely needs to be done.

Jim Robertson, congratulated the members. He recalled being out collecting signatures and noted the most common question was "What is a Charter? What is a Charter Commission?" He asked that someone explain the Charter so that citizens will have a better knowledge of it.

Chairman Pappalardo said basically what he's told anybody that he asked to sign the original petition, the present City Charter is what he would relate to our Constitution, how we run and govern the City of Methuen. There are provisions in the Charter that call for term limits. That's one section of the thirty four-page document. He noted the Charter is available on line.

Attorney McQuillan – The Charter essentially is, as the Chairman says, The Constitution of the Municipality. It's the city's adopted law. It has to stay within the guidelines of the United States Constitution and the Massachusetts Constitution and the

Statutes of the Commonwealth of Massachusetts. It's ours alone by way of our determination as to the composition of our government, A Mayor or an Executive, a City Council as a Legislature. It also denotes the mode of their election or selection. If it's a city manager, it's an appointment. The Charter expresses not only the intent and purpose of the government but also the composition of the government, the mode of its election and the terms of office. It's a legal format as to how the city operates. Every Charter, if you go through the 350 communities throughout the Commonwealth, everyone would have a different Charter. This is essentially ours, catered or sculpted if you will, what we consider to be the needs – the best way to meet the needs of the community by way of the form of government that it represents. It again cannot go. It's a product of the Home Rule amendment of the Massachusetts Constitution. The Home Rule Amendment essentially says you have the right to self govern as a municipality. The only limitation to that is whatever laws you make and whatever provisions you put in your Charter, they have to stay within the confines of the Constitution of the Commonwealth and the Statutes of the Commonwealth. Other than that, you're left to your own destiny sort to speak, your own determination and your own manner of how you are going to conduct business on behalf of the citizens and that's essentially the breakdown if you will of the Charter.

Jim Robertson thanked Attorney McQuillan.

Chairman Pappalardo announced that there are several copies of the City Charter on the table behind the solicitor available for review, copies at the Senior Center and the Library if anyone is interested in obtaining a copy. (It is also on line)

Guy Dambrosio, 19 Glen Ave, stated he is interested in seeing any changes in the Charter for a weaker Mayor and a stronger City Council form of government. He asked, "Do we still want to stay with a Mayor form of government? Or do we want to revert back to a City or Town Manager form of government with a strong Council?" He would like to see all city boards elected by the voters of Methuen and not appointed solely by the Mayor. They should be subject to term limits, especially the two most important boards, being the Zoning Board and the Community Development Board. He feels strongly in giving the citizens of Methuen the opportunity to run for these positions instead of a friend or a relative being appointed. Also, he would like to see all appointments come before the City Council to be voted on. This is very important because its gives the citizens more transparency in their government. These appointments should include all city departments from police and fire to DPW, clerical to seasonal employment as well as any consultants. He then asked for an explanation of "life term limits".

Maureen Donovan said in her estimation of term limits, life term limits, an official serves their term and then they are out of that particular office. An individual could run for a different position.

Chairman Pappalardo asked Mr. McQuillan for his interpretation of lifetime term limits.

Attorney McQuillan said specifically in the Charter, we have term limits for the purposes of the Executive and the Legislative branches. We did have in the books, until recently, an ordinance that anybody serving on board could only do so up to a ten-year period. That ordinance has since been repealed but the term of an appointment is limited by statute. If you are appointed to a Zoning Board you are only appointed for a specific

period of time under law. It doesn't preclude the appointing authority from reappointing that person again. He 's not sure within the context of our Charter and our ordinances if there are any life terms per se. Any board, most if not all the boards, which constitute this government whether it be DPW, especially Community Development or the Zoning Board, Board of Assessors are all creatures of Statute and as creatures of statute, the people who compose the membership of those boards, their terms are specifically limited by statute. It doesn't preclude an appointing authority, whether it's the Mayor by confirmation of the Council, from appointing someone over and over again. Sometimes the reason being because of the person's experience. Sometimes the reason being nobody else has requested the appointment. If that's the situation you are addressing, an appointing authority is not precluded from doing that. It might not be a good idea in some instances but once a person is appointed to a board or commission, its not a lifetime appointment. Law limits it.

