

Methuen City Council – Regular Meeting

Monday, May 1, 2023 – 7:00 pm

Great Hall, Searles Building, Third Floor

41 Pleasant Street, Methuen, MA 01844

Chair Zeigler called the regular meeting for May 1, 2023, to order at 7:00 p.m. Members Present: Clr. DiZoglio, Clr. Faretra, Clr. Finocchiaro, Clr. McCarty, Clr. Saba, Clr. Simard, Clr. Beauregard, and Chair Zeigler. Councilor Saffie was absent.

Acceptance of the Agenda

MOTION BY: Councilor Simard, seconded by Councilor Faretra to accept.

Councilor Finocchiaro said yesterday afternoon she noticed some of the measures on our agenda tonight did not have the backup documents. The financial impact statement was also not available until today. She is going to make a motion to remove those items in accordance with Council rules. She also did not want to have the full discussion on every single item that was relevant to. She will respect the vote result.

MOTION BY: Councilor Finocchiaro, seconded by Councilor Simard to remove the following items from the agenda due to the backup documents not being in on time with Council rules and to be placed on our next regular agenda. C-23-75 Neptune Uniforms and Equipment for \$140,000, C-23-81 MHQ, Inc. for \$129,100.38., TR-23-22 Resolution to Require Collective Bargaining Agreements (CBAS) posted on the City Website 10 Days in Advance for Public Review with Tracked Changes, and Required Report by the Chief Administrative and Financial Officer (CAFO) or Designee, Prior to the First Vote on Said CBA (Req. of Clr. Finocchiaro, Co-sponsors Clr. Saba, Clr. Simard, and Clr. James McCarty)

Councilor Faretra said as far as the financial impact statement, the Council was made aware ahead of time that the CAFO was on vacation and Council would not be getting that statement until today. That should not have been a surprise to anyone that we were not going to get that financial impact statement. If that was going to be the issue, we should have postponed the meeting. Council should not be tabling items because we did not have a financial impact statement in time. We should have postponed the meeting if that was the case. The backup documents are a different story. We are hamstrung because we do not take care of this ourselves. We depend on other departments. People can take vacations. We cannot hold that against other people in the city when they can take vacations if we are not willing to have to take things on ourselves and get things posted.

Councilor Finocchiaro agreed that everyone should have the right to go on vacation. There is no animosity here. That is just what the rules say. She was not in receipt of that email. The CAFO mentioned in her email that was sent to only the Council leadership. This past week and a half have been a documented issue with emails and the receipt of emails. She can say that she did not receive the email until after reaching out over the weekend about the financial impact statement. Council has a rule that says it needs to be in by Friday. Otherwise Council does not vote on the items. That is the only reason she is putting forward a motion to table.

Councilor Beauregard said he has been able to review the financial impact statement and feels he is able to cast informed votes on each of these items. He is concerned that Council would defer the work that needs to be done. That is why these items are in front of Council. He is going to vote against removing these items. The business of the city must go on.

Councilor Saba said he has the information he needs. It was included in the packet. Council has information. He suggested that in the future when the Chair gets the titles and before she allows them to go on the agenda, she should ensure that Council is going to have the backup documents. Someone going on vacation should at least have everything ready before they leave

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so Council can have all the information. The important thing is that Council has all that information in their packets.

Chair Zeigler explained the documents were sent by the Council Clerk last week. There has been issues with the emails. It was not received by the administrator to put on the website. That is what caused the delay. All the Councilors did receive the packets in advance of this meeting and are fully aware of what we are voting on tonight.

UPON ROLL CALL VOTE: 3 yes, 5 no (Clr. Faretra, Clr. McCarty, Clr. Saba, Clr. Beauregard, and Clr. Zeigler)

Councilor Finocchiaro noted the Mayor, at a previous meeting, pulled the appointment when one Councilor was absent from the meeting, stating that they wanted to make sure that the full Council weighed in on the appointment. Since another Councilor is absent from the meeting and we have appointments, applying that same standpoint it makes sense that Council should table both appointments since the same has occurred. It is just a different Councilor.

MOTION BY: Councilor Finocchiaro, seconded by Councilor Faretra to table appointments.
UPON ROLL CALL VOTE: 4 yes, 4 no (Clr. McCarty, Clr. Saba, Clr. Beauregard, Clr. Zeigler)
Motion failed.

MOTION BY: Councilor McCarty, seconded by Councilor Simard to accept the agenda.
UPON VOTE: UNANIMOUS.

Pledge of Allegiance/Invocation/Moment of Silence

Everyone stood for the Pledge of Allegiance and Invocation given by Chair Zeigler.

Organizational Business

Update on Audio System in Great Hall – Chair Zeigler explained this is Council’s second meeting with “push to talk”. Council will continue with this method of conversation. Methuen Community Studios is also finalizing their vendor choices for a new audio system. We should have that in the next week or so. she will share that with the Council. The intention is for us to have a vendor chosen within the next couple of weeks. But the switch out of the new microphone system is not going to take place until the summer after budget season occurs.

Reading and Acceptance of Minutes from Previous Meetings April 18, 2023 – Regular Meeting

MOTION BY: Councilor Simard, seconded by Councilor Faretra to approve.

Councilor Finocchiaro noted that the report, requested by a resident, is attached to the meeting minutes.

UPON VOTE: 8 yes, 1 absent (Clr. Saffie)

Proclamations/Correspondence:

Citation for Methuen Softball Team – Chair Zeigler explained this was a request of the Methuen Softball Team which had their opening day a couple of weeks ago. Several Councilors were present during that event. Several team members received scholarships. This is recognition with regards to the scholarships received. Chair Zeigler read the names into the record: Lea Lynch recipient of Connie Doto Leadership Award, Ayanna Latulippe recipient of Methuen Girls Softball League scholarship, Chantelle Chirwa recipient of Methuen Girls

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Softball League scholarship, Brooke Tardugno recipient of Methuen Girls Softball League scholarship, Abigail Frost recipient of Methuen Girls Softball League scholarship, and Jamie Slattery recipient of Methuen Girls Softball League scholarship,.

MOTION BY: Councilor Simard, seconded by Councilor DiZoglio accept and to recognize these scholarship recipients.

Councilor Simard thanked the coaches, the parents, and the volunteers of Methuen Athletics and fabulous job they do, all the hours they put in. These scholarships would not be before Council if it were not for the parents and the support they get from our athletic leaders in the city.

UPON VOTE: 8 yes, 1 absent (Clr. Saffie)

Citation/Proclamation for Methuen Rangers Wrestling Team proposed by Councilor Finocchiaro and Councilor Saba

Councilor Saba and Councilor Finocchiaro read the Proclamation into the record. Each team member received individual citations: Antonio Rios, Noah Beshara, Michael Carmona, Jared Rao, Gabe Fonseca, Dom Gangi, Vincent DeMaio, Jariel Julio, Cael Keough, Joe Bolduc, Joe Tavares, Jeydany Ortega, Josirus Gomez, Asher Polanco, Vincent Jimenez, Anthony DeMaio, and Shane Eason.

MOTION BY: Councilor Faretra, seconded by Councilor Simard to accept.

UPON VOTE: 8 yes, 1 absent (Clr. Saffie)

Coach Bill James, MHS, thanked the City Council for recognizing the wrestling program. The student athletes on the team started in late November and ended in early March, three months of hard work and dedication. One of our most dedicated, hardworking teams. They have accomplished great things in the past and sometimes they expect to. Other times it is a little bit surprising a little bit of an underdog role. This year we were underdogs necessarily than favorites. It is extra special when you climb the ladder through the season and do well. The main varsity wrestlers that were in the program this year that were key contributors: Antonio Rios, Dom Gangi, Joe Tavares, Anthony DeMaio, Vincent Jimenez, Cael Keough, Noah Beshara, Vincent DeMaio, Jeydany Ortega, Shane Eason, Joe Bolduc, Jared Rao, Michael Carmona, Jariel Julio, Josirus Gomez, Gabe Fonseca, and Asher Polanco. He also thanked the Methuen Public Schools administration Principal Nick Barden and Matt Curran. They allow the team each year to host their own individual tournament and many years they host MIA tournaments. They bring in wrestlers all over the state and sometimes from New England. The team and their parents always do a great job and represent our town well. The team appreciates their system and the support. Most importantly they appreciate the parents and athletes that chose our programs. They have done a great job this year.

Chair Zeigler read the citation for Head Coach, Bill James.

MOTION BY: Councilor Saba, seconded by Councilor Simard to declare a brief recess.

UPON VOTE: 8 yes, 1 absent (Clr. Saffie)

Chair Zeigler called the meeting back to order. Members present: Clr. DiZoglio, Clr. Faretra, Clr. Finocchiaro, Clr. McCarty, Clr. Saba, Clr. Simard, Clr. Beauregard, and Chair Zeigler. Councilor Saffie was absent.

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Consideration of Appointments:

Larry Giordano – Licensing Board

MOTION BY: Councilor Faretra, seconded by Councilor Simard to approve.

Councilor Finocchiaro asked the Solicitor to inform Council about this situation where we have been told that the person who is currently in the seat their appointment is still valid for this duration. The documentation says that the appointments are required to be for six years. The appointment was not made for six years in this one instance even though it says that is what we are required to do that. This candidate is well respected, a pillar of the community, over-qualified for the position. She has no issue approving, but she wants to understand better and have it on the record so that we are all clear when we vote: “Is there a space available for that position?” The other individual was invited to resign. To her, that begs the question of not having an expired appointment. Council received information and letters as well as a letter from the Chair of the Licensing Board who provided some consternation about this in support of the previous individual. She wants to understand if there is a space for this individual.

