



City of Methuen, Massachusetts

OFFICE OF THE CITY COUNCIL

The Searles Building • 41 Pleasant Street

Methuen, Massachusetts 01844

TELEPHONE (978) 983-8510 • FAX (978) 983-8975

CHARTER REVIEW COMMITTEE

Thursday, February 13, 2025

7:00 PM

MEETING LOCATION: **Great Hall**
Methuen City Hall
41 Pleasant Street, 3rd Floor
Methuen, MA 01844

MEETING AGENDA

1. **Call to order – 7:00 PM**
2. **Roll call - members present** – Chair Steve Saba, Jennifer Kannan, Sharon Pollard, Dennis DiZoglio and Ian Gosselin – absent – John Cummings and Eleni Varitimos
3. **Acceptance of agenda – Motion to accept by Ian Gosselin, seconded by Jennifer Kannan**
4. **Approve minutes of previous meeting Jan 9, 2025 – Motion to approve** by Ian Gosselin & Jennifer Kannan – **unanimous** - & Jan 23, 2025 – **Motion to approve** by Ian Gosselin, seconded by Jennifer Kannan – Discussion – Sharon Pollard asked for “his” term of office changed to “their” in Section 3-1 (a) of the charter – **motion to approve as amended – unanimous.**
5. **Public Participation - none**
6. **Open discussion on the process of reviewing the Charter** – Chair Saba checked with the Mayor Beauregard regarding the City Solicitor’s and Assistant City Solicitor’s communication regarding work with the Mayor’s office. There’s no issue. All Assistant Solicitors and outside Counsel’s legal work should be communicated through the City Solicitor’s office regarding legal work in Methuen. Jennifer Kannan mentioned that she asked Lisa Ferry to share some links from the MMA website with the Charter Review Committee. She thinks the links to the videos could be very helpful to the CRC moving forward.
7. **Review of Article 4 of the Home Rule Charter**

ARTICLE 4 – SCHOOL COMMITTEE

Section 4-1. Composition; Eligibility; Election; Term.

- (a) Composition – There shall be a School Committee consisting of seven members, six of whom shall be nominated and elected at large, and the Mayor who shall serve as the seventh member of the School Committee. The Mayor shall also serve as the Chairman thereof with full power to vote. The School Committee shall exercise control and management of the public schools of the City. (Mayor as ex-officio Chairman approved by the voters November 5th, 1996; see Resolution #3745 and Chapter 148 of the Acts and Resolves of 1996). **NO CHANGES**

There was extensive discussion regarding the Mayor's role on the School Committee and whether or not they should be Chair of the School Committee. The CRC agreed to not make changes at this time.

- (b) Eligibility – ~~Only voters shall be eligible to hold office of School Committeeman member. A school committee member shall, at the time of election, be a voter. If a school committee member removes from the city during the term for which that person was elected, that office shall immediately be deemed vacant and filled in the manner provided in section 4-6.~~ **Motion to add language from 2019 CRC draft by Jennifer Kannan, seconded by Ian Gosselin. Discussion – Ian Gosselin thought the last sentence was redundant. Motion to approve as amended – Unanimous.**
- (c) Election and Term – The terms of School Committeemen shall be two years, beginning the first secular day in January after election, **except when that first Monday falls on a legal holiday, in which event the term shall begin on the following day** and until their successors are qualified. No person shall hold the office of school committee member for more than three consecutive years **terms.** (Establishment of term limits approved by the Legislature, September 24th, 1999, Chapter 82 of the Acts and Resolves of 1999 and adopted by the Voters November 2nd, 1999). **Motion to amend by adding language from 2019 CRC draft by Jennifer Kannan, seconded by Dennis DiZoglio – Unanimous.**

Section 4-2. Organization.