Jack Burke, 49 Canobieola Road, spoke about the free petition and initiative petition in our current Charter. He began by quoting from a sitting Councilor who once said "who is he to write laws?" because he actually wrote an ordinance and submitted it. "Who am I?" He's a citizen and under the laws of this state and this Charter, he has the right to free petition. He would like to see that right extended in a much broader fashion. Currently a free petition requires 150 signatures. However, it only requires 50 signatures to run for office from any district and write laws. He would like to see the free petition requirement at 50 signatures. "Why should it be more difficult for a citizen whose interested in his government and his city to propose a law than it is to actually run and sit on the Council?" He stated that he would like to see that reduced from 150 down to 50 and would like to see the City of Methuen be no more stringent than the State of Massachusetts. The City of Methuen requires 10% of the registered voters who participated in the last election to sign any initiative petition. However, the State of Massachusetts says you only need 1 ½ to 2 % of all the voters. He doesn't know why Methuen should be any more stringent for an initiative petition than the State of Massachusetts recognizes by Statute, in law, currently. He would like to see that changed. Mr. Burke said he supports lifetime term limits and lifetime term limits mean that when you run for any one office, Council, Mayor, School Committee, any elected position, after you serve the allotted time which let's take Council, its currently six years, you can never, ever again while you live run for that position again. That's what a lifetime exclusion is in the State of Massachusetts. These actually, though they don't exist in our city, they do exist on the Cape. They're already a number of communities that have them. He understands that it is sometimes a difficult proposition, especially for politicians. Much like the founders of our nation who once said that you should be able to serve either three on and three off or six on and six off. He'd like to see us if we have to adopt a term limit proposition which allows you to come back, it should be capped, if you can run for six years, you have to sit out six years before you can come back. And the reason for term limits, between 1774 and 1788, when our constitution came forth, there was a lot of discussion in the press and a lot of it occurred right here in New England and it works out that there are five major reasons why term limits or what they used to call rotation in office are a good thing to do. One is because it protects the liberties and it's a check on tyranny. It prevents government callousness to the popular interest. It protects legislators individually from the psychological influence of power. It

arrests corruption and it diffuses political understanding widely into the sitting society. He has always supported term limits and still does. He would like to see our government be smaller. He also supports the creation of an independent Sewer and Water Commission, a cemetery commission, a recreation commission and perhaps others. They should be based on support by the existing fee structure. Methuen should not create new fees in order to spin off services. Any service, which is currently supported by a fee structure, should be spun off from the government. And lastly, he wants to see the elimination of primary and preliminary elections because he would like to see proportional representation brought in and instant runoff voted.

Dorothy Kalil said Methuen used to have lifetime term limits. That was changed back in the late 90s where if you were on the Council for six years that was it. You could for School committee. School Committee could run for anything else in the community but you could not come back to the School Committee or Council after your term was up. The Council changed that, by ballot. Council put the question on the ballot, very confusing question, a yes/no question. Yes-meant no. No meant yes. She is in favor of getting that back to the way it was.

John Cronin asked if Mr. Burke wanted the Sewer and Water Commission to be elected.

Mr. Burke said elected or appointed, he doesn't have a preference. It should be up to the Council to decide whether it should be elected or appointed. There is a state law already that could be used to create that.

Kenneth Willette, 2 Canobieola Road, said he's been a beneficiary of the current system of term limits in Methuen and on the losing side of the system in place. He would rather have a system of permanent term limits, six or eight years on the City Council, six or eight years on the School Committee, six or eight years for Mayor because if you have eighteen to twenty four years running collectively between School Committee, City Council and Mayor. That should be sufficient to establish an institutional record to contribute to the process. Hopefully, we'll a definitive question that's presented to the voters, "Do you support permanent term limits?" Maybe six years is not enough for City Council, School Committee, and Mayor individually and you may want to increase it to eight years. Eight years and then you are out, but have permanent term limits. The current system benefits incumbents at times. It confuses the voters at times. He doesn't think it's a healthy system but again, he benefited and was also on the losing side. He served on the School Committee and the Council and is moving over to the School Committee but for the record he wants to have permanent term limits. Also he would like the commission to study something that several communities have called a Finance Commission or Finance Committee. It could be an independent watchdog that would oversee the City Council, the Mayor, and the School Committee, specifically how they conduct finances, either or appointed. He supports some of the suggestions tonight in terms of expanding the number of elected bodies. Methuen currently has the Community Development Board, the Zoning Board of Appeals, and certain bodies that are appointed. There are communities across Massachusetts that have elections for those commissions, which he thinks is healthy to the process. It brings people out on a voluntary basis. It might be first time candidates that decide yes I can contribute to the community development board or to the zoning board of appeals. Just to recap please study the concept of a Finance Commission, please have a definitive question either way whether

you support term limits or are against term limits, have a definitive question on permanent term limits and also consider expanding the number of elected bodies.

Barbara Grondine just for clarification when you were talking about people serving six to eight years, you also said permanent life time term limits. For the position? Or because then you went on to say about they could go from Council to School Committee to Mayor?

Ken Willette said they should collectively have term limits for every body that's elected in Methuen; that could be Nevins Library Board of Trustees, the vocational school committee, the School Committee itself, the Mayor and the City Council. Theoretically a person serves on all these bodies. He doesn't think Methuen should restrict someone serving on other bodies but there should be a time limit. Right now we have six years. That might not be sufficient but its up to the commission and the voters to decide. Maybe eight years would be sufficient, that's why he brought it up. There should be permanent term limits as part of the bargain.