Solicitor Rossetti said, the CAFO, the Mayor, and City Clerk are also present tonight in case he has missed anything. He explained the commission is a three-person commission and the office under consideration for tonight is one presently held by Mr. DiGloria in a hold over capacity. Mr. DiGloria first came to being on the Licensing Board following the resignation of a former commissioner, Mr. Piemonte. Mr. Piemonte resigned in 2014. That is when Mr. DiGloria came to be on the commission. Mr. Piemonte’s term was due to expire in 2015. The elevation of Mr. DiGloria in 2014 granted him the ability to serve at least until 2015, meaning the end of Mr. Piemonte’s term. He continued to serve beyond 2015 as a holdover. That was okay. A hold over refers to someone occupying an office after the expiration of the term of the office. Massachusetts General Laws, Chapter 138, Section 5, governs the terms of a local licensing authority for alcoholic licensing. It specifically references the fact that a member serves for a six-year term and until a successor is qualified. That reference to “until a successor is qualified” renders the ability of an office holder to remain in the position until a successor is qualified. Our Home Rule Charter has a provision, Section 10-2 of the Charter, has a hold over provision that specifically says “if you are on a board or commission, you have a term that expires, you continue to serve until your successor is qualified. In Mr. DiGloria’s case, he was serving in a hold over capacity passed 2015. 2019 rolls around, Mayor Jajuga appoints him to serve on the commission. It was fully permissible for Mayor Jajuga to make that appointment. However, the submission of the appointment did not reset the clock on the term. The term went back to 2015. Effectively in 2019 your four years into the six-year term, running from 2015 to 2021. When Mr. DiGloria is appointed and approved in 2019, the effect of that vote was to allow him to serve as an office holder, not simply as a hold over, an actual office holder until 2021, when that term expired. Once Mr. DiGloria continued to serve past that expiration of the term in 2021, he served in a hold over capacity, which means he could continue to lawfully serve but only until his successor is qualified and succeeds him in office. In his view, the appointment is appropriate. It is not a question of fitness or lack of fitness. The Mayor, under our Charter, has charge of appointing authority for these boards and commissions and likewise the power to

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supervise these commissions. The appointment is appropriate and consistent with the laws governing appointments to a local licensing authority as well as the Mayor's appointment is consistent with his authority under the Charter to make appointments to and to supervise boards.

Councilor Simard thanked Mr. DiGloria for his dedicated service to the licensing commission and for stepping up when needed. Larry Giordano is a great pick by the Mayor given his public safety career. He will make the right decisions moving forward for the citizens when it comes to public safety and giving out liquor licenses.

Councilor Finocchiaro asked the Solicitor if all these appointments could be reviewed. When she looks back when that appointment was made in 2019, the appointment Council was given was until 2022. Either the Charter was not being followed then or it is not being followed now or some other kind of issue. The Charter very clearly states in Section 3-23 that the appointments are only for six-year terms and it is always supposed to be staggered which does not appear to be the situation. There is no reason why people would not be confused about this. She asked the Solicitor to review the individuals we currently have and try to understand if we are conforming to the Charter, if their appointment when it was made was conforming to the Charter and if there is any other new information that he could update the Council.

The Solicitor said significant research was undertaken to verify the information that he presented this evening. He cannot speak for why in 2019 Mr. DiGloria's appointment was presented as a three term. That was erroneous. Due diligence was done to verify the information he gave tonight. As for the timing of the appointments, that is an ongoing effort.

Councilor Finocchiaro thanked Mr. DiGloria for his service and Mr. Giordano for accepting the appointment.

Councilor McCarty asked how many votes are needed for this appointment. Council is talking about dates, 2014, 2015, six-year terms. He believes there is something on the books that says if a board or commission member his term is set to exceed ten years, there is an extra vote that is needed by the Council.

The Solicitor explained the only potential for that to be triggered is if you have the same person up. You are talking about the ten-year bar. There would be no application for that bar in this instance because Mr. Giordano has not been serving on the licensing commission for ten years. In terms of the quantum of votes necessary, for an appointment to a board you would need five votes of the Council no matter what the quorum is. If you have nine members, five votes are required. If you have a quorum of five, all five members would have to approve the appointee.

Councilor DiZoglio you said something about potentially looking at all the 2019 appointments.

The Solicitor responded, no, just looking generally making sure that everything is, records are reviewed, and double and triple checked to ensure timing of all expiration terms and the like are current.

Councilor DiZoglio noted this Council has asked multiple times, in general, on the actual term limits on some of these commissions and appointments. With this situation coming to light, we really do need to do a full audit because Mr. DiGloria has been a very involved person in this. He thanks him for his service. But for someone like this to not understand the situation. He

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asked: “How many of our other appointments could be in the same situation?” “Are there any other appointments that you could see coming up or people that have been appointed be in the same situation?”

The Solicitor said he is not aware of any. He deferred to the City Clerk, Mayor, or CAFO if they have any information, they wish to share on that.

City Clerk, Anne Drouin, said her office and the Mayor’s office is going through every board making sure the people have the right dates. They have been working on this for two months and it is probably going to take another two months. Each board has different expiration times. Some have three years, seven year, or four years. They have done four boards right now and have seven more to do.

Mayor Perry said they are actively doing a review of all dates. The boards and commissions times three years, six years, they vary by board. Not every board and commission have a six-year appointment. That is actively ongoing and has been for quite a while to get to the bottom of all the board members and he goes back to this administration has brought to the table over forty new members of various boards. That is the charge that this Council asked for. They took that seriously and are still taking it seriously.

Councilor DiZoglio said he is not questioning the number. It is something that we needed done. He wants to make sure there is no other hidden situations. Based off what the Mayor and the City Clerk said, he is looking forward to seeing the audit because it is important that all our boards and commissions are in line correctly.

Councilor Saba recommended that the City Clerk update that list, update the website because all the dates are off.

City Clerk stated they will.

Councilor Saba said he looked at the January 22nd, 2019 meeting. The only thing that concerns him is that it was presented to the Council as a three-year reappointment. He does not understand why the previous Mayor would put that out in the middle of a term basically just to confirm or we voted to agree that someone is already serving. That made no sense. He does have that question. He spoke with the Solicitor about it. As far as he saw, Council voted on a three-year term in 2019. If you go by that, the term still would have expired January of this year. He does not think that, whether that is right, should be a side issue right now because Council has been presented with a new candidate. Council’s job is to vote yes or no to that appointment. He is ready to vote tonight.

UPON ROLL CALL VOTE: 8 yes, 1 absent (Clr. Saffie)

Marc Jordan, Superintendent, DPW Environmental Division

MOTION BY: Councilor McCarty, seconded by Councilor Saba to appoint.

Councilor DiZoglio said he has received some calls about this appointment. People have asked his public opinion, but he waited until the actual appointment. This is not the fault of the candidate. This is the fault of our HR Director who is no longer here. The way a candidate goes through the application process is that they are reviewed after they apply and the people that are appointed to oversee that interview, should be 1) qualified and 2) also the manager. The manager

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did qualify this person because they are putting him up for an appointment. But the HR Director, in his world the recruiter, or whoever is reviewing the resumes, their job is to vet the best candidates and provide that to the manager. In his professional opinion, Council should be voting on the candidate tonight, not what the HR Director did. As someone who is an HR Director currently, he is glad they have come to some remedy here in this administration on where we are going with our HR department. He is looking forward to seeing those candidates and who the Mayor will appoint to this role because he will be critical on it. He was critical with the job description too. This should not be on the candidate.

Councilor Faretra read Councilor Saffie's email into the record (attached).

Councilor Faretra agreed with a lot of what Councilor Saffie said. He was on a board for a similar position, to what ended up hiring Superintendent Angelo. There were six of them on that hiring committee to pick the best candidate for that role. For the candidate before Council tonight, there was two people, the HR Director, and the Director Bower. "Why are there different rules for different jobs?" It is the same position, but we are having a committee of six people to hire for Recreation, but only two people to hire for Environmental when they are the same on the hiring scale. If you talk to anybody in city hall, when we have talked to the people, they all agree that the process was flawed. But, we will just do better next time. Do better now. Just repost the position. If the candidate is the same, that comes before Council in 90 or 60 days, then Council votes him in. This goes back to why most of Councilors are at this table. We all were disgusted with how things were done in the past. So, we are just going to say yes to how things were done in the past and just expect it to change in the future. That is what brought in a lot of these problems to begin with is expecting things to change. If we continue to do things how they have always been done, things will never change. It is not a vote about the individual. It is a vote on the process. The process was extremely flawed. There were many individual candidates who never even got a call back. There were candidates that applied for multiple positions in the city who never even got a call, not even a courtesy email saying we received your application. She knows she is not here. But she admitted candidates that were interviewed were not qualified. Highly qualified candidates, with multiple years of experience working in other municipalities in this position were overlooked, just to give people experience that worked for the city. That is not how a city should be run. As a multi-million-dollar company we should not just be giving somebody an interview because they work for the city and passing up another highly qualified individual that could help this city go forward. If the process is flawed and we know the process is flawed and we are just going to continue to vote yes because people say they are going to do better next time. That is how we got into a lot of these messes that we are dealing with right now that we are asking these other agencies to dig us out of it.

Mayor Perry respectfully said when Councilors say the process is flawed, that is an unfair statement. Councilors smear this administration by saying that we just want to promote internal people and that is not the case. It has been proven over and over. Chief McNamara is in the room tonight. The Mayor said he listened to all kinds of comments when the Chief was appointed. "Who in this room right now could not say he was the best candidate for that job and he's doing the best job? Who in this room is a better judge of who an environmental superintendent should be than Pat Bower?" Councilors are sitting there telling the department

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head, the man he trusts the most with decisions, the man he turns to when there is a question, you are telling him that his opinion does not matter. The Mayor said he has a list of things Marc Jordan has done since he was working as the acting superintendent. And all Councilors are saying is the process is flawed. Usually six people should not be in an interview. If you go to the best HR, they tell you, you do not do an interview with six people. That is not how it works. If you look at what we did with the police chief, for example, there were multiple interviews. There was a first-round interview, then a second-round interview that included Councilor Simard, and then there was the final interview that was the Mayor and Acting Chief McInerny. The decision was made by the Mayor and Acting Chief McInerny on who the best candidate was for the job. You may say you are not smearing the candidate, but you are smearing the candidate and you are smearing him when you write those words and when you say those words. Mayor Perry said he does not put anybody before the Council that he does not think is qualified to do the job. Mr. Jordan is qualified to do the job. Some Councilors are pulling for another candidate and that candidate is not going to get the job no matter what Council does tonight because he is not as qualified as Mr. Jordan or maybe somebody else. If you want to vote no, vote no. Do not politicize this process. Because this individual that Pat Bower brought to him, you can say what you want about HR because she is moved on, and we need to do better. The process itself is not flawed. This is the right candidate. You can vote no if you want but it is the wrong thing to do for the city. We pledged to do the right thing for the city in everything we do. He does that with everything he brings before Council so do not ever tell him that what he does is not for the good of Methuen.

