

**Methuen City Council – Regular Meeting**

Monday, June 5, 2023 – 7:00 pm  
Great Hall, Searles Building, Third Floor  
41 Pleasant Street, Methuen, MA 01844

Chair Zeigler called the regular meeting to order at 7:00 p.m. in the Great Hall, Searles Building. Members present: Councilor Saffie, Councilor Simard, Councilor Beauregard, Councilor DiZoglio, Councilor Faretra, Councilor Finocchiaro, Councilor McCarty, Councilor Saba, and Chair Zeigler.

Acceptance of the Agenda

MOTION BY: Councilor Saffie, 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 remained standing for the Invocation given by Chair Zeigler.

Organizational Business

Update on Audio System in Great Hall

Reading and Acceptance of Minutes from Previous Meetings - May 15, 2023 – Regular Meeting

MOTION BY: Councilor Saffie, seconded by Councilor Beauregard to approve.  
UPON VOTE: 8 yes, 1 present (Clr. Finocchiaro)

Proclamations/Correspondence: None

Consideration of Appointments:

Promotions:

Captain Fluet promoted to Assistant Fire Chief

MOTION BY: Councilor Saffie, seconded by Councilor Saba to appoint.  
UPON VOTE: UNANIMOUS

Lt. Jeff Slattery promoted to Captain

MOTION BY: Councilor DiZoglio, seconded by Councilor Saba to appoint.  
UPON VOTE: UNANIMOUS

Firefighter Matt Collier promoted to Lieutenant

MOTION BY: Councilor DiZoglio, seconded by Councilor Saba to appoint.  
UPON VOTE: UNANIMOUS

MOTION BY: Councilor Faretra, seconded by Councilor Saba to declare a brief recess.  
UPON VOTE: UNANIMOUS

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

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Chief Sheehy presented career backgrounds on each candidate prior to vote to appoint. Each candidate thanked the Mayor and the Council for their support.

Pamela Bertheim – Constable

MOTION BY: Councilor Faretra, seconded by Councilor Saffie to appoint.

UPON VOTE: UNANIMOUS

Ellen Baranowski – Cultural Council

MOTION BY: Councilor Saffie, seconded by Councilor Faretra to appoint.

UPON VOTE: UNANIMOUS

Donald Marcus – Board of Health

MOTION BY: Councilor Faretra, seconded by Councilor Saffie to appoint.

UPON VOTE: UNANIMOUS

Dianne Moore – Preservation Committee

MOTION BY: Councilor Saffie, seconded by Councilor Faretra to appoint.

UPON VOTE: UNANIMOUS.

**Presentations/Projects/Department Updates**

Certificates of Recognition – Flag Replacement Event

Paul Jensen, Veterans’ Director spoke about the flag replacement event consisting 5,000 at ten cemeteries in Methuen. For the last three years, the students have been with us and lead the event Methuen had Channel 4 coverage during which Eleanor Murphy talked about Patriotism. The city has good values in the students.

Chair Zeigler read the names of the students receiving citations for their participation in the flag replacement event: Rafael Polanco, Nathaniel Hashem, Xzylon Rivera, Brian Congo, Eleanor Murphy, and Olivia Murphy.

Councilor Simard not he was fortunate to be invited to this event and thanked everyone.

Councilor Faretra commented he served on the JOTC. Methuen is going to start to recognize students at Methuen High School.

Chair Zeigler said Methuen has a champion in our VSO. We are all grateful to him for all he cares about.

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

UPON VOTE: UNANIMOUS

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

Public Participation: None

**Mayor’s Report**

Mayor Perry encouraged everyone to see the new fishing ramp on Riverside Boulevard.

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The Mayor reported he received an email on the status of the emergency Esser funds reference spending. There is 11.5 million dollars in Esser plus 2.9 million for 9 Branch Street. 1.3 million is secure. Construction of the HVAC work will be in the next two weeks and should beginning by the nineteenth. 2 million dollars will be used for the Tenney and Timony drop off areas for redesign. The Timony roof is completely renovated. The Tenney drop off area will extend to grassy area with a double entry. Work will be done at CGS (roof), Marsh school colling system (lower), and Tenney A/C units.

Councilor Faretra asked if there are plans for Fourth of July.

Mayor Perry announced the date is July 8<sup>th</sup> and will be bigger and better. There will be ample parking and more food trucks.

