

EXECUTIVE SESSION

OCT. 22, 2013

7:30 P.M.

RE: NEGOTIATIONS FOR SURROUNDING COMMUNITY AGREEMENT WITH CASINO DEVELOPERS AND LABOR NEGOTIATIONS

PRESENT: ALL CITY COUNCILLORS (ALSO, MAYOR, KEVIN DUFFY, RON HOGAN, MARIA LUISE, CHUCK RANAGHAN)

SURROUNDING COMMUNITY AGREEMENT

Councillor Anderson noted that this was a continuation of last Thursday's discussion that had been tabled in deference to three Councillors who could not attend the meeting. He invited the Mayor to comment.

The Mayor said that he was looking for the Council's support in signing a surrounding communities agreement with the Wynn Casino group. He said that negotiations had been done by Ron Hogan, Maria Luise, Kevin Duffy, Councillor D'Arcangelo and Councillor Nestor. He said they had done a fantastic job and he did not want to detract from their work by trying to describe the provisions. He said that he would like them to do that.

Councillor D'Arcangelo said that negotiations had begun in the summer and had involved eight or nine meetings with the Wynn group. He said that the city had started high, Wynn had started low and they met closer to the city's position. He said that it was important to understand the complexity of the casino law and the city's need to quantify impacts. He said that they had looked at the number of streets that ajoined Everett, the existence of Malden as a transportation hub and a number of other issues. He said that he did not think that it was a good bet to take a chance with what the Gaming Commission might offer and that the deal that was being presented was the best deal for the city. He said that the most important number was the bottom line number because, at the end of the day, no one cared how the city chose to spend the money.

Councillor Nestor said that he believed that \$1 million annually was the best the city would do. He said that he took a bit of exception to the idea that the numbers were placeholders and believed that the money should go where it was allocated.

Councillor D'Arcangelo said that there were a number of other benefits that were not mentioned, like improvement to traffic circles in surrounding communities. He said that would happen anyhow.

Mr. Duffy said that they had pushed Wynn as far as they could and that he believed that this was the best way to deal with the impacts of the casino.

Councillor Anderson said that he believed that the City Council involvement had been important, so that the Council was not being brought in at the last hour.

Councillor Bucci said that she had voted to table this last week because all councillor were not present. But, she said, the point was clear and the Council had had a voice in the discussion. She said that everyone involved deserved accolades when the decision was finally made. She said that she was willing to support this but did not think that a casino in the area was a good thing.

Councillor Anderson said that now that they had had a short time to digest some of the information, there might be other issues and concerns.

Councillor Ultrino asked how they intended to address Commercial St. And Wellington Circle. He said that he thought that it would have major traffic impacts on wards one and two. He asked if there was money in the plan specifically devoted to that.

Councillor D'Arcangelo said that public safety and traffic were two of the concerns that were addressed. He said that Wynn's studies showed that only 2% of the increased traffic would come through Malden. He said that he understood that these were Wynn's studies but even if they were off by as much as 5%, that would only represent a couple of hundred cars a day.

Councillor Ultrino said that even that level could present a problem on roads that were already backed up.

Councillor D'Arcangelo said that there would be a number options for traffic improvements. He said that some of it would be from poll money, some would be Wynn's private money and some would be from the money that was being given to us. He said that it was to Wynn's advantage to make the improvements, as it would help them to get patrons into their establishment. He said that it was difficult to refute their traffic study without commissioning one of our own.

Councillor Ultrino asked if, from a business stand point, the casino would take business away from local establishments.

Mr. Duffy said that he was more concerned about the impact of Assembly Row, but that there was no opportunity to get mitigation from them. He said that, whether it does or not, this gave the city a leg up.

Mr. Hogan said that studies show that ultimately a development like this was a non-event in terms of impacts on surrounding businesses. He said that people were either going to gamble or were going out for dinner and drinks and the two did not cross over.

The Mayor said that one of the things that he liked about this process is that there were multiple bites at the apple. He said that there was this agreement, the trusts, the Gaming Commission and the option to re-open negotiations.

Councillor Ultrino asked who would monitor how coupons were spent.

Councillor D'Arcangelo said that the city would decide that.

Councillor Ultrino asked what would happen in the event of a breach of the contract.

Councillor D'Arcangelo said that they could go back to the table.

Councillor Ultrino said that he was struggling with this but understood that we had no control over where the casino was sited. He said that he thought that having a casino in Everett would have a devastating impact on the city but we might as well take the money while we had the

opportunity.

The Mayor said that the other option would be to wait and see what happened.

Councillor Ultrino said that he did not think that was a good idea.

Mr. Hogan said that the traffic studies indicated that during peak hours on a Saturday, for example, 35 additional cars would be coming through Malden. If the traffic studies were wrong, he said, they would deal with it.