Councilor Faretra said for the record you are saying that none of those candidates that got a call deserved to be interviewed. None of the external candidates you feel deserved that they should have been interviewed for this role.

Mayor Perry said there was one that should have been interviewed. He does not know that person would have gotten the job.

Councilor Faretra no one does because you just admitted the process was flawed. People that should have been interviewed were not interviewed.

Councilor Simard said he agrees with the Mayor and Councilor Saffie. Mayor Perry said it, HR, and that is his problem. He trusts Pat Bower. He is an excellent DPW Director and trusts his judgement. He got many calls in favor of Mr. Jordan and a few calls not in favor of Mr. Jordan. He takes everything with a grain of salt and for the record, he appreciates when city employees call him and give him their opinion because he needs to be educated in certain areas that he's not familiar with and he appreciates that as a city councilor. He said please contact him whenever they feel necessary. He trusts Pat Bower's judgement but does not trust HR. He is glad that we are moving forward and feels we should start over. He is a no vote for that reason.

Councilor Saba said he disagreed with the process being flawed. Any search committee that he participated in and he has done a lot of search committees. In fact, as a Council, we did our own search committee when we had a search committee for the Solicitor. There were applicants that we just threw them out and just did not call them in for an interview. The committee had their criteria of what they were looking for and there were some that were not called. Others did come in for interviews. At the end of the day we recommended to the full

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Council and Council approved that recommendation. He asked the Director how the candidate's attendance has been.

Director Bower said his attendance is excellent.

Councilor Saba said he spoke to the Mayor about the one issue of the distance and how the candidate is going to handle that.

Mayor Perry explained we already use a turn-around time in storms that all the superintendents comply to. They must be here within X amount of time. Councilor Saffie is saying she would vote against that. He is pretty sure it is already in the superintendents' CBA that they have thirty or forty minutes to get back to the city in the event of a storm or any major event. The candidate has relatives that live in Methuen. If there is a forecast storm, he is going to stay with his relative and he is not going to take home a vehicle out of the city. Those are things that he agreed to as part of wanting to get this job. He is the right candidate for the job.

Councilor Saba said this candidate has been before Council off and on for over six months. Council has had appointments from the Chief of Police or from the Fire Chief that we may not have all agreed but at the end of the day have said if that's the person he wants for this job they would to support that. For some reason we have a different attitude with DPW. For some reason that department takes a beating from certain Councilors every time something comes up and it makes no sense. He stated for the record he no longer has a relative working at DPW and will stand up better for them now. They have lost three of their most experienced drivers in the past month and they are not replacing anyone. "Who wants to work for a department in this town that's getting criticized every step of the way by City Council and by people on social media? Who wants to work under those conditions?" We have had six months of this. If the DPW Director and the Mayor want to put this candidate before Council, then who are we at this point. We have already run all these arguments through. He spoke with the HR Director when she was still working here over the process. He got through that and moved on. Council must do what's right on this candidate and start showing some support for the leadership of DPW. When people do not get their streets plowed, people do not get trash pickup, people do not get things filled in because the answer is, we do not have help because we cannot hire people. We are going to point and start blaming DPW again. If the Mayor and the DPW Director puts a candidate before Council as far as he is concerned, it is their department. They are responsible, just like the Police Chief is for his department or the Fire Chief is. He is 100% supportive of this candidate. He has gotten pro calls for him. He had one family member call. He believes this is more about political positioning and wanting to help somebody else come in. The Mayor has made it clear that person is not going to come in. There is more to just a resume. There is the interview process. There are references. There is a lot more to hiring someone. He is supporting this candidate.

The CAFO said, as an outside piece of this puzzle, where she does not work directly with superintendents all the time, just from what she has seen in his interim role. She has seen amazing communication. He is requested meetings with her to discuss budgets about projects. She has seen progress on those projects, sticking to budgets, then transparent with what he is trying to do, looking to do, and come up with plans. She has been very impressed with what she has seen so far.

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Councilor Finocchiaro agreed with Councilor Saba when he said it was sad to see some of the criticisms of the DPW. She disagreed that Council making an objective vote, whatever that may be for or against, she does not believe that somehow indicates that we are not supportive of DPW. This Council has tried to make strides in that area. Year after year, she votes against the DPW budget and explains that it needs to be dramatically increased for us to have the level of service we are expecting and for safety reasons and to stop losing great employees. That, to her, is a separate issue than what we are talking about today. She agrees with the statements around those issues. When this first came up, Council was getting calls. She does not personally know him, but she has asked around. He is very well respected by his colleagues in DPW, by people she respects. The concerns she had were to do with the process, some of which has been specified. The city always needs to be concerned about liability and a variety of other things. The process is the issue. The information that Council was told is not compatible with the information that Council was later given and that was after much effort to get those applications. In her opinion, the Council was lied to on the floor. A mistruth is a lie. That has nothing to do with the candidate because he was not any part of that. It is a shame because none of this is their fault, neither is the fault of the applicants. This is a failing of the city. Her vote tonight is a protest of the process. She has grave concerns with those, that we need to follow up. It is not a DPW problem. It is the city hiring problem. It is not one that we have not had before. It clearly is not resolved like we hoped it would be. She does not know any of the other candidates. She does not have a candidate, but she does have concerns. For those reasons she will be voting present because the process was such that she does not feel comfortable voting in the affirmative. A no vote would indicate that she had some issue with candidate themselves which is not true. A present vote in what makes sense under these circumstances.

Councilor DiZoglio said he is not going to ever criticize anyone on their vote. He has never done that and will not start that today. However, if we are going to continue to blame a vote of this candidate tonight because of the HR person you are doing a disservice. You have a candidate that has been blessed in the process regardless of how many candidates that manager saw. This candidate was vetted, has gone through the process, and was selected by the manager and opined by the Mayor. Regardless of what candidates did not come before that manager is hearsay at this moment. If Councilors are going to continue to argue about what the former HR Director did, that is not fair to the department head. It is not fair to the administration or the people that have been listening to this for the last thirty minutes. We have a candidate that went through the process fairly. Our Solicitor has not stepped in to say anything here is not factual or done illegal or done inappropriately. This was done by the book. The manager signed off on it. If your vote is going to be anything other than voting for this candidate, it is penalizing the candidate. We are all saying we do not want to lose good people in the city. If he got a no vote for himself, he knows where he would be putting his resume tomorrow.

Councilor Beauregard said he is a good guy, a good worker, and he is going to do a good job. Council should take the vote.

UPON ROLL CALL VOTE: 5 yes 2 no (Clr. Faretra, Clr. Simard) 1 present (Clr. Finocchiaro) 1 absent (Clr. Saffie)

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Marc Jordan thanked Councilors for their support. He noted his goal is to the citizens and make the parks better for everyone. He is going to get past this and wants Methuen to move forward. He urged Councilors to call him.

Presentations/Projects/Department Updates – State Delegation

Rep Ryan Hamilton thanked the Council for having them today. He introduced Senator Payano, Representative Paulino, and Tom Baranowski, Aide to Representative Reyes.

Ryan Hamilton reported in the FY'24 budget that was just passed by the House of Representatives, they secured 71.25 million dollars for the City of Methuen. How that is broken down is 64.68 million is now allocated for Chapter 70 education funding that an 8.08 million dollar increase from last year's budget, 6.4 million is an unrestricted local aid that is \$100,000 more than last year's budget. They secured \$175,000 in local earmarks. Those would include \$50,000 for Methuen High School for mental health services that was sponsored by him, \$25,000 for improvement at Forest Lake sponsored by him, \$25,000 for the Methuen Senior Center that was sponsored by Rep Reyes and \$50,000 for July the adult education, English as a second language course and citizen course to residents of Lawrence and Methuen sponsored by Rep Paulino and \$25,000 for the Cultural Day Puerto Rico education around Hispanic culture in Lawrence and Methuen that was also sponsored by Rep Paulino. He noted this is all information they will share with Council. This is the House budget, not the final budget. Senator Payano will be working on the Senate side very shortly. Then they will all get together and pass a final budget which they will have firm numbers. This is where we are at right now as a House. It was a pleasure working with Rep Paulino and Rep Reyes advocating and fighting for Methuen. They are all new to this delegation which is why they wanted to come to Council and introduce themselves. We are very lucky to have this delegation fighting for the residents of Methuen fighting to make sure Methuen is punching well above its weight in terms of requiring and getting state funding.

Senator Payano thanked Council for providing the opportunity to speak with them. Methuen has an incredible delegation that is fighting for them every day. Since January they have been meeting, working together, not just as a delegation, but with the members of this city. They have been meeting with the Mayor since January to talk about economic development. He thanked he Mayor and his team for being so open to working with them. They are going through a process where they are going to all the schools in Methuen trying to see their needs and make sure we are supporting Methuen Public Schools. They are working on different initiatives. One of the initiatives he is excited about is electrical aggregation. They are pushing that with DPU to try to have them move that process as quick as possible. Some of the issues that the delegation has talked about is around education, mental health, economic development. They are trying to ensure that they are present every time a business is being opened that they are connecting with residents to see how the state can help open businesses. They have also been very present within the city to ensure they are connecting with the residents of Methuen. All the individuals, himself, and the reps have been hosting regular office hours in the city whether its Methuen city hall or the Senior Center. They are present and looking to connect with many people as possible and making sure we are providing the services that they need. He asked Council to excuse Rep Reyes absence, but she is Vice-President in the City of Lawrence's City Council. They had a meeting tonight and she was unable to make it here. He looks forward to working with

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everyone moving forward in the next several months to see what we could do to advocate for this city. As Rep Hamilton mentioned the House is done with their side and now the Senate will be looking at the budget the next couple of weeks. He hopes to be fighting to ensure that we get more funds coming into our community.