- (a) The School Committee shall annually organize by the election from among its members ~~a Chairman, a Vice Chairman and a Secretary.~~ **The mayor shall be eligible to serve as an officer of the school committee. The method of election of the chair Vice-Chair and Secretary shall be prescribed within the rules of the school committee. The Vice Chairman shall preside at all meetings of the committee in the event of the absence or the disability of the Chairman. Motion to amend using the 2019 CRC draft language and by adding Section 4-2 (a) and by deleting the reference of the “chair” by Jennifer Kannan, seconded by Ian Gosselin – Unanimous**
- (b) **Powers and Duties - The chair shall prepare the agenda for school committee meetings. The chair shall preside at all meetings of the school committee, regulate its proceedings and decide all questions of order. The chair shall appoint all members of the committees of the school committee, whether special or standing. The chair shall have the same powers to vote upon measures coming before the school committee as any other member of the school committee. The chair shall perform any other duties consistent with the office that are established by charter, ordinance or other vote of the school committee. Motion to amend by using the 2019 CRC draft language for section 4-2 (b) by Jennifer Kannan, seconded by Dennis DiZoglio – Unanimous.**

Section 4-3 Prohibitions

No **currently serving** member of the School Committee shall, ~~during the term for which he was elected, hold any other compensated city position. office or City employment under the jurisdiction of the School Committee.~~ **No former member of the school committee shall hold any compensated city/school office or city/school employment until 1 year following the date on which that member's service on the school committee has terminated. nor shall he be eligible for appointment to any compensated City office or City employment under the jurisdiction of the School Committee until one year after the term for which he was elected has expired.** This ~~provision~~ section shall not prevent a city/school officer or other city/school employee, ~~under the jurisdiction of the School Committee, who has taken a leave of absence vacated a position from such~~

duties in order to serve as a member of the School Committee from returning to such the same office or other position of city/school employment held at the time the position was vacated; provided however, that no such person shall be eligible for any other municipal position until at least 1 year following the termination of service following such services as a member of the School. **Motion to replace Section 4-3 - General Powers and Duties with the 2019 CRC draft language Section 4-5 Prohibitions section by Jennifer Kannan, seconded by This section was discussed at great length. The Charter Review Committee would like this section forwarded to the UMASS Collins Center for review and to weigh in on increasing the prohibition from 1 to 2 years.**

Section 4-4. Location and Erection of Schools; Approvals Required.

No site for a school building shall be acquired by the City unless the approval of the site by the School Committee is first obtained. No plans for the construction of or alterations in a school building shall be accepted, and no work shall be begun on the construction or alteration of a school building unless with the approval of the School Committee and the Mayor. The Mayor shall notify the School Committee in writing prior to or at the time of each change in plans after work is begun. This section shall not require such approval for the making of ordinary repairs. **NO CHANGES**

Section 4-5. Compensation

The city council may, by ordinance, establish the compensation for the elected members of the school committee. No ordinance increasing or reducing the compensation of elected members of the school committee shall be effective unless it has been adopted by a 2/3 vote of the full city council. No ordinance increasing or reducing the compensation of the elected members of the school committee shall be effective unless it has been adopted during the first 18 months of the term to which elected school committee members are elected and unless it provides that the compensation increase or reduction is to take effect upon the organization of the city government following the next regular city election. **Motion to adopt language from 2019 CRC draft Section 4-5 Compensation by Jennifer Kannan, seconded by Dennis DiZoglio – Unanimous.**

Section 4-6 Charter Objection

On the first occasion that the question on adoption of a measure is put to the School Committee, if a single member objects to the taking of the vote, the vote shall be postponed until the next meeting of the School Committee whether regular or special. If ~~two or more other~~ three members shall object, ~~join the member in objection~~, such postponement shall be until the next regular meeting; but for an emergency measure, at least four members in all must object. This procedure shall not be used more than once for any matter bearing a single docket number notwithstanding any amendment to the original matter. **Motion to adopt language from 2019 CRC draft Section 4-5 – Charter Objection by Jennifer Kannan, seconded by Dennis DiZoglio – Unanimous**

Section 4-3 4-7. General Powers and Duties.

The School Committee shall have the powers and duties which are conferred on School Committees ~~have under by~~ the General Laws and ~~may have such the~~ additional powers and duties provided by charter, as the City Council may, by ordinance, or otherwise and not inconsistent with the General Laws. ~~from time to time assign.~~ The powers of the School Committee shall include: ~~but not be limited to, the power to:~~
(1) appoint Selecting and removing a Superintendent of the schools who shall be charged with the administration of the school system, subject only to policy guidelines and directives adopted by the school

committee and, upon recommendation of the Superintendent, to establish and appoint assistant or associate superintendents as authorized by the General Laws;

(2ii) ~~appoint all other officers and employees connected with the schools, except as otherwise provided by this Charter, fix their compensation and define their duties, make rules concerning their tenure of office and discharge them;~~ making all reasonable rules and regulations for the management of the public school system and for conducting the business of the school committee as deemed necessary or desirable;