Councillor Ultrino asked if there were anything in the agreement that would indicate that the city endorses the casino.

Mr. Hogan said there was not. He said that we would benefit them by the Gaming Commission knowing that they had been willing to sit at the table and take their responsibility to negotiate seriously. He said that may feel like support to some people because we are helping them demonstrate that they are obeying the law.

Councillor D'Arcangelo said that this was the first surrounding community agreement in the country. He said that they did not need this, but they did want it.

Councillor Crowe said that some of her concerns had already been addresses. She said that she did not want to creat the impression that we wanted the casino. She said that Everett voted, Malden had not. She said that, with respect to the traffic study, she thought that as little as five additional cars could cause problems at the intersection of Medford and Commercial St. And that traffic could back up as far as Main St. She said that, right now, the residents at 59 Green St. Were unable to cross the street in front of their building. She said that people cut through side streets right now and she thought this would cause that to happen more often. She said that almost half of the streets that adjoined Everett were in her ward. She said that she believed that the money should stay in the categories to which it had been allocated, because it would be needed. She asked, with respect to the Wynn shuttles which were being given exclusive access to space around the T, where would those areas be. She said that maybe that was a conversation for later but she didn't see that there was space available.

Mr. Duffy said that would be the equivalant of a bus parking space and would help to further reduce traffic - rather than having 20 people on the road, you would have one bus with 20 passengers, for example. He said that traffic studies were vetted by DOT and could not be fudged. And, he said, if the studies were wrong, the issue could be reopened.

Councillor D'Arcangelo said that there were rigid requirements for the TIPS list and that all the studies had not been done yet. How we worked that out, he said, would be to our benefit.

Councillor Anderson asked where cars would be coming from - he assumed they would be coming from the north over either 93 or Route 1.

Councillor D'Arcangelo said that their study assumed that equal percentages would come from the north, west and south. He said that meant that if there were 1000 trips a day, 333 would come from each direction. He said that because it was a resort style casino, people would come

from everywhere but once they were there, would stay put.

Councillor Anderson said that he did not really see people using the Medford - that most would come onto Alford St. In Everett.

Mr. Duffy said that improvements to the surrounding traffic circles should work to alleviate traffic here.

Mr. Hogan said that their idea was to make improvements to major routes. He said that it was to their benefit to get it right because it would help to get people into their establishment.

Councillor Anderson said that he did think that Alford St. Would back up but that would not impact us. He said that he thought this was a good opportunity.

The Mayor said that Medford and Somerville were locked in battle with Wynn and that gave the city the opportunity to swoop in and gain some advantage.

Councillor Kinnon said that last week, he had been on the fence. Then, he said, on Friday he learned that Ceasars was out of Suffolk Downs and he believed that would increase the odds of the casino being sited in Everett. He said that he believed that we were better off 40 years ago with no gambling and Sunday closings and that urban areas were enriching the suburbs. But, he said, today, he was willing to support this agreement because, if it were coming, he would rather have a seat at the table and get some money.

Councillor Lucey said that six or eight months ago, everyone thought that Suffolk would get the license. But the vote is 50-50 going in. He said that the 87% vote out of Everett was amazing. He said that he thought the team had done a good job negotiating and that we were not going to get more. He said that he did not see a significant impact on wards one and two and that he was ready to move on this.

ON COUNCILLOR D'ARCANGLO'S MOTION TO AUTHORIZE THE MAYOR TO SIGN AN AGREEMENT WITH WYNN IN SUBSTANTIALLY THE FORM PRESENTED TO THIS MEETING

(10Y-1N) (SEE ROLL CALL)

LABOR NEGOTIATIONS

Councillor Anderson noted that the Mayor had also asked for the opportunity to review labor negotiations with the Council.

The Mayor said that the ordinance required that the Mayor provide the Council with information on labor negotiations. He said that all union contracts expired on June 30 and that they had been negotiating with them since before that time. He said that the common theme was the future - he said that they were trying to get a hold on the benefits offered to new employees. He said, for example, that all unions were being asked to agree to 25% payment on health insurance for new employees and that the police department was being asked to consider a 50% Quinn payment on new officers. He said that they were looking to go to biweekly paychecks and direct deposit for everyone.

He said that the Library had negotiated a 3 year contract for 5% overall, with a dollar value of \$25,000.00. He said that in a couple of weeks, he would have the transfer to the Council with and integrated agreement and a one page summary of the changes.

He said that, for all the contracts, he was preparing integrated contracts, so that they would be easier to everyone to read and comprehend.

He said that the DPW had asked for 15%. They had 5.5% on the table. He said that the sticking point was the CDL stipend. He said that the new contract would contain provisions for drug testing, sick usage and GPS.