Steve Angelo said the event starts at 5:30 p.m. on July 8<sup>th</sup> with the fireworks at 9:00. They will be shutting down the Route 213 on ramp.

### Requests of Councilors

#### Request of Councilor McCarty – Update on Pleasant Street Property

Councilor McCarty thanked the Chair and Vice-Chair for placing this item on the agenda. The city issued a Cease and Desist. The owner is going to move forward with a structural design. As things change, he might bring it back on the agenda.

#### Request of Councilor Faretra – Representative from Harvey ref: trash

Councilor Faretra said it has been three months on this. “At what point does the city have a recourse?”

CAFO Duprey said as of the end of last week, the city was told there would be someone here.

Solicitor Rossetti said he does not want to discuss strategy in open session. He will look at what could be done. The trash hauler is .... The seriousness of this matter.

Councilor Faretra noted that neither the owner nor the Director let the Council know.

Councilor DiZoglio suggested looking at the contract to make sure we are getting trucks with emblems, cameras, and everything picked up and make sure the contract is being followed and what course of action could be taken.

#### Request of Councilor Saba for update on the repair of the lights on Burnham Road

Councilor Saba noted that the Recreation Director Angelo said there is a lot of baluster work to be done in addition to changing light bulbs. He asked the city is updating to LEDs.

Steve Angelo said he did put that in the budget to switch over.

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

Mayor Perry reported that information came to his office today. His Chief of Staff is reviewing it before the Vice Chair and Task Force look at it. The Mayor thanked the City Clerk and her staff for their efforts.

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Councilor Faretra asked if the Mayor had any idea if there are a lot of discrepancies.

Mayor Perry indicated there are numerous discrepancies. That is why they are taking a couple of days to review the information.

Councilor Faretra thanked the Mayor for getting that done. He is looking forward to getting that report.

### Request of Councilor Faretra - Update from the CAFO and Superintendent Steve Angelo on the Tennis Courts

Councilor Faretra said Council has the answer to this. It can come 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 follow OPEB related GASB statements, particularly regarding enhanced transparency reporting and other best practices? 3) Also seeking the current OPEB 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. The CAFO provided response. Financials and foot notes are posted on the website.

Councilor Finocchiaro said part of the information was provided. The CAFO will give a presentation to Council after the budget, at the July meeting.

### Request of Councilor DiZoglio Mayor Perry and DPW Director Pat Bower Full Ariel View Audit of Fields

Councilor DiZoglio said he will continue to follow up with the Mayor and Felix who are working with the consultants to get that going.

### Request of Councilor DiZoglio Superintendent Steve Angelo for an update on the hut at the stadium

Steve Angelo said they did have a vendor to provide painting. One he gets pricing on the concession stand and that area he will come before Councilor with a proposal.

### Request of Councilor McCarty for an update of the letter to the state.

Mayor Perry said he sent two, one included the state delegation. He met with the DA, Police Chief, and Councilor Beauregard. Our cries are being heard. They are getting what they want and were impressed upon to be patient.

Councilor McCarty Councilors signed on to it. that is the best thing they could do locally. Next, we go to the state level to sign. The Mayor should still send the letter. The

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Solicitor was kind enough to draft it, but the chance to send it has gone by. The state delegation should weight into this issue.

Mayor Perry indicated he will send the other letter Tuesday and copy the Council.

Councilor Faretra asked if there is any feedback.

Mayor Perry responded, yes, more from the state delegation. He has been told the bill has been tabled.

Solicitor Rossetti explained there was no further action on that bill. He reviewed the June bill hearings and H2546 is not on the schedule.

Request of Councilor Saffie for a residency check for all DPW Union employees in accordance to CBA's. Once the check is complete, the list should be provided to the Council. Furthermore, any exceptions as allowed under Contract C-22-19 for the Methuen DPW Employee Association union should be provided to council with the documents and dates supporting any *approved exceptions*. Regarding the following contracts:

Contract C-22-19 Methuen Department of Public Works Employee Association July 1,2021- June 30,2024

"Article XXXI Residency Requirement

Any employee covered by this agreement shall establish and maintain, within nine (9) months after appointment, a residence within 15 miles of the City of Methuen borders. **Such Residence shall be a continuing condition of employment. Exceptions may be granted, in writing at the discretion of the Mayor or designee. "**

Contract C-22-5 Superintendents (Local #123 Federation of State, City and Town Employees) July 1, 2021-June 30,2024

"Article XXVII Residency Requirement

Any employee covered by this agreement shall establish and maintain, within nine (9) months after their appointment, a residence within ten (15) miles of the perimeter of the municipality "

Councilor Saffie said her request for residency requirements check is due to recent events. This should be adhered to.