Barbara Grondine asked if he would like to see the Finance Committee made up of professional people who are familiar with finance as opposed to just an ordinary citizen stepping on the board.

Ken Willette acknowledged that's a valid point, but is something for the commission to decide. You might want to have that as an appointed body that is submitted to the City Council for approval but again we have separate budgetary processes. We have the School Committee that undertakes its budget, and then submit it to the City Council, and the Mayor makes his contribution on the municipal side and it's almost like a haphazard process. We don't have that independent watchdog overseeing the process that's saying maybe the contracts are too high, in terms of spending money or there's way of enacting better efficiencies. It would be almost an independent watch dog body that would be commenting on municipal finances, commenting on contracts, would be submitting reports to the City Council, School Committee and Mayor in terms of greater efficiencies within the system. Sometimes elected officials don't have the qualifications, they run for office, versus you want to have someone maybe on that Finance Commission but then it goes into the same line when you talk about having an elected Community Development Board or Zoning Board of appeals. He has the confidence in the voters of Methuen to make a determination that a person has the qualifications to serve on the board and that will be decided by the voters.

Maureen Donovan asked about the six to eight years as term limits. She assumed that it would be two terms.

Ken Willette said he prefers the current concept of two years

Maureen Donovan asked "We wouldn't leave someone in there just for eight years?"

Ken Willette responded, no, and clarified that he supports two years for everyone, whether it be a term for Mayor, City Council, down the line. Haverhill has two years for Mayor. The system is working fine. The City Council has two years that's working fine. He doesn't have a problem with that. He's talking about just the length of the entire years of service would be two year terms, whether its going to be three terms all together or four years to allow for that permanent term limits to take place.

Pat Uliano asked if he could rephrase the watchdog, a Finance Committee or Commission to be a watchdog but then he said the word appointed. That's contradicting what a watchdog committee would do. You are asking for a Council or a Mayor to appoint a watchdog financial commission or a committee.

Ken Willette said he would leave it open to the commission. Jack Burke talked about the Water and Sewer Commission being appointed. Ken said he really didn't have a preference; it would be something that the City Council decides in conjunction with the Mayor. As he stated for the record we should have more elected bodies within Methuen. Now, if that includes a Finance Commission, all the power to that commission to have that elected. If you have something decided at the ballot box, people would be deciding the qualifications of those individuals.

John Cronin agreed with having more people involved in their government and by doing that having elected boards and commission. He wanted to clarify these would be nonpaying.

Ken Willette responded, absolutely. He noted that in Milford, where he currently works for a State Representative, many positions within that community are elected and individuals are not paid. The only one he thinks should be kept as is would be the Board of Assessors because there's a lot of technical involved in that.

John Cronin noted they have to be certified too.

Ken Willette said because of the certification process we couldn't just have someone elected to that position. But they would be non-compensated positions as they currently are right now.

Dorothy Kalil said we've heard a couple of people indicate they want staggered elections. "Are you favorable to that as well? Or you want to keep it?"

Ken Willette responded, no, and said he supports the concept of where everyone on the ballot is accountable. Some incumbents would be voted out and new comers elected. Regardless of the system that you implement, you're always going to have that process.

Phil Lahey, expressed concern about having too many suggestions going onto to one Charter, to be voted up or down. People on the commission were concerned as well that if there are too many items, you can't please everyone, and Charter will be voted down. Certain revisions were discussed as to whether they could be separate questions, such as term limits or other controversial issues. He asked if this was determined.

Chairman Pappalardo deferred to the Solicitor. He said he requested an opinion regarding this coming up at our original organizational meeting.

Attorney McQuillan said if the ultimate recommendation of this commission is to recommend to the voters a revision of the Charter that entails, again, a change in the form of government, a change in the aspect of the composition of the government, term limits, mode of election or appointment, depending again if you're changing the executive from a Mayor to a City Manager or from a City to a Town, the proposed Charter is submitted on those questions as a singular question "Does the citizenry want to adopt a Charter as revised, containing these particular revisions as recommended by this commission?" Again, going to the heart of the composition of the government, how they're appointed or elected, and their terms. Any questions that you want to recommend that are unrelated to that subject matter, expansion of the Board of Assessors from five to seven, a change in the appointment/confirmation process, the commission can list those as a separate

question, with a summary as required explaining the purpose and reasoning behind it. Again, the three aspects of the Charter when it comes to the composition of the government mode of election, term limits, the heart of the Charter, that is submitted as a singular question. If the members make a recommendation regarding any of those three, it is submitted to the voters - will you accept these revisions as such.

Mr. Pappalardo asked if the commission is limited to the amount of words used. He recalled reading a limit of 1,000 words.