He said that the Patrol officers were asking for 12%. The city had made the same offer as to other units. They were also asking that new officers accept a 50% quinn benefit and that GPS be installed in cruisers. He said that, with the superiors, they also had the Deputy Chief position on the table. He said that they were interested in installing a real time crime center, which would be only one of four in the nation but that patrol had filed for injunctive relief. He said that the system would pinpoint incidents and send the closest car. He said this was a 90 day trail period and, if it didn't work, it would be gone.

Councillor Anderson said that he like the sound of that.

Councillor Kinnon said that he worked at Iron Mountain and knew that it worked. He said that they had a number of trucks on the road and knew exactly where each one was. He said that they would send the closest truck when they got a call.

The Mayor said that they were also looking at car cameras, which would point out, so that they could see what was happening as a car approached the scene.

Councillor Matheson said that he was disturbed. He said that he did not know why there was not GPS in all city vehicles. He asked why we had abdicated our authority and made it something that was negotiable by union contract.

Ms. Luise said that was the city's position. She said that they had not brought it to the table for negotiation. She said that the GPS had been installed and the patrolmen had filed for an injunction.

Councillor Matheson asked if they were in DPW vehicles.

The Mayor said that they were working on that now.

Councillor Matheson said that we didn't want unions to negotiate to get something for us installing GPS.

The Mayor said that it was not an issue with the DPW - they were not contesting the move. Councillor Spadafora said that he thought that GPS should be in DPW vehicles for efficiency and to prevent theft. He said that he was in the Mayor's office when Motorola had come in to demonstrate the system. He said that it was great technology from a safety standpoint for

officers. He said that he thought that it was the right thing to do.

Councillor Ultrino asked if there was GPS in fire trucks.

The Mayor said that he didn't know.

Councillor D'Arcangelo said that he had some experience with this as well, with a bus company. He said that on the management side, it required someone monitoring it.

Councillor Kinnon said that the dispatchers would be doing that.

Councillor D'Arcangelo asked what the Police department argument was.

Ms. Luise said that they were considering it a change in the work environment.

Councillor Kinnon said that, as far as he could see, only the bottom feeders would be resisting this.

The Mayor said that Fire was being offered the same as the other unions. He said that it was not going well. He said that they wanted 18% over three years. He said that, after 10 minutes at the table, they had gone to the JLMC, saying that the city was not bargaining in good faith.

Councillor Spadafora asked how the city was with staffing levels in the Fire Department, with the Safer grant about to end. He asked if that was a subject of negotiations.

The Mayor said that was being worked on but that it was a different conversation.

Councillor Spadafora asked for a clarification on Quinn, which the Mayor provided by saying that it would apply to new hires for the length of their career.

Councillor Matheson asked why they had not asked that of all the officers.

The Mayor said that they had but the union said that it was not even up for discussion.

Councillor Anderson asked if there was a vote required or if this was just informational.

The Mayor said that it was just informational and he would be back to them again when there was more to report.

ON COUNCILLOR ULTRINO'S MOTION TO ADJOURN
(11Y-ON) (SEE ROLL CALL)

MEETING ADJOURNED

8:25 P.M.

308-24

Order: That the City Council will vote to go into Executive Session with legal counsel for the City, in accordance with Exemption Seven Massachusetts General Laws Chapter 30A Section 21(a)(7), to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements, in order to act on the periodic review of those executive session minutes listed herein; council vote is required prior to release of the executive session minutes of the following dates:

September 3, 2013

October 17, 2013

October 22, 2013

February 4, 2014

In so convening in Executive Session, the City Council will act under the Open Meeting Law MGL c. 30A, Sec. 22(g)(2), to determine whether the Executive Session minutes referenced above warrant continued non-disclosure.

And if so allowed by the Body, to admit Maria Luise, Special Assistant to the Mayor.

(Roll Call Required)

Sponsors: Stephen Winslow

During the Executive Session on July 24, 2024, a motion was made by Councillor Sica, seconded by Councillor O'Malley to release minutes from Executive Sessions as stated in Paper 308-24, as it was determined the executive session purpose no longer warrants confidentiality and that one or more of the exemptions under the Public Records Law no longer apply to the minutes.

The motion carried by the following vote:

Yea: Colon Hayes, Condon, Crowe, Linehan, O'Malley, Sica, Taylor, Winslow

Nea: none

Absent: McDonald, Simonelli, Spadafora

The released minutes are now attached to the history of Paper 308-24.

A motion was made by Councillor Sica, seconded by Councillor Crowe, that the Order be adopted. The motion carried by the following vote:

Yea: 9 - Colon Hayes, Condon, Crowe, Linehan, O'Malley, Sica, Spadafora, Taylor and Winslow

6. ADJOURNMENT

Council President Winslow announced that the Council will not reconvene after deliberation on Paper 308-24 and instead will directly recess to the call of the President from Executive Session, which concluded at 6:56 PM.

CAROL ANN DESIDERIO, CITY CLERK