

MINUTES OF THE MEETING
OF THE LAWRENCE CITY COUNCIL

DATE: Tuesday, June 30, 2009

A SPECIAL MEETING of **June 29, 2009** continued on **Tuesday, June 30, 2009** at 7: 08 p.m. in the City Council Chamber with all Members present. Councilor Kolofoles arrived at 7:09 p.m. Councilor Silva arrived at 7:18 p.m.

Approximately Twenty [20] persons were present.

I. ACCEPTANCE OF MINUTES: - None

II. PUBLIC PARTICIPATION: - None

III. PUBLIC HEARINGS:

Doc.199/09: Consideration for Approval of FY'2010 Budget–2nd Proposal by the City Council for the City of Lawrence- Hearing held – Approved

Councilor Alvarez-Rodriguez presented a motion to come out of recess and to resume the proceedings of June 29, 2009. The motion was seconded by Councilor Fielding and unanimously approved by the Council Members present [7-0] [Councilor Silva and Councilor Kolofoles absent].

Councilor Alvarez-Rodriguez presented a motion to remove the item from the table which was seconded by Councilor Fielding and unanimously approved by the Council Members present [8-0]. [Councilor Silva Absent]

Council President Blanchette introduced the item to the Council Members present by recounting the proceedings of the City Council taking place on June 29, 2009 as informational.

At the invitation of Council President Blanchette, Chief Takvorian addressed the Council Members regarding amounts necessary to allow all fire stations to remain

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“open”. He emphasized that in his opinion rotational closing of fire houses do not provide sufficient or adequate safety to the public.

At the invitation of Council President Blanchette, Budget and Finance Director Mark Andrews addressed the City Council Members regarding the supplemental appropriation filed with the City Clerk earlier today. Director Andrews discussed the details of the supplemental appropriation.

Council President Blanchette addressed items presented in the Supplemental Appropriation filed on June 30, 2009. Council President Blanchette asked if the Supplemental Appropriation submitted presents additional appropriations. Director Andrews stated that there are additional sums.

Upon being granted the floor, Councilor Silva presented a motion to approve the FY'2010 Budget submitted on May 28, 2009 which was seconded by Councilor Fielding.

Upon a call for discussion, Councilor Silva explained that the approval process last year included additional appropriations and that her motion to approve is intended to include the FY'2010 Budget with the additional appropriations.

Council President Blanchette clarified that the motion presented is to approve the budget submitted on May 28, 2009. Councilor Silva concurred.

At invitation of Council President Blanchette, City Attorney Boddy was invited to address the Council Members regarding the lawful method by which the Council Members should address the supplemental appropriations submitted. Attorney Boddy suggested that the motion to approve the FY'2010 Budget should be addressed first and the appropriation measure should be addressed if at all, after the first motion is acted upon. A discussion

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ensued between Council President Blanchette, Councilor Kolofoles and Attorney Boddy regarding proper parliamentary procedure.

Upon being granted the floor, Councilor Alvarez-Rodriguez stated that discussions presented at the full body of The Lawrence City Council have no reflection on the efforts of the Council Subcommittees to obtain a workable and reasonable FY 2010 Budget. Councilor Alvarez-Rodriguez requested additional procedural information on the manner by which the FY 2010 Budget may be amended.

Council President Blanchette informed the Council Members explained that additions proposed through supplemental appropriation would have to be presented at a public hearing and further indicated that the City Council Members could vote to decrease the proposed FY 2010 Budget. City Attorney Boddy further explained that if the Council Members wished to reallocate funds it could do so by motion to transfer funds within the same line item existing within the proposed City Budget advanced by the Mayor. A discussion ensued between Council President Blanchette and Attorney Boddy regarding the lawful method of considering and approving changes to specific budgetary items. Further discussions between Councilor Silva and Council President Blanchette ensued regarding possible measures that may result in a partial approval of certain budget items.