Rep Paulino thanked Council for having them here today. He gave a special thank you to Mayor Perry because he makes him feel welcome to this building every other week when he sees the constituents for his district. He has been a Methuen resident for less than three years. His children go to school here. For twenty years he lived in Lawrence. He loves the City of Lawrence, but Methuen is his home. When he goes to the State House, he represents both cities with all his heart. It is premature for him to speak about the budget because it still must go to the Senate. They worked hard to protect the citizens of Methuen. A couple of weeks ago there was a federal case in a federal district court in Texas, Kelley vs. Rosera, in which private preventative care was under attack. Every single insurer, every single person that had private insurance in the State of Massachusetts was afraid to lose free preventative from Medicare and they worked so hard overnight to include language in the budget to protect those in the State of Massachusetts was a federal affair to protect people who have private insurance they worked hard to make sure the people of the Commonwealth are protected. As expressed before, for him, to make sure we have a YMCA or youth center in this district of the city. Kids can work around trouble if they have a place to go. We have nothing for that part of the city for the children. And having conversations with members of the Chambers, Senate and Health, it would be a disappointment for him if we do not get a place for those children to go out and play. They have countless hours, Hamilton, Reyes, Payano and he, talking about how they can make Methuen, Haverhill, and Lawrence a better place for all.

Tom Baranowski Aid for Rep Estelle Reyes who sincerely regrets that she is not here tonight due to a commitment with Lawrence City Council. He shared Rep Reyes status within the House of Representatives. She is assigned to the Committee of Governmental Affairs as well as four joint committees bonding capital and state assets, consumer protection and profession licensing, state administration, and regulatory oversight and the committee on Veteran affairs. Rep Reyes is committed to serving the residents of Methuen. Their office hours are on the first Friday of each month at the Methuen Senior Center which have been greatly successful thus far. They look forward to adding monthly dates at city hall and in the Methuen Arlington Neighborhood soon.

Senator Payano said one of the things that they have been doing is informing people about changes within Mass Health. During COVID if you were in Mass Health you were automatically renewed. As of April, 1st, if you do not renew, you essentially get removed from the rolls. There are a lot of individuals that believe that they were used to for three years, getting Mass Health automatically renewed that they perhaps might not know that they must renew in the process. One of the things that they've been asking stakeholders is to make sure that they let the people know that they are serving about this, it is important that they are going to the website and redo an application if they haven't done so already. It is key. The last thing we would want is to have an individual not know that they are not insured until they go to the hospital and someone says you Mass Health expired. It is important as elected officials for all of you to know that and most importantly Council can help spread that information to their constituents.

Councilor McCarty thanked the delegation for coming in and sharing this information. There have been some long nights in the past weeks getting the House budget and budget in the Senate

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in place. He believes all the senators and representatives in their first year's budget and it is good to see our team be four members, larger than it has been in Methuen's past. He thanked them for coming in. There is some room for improvement on bringing in a little more on the local earmarks and non-restricted. The Chapter 70 money makes up a large chunk and that formula has been set to increase more than it ever has since the early 90s. We are seeing the effects of that now but now that we do have four members it is a good opportunity to use your strength in numbers for this community. He invited the delegation for additional help. There was a letter that this Council had signed onto in the previous week. He is sure that they have seen it circulating. There are also members of the community getting a petition for the state agencies to follow through with what this community has been dealing with for the last six or so years. All he is asking for is a signature and if we have the verbal commitments from the four members to sign on then he is happy to direct our Solicitor to make that letter available. It was drafted by our Mayor. All nine members signed on, which is rare. Our Solicitor is very much involved and has been involved in the process as well. If they are not aware of it, he is happy to share but he sure since this has been an issue for the past six years in Methuen, he is sure they are all aware of it. Councilor Hamilton is. He does not know if Council could get some verbal commitments to sign on and if so, we can make the letter available in city hall. You can come in at your leisure and sign it like the rest of them did. Having the signatures of our state delegation in Methuen, he believes is the most weight we can get with something like this. It would be very important to us and our community. He asked for input on that.

Senator Payano said the Councilor spoke of bringing more funding to Methuen. The next piece is the document mentioned at the end. One thing everyone needs to understand is a whole other process that now is essentially starting, which is the Senate side. And that will not be completed until the end of the third week in May. Looking at the House side, he is very proud of our delegation. All three of our reps really fought and pushed, even being freshman reps at the House, really pushed to ensure that we were bringing resources back to Methuen. His staff when they were looking at the numbers, we were "yes", this is moving in the right direction. As you mentioned, because of the Student Opportunity Act, they are, not just Methuen but a lot of other gateway cities are going to be receiving a lot more funds around education and they are looking for basically any opportunity that they are able to bring money back home. It could be through the earmark process. That earmark process is very political and he thinks that the reps that are behind him and Estelle Reyes have been fighting over their weight class because there were other reps that got a lot less money than what they got. On the second piece, it would be important for Council to send them that letter so that each individual office can review and figure out what they would like to do with that. For the most part one of the things he is grateful for.

Councilor McCarty said going back to the letter, this letter has been circulated on all the Methuen pages on social media. He knows the Senator has a presence on social media and sees the Senator's post all the time. He is doing a great job. Also there has been massive media coverage on it, locally and regionally. Councilor McCarty commented he is sure the Senator is aware of the letter. The essence of it, it is not you are signing a law or anything like that. It is a resolution of support. Are you not aware of the letter? Have you not seen it?

Senator Payano said what would be important and within the last five months every office receives a lot of individuals coming for a whole lot of issues and they are signing on to a lot of difference initiatives. His office has a certain process that he follows. Even when he is in favor of anything and part of that process is it is reviewed within his staff. They decide about how

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they move on. He believes the other reps do something as well. It would be important if Council has an interest in the delegation signing onto this letter that they send this information to the delegation and ask for them to support that.

Councilor McCarty said you mentioned how the other reps have their own process. Can we welcome the other reps to speak on the letter?

Senator Payano said he hoped his answer was speaking for all of them.

Rep Ryan Hamilton said he saw it but has not read it yet in detail. He just needs time to read it. If he learned anything on the city council, it is important to read every single document word for word. We do not take things for granted. He would like to read it for himself, just based on his experience here in the City of Methuen with politics and we will get back to you. Thank you for the offer. He just wants to take some time to read in full and get back to Council.

Rep. Paulino said he learned in law school and from his father he does not sign anything he has not read. Once he gets the letter, he will review it with his team and will ask legal counsel from the House to advise him on it. He will do his due diligence to support whatever is in the letter if he believes is in the best interest of the city. You spoke about earmarks, based on conversations he had with Governor Healy, she allocated ten million dollars for people that live in the Commonwealth that are CNAs, medical assistants, so now they have money they can go to school and be an RN, an LPN to be an RN. If you talk to the administrators at Holy Family, you will learn the high costs is for traveling nurses. Thanks to a conversation from our state rep from Methuen, the Governor allocated ten million dollars that will help Holy Family. They are working hard at the state house as a team.

Councilor DiZoglio Methuen/Methuen supporting Methuen and you have yet to read that letter. All due respect, this is something that has been in the press and he is not going to eat at this because he knows where the delegation stands right now. You have got to go back to the House and talk about it. That is fine. But someone that is coming into this and has been in it for four years now, where some have been going on six years, it is hard to believe no one knows what is going on here in Methuen.

Rep. Hamilton with all due respect, he was here when this started. They all know what is going on but want to read the specifics of the letter. That is all they are talking about. He can speak for himself here. But over the past two weeks he has been focusing on delivering money for the City of Methuen for projects that he cares about, for mental health resources for our youth. That is what he was focused on. With all due respect, he wants to support Council. And the police investigation that is you, the Mayor, the Police Chief. I do not want to get in your lane. You have now invited him to do it. Councilor McCarty has invited the delegation to sign on. He will review it and get back to Council.

Councilor DiZoglio said before he sees any Citations handed out, all due respect, he would like the delegation to read this because getting money for the City of Methuen, How much money have we spent on this law suit and how much money went to people that shouldn't have got that money in their pockets, in their pensions. That money is going away for Methuen. A taxpayer that is going to be here for another fifty years, kids are going into the school system, it is important to him today that this topic gets handled because it has been going for almost ten years. Let us figure that one out. All due respect, he supported all three in the election, and they know that. He respects their positions but when this is coming home, let us bring it home now. Let us finish this up. Homelessness is an issue, especially in the City of Methuen and the regional area. We need to investigate housing, not creating hotels as a homeless shelter. That is

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not the place where you want a family to be raised, not a place where security should be put on the hotel. It really is an important topic in this area because that hotel is not the type of place where he would not want to put anyone. There are a few things that the HUD administrator just did with Break Time. It helps with youth homelessness. It is non-profit organization in the City of Boston. He would love to see them come to Methuen, walk the halls of that hotel with the delegation and see what they could also do because there are a lot of families in that hotel that probably should not be there. They need proper housing. He also wants to know from the House and the Senate, because the previous Governor promised, but where is that money coming back to Methuen that we put into this already to support these families in our education programs, our transportation, etc.

Rep Hamilton said he could not agree more on the homeless situation. That is an embarrassment to the people living there. They deserve much better. In terms of the reimbursement he knows his office, Senator Payano, Rep Paulino, and Rep Reyes, jointly have reached out to the Governor to inquire about those funds because the city deserves to get them. This was a commitment from the former Governor. As a delegation, they have informed the Governor of this commitment. They are going to push to make sure that she honors it because that is not fair to the Methuen taxpayers considering this was a state-run agency that moved everyone to Methuen. They want to make sure that Methuen has the resources to make sure everyone in that hotel is getting what they deserve, making sure the children there are getting the education that they deserve. The delegation will continue to fight for that and inform the Council when they hear back when they will be getting that funding. He will work with the Mayor's office and Maggie to get the exact number that we need.

Councilor DiZoglio and again the non-profit name is Break Time, the HUD team that has been involved in it. He would love to have them here to help those families.

Senator Payano said he has worked with the organization in the past. They are an amazing organization. They want to make sure that when you are dealing with transitional housing that you can provide wrap around services to all individuals to make sure they get out of that situation as quickly as possible.

Rep Paulino said he has a lot of respect for Councilors. He heard them talking about money being reimbursed to Methuen. You are talking about homeless people that come to our country, the refugees. We talk about humane. This is not how we do business in Massachusetts. We have almost 100 million dollars for the money that is coming from the state. They are all aware of that. It happens in Lawrence and Methuen. He believes we should treat these people with respect. Is it their fault they are in a hotel? No nobody wants them to be in a hotel. They are there. If they are in Methuen or Lawrence, we need to work with them.