(3iii) adopting and overseeing the administration of an annual operating budget for the school department, subject to appropriation by the city council; provided, however, that the school committee shall have general charge and superintendence of all school buildings and grounds and shall furnish all school buildings with proper fixtures, furniture and equipment unless a central municipal maintenance department, which may include maintenance of school buildings and grounds, is established;

(4iv) ~~make all reasonable rules and regulations consistent with law, for the management of the public schools of the City and for conducting the business of the Committee.~~ provided further, that whenever the school committee shall determine that additional classrooms are necessary to meet the educational needs of the community, at least 1 member of the school committee, or a designee of the school committee, shall serve on the agency, board or committee for the planning or construction of the new, remodeled or renovated school building. **Motion to approve changing Section 4-3 to Section 4-7 by Ian Gosselin, seconded by Jennifer Kannan – Unanimous. Motion to adopt language from 2019 CRC draft Section 4-6 – General Powers and Duties by Dennis DiZoglio, seconded by Ian Gosselin – Unanimous.**

Section 4-68. Filling of Vacancies.

Immediately following posting of the certified results of an election, the City Clerk shall immediately inform the Mayor, Superintendent of Schools and School Committee members if a vacancy occurs in the office of a School Committeeman member, whether by failure to elect or otherwise, the remaining School Committeemen members shall immediately, within twenty-one days following the date such vacancy is declared to exist, act to fill the said vacancy. The School Committee shall elect as acting School Committeeman member whichever of the defeated candidates for election to the School Committee who received the highest number of votes at the last regular City election immediately preceding the date the vacancy is declared to exist, and that person who was next in line and was certified and received at least twenty (20) percent of the total votes cast lowest vote getter's ballots for the office at such election, and who remains eligible and willing to serve.

There being no such person, the School Committee shall make an application for candidacy available in the City Clerk's office and post said application on the City of Methuen's website. Within 21 days, the School Committee shall announce and schedule a public hearing to hear from the applicants who wish to fill the vacancy. Then the School Committee will vote amongst the applicants, to be choose from among the voters an acting School Committeeman member to serve the balance of the unexpired term. If such choice is not made as hereinbefore provided within the said twenty-one days, the choice shall be made by the School Committeeman member senior in length of service, or if there be more than one such, by the School Committeeman member senior both in age and in terms of service. Any person so chosen shall be sworn and commence to serve forthwith. No vacancy shall be filled, in the manner hereinbefore provided, if a regular City election is to be held within one hundred twenty days following the date the vacancy is declared to exist. **Motion to change Section 4-6 to 4-8 Filling of Vacancies and to adopt language from Section 2-6 – Filling of Vacancies and exchange Councilor with School Committee member by Jennifer Kannan, seconded by Ian Gosselin – unanimous.**

Section 4-79. Budget Hearing.

(a) ~~At least thirty (30) days before the meeting at which The School Committee is to vote on the~~ shall submit its annual budget request which it will submit to the Mayor for inclusion in the budget he is required to submit to the City Council, following the directions of the chief administrative and financial officer as stated in Article 6, s. 3.

(b) Upon submission of the School Committee's budget request prepared and submitted as required in (a) above, the School Committee shall cause to be published in a local newspaper and shall post on the city website and the School Department official website, a general summary of their proposed budget and the date of the hearing thereon. The summary shall indicate specifically areas of increase from the present budget, if any, and the reasons for such changes and a notice stating (1) the times and places where complete copies of their proposed budget will be available for public examination, and (2) the date, not less than seven nor more than fourteen days following such publication, and the place at which a public hearing will be held by the School Committee on their proposed budget. ~~The School Committee shall submit its annual budget to the City Council for approval in the following format: Expenditures for each individual school building in the City, including administration, if any, shall be broken down categorically by line item. Example: Teacher salaries, custodial salaries, teacher aide salaries, teacher supplies, maintenance supplies, etc.~~ **Motion to adopt language from 2019 CRC draft Section 4-8 Budget Hearing by Ian Gosselin, seconded by Jennifer Kannan – Unanimous.**

Date of next meeting – February 27, 2025 at 7:00 PM in Great Hall.

Motion to adjourn the meeting at 8:20 PM – unanimous.

Respectfully submitted,

*Lisa Yarid Ferry
Assistant City Council Clerk*