Councilor Alvarez-Rodriguez posed further questions to Attorney Boddy concerning the proper method of addressing emergency appropriations.

Upon being granted the floor, Councilor Twomey posed questions regarding the possibility of lay-offs that could result if a 30 day budget is implemented. Director Andrews explained that lay-offs would occur under that circumstance. Councilor Twomey posed

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further questions about certain agreements reached with the various unions and indicated that these were not reflected in the actual budget amounts referenced. Director Andrews explained that the terms of collective bargaining agreements reached prevented the necessity of imposing lay-offs of personnel in the Lawrence Police Department.

Upon being recognized, Councilor Silva commented that she supports the union agreements as reflected in the budget amounts presented.

Upon being granted the floor, Councilor Alvarez-Rodriguez requested further clarification concerning the implementation of the agreements reached with the various unions as reflected in the budget submitted. Councilor Alvarez-Rodriguez posed additional questions to City Assessor Alex Vega regarding increases to the real estate tax. A discussion ensued between Councilor Alvarez-Rodriguez and Assessor Vega regarding the assessment and abatement process.

Upon being recognized, Councilor Kolofoles asked Assessor Vega how much is in the overlay reserve account. Assessor Vega stated that 1.7 million dollars is available.

Continuing her inquiry, Councilor Alvarez-Rodriguez asked whether or not the City can capitalize from valuable paintings owned by the City. She also posed additional questions to Director Andrews regarding the recommended cuts to funds and services to the School Department identified in the proposed supplemental appropriation.

Upon the invitation of Council President Blanchette, Kevin Clement, Lawrence School Department Transportation Coordinator, discussed the current contract provisions of the transportation contracts with the Lawrence School Department.

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Council President Blanchette posed questions to Mr. Clement about the impact that proposed cuts may have upon the Lawrence School Department. In response, Mr. Clement stated he could not predict the exact impact that cuts would have upon the School Department.

Upon being granted the floor, Councilor Gonzalez posed questions to Mr. Clement about the total cost of the Special Education Transportation Contracts. A discussion ensued between Councilor Gonzalez and Mr. Clement about past transportation contracts.

Council President Blanchette asked Director Andrews where the proposed cuts in transportation were expected or planned. Director Andrews informed the Council Members that a \$300,000.00 reduction in funds was recommended by the Budget and Finance Committee and is reflected in the proposed appropriation submitted. A discussion ensued between Council President Blanchette, Director Andrews and Mr. Clement concerning the transportation contract.

Upon being granted the floor, Councilor Kolofos discussed the results of the School Department meetings with Christine Bufagna, Budget and Finance Director for the Lawrence School Department, with regard to the proposed FY 2010 Budget. Councilor Kolofos posed questions to Director Andrews how the Budget Office calculated amounts appearing in the proposed FY 2010 Budget. Councilor Kolofos posed additional questions to Mr. Clement about the funds necessary to provide student transportation for FY 2010. Councilor Kolofos commented on the cost to implement the Adult Education Programs and stated that these programs are necessary to the residents of Lawrence and should not be terminated.

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Upon being granted the floor, Councilor Abdoo posed questions to School Department Budget Director Bufagna regarding use of State and Federal monies received for transportation programs. A discussion ensued between School Department representatives and Council Members regarding recommendations to require the School Department to provide funding of school crossing guards and safety officers.

Upon being granted the floor, Councilor Moran suggested that the Council Members review the budget carefully and support the proposed budget.

Upon being granted the floor, Councilor Twomey commented that he does not believe the revenues referenced in the proposed budget are overstated and he cannot support the FY 2010 Budget.

Upon being granted the floor, Councilor Gonzalez commented on the no-bid status of Special Education Transportation Contracts.