Councilor DiZoglio said he did not say anything that was inhumane because this Council has gone to that hotel multiple times to provide amenities and to help those families already. When we are a local community and the former Governor of Massachusetts decides to throw them in a hotel, a hotel is not a shelter. That changes zoning all the way around. That is not a shelter. The humane part is to put these people in programs that are going to help them, not drop them off with no money in their pockets and expect the Mayor and the City of Methuen to pay for dinner. That is not right. These are not refugees. These homeless and displacement in other (maybe there might be) but what he has been told are displaced families in the Commonwealth of Massachusetts. He is not talking about anything inhumane. The people deserve their rights. But the City of Methuen is paying for children in the schools and they are going to be getting a

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disservice of the Methuen public school system. If they are getting up and moving to a new school system in 45 days, do you want that for your children?

Senator Payano said he believes some are refugees. That is what he was told. But it could be that things have changed. Outside of that, you are speaking to an issue that is affecting the entire Commonwealth. The question around housing has been ever present in every discussion he has had in talking about the future of this state. There is a huge issue when it comes to that. Question about home ownership, question about what we do with rising bread cost, what do we deal with all these individuals that are working and are unable to afford rent. They are left without. There are a lot of people who are technically homeless, but they are sleeping on somebody's couch. He is hopeful that with, they just voted on creating a new Cabinet position for housing, secretariate for housing, and he is hopeful that with the establishment of that individual that we will have an overall plan that will be able to ensure that things like this don't happen, not just in Methuen, but in cities across our state.

Councilor Beauregard said the letter mentioned is on the city's website. He then read the letter into the record (attached). He suggested a brief recess to print out the letter for the delegation.

Chair Zeigler indicated a copy of the letter will be emailed to the delegation for their review.

Councilor Simard echoed what Councilors said and shares their frustration. Some have been here longer fighting this. Pretty much every person the letter is addressed to have been hot and heavy in Lawrence and Methuen campaigning during the last campaign. We know you have clout. We are asking the delegation to contact them on our behalf, use that clout that you have now, and that they have because of the votes you got them. Appeal to them to just simply do their jobs and prosecute the crimes. He asked the delegation not to be part of the privileged few who think they are above the law. You are all public servants worthy of our requests to go before the state, the prosecutors, Mr. Tucker and all those that it is addressed to, and ask for help to simply bring us from the abiscue that we've been in for so many years and prosecute those who deserve to be prosecuted. That is all we are asking for. We put you on the spot. We are frustrated. Regarding the Day's Inn which is in his district, he shares Councilors' frustration with that also. He participated in the initial Zoom with DHCD. They sold us a bag of goods. Three weeks ago, we sat with the Superintendent and she told Council they have only given her \$75,000 thus far for transportation costs, not to mention all the special ed costs that this has cost the City of Methuen. They are in arrears for a lot of money. He hopes the Chapter 70 money increase Methuen is getting they are not going to say "well, you know what we owed you this but now we are just going to give you a little extra money and call it even. He hopes Methuen is still going to get the money from DHCD from what they owe Methuen and the increase in Chapter 70 money. He asked the delegation to follow up with DHCD.

Senator Payano said he would follow up on that. He needs a better understanding from the Superintendent. He is heard from all the Councilors that there is money owed. He needs to understand what that money is, how much, and then take it from there.

Councilor Simard said he appreciates it. and believes they are all humane about this. It is a huge problem nationally. Methuen seems to be bearing a large part of this because of our diversity and he thinks we have an Inn keeper who thrives and profits on saying yes to this state instead of sharing the burden, Methuen and Lawrence is a direct conduit for the state to say "okay, we'll just put them there, we'll put them in the schools, we'll give you money and everything is good. We just want to share the burden, not just Methuen and Lawrence but

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everyone else, Andover, North Andover, Newton, all the cities and towns that should bear the burden of this national issue that we have before us. Things are dire and it is only going to get worse.

Senator Payano agreed. There was a meeting yesterday with housing and essentially that he was speaking on that he wished that other towns would be able to share burden, the Boxford(s) of the world be able to share that burden. Perhaps one day we should go to their town councils and have this conversation as well. He will see if he can get more information from the Superintendent and take it from there.

Councilor Simard said he appreciates their advocacy for Methuen. Unfortunately, they stepped into the lion's den tonight.

Senator Payano said that is fine. He was a former councilor so he can understand about deeply caring about the issues like they all do. That is not to say they do not care about those issues. There are other issues when we are wearing this hat that they must be very passionate about possibly working on. All of us here appreciate of the time that you have all given us. Representative Hamilton was "watch out for this meeting tonight. There is going to be some tough questions". Senator Payano said he was in Haverhill. He got asked some tough questions about funding, building schools, what are the state issues that you are looking for. In Lawrence it was very similar. He thought that today was going to be very similar, but Council hit him with some very local issues. That is not bad. He hears the Council's frustrations and thinks that one of the things that is important is let us not wait until we are before this body again to have some of these conversations. If there are such deep concerns reach out to the delegation. Most of the councilors have their phone numbers and have emails. Reach out, lets grab coffee, let us talk so we can make sure we are all on the same page and we are fighting for a better Methuen together.

Councilor Saba welcomed the delegation to the Methuen city council meeting. What we are hitting you with are issues Councilors are dealing with. The police corruption issue began and was festering long before 2018. But we the city, the taxpayers had to start dealing with that since 2018. It is front and foremost on most of the majority of the residents' mind and we are fighting this. We need the delegation's help to stand up to public corruption. The letter is very telling. When you read other information that we have been told we cannot talk about right now you will see even more. It is that important to us. You have had tough issues from Haverhill or other towns. This one we are talking about public corruption of the taxpayers' dollars. Councilor Saba suggested the delegation read that letter. In the meantime, maybe we could ask the Solicitor to print the same letter the Council signed but with our Senator and three Representatives' signatures on it. The delegation is together all the time so it should not be hard for them to sign that and get it back to help us. It is that important and we appreciate your time on that. As far as the Day's Inn issue, that is another hot topic in this city and its not being shared around the entire state. It is not being shared in Andover and North Andover. It is here because we have an Inn keeper who has gotten on the list and said he will take and can fill all his rooms and he will charge the state top dollar for his rooms and is going to make a ton of money. That is why it is here. We must protect people. Homelessness is a serious issue. But the issue of immigration is out of control right now and that is a whole other topic. But when it is all coming into Methuen and not even being distributed to other communities, that is where it is a problem. We really need your help, need the financial support, and we also need you to help to look at how people are being distributed, not just to Methuen or Lawrence but to other communities also.

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Councilor Finocchiaro welcomed the delegation to Methuen. There is nothing she and her colleagues are more passionate about than the success of our city. And that includes correcting the previous wrongs and fighting heartbreaking corrections stories that are unfortunately not stories. They are reality here. That is six years of investigations, that's state oversight. She hopes the delegation can understand many of them have lost what little patience they started out with for these kind of circumstances. Methuen needs their assistance. She welcomed the delegation to the great hall. The Council has put some challenging questions to the delegation. She hopes that they are thoughtful and respectful and request they sign the letter. She respectfully requests that the delegation demands that all homeless families and individuals in the City of Methuen have a place to call their own and that they are put in more suitable housing and respectfully requests that the delegation assists Methuen with the process of the state holding their promises that they made to us of financial resources which she is sure that is something the delegation is committed to and in partnership with the state. We are fierce. She invited the delegation to join in that fierceness in representing the City of Methuen. She serves as the Chair of the Substance Abuse Mental Health and Homelessness committee and would appreciate anything that the delegation can do to assist Methuen with this issue. The City of Methuen is not used to having such many homeless population in the city. We do not have many programs in place and have been struggling to assist however they can. They could appreciate the full support of the delegation in any way they would like to. If you would like to join our committee in those efforts, assist us with those resources, assist us with getting other organizations to come and assist as well. We welcome those conversations, whether they be towards us or public conversations at future city council meetings. The delegation is welcome in these chambers and welcome to Methuen.

Councilor McCarty said the letter was done last week by the Council. This was not intended to be an ambush or anything. It happened to be the timing and he considers this communication, their jobs on both ends. He is happy the delegation is here and hopes it can continue.

Chair Zeigler thanked the delegation for being at the council meeting.

Rep Paulino thanked the Council and noted this was a learning experience seeing Council debating about the hiring process and how the Council gets along so well. He is impressed and looks forward to working Council. He believes it is his mission to put Massachusetts in the business of serving its people. Homelessness effects everyone. In Lawrence they deal with that and know how hard it is for communities to deal with homelessness. He looks forward to working with this Council, find a common ground, and work through issues.

Senator Payano thanked the Council and welcomes having conversations regarding these topics and other topics. He thanked Council for excusing Tom. You have a great team that has been working together. Not all delegations work together. He is grateful that the reps and he have been able to come together and create a shared mission and that they are all fighting for this community. He wants to make sure they are doing that with the Mayor and all the Councilors and continue fighting for our amazing city.

Rep Hamilton thanked Council. As you know, as has been echoed by all my colleagues, their phones are open, their emails are open. Let us please not end these conversations here because these conversations are valuable. The delegation appreciates the feedback from the Council. This is his first City Council meeting in quite a while and in typical fashion none of them disappointed in terms of the dialogue and comments they have here tonight. Thank you for

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welcoming us back and they look forward to being back with Council shortly. Glad to see Mayor Perry back in action.

Public Participation

Luis Neives, 23 Williams Street, a resident of Methuen for twelve years, spoke of the work he has been doing. His neighbors started complaining. He applied for permission to do a retaining wall. It is a hill. He has been trying to make it look better and to protect his apple and pear trees planted on his property. He wants to preserve that not lose that. He has a sixteen-month year old daughter and that hill is dangerous. That needs to be protected. He has a lot of students getting classes and free meals at this house. It is also safety to having approve the wall. Most of that is fence but the big hill is like the world being stopped. He made some mistakes because he misunderstood Gene and he apologizes. When Gene was at his house about an issue with his pool, he thought he told him if he built a wall at least two inch, less than four feet, he could build it without a permit. He started building it, a small retainer wall to keep the dirt. He spent a lot of money cleaning the sidewalk, almost \$4,000. A year ago, people could not even walk through the sidewalk because there was a lot of dirt sitting on the sidewalk. He distributed some pictures to show how they look. It is clean. But since his neighbors have been complaining and they have been communicating a little bit. He did cut some trees on her property and his property. He pulled the branches on his property and Gene stopped the work. He put in an application three months ago for a permit and everybody, except for building inspector, approved it. He could not work anymore cleaning the branches and things like that. His property looks clean compared to how it was a few years ago. He heard there was a lot of complaining about him having the branches there and building the retaining wall. He cannot do anything until he has approval from the building department. Gene and the engineer were there. He explained to them that he hoped they approve the work so he can finish. He had a picture of how it is going to look when it is finished. It is going to look better for Methuen. That hill is dangerous. He is trying to make it look better. Students go to the school and cannot walk through the sidewalk. It is dangerous. If he keeps it clean and beautiful, that is what we want for our community. Cleaned to keep children and people safe. It may look ugly, but the branches are on his property not the neighbors. He hopes the Council can help him complete the project. It is important to have the area safe. He thanked the Council for listening. He distributed pictures of his property for Council review.