Mayor Perry said in a time when that was available, the preference was it should be given to Methuen residents. Fifteen-mile radius – what is more important is the time it takes most of DPW workers. There were discussions about individuals working Christmas day when temperature was below zero. There is a different mindset of how we attract employees.

Councilor Saffie said they could alter; it could be negotiated out. Perimeters were not touched. Uphold their end of bargaining agreement. they could get a letter from the Mayor. She is open to updating an MOU to increase perimeter.

Councilor DiZoglio suggested this could be a project for our new HR Director to see were we are with this if there is a letter. The city may want to consider that before hire, not after. There might be times to look at an exemptions.

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General Requests

Councilor Saba said the Charles Street memorial wall is supposed to be replaced.

Mayor Perry said he reached out to the state and asked for an extension. He will give a timeline update at the next meeting.

Public Service

- a. Grants: None
- b. Licenses: Vehicle for Hire License - None
- c. Contracts:

C-23-90 Liston Utility Services (Leak Detection- Correlation Survey) 19 Mauriello Dr. Stoneham, MA 02180 in the Amount of \$60,830.00

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

UPON VOTE: UNANIMOUS

C-23-91 J & J Heating & Air Conditioning, Inc (Remove & replace HVAC in E911 Call Center) 17 Arlington St. Dracut, MA 01826 in the Amount of \$25,367.00

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

UPON VOTE: UNANIMOUS

C-23-92 N. Granese & Sons, Inc. (Emergency sewer forced main pipe relaced -West St.)59 Jefferson Ave., Salem, MA 01970, in the Amount of \$160,685.08

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

UPON VOTE: UNANIMOUS

C-23-93 Insight Public Sector (Permitting & Inspections Software), 6820 S. Harl Ave. Tempe, AZ 85283-4318 in the Amount of \$81,973.03

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

UPON VOTE: UNANIMOUS

C-23-94 Powers & Sullivan, LLC (Audit of Financial Statements FY23-FY24) 100 Quannapowitt Pkwy., Ste. 101, Wakefield, MA 01880, in the Amount of \$130,000.00

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

UPON VOTE: UNANIOMOUS

C-23-95 J.M. Goldson, LLC (Master Plan Phase III & IV), 4228 Washington St. Roslindale, MA 02131 in the Amount of \$85,000.00

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

UPON VOTE: UNANIMOUS

Other Officers and Committee Reports: None

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Unfinished Business

Resolutions:

TR-23-23 Resolution Authorizing Transfer from Free Cash of \$85,000 for the funding of the pay as you go portion of the FY23 Capital Improvement Plan Requested by Mayor Perry/CAFO

MOTION BY: Councilor Faretra, seconded by Councilor Saffie to approve.  
UPON ROLL CALL VOTE: UNANIMOUS

TR-23-24 Resolution Authorizing Transfer of \$25,000 from Police Other Expense to be transferred to Police Personal Service Expense to fund approved training from the correct expense budget line Requested by Mayor Perry/CAFO/MPD

MOTION BY: Councilor Saffie, seconded by Councilor Faretra to approve.  
UPON ROLL CALL VOTE: UNANIMOUS

TR-23-25 Resolution to Abandon Balance of the FY23 Capital Improvement Plan related to the Marsh Cooling Tower and Chiller project, and Transfer \$1,000,000 of Remaining Funds Borrowed for Such Project to Pay Costs of the Tenney Grammar School roof replacement project Requested by Mayor Perry/CAFO/Methuen Public Schools

MOTION BY: Councilor Saffie, seconded by Councilor Faretra to approve.  
UPON ROLL CALL VOTE: UNANIMOUS

TR-23-26 Resolution Authorizing Transfer \$538,149 from Free Cash, to be transferred to DPW Other Expenses to fund the Snow & Ice expenditures deficit Requested by Mayor Perry/CAFO/DPW

MOTION BY: Councilor Faretra, seconded by Councilor Saffie to approve.  
UPON ROLL CALL VOTE: UNANIMOUS