Upon being granted the floor, Councilor Kolofoles posed additional questions to Director Andrews about the proposal to cut \$400,000.00 from the School Department/IT services in order to keep two fire stations open. Further questions were posed about the use of rotating shifts for Fire Department personnel. A discussion ensued between Councilor Kolofoles and Fire Chief Takvorian regarding ongoing efforts to obtain additional funding from State and Federal sources through State and Federal Massachusetts delegates. Deputy Chief Jack Bergeron offered information concerning the Union's action rejecting the proposed items subject to negotiations.

Councilor Silva presented a motion to conduct Council business past 10:00 p.m. which was duly seconded by Councilor Abdoo and unanimously approved by the Council Members present.

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Council President Blanchette commented that he is skeptical about the accuracy of the funds that would result from closing fire stations on a rotating basis. Council President Blanchette also suggested that amounts referenced in the severance funding portion of the proposed FY 2010 Budget as well as the amount suggested to be obtained from School Transportation funds is questionable. A discussion ensued between Councilor Silva and Council President Blanchette about the amount actually cut being from transportation.

Upon no further comments, discussion or inquiry by the Council Members present, Council President Blanchette called the motion to the attention of the Council Members.

Upon vote of the Council Members present, the measure was approved as follows: 6-YES; 3-NO

Council Vice President Kolofoles – Yes
 Councilor Silva - Yes
 Councilor Twomey - No
 Councilor Alvarez-Rodriguez - Yes
 Councilor Abdoo - Yes
 Councilor Moran – Yes
 Councilor Gonzalez - No
 Councilor Fielding - Yes
 Council President Blanchette – No

Doc. 199/09: Approved

IV: COMMUNICATION FROM MAYOR, CITY OFFICIALS & CITY ATTORNEY:- None

V. APPROPRIATIONS-ORDERS-RESOLUTION: - None

VI. COMMITTEE REPORTS: - None

VII. WITHDRAWALS: - None

VIII. OLD BUSINESS: - None

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IX. TABLED MATTERS:

The following items remained “tabled” without further action:

- 275/07: Marion Avenue – park to be named – Ord. Comm.
- 6B/08: City Contract Ordinance – Section 3.04.230- Ord. Comm.
- 22/08: Personnel Department – Re-organization
- 236/08: National Grid–req. permission to place underground electric conduits on Green St.-hear.
- 256/08: Parking – Prospect St/East Haverhill St- - removal of a 20 minute parking sign
- 39/09: Water Commissioner – lay off – compliance with MGL Chapter 111 Section 160- City Attorney invited to attend
- 141/09: Resolution – Delila Rivera – Council Pres. Blanchette
- 281/08: Revised Zoning Ordinance – Political Signs – hearing
- 219/09: FOIA Request Ignored by Administration – copy of all bills and documents related to payment to Mintz Levin Law Firm – Budget and Finance Director Andrews and Comptroller Director Cammaso to attend to answer questions

X. NEW BUSINESS: - None

ITEMS ADDED AT MEETING

244/09: Supplemental Appropriation Order – FY 2010-Mayor Sullivan – Public Hearing Ordered

Councilor Alvarez-Rodriguez presented a motion to declare Doc. 244/09 an emergency measure and to suspend the Rules of the City Council in order to address the matter. The motion was seconded by Councilor Abdoo and the Council Members voted unanimously [8-0] to declare Doc. 244/09 an emergency measure. [Councilor Fielding was absent from the Council Chamber].

Councilor Alvarez-Rodriguez then presented a motion to order a public hearing on the measure. The motion was seconded by Councilor Abdoo and unanimously [9-0] approved by the Council Members present.

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Councilor Alvarez-Rodriguez stated that the Council should formally vote its resolve to keep the two fire houses open in the form of a motion, which was seconded by Councilor Fielding and unanimously [9-0] voted upon by the Council Members present.

244/09: Public Hearing Ordered

XI. ADJOURNMENT:

Upon Motion of Councilor Kolofoles duly seconded by Councilor Silva, the Council Members present voted unanimously to Adjourn.

**ADJOURNED
(10:14p.m.)**

Attest:

William J. Maloney
City Clerk