Aaron DiGloria, 140 Tyler Street, Methuen, reference Licensing Board appointment.
(attached)

Mayor's Report

Mayor Perry reported restaurant week, savor Methuen, is scheduled for the week of May 22nd. There are nineteen restaurants already signed on. They are each offering specials. The city is putting flyers together to distribute as well as social media and get it published in Methuen Life.

Mayor Perry said he appreciates the Councilors talking to the state delegation about signing onto the letter. It is extremely important, not only for the state delegation, it is important for all the Methuen residents. Mr. Hannaford has been doing a couple of things and that is outstanding. It is important that all these prosecutorial agencies understand how important this is to the City

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of Methuen. He asked please, as a resident, please do not remain silent on this issue that has haunted us for so long. Do your due diligence, let your voice be heard.

Mayor Perry announced there is a fishing derby on May 13th at Forest Lake which is stocked with fish.

Requests of Councilors

Request of Councilor McCarty – Update on Pleasant Street Property – Councilor McCarty thanked the Methuen Police Department and our Building Department. They have brought him up to speed because this has gone back a few years, based on some of the dates he saw on some of the paperwork. He received the paperwork today and would like to go through it more diligently. In the meantime he would like this item to stay on for one more agenda so the Clerk can circulate what was sent to him to Council leadership and the rest of the Council so that when we do talk about it at the next meeting we're all on the same page. In the meantime, we do have Gene Walsh here. He invited Gene Walsh up to the podium to verbalize some of the information that was sent over today. It is a quick synopsis. He thanked Gene Walsh and Deputy Hagggar for bringing him up to speed with this. This issue was purely reactionary. He's gotten some questions from residents who are not the neighbors, people driving by who are concerned about the potential public safety hazard with the pitch of that hill and the amount of concrete on it potentially coming down and washing out. He is not against this gentleman trying to improve the aesthetic of his property. He wants to make sure that everything complies with our building department so that there is no potential safety hazard for any pedestrians.

Gene Walsh said he provided Councilor McCarty with some information he had been looking for. Gene said he has been working with this Methuen resident and his problem over there for quite some time and he finally got in touch with the structural engineer that the resident is using to let him know that there is some work that needs to be done to straighten some things out. We are headed in the right direction.

Chair Zeigler said this will appear under the Mayor's report at the next meeting along with documentation received.

Councilor McCarty asked if he could put in a request of Council based on some of our conversations with our state delegation. Could we have an agenda item that says something along the lines of "the state delegation signing on to the letter that Council referenced tonight". If we could just stay updated on that. In the meantime, our City Solicitor could furnish them a copy with their signature lines just so they can be in possession of it. and then they can come by at their leisure. Update on who has been sent the letter and who signed on and what the correspondence has been between them.

Solicitor Rossetti said he would help with the effort and recommended enlisting the help of the Mayor's office since the Mayor more regularly communicates with the state delegation and has the members contact information at the ready. He also recommended putting in, keep in mind the letter says we the undersigned the Mayor and the Council, so for someone other than a member of the body or the Mayor to sign there must be something to say to the effect of "we've reviewed this, the members of the state delegation, we endorse this", or words to that effect.

Chair Zeigler said the Vice-Chair made note of that and added it to Council Requests.

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Request of Unaccepted Ways Task Force – Request for the City to provide an updated street list(s) for the following: Accepted, Unaccepted, and private. Private should include all private street, including private developments, unless an additional list with those will also be provided. Chair Zeigler noted this will be taken up at the next Council meeting.

Mayor Perry indicated this is going to take more than one meeting. That list is not currently updated. They will work on it with the City Clerk’s office and try to get it done by the end of the month.

Chair Zeigler noted Council could take this up at the first meeting in June for review.

Request of Councilor Faretra – update from the CAFO and Director Bower where we are in the process of the purchase of the packer truck and the schedule for spring yard waste cleanup.

Councilor Faretra said this was left on from the last agenda. They discussed the packer truck deal falling through. He asked if there is an update on leaf pickup. Residents keep piling things outside and more and more posts on social media, phone calls, and emails to Councilors.

Director Bower said we had rented a packer in hopes of purchasing that and ran into some difficulties with that purchase. The company that owned the truck was in Ohio. The Ohio laws conflicted with the Massachusetts laws. We worked on it diligently but were unable to make the sale happen. In the meantime, we went out to bid per procurement laws. The only other person that submitted a proposal did not meet the qualifications/specifications. We were left without a truck. He spoke to the Mayor and in the short term what they are going to do is utilize Harvey. They have agreed to do that and help us in any way they can. We must make sure we do not run into any procurement issues with that. That would be a short-term solution to get out there right away because when the bags go out, they get wet and we have a problem quickly. He spoke with BJ Harvey today we will get working on that and make that happen as soon as possible. then we are going to go out to bid for additional services later as well as a new packer truck at the same time. Whatever happens faster, they will make sure they get out there and do that in the Spring with the goal being, we are going to have to do some juggling in the Spring but by the Fall we would have purchased the packer.

Councilor Faretra said we will let the residents know the wheels are turning, be patient, and hopefully soon we will be able to have a schedule.

Director Bower said he hoped to have a commitment by Harvey by the end of the week. Then we can get that out on social media and the website, so people understand what is going on.

Request of Councilor Finocchiaro – Request to CAFO Maggie Duprey that the City’s Report on Examination of Basic Financial Statements for the fiscal year which ended June 30, 2022 be added onto the City website (aka audited annual financial reports)

Councilor Finocchiaro reported this was placed on the website last Council meeting and may be taken off the agenda.

Request of Councilor Finocchiaro – Request that CAFO Maggie Duprey provide update on “Other Post-Employment Benefits” (OPEB) liability for the City and any available forecasting for the direction of this liability – including 1) unfunded OPEB actuarial accrued liability, fiduciary net position, funded ration, net OPEB liability, and current funding plan. 2) Does the City continue to be in compliance with OPEB related GASB statements, particularly regarding enhanced transparency reporting and other best practices? 3) Also seeking the current OPEB

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plan’s fiduciary net position as a healthcare cost trend rate, and rate of investment return. 4) Additionally, requesting that the Council receive copies of the trust agreement, any investment policies, as well as any plans on a tentative projected year that OPEB will be fully funded. 5) Request that a new “OPEB” section of the City’s website be added, and that the above documents be uploaded and retained in that section of the City’s website.

Chair Zeigler said the CAFO anticipates providing a response by May 15, 2023 regular council meeting.

Councilor Finocchiaro said she spoke with the CAFO today and about a presentation. The reason why it is important to Other Post Employment Benefits impact our bond rating and whole lot of things, not just our financial liability. We may be going into some turbulent economic times potentially and anywhere we can find items to maintain and improve, our bond rating is something we need to look at and there are other communities that are doing worse. But there’s other communities that are doing better with their OPEB. She felt it was something we should take another look at and start to proactively decide how we want to fund that so that we ensure both that we’re maintaining our promises that have been made in the past and also that we are not letting that planning affect future generations.

General Requests

Request from Vice-Chair Faretra for a presentation from Harvey Trash on updates relative to the trash system.

Councilor Faretra noted that was on the agenda about two months ago and the gentleman that was supposed to attend had a conflict with his child’s basketball. There are still a lot of questions that have not been addressed. If we could possibly work on having him for the May 15th meeting.

Director Bower said he would make sure if this individual cannot make it that a representative will be here to answer questions. Director Bower said he would be in touch with Harvey Tuesday morning.

Councilor DiZoglio said this came up over the weekend with the opening day of Methuen Youth baseball and all our sports teams hitting the fields. Kudos to DPW, Director Angelo, and Director Bower for the work they have been doing at the fields. With short staff and with very eager youth parents Councilors all got calls this weekend about certain fields. He will not blame nor will he ever blame our DPW for not trying to be on top of it because when he got on the phone with Director Bower and Superintendent Angelo, they already knew about that. He commended them for that. The one thing he would like to bring up as a request. We do need to start looking at this and it all comes down with money and dollars and cents. He knows there is a Capital Improvement Plan and there are some things on there that will probably be a part of this. He thinks an aerial bio-reconstruct should be done on all our fields. He explained to the public that is an aerial view snapshot looking down on the fields and looking at how our acreage and our fields current conditions. What that would do is create a catalog and list and that we do this on all our fields and the state of our fields. That includes facilities like bathrooms and food stands along with parking and the status of each of the fields’ situations such as lighting, benches, or the stadium itself. This will help us paint the picture of the future of how we go about looking into sponsorships of these fields. He looks at what Wilmington did with their arenas for the Boston Bruins. He looks at what Lowell did with the Spinners. He is not asking for a major baseball team or NFL to come here. But there are programs out there that will allow

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our fields to be used in a greater need and redone by these companies. We are looking at a whole different topic. But we need to look at our current state of our fields, what they are looking like, and what we can do about getting grant money and/or looking at other options.

Mayor Perry agreed. As we head towards our 300th birthday, its even more important. He said we have had several companies like “Mueskes Landscaping” volunteer their time on some of our fields and we greatly appreciate that. We are short staffed in DPW and it is getting harder and harder to find employees for that department. He is all for it. We could put it as an agenda item. He does not think it will be resolved in one or two meetings. But it is something we can put on the agenda and have the aerial view done, look at all our fields. His thoughts were Director Angelo would tell you we have the Capital Improvement project with the Gill Avenue field this year. The Mayor said he would like to do another field next year and try to fix them. Director Bower and Superintendent Jordan have a plan to increase fertilization, aerate, and the biggest thing is watering the fields. Even some of the fields that way back sprinkler systems were put in, those sprinkler systems do not work. He completely agrees.