Attorney McQuillan noted that he didn't see that in Chapter 43B which is the statute that authorizes the commission to hear, review, revise and change the Charter. The summary should be brief, concise, understandable and reasonable in its length and terms.

Dennis DiZoglio asked if the commission could recommend a series of suggestions for consideration by the voters. If there was a minority report or a disagreement, he asked if that would be an alternative or informational only. He asked how a difference of opinion would be handled in the adoption process.

Attorney McQuillan said the minority report, which is not binding, is not something that would be accepted and made effective by the voters. But either in the summary itself or otherwise the commission can show the dissent, the reasoning, or both sides of the question by virtue of the minority.

Dennis DiZoglio asked what happens to the minority report and if it is something for the citizens to review at their leisure.

Attorney McQuillan said it is something for review.

Joseph Pappalardo noted it would not appear on the ballot.

Attorney McQuillan said the minority report would not go on the ballot. In the past, Charter Commissions have done a minority report and for informational purposes both reports are public and distributed.

Barbara Grondine asked if the commission would be writing the summary that would appear on the ballot and then be reviewed by the solicitor. She said she would like to see it as plain and concise as possible so that there is no confusion as to whether they vote yes or no.

Attorney McQuillan said under the Statute the commission is charged with the responsibility of preparing these summaries. If during the course of your deliberations, the City Council by their vote wants to submit any amendments unrelated to the heart of the composition of the government, the City Solicitor's office is charged with preparing those summaries.

Barbara Grondine asked if the Council would have a say as to what goes on the ballot.

John Cronin asked if there also be a question on the ballot "Do you want to change the Methuen Home Rule Charter? Yes ___ No ___ and put the forms on there.

Attorney McQuillan explained that the way its worded in the Statute itself they provide the format for the question posed – Shall the City of Methuen adopt the revisions of the Charter as submitted by the Charter Commission? There is no provision to ask "Do you want to change your government or not?"

John Cronin said there wouldn't be yes or no on that particular question, just on the contents.

Attorney McQuillan said whatever the commission recommends, to either review or amend the existing Charter.

Dorothy Kalil asked if there was a separate question for term limits when Methuen changed to the Mayor form of government.

Maureen Donovan thought it was combined in the process.

Kenneth Bourassa said he believed it was two issues in one question with a yes or no answer (both issues the way they are)

Joseph Pappalardo asked Attorney McQuillan to research whether or not there were two questions.

Attorney McQuillan said he would double check.

Dennis DiZoglio said it was approved by the City Council and was sent to the Legislature through a Home Rule Petition to place it on the ballot. They authorized putting it on the ballot and the citizens approved it, he believed in 1998.

Attorney McQuillan noted that is how it got out of the Charter Commission process. It emanated through the City Council.

Mr. Vogler said he believed it was a separate question in 1998.

Joseph Pappalardo reiterated that the Solicitor would research and get back to the commission with the information.

Maureen Donovan said comments were made for changing how officials were elected and length of term. She asked if this would be a separate question.

Attorney McQuillan said that goes into the mode of election. It would be a revision within the Charter.

Chair Joseph Pappalardo announced the next regular meeting for the commission is scheduled for January 20, 2010, at 7:00 p.m.

James Hajjar, 52 Arrowwood, spoke in support of term limits. He noted that two years for the Council and Mayor is too short; but two four-year terms would give someone time to get it, get some work done, and then allow someone else to come in. He spoke in favor of the Mayor form of government, having a strong leader the residents can vote into office. Earlier an individual commented on the votes 7 to 2, 8 to 1. As a group the commission should look at the position, not the individual sitting in the chair, now or the Mayor ten years ago. He recalled having the Manager Form of government and noted there was politics involved with that too. He noted that getting the School Committee and Council to work together from a financial standpoint would be an improvement and benefit everyone. It's imperative as a combined group to do the right thing because in the end it's the taxpayers and residents who get penalized. He's not sure if something is already in the Charter regarding bargaining agreements, but it's a good idea to have someone from the City Council involved in bargaining agreements. He spoke of the process involved to become a member of a city board or commission, noting that all these appointments go before Council upon the recommendation of the Mayor. He's not sure if he would be in favor of electing all these positions, signage everywhere, and a lengthily ballot. He's concerned that there are so many boards and commissions, there's going to election overload.

Dennis DiZoglio said it was suggested at the last meeting to have Marilyn Contreas from the Department of Housing and Community Development to attend a meeting. If her schedule doesn't allow it for the January meeting, he'll invite her to the meeting in February.

Chairman Pappalardo thanked the public for their input. He also thanked the Mayor, the City Solicitor, and the Councilor Clerk for their assistance

ADJOURN

MOTION BY: Mr. DiZoglio, seconded by Mr. Cronin to adjourn. The meeting adjourned at 8:30 p.m.

Submitted by,
Linda Gagnon