

**MINUTES OF THE MEETING**  
**OF THE LAWRENCE CITY COUNCIL**

**DATE: Tuesday, July 21, 2009**

A **REGULAR MEETING** of the City Council was held on **Tuesday, July 21, 2009** at 7: 15 p.m. in the City Council Chamber with all Members present.

Approximately Fifty-seven [57] persons were present.

A Moment of Silence was held.

The Pledge of Allegiance was recited.

**I. ACCEPTANCE OF MINUTES:** - None

**II. PUBLIC PARTICIPATION:**

Council President Blanchette requested those who wished to provide public input and participation to present them-selves and address the City Council. Upon the invitation of Council President Blanchette, the following individuals addressed the City Council:

Mr. Hamayoun Maali, 53 Chester Street, Lawrence, MA spoke in support of the Fire Department and its efforts to keep all fire houses open.

Dick Blatchford, 3 Harrison Street, Lawrence, MA discussed the unequal ethnic representation of the Human Rights Commission as a result of the recent appointments recommended by the Mayor.

Mark Gray, 17 Groton Street, Lawrence, MA informed the Council Members of a pending petition concerning use of Campaign Funds.

Gloria Schwartz, 165 Ferry Street, Lawrence, MA spoke in support of the Lawrence Firefighters.

Cristobal Toribio, Ministry of Christ Pastors, spoke in support of a measure to amend the petition to use the Campagnone Park.

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Sharyn L.Ruprechet, 44 Exeter Street, Lawrence, MA discussed the increase of violent crime in Lawrence, MA. She thanked the support and concern expressed by friends and neighbors after the violent death of her son.

### **III. COMMITTEE REPORTS:**

Councilor Kolofoles presented a motion to take document 235/2009 out of the order appearing on the agenda. The motion was duly seconded and unanimously approved by the Council Members present [9-0].

#### **Doc.235/09: Appointment – Lawrence Housing Authority - Board of Commissioners – Zorayda Geronimo – Pers. Comm.**

At the request of Council President Blanchette, Councilor Abdo presented the report from the Personnel Committee in the form of a motion to accept the committee report without a recommendation. The motion to accept the report was seconded by Councilor Silva and approved unanimously by The Council Members present.

Councilor Silva presented a motion to approve the reappointment of Zorayda Geronimo to the Board of Commissioners for The Lawrence Housing Authority for a term of five years. The motion was seconded by Councilor Gonzalez.

Council President Blanchette called upon Ms. Geronimo to address the Council Members who provided the Council Members with her reasons for applying for the position.

Upon being granted the floor, Councilor Abdo informed the Council Members that the position for reappointment is a five year term.

Upon being granted the floor, Councilor Twomey spoke in support of Ms. Geronimo.

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Upon being granted the floor, Councilor Alvarez-Rodriguez posed questions to Ms. Geronimo regarding her interest in continuing is service to the City of Lawrence as a member of the board.

Upon being granted the floor, Councilor Kolofoles asked Ms. Geronimo about the extent of her work as a member of the board with emphasis on specific goods and services provided to tenants of the Housing Authority.

Council President Blanchette addressed Ms. Geronimo and thanked the applicant for her services.

Upon no further discussion or comment offered by anyone present, Council President Blanchette called upon the Council Members present to consider the matter presented.

Upon motion of Councilor Silva, as seconded by Councilor Gonzalez the Council Members present voted unanimously [9-0] to approve the reappointment of Zorayda Geronimo to the Lawrence Housing Authority for a term of five years.

**Doc.235/09: Approved**

### **III. PUBLIC HEARINGS:**

**Doc.244/09: Supplemental Appropriation Order - FY 2010 –Hearing held – Tabled**

At the request of Council President Blanchette, the City Clerk read the public hearing notice regarding the above as published. Upon the conclusion of the Clerk's reading of the public notice, Council President Blanchette opened the public hearing portion of the proceedings and invited anyone who wished to be heard to present themselves before the Council Members.

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Budget & Finance Director Andrews presented a power-point presentation concerning the item.

Council President Blanchette provided an overview of the item before the Council Members and invited the public to comment.

Patrick Driscoll, President of the Lawrence Fire Department Union, discussed the practical impact of the budget shortfalls presented by the current fiscal plan.

Julia Silverio, 92 Eutaw Street, Lawrence, MA stated that the proposed financial shortfalls of the FY 2010 Budget will result in rotational closing of certain fire stations. She suggested that the City Council should consider other measures be taken in order to save money that will not result in compromising the safety of Lawrence residents.

Barney Riley, Director of Council on Aging for the City of Lawrence, spoke in favor of approving the Supplemental Appropriation as presented.

Myles Burke, 10 Mt. Vernon Terrace, Lawrence, MA, Commissioner of Inspectional Services, spoke in support of the proposed measure.

Mr. Silva, Lawrence Department of Public Works employee, spoke in support of the Lawrence Fire Department.

Mr. Archaubault, Lawrence Fire Department, spoke in favor of the proposed measure.

Upon no further discussion or comment offered by anyone present, Council President Blanchette closed the public comment portion of the proceedings and called upon the Council Members present to offer comment or discussion.

Upon being granted the floor, Councilor Silva presented a motion to approve the measure, which was seconded by Councilor Twomey.

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Council President Blanchette asked Director Andrews questions about the rotational closing of the various Fire Stations with particular concern about