Chair Zeigler said that will be added.

Councilor DiZoglio said there is one other issue that came up with the stadium’s concession stand recently with peeling paint on the ceiling. He wants to know if we can also put that as a separate agenda item. The boosters at the football stadium uses that for every outing and event. He knows the health inspector is there and there must be a remedy there.

Councilor Faretra – Request to the CAFO – about a year ago with Chair Beauregard Council had a whiteboard here and made that list of the ten projects that Council wanted to see go forward. One of them was the tennis courts. It came up in a meeting of his subcommittee about a month ago and they were told there was going to be a contract coming forward. He asked for an update on when that would be coming to Council because he has had a couple of parents whose children play at the high school come forward to him because those are in bad shape right now. As the high school hosts events there, it is embarrassing. The last thing he heard was July. It seems like a July timeframe is not possible if Council does not have anything in front of them.

Public Service

a. Grants: None

b. Licenses: None

c. Contracts:

C-23-75 Neptune Uniforms & Equipment, Inc., 360 Washington Street, Haverhill, MA -01832 for Police Uniforms in the Amount of FY23-24 \$140,000.00 – budgeted amount (2nd ext. and last ext. of original contract) (remove from the table)

MOTION BY: Councilor DiZoglio, seconded by Councilor Faretra to remove from the table. UPON VOTE: 8 yes, 1 absent (Clr. Saffie)

MOTION BY: Councilor Beauregard, seconded by Councilor DiZoglio to approve. Councilor McCarty asked the CAFO for the update.

Maggie Duprey explained originally when this was bid out during FY’19 the police department provided specifications for, if they were to purchase everything that they

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possibly wanted, the total dollar amount of what that specification was, bid out at the \$377,000. Realistically, they do not need everything that is on that sheet, detailed on pages 24 through 29. What they do, at least since she has been here, is only do the contract for the amount that they are intending to budget for, give them an allotment. What that allows us to do is stay within budget constraints and if you look at those pages, 24 through 29, it details every item and in which year of the contract – the exact price. We will still be able to purchase those specific items, but they will have to go through and prioritize what they want to stay within those budget constraints.

UPON VOTE: 8 yes, 1 absent (Clr. Saffie)

C-23-81 MHQ, Inc., 401 Elm Street, Marlborough, MA 01752 for (1) 2023 Ford F-350 SRW 4 X 4 Super Cab (1) 2023 Ford F-350 SRW Regular Cab in the Amount of \$129,100.38

MOTION BY: Councilor Faretra, seconded by Councilor Beauregard to approve.

Councilor DiZoglio said the city was moving towards hybrid and electric cars. He asked if this is a hybrid.

CAFO Duprey responded it is not a hybrid. Hybrid trucks are extremely difficult to find right now. Part of a review of our procurement, what we are looking for, is vehicles we can get. The city had gone that route and got on the hook for some of the hybrid vehicles that never came to fruition. We had to shift and go to a regular vehicle. That is still the status of where hybrid vehicles are. That is a goal we are going to get to but right now they are not available. We are going with whatever we can get that would satisfy the specifications that we need.

Councilor DiZoglio said he noticed it was a Capital Improvement expense. He asked if it is coming from ARPA funding or separate from the CIP.

CAFO Duprey explained this is separate. One of the trucks is being funded by the FY22 Capital Improvement Plan and one is being funded by the FY23 Capital Improvement Plan both of which have been bonded and both of which those plans have been approved by Council. We are just able to get the vehicles now.

Councilor Faretra referred to reorg of DPW when some positions were created. From what he understands is the environmental department right now is sharing equipment from other departments.

Director Bower said they are sharing equipment across the entire DPW department. They are in dire straits. Marc Jordan is driving his personal car, which broke down today. DPW is at a point where they are struggling for vehicles including wintertime when the vehicles could be on the road.

Councilor Faretra said he spoke with one of the men in the department who was saying that it is difficult to maintain and keep up with the fields. He knows when his subcommittee met, they asked for some items but if you do not have the vehicles to get them from one place to another it does not matter if you have the piece of equipment. He would rather see the city buying the equipment, instead having to rent it.

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Director Bower said they are basically taking what they can get. There is additional money in there because we are just taking whatever color they have. They are spending the money to get them painted according to the departments they will be in.

Councilor Saba asked why DPW is so short on vehicles. Council approved buying eight patrol cars every year for the police department. We are getting trucks for the fire department. “Why is it that DPW, the condition of some of their trucks are really bad? They are sharing trucks like kids going to school, all jumping in one car. It does not make any sense.”

CAFO Duprey explained that no vehicles were replaced for a very long time, which is what happened with the police cruisers as well. That is why the entire fleet is aged and aging out. The city cannot afford to replace the entire fleet at once. There are funds in FY22, FY 23. You will see funds again in FY24 when we bring forward that CIP plan. The problem that we had was the vehicles were not available. We are now seeing these vehicles become available and at a cost we can afford. What we are trying to do is “lets get after this as much as we can”. Therefore, you are seeing something from FY22 and now from FY23. We are trying to clear off and get those now that the supply is back, but it is not back as much as we would like to see. There are plans with the FY24 and going forward to replace trucks every year for all the different departments within DPW.

UPON VOTE: 8 yes, 1 absent (Clr. Saffie)

Other Officers and Committee Reports

Councilor McCarty reported the C.A.R.E. committee with the Athletics headed by Councilor Faretra, they had a meeting in March where they were going to formally submit a budget request to the administration. He wanted to confirm if those requests have been implemented in the budget and they are at least going to be in the proposed budget that is going to be presented to the Council.

CAFO Duprey said they have received multiple requests. She and the Mayor are meeting on Tuesday. They have gone through the first pass of the budget with department heads. She is still looking for input from the Council on the Council budget. She and the Mayor are moving that forward and are spending Tuesday trying to cut back in different areas from the original departmental requests. Their plan is to have those items included, if not this year, for when they will be.

Councilor McCarty said he is not talking about Council department. That request would fall under DPW or somewhere else, mostly with the fields and a lot of the youth athletics in the community.

CAFO Duprey said she received those items. Most of what Council is going to see is in the Capital Improvement Plan. That is where those items fall. They are in there right now.

Councilor McCarty said an important one that would go a long way is the “grounds crew”. That was one that would be personnel and positions at a rate that people would be interested in being on a grounds crew to maintain a lot of the fields. He knows they will have to deal with school jurisdiction vs. city jurisdiction. That was one big issue that you would see immediate relief of some of the issues that we are dealing with.

Councilor Finocchiaro said there was a great Andrew Haldane event this week hosted by Matt Curran, the Methuen Schools Athletic Director and author Garrett Shedrowski who is

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writing a book about a Veteran hero who grew up in Methuen and Veterans Affairs Committee, Clr. Simard, Clr. Faretra and she supported and offered their assistance at the event. She congratulated everyone who put the event together. It was very well done. There were many Veterans who traveled quite a way to be there for the presentation. It was very positive. She commended everyone who made it happen including the School Department, but especially the Athletics Director Matt Curran and the Author.

Unfinished Business

Resolutions:

TR-23-17 Resolution Authorizing Transfer of \$316,120.69 in National Opioid Settlement Proceeds received into the General Fund Miscellaneous revenue budget during FY23 to fund the newly established Opioid Settlement Stabilization Fund Requested by: Mayor Perry and CAFO

MOTION BY: Councilor Faretra, seconded by Councilor Simard to approve.

UPON ROLL CALL VOTE: 8 yes, 1 absent (Clr. Saffie)

TR-23-18 Resolution Authorizing Acceptance of a \$2,500 Walmart Community Grant to be used to support the Methuen Fire Department in aiding the community. Requested by: Mayor Perry and Fire Department

MOTION BY: Councilor Faretra, seconded by Councilor DiZoglio to approve. UPON VOTE: 8 yes, 1 absent (Clr. Saffie)

TR-23-19 Resolution Authorizing Expenditures of \$1,600 from the Edwin J. Castle Fund for the American Legion Post 122 to go towards funding a band for the annual Memorial Day parade Requested by: Commission on Trust Funds

MOTION BY: Councilor Faretra, seconded by Councilor DiZoglio to approve.

UPON VOTE: 8 yes, 1 absent (Clr. Saffie)

TR-23-20 Resolution Authorizing Acceptance of a Municipal Energy Technical Assistance Grant of \$15,000 from the Massachusetts Department of Energy Resources to conduct a planning/engineering study of clean energy resilience options at Methuen's critical infrastructure including the Bolduc Street sewer pump station

Requested by: Mayor Perry and Department of Community Development

MOTION BY: Councilor Faretra, seconded by Councilor Beauregard to approve.

UPON VOTE: 8 yes, 1 absent (Clr. Saffie)

TR-23-21 Resolution Adopting MGL Chapter 269 of the Acts of 2022 allowing the Methuen Retirement System to increase the FY23 Cost of Living Adjustment from 3% to 5% retroactive to July 1, 2022. Requested by: Mayor Perry and the Methuen Retirement Board (remove from the table)

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MOTION BY: Councilor DiZoglio, seconded by Councilor Simard to remove from the table. UPON VOTE: 7 yes, 1 no (Clr. McCarty), 1 absent (Clr. Saffie)

MOTION BY: Councilor DiZoglio, seconded by Councilor Simard to approve.

UPON ROLL CALL VOTE: 7 yes, 1 no (Clr. McCarty) 1 absent (Clr. Saffie)

Jim Trott, one of the two elected members of Retirement Board, on the board for 33 years, thanked the Council for approving this. Methuen is probably the last city in the state to approve this. This is to bring retirees up, with the inflation that is going on. He has been retired for nineteen years. He gets 3% on \$18,000 (this year). His taxes go up as much as that, if not more. He thanked Council again for doing this. He wished it had come forward a little bit sooner. He will pass it on to all the retirees that Council voted to approve this.

Chair Zeigler advised Mr. Nieves there is no action on his property. He needs to talk to Gene Walsh.