Ordinances:

TO-23- 4 An Ordinance Amending Wage and Salary Reclassification Department Heads (as amended) Requested by Mayor/CAFO

MOTION BY: Councilor Faretra, seconded by Councilor Simard to approve as amended.  
UPON ROLL CALL VOTE: 6 yes, 3 no (Clr. McCarty, Clr. Faretra, Clr. Finocchiaro)

TO-23- 5 An Ordinance Establishing Section 7-18 of the Methuen Municipal Code to Address the Issue of PFAS Chemicals in Firefighter Turnout Gear (Request of Councilors Beauregard, McCarty, and Simard, Mayor Perry, and Chief Sheehy)

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

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New Business

Resolutions:

TR-23-28 Resolution Authorizing Acceptance of the Massachusetts Office of Grants and Research 2023 Car Seat Distribution program award which includes 68 child car seats valuing up to a total of \$7,415; Requested by the Mayor, Chief of Police & CAFO

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

UPON VOTE: UNANIMOUS

TR-23-29 Resolution Authorizing Transfer of \$426,000 from various General Fund budget lines to General Fund Police Department Personal Service Expenses budget line to fund necessary personnel expenditures Requested by the Mayor & CAFO

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

UPON ROLL CALL VOTE: 8 yes, 1 no (Clr. Finocchiaro)

TR-23-30 Resolution Authorizing Transfer of \$130,000 from the Enterprise Fund Department of Public Works Personal Services Expenses to the Enterprise Fund Department of Public Works Other Expenses budget line due to unanticipated utility expenditures; Requested by the Mayor & CAFO

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

UPON ROLL CALL VOTE: UNANIMOUS

TR-23-31 Resolution Authorizing Transfer \$13,500 from Accounting Personal Service Expense budget line, of which \$10,000 shall be transferred to Accounting Other Expense Budget Line and \$3,500 shall be transferred to the Assessing Personal Services budget line to fund necessary year end payroll processing expenditures; Requested by the Mayor & CAFO

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

UPON ROLL CALL VOTE: UNANIMOUS

TR-23-32 Resolution Authorizing Transfer of \$350,000 from the General Fund Department of Public Works Personal Services Expenses to the General Fund Solid Waste Disposal budget line due to unanticipated expenditures; Requested by the Mayor & CAFO

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

UPON ROLL CALL VOTE: 8 yes, 1 no (Clr. Finocchiaro)

TR-23-33 Resolution Authorizing Transfer of \$150,000 from the General Fund Department of Public Works Personal Services Expenses to the General Fund Department of Public Works Other Expenses budget line due to unanticipated utility expenditures; Requested by the Mayor & CAFO

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

UPON ROLL CALL VOTE: UNANIMOUS



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TR-23-34 Resolution Authorizing Transfer \$3,500 from Legal Other Expense to be transferred to Legal Personal Service Expense to fund necessary year-end personnel expenditure projections; Requested by the Mayor & CAFO

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

UPON ROLL CALL VOTE: UNANIMOUS

TR-23-35 A Resolution Accepting M.G.L. c. 138, § 19C Requested by Councilors Beauregard, McCarty, and Saffie, Chair Zeigler, Vice-Chair Faretra, and Mayor Perry

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

UPON ROLL CALL VOTE: UNANIMOUS

Ordinances: None

Any Other Business for the Good and Welfare of the Community

Councilor Beauregard announced there is a special event to share art with the community on Saturday, June 24<sup>th</sup> from 3:00 p.m. to 9:00 p.m.

Chair Zeigler announced Methuen is hosting the first of its kind 3D structure through October.

Mayor Perry said Methuen is celebrating Juneteenth. There will be fireworks in July, like last year.

Councilor McCarty said nomination papers are available in the City Clerk's office. July 22<sup>nd</sup> is the last day for pickup.

Chair Zeigler announced Sunday at 10:00 a.m. is firefighters' Sunday ceremony. Coffee and donuts will be served.

Adjourn

MOTION BY: Councilor Faretra, seconded by Councilor Saffie to adjourn.

UPON VOTE: UNANIMOUS

I do hereby certify that the foregoing minutes were adopted by the Methuen City Council by a 7-1-1 vote on July 10, 2023.

*Linda Gagnon*  
COUNCIL CLERK