Ordinances: None

New Business

Resolutions:

TR-23-22 Resolution to Require Collective Bargaining Agreements (CBAS) posted on the City Website 10 Days in Advance for Public Review with Tracked Changes, and Required Report by the Chief Administrative and Financial Officer (CAFO) or Designee, Prior to the First Vote on Said CBA (Req. of Clr. Finocchiaro, Co-sponsors Clr. Saba, Clr. Simard, and Clr. James McCarty)

MOTION BY: Councilor Faretra, seconded by Councilor Simard to approve.

Councilor Finocchiaro said one of the thoughts from our City Solicitor was a small change. It is clarifying something that is in another law.

MOTION BY: Councilor Finocchiaro to under the second page, after the first Therefore Be it ordered, No. 1 where it says ten-days' notice, at the second page the very beginning, it mentions that the draft changes for the collective bargaining agreements will be put up for public disclosure and inspection and the City Solicitor recommended that even though it says this in other areas, he wanted to reiterate as well as the original CBA and the proposed CBA so that you'll basically see those three documents: what a CBA looked like originally, what the tracked changes are (red-lined changes to the agreement), and what the new proposed CBA documents are going to be. It would go at the end of that sentence after "for public disclosure and inspection" insert "as well as the original CBA, and proposed CBA documents". Seconded by Councilor Faretra. UPON VOTE: (amendment) 8 yes, 1 absent (Clr. Saffie)

Councilor Finocchiaro explained this will make it so residents have access to the track changes and that we require that future Councils also have access to those track changes for Collective Bargaining Agreements so they can see exactly what has been changed. She referred to Section 2, under presentations and reports, that was an area where the City Solicitor didn't necessarily recommend changes but just noted that the language if you see where it says that we ask that a verbal summary of the changes for the CBA be given by the Chief Administrative Financial Officer or their designee and it says "no later than prior to the first reading of a Collective Bargaining Agreement". The reasoning for that language is that in the event of there

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being a big change, there might have been a special meeting done for it to make those explanations or it might just be said in a regular meeting. She didn't want to say specifically that it would be in that meeting and instead leave it open ended that the last moment it is okay for it to be said is at that regular meeting because that might be the only time that its put forward for a vote. That was discussed and she wanted to bring Council's attention if there is a circumstance where there is a special meeting relative to a CBA then that's fine too, but if not this catches us so that we are doing this prior to the first vote for this taking place.

Councilor DiZoglio said he is guessing that when Council receives it is when it would be posted. A lot happens in ten days. Sometimes it gets pulled from the agenda. The meeting might get cancelled. Something might occur. He asked if it must be reposted again from ten days from the meeting or ten days from when the Council gets it.

Councilor Finocchiaro said this does not address those circumstances. But those circumstances are already revealed in the Council rules so if something was pulled, technically there is no explanation required as to why. But if something were changed then you would follow the other resolutions that say we still need to have those documents out in front at this time. This is saying that no changes, this is basically those proposed changes need to be out there ten days in advance. If that happens that complies with this law.

Councilor DiZoglio asked if Council finds something in here, and we receive it ten days before it goes in front of the body, and collective bargaining says they want to pull it back now and we don't want it on the next agenda. He asked if that meets the criteria of this resolution or does he need to go and repost it after it has been pulled from the agenda and it is out there now even though it wasn't part of the original agenda packet.

Solicitor Rossetti recommended reposting, especially if the matter is pulled because there is contemplated further bargaining between the negotiation teams.

Councilor DiZoglio if Council were to have another meeting two weeks later it technically would have to be reposted ten days before that and if it doesn't meet the ten day criteria on the reposting it can't be for that next meeting.

Solicitor Rossetti said it would depend on the time frame. Some of the months pose longer intervals of time between regular meetings of the City Council. In that kind of scenario, he would recommend reposting especially if changes are made in the interim period and the reason for pulling the item is so that further bargaining can occur, and possible amendments made.

Councilor DiZoglio said he is speaking in a certain scenario right now, but we know for a fact that we have seen CBAs pulled from agendas and then reposted for a meeting or two in the future. He does not want to bog down the restriction here on having it in writing now that we must have it ten days before. He asked if it is for transparency purposes so the public can see what is happening. The last thing he wants to do is have ten days and it is being added to an agenda seven days before and the ten days is not met there and we have to wait another week and have a special meeting. He does not want to bog down a CBA based on what is being presented tonight.

Councilor Finocchiaro explained there is a resolution TR-07-66 that has certain requirements that we post and have that time no less than ten days prior. For that reason, we are creating this process on purpose in alignment with this requirement that already exists in the city's laws that was a request of Councilor Giordano. What that does is it says, okay, we need to have a pause and we need to have time to review this contract and the residents also need time to

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review this contract. A lot has happened since this was passed with people looking at our documents and things like that. We are saying that it just should not be the Councilors are holding on to the CBA which could be posted only a few days before the meeting. If something is posted on a Thursday, for example, and it's a multi-million dollar contract, it is very easy for something to be in there that maybe the Councilors and the residents might not be okay with which has happened in the past. This is just a stop gap to try to ensure that we give every possibility so that will not happen again.

Councilor DiZoglio thanked her for the explanation. Council gets it ten days and it's public for about five. He wants to make sure we are educating ourselves before questions start coming their way because what's going to end up happening is Council is going to get the contract and everyone is going to be reading it at the same exact times. He wants to be prepping for that.

Councilor Faretra said this is going to be like appointments coming from the Mayor's office to the Chair within ten days. This going to be no different. The Mayor and the CAFO are going to have to present the contract, in all three forms, to the Chair once its approved then it will also be posted on the website and that will be on the next agenda that will follow after the ten day period. To him, he automatically goes back to 2017, if this were in place back then how would that have been. It might have saved money. The more time in between a CBA being approved and having more eyes on it before the vote. It could only help. He commended the Councilors who brought this forward. Ten days is plenty of time to let everyone digest it, look through it, and now having the three versions that are proposed, the original, the red-line, and then the final version is great for anybody to be able to compare and see what the differences are. Also, if he could make an amendment to have the financial impact statement posted with that in addition to the three reports.

MOTION BY: Councilor Faretra, seconded by Councilor Simard to amend to have the financial impact statement posted with the three reports so the community can also see what the financial ramifications are of that contract.

Councilor Finocchiaro agreed with Councilor Faretra and is not opposed to the motion but we do already have a resolution on the books that requires that. She had spoken with Councilor Saba and Councilor McCarty. Councilor McCarty had brought up what exactly are the terms that we are asking for in our financial impact statement. She was thinking about that too because there is so much more that we know now from when Council first put the law in place. We all have groupings and listings of things that we would like to see that are different from each other. If that is something that you would like to work with us on, our goal was to bring that at a future meeting and deal with it separately so that it can be comprehensive and include the layers in working with the CAFO of what we would like to collectively see in the CBA. After an extensive six years of all aspects of the CBA, this group have a lot to add to future Councils who might come not being well-informed about CBAs. Having that comprehensive look at the financial impact and what we are being asked for what we want to see she thinks would be beneficial.

Councilor Faretra said she is looking at a different resolution all together when it comes to the financial impact of the CBAs.

Councilor Finocchiaro said a detailed resolution that talks about each aspect but so you are rest assured they already have a resolution that says generally about the financial impact statement is required for the meetings. But this would be going into more details for the CBAs

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and sort of in viewing the expertise that all of you have had for the past six years into that resolution. If that is something that you would be willing to join on. Then we could leave this, so this resolution is just governing this section and then add to it.

Councilor Faretra withdrew his motion to amend.

Solicitor Rossetti – Legal Point of Order – said with respect to the resolution 4720, the ten-day lead time for producing the CBAs to the Council for the Council’s consideration. The importance of that cannot be overstated because the Inspector General’s report specifically directed that is a resolution that the Council really needs to stick to as part of its own due diligence efforts in reviewing the CBAs that come before it. He just wanted to remind the body as they contemplate their wishes on this.

Councilor Simard thanked Councilor Finocchiaro for including him as a sponsor on this as she continues to implement legislation to save taxpayers money.

UPON VOTE: 8 yes, 1 absent (Clr. Saffie)

Ordinances:

Any Other Business for the Good and Welfare of the Community

Councilor DiZoglio announced the Taste of Methuen is May 16th from 6:00 p.m. to 9:00 p.m. at the Armory on Lowell Street. Tickets will not be sold at the door. Reach out to Jack at 978-314-5081.

Councilor Beauregard announced that the Rotary Club’s thirteenth annual celebration of Achievement is going to be held at the Irish Cottage next week on May 9th from 6:30 to 8:30 p.m. At that event they will be honoring their “Teacher of the Year” Martha Tattro from the high school. They are looking for a head count. There are some opportunities to sign up on social media. He encouraged individuals to check it out.

Councilor Faretra announced the Methuen Arlington Neighborhood has their annual golf tournament coming up on May 22nd. They are full on golfers but are still looking for sponsors and raffle prizes. Anyone interested may reach out to him or Linda Soucy.

Councilor Faretra said there is a group of citizens who are putting together a petition to District Attorney Tucker. Bill Hannaford has been one he has seen on social media if anyone wants to get involved. He encouraged signing that document and keep it in the spotlight.

Councilor Saba indicated he had copies of the petition if anyone is interested in signing it.

MOTION BY: Councilor Faretra, seconded by Councilor Beauregard.

UPON ROLL CALL VOTE: 7 yes, 1 no (Clr. DiZoglio), 1 absent (Clr. Saffie)

The City Council entered Executive Session at approximately 10:20 p.m.

EXECUTIVE SESSION

The Methuen City Council will vote to enter into Executive Session, with the Mayor, the Chief Administrative and Financial Officer, and the City Solicitor, in accordance with Exemption 7 (Massachusetts General Laws Chapter 30A, Section 21(a)(7)), in order to

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comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements, and in particular, to (i) review and approve the minutes of the City Council’s Executive Session of November 7, 2022, (ii) determine whether the purpose for the executive session has been served, and (iii) determine whether the minutes warrant continued non-disclosure, in accordance with Massachusetts General Laws Chapter 30A, Section 22.

Following the conclusion of the Executive Session, the City Council will adjourn and not reconvene in open session.

I do hereby certify at a meeting of which a quorum was present, the foregoing minutes were adopted by the Methuen City Council by an 8 yes, 1 present (Clr. Finocchiaro) vote on May 15, 2023.

Linda Gagnon

COUNCIL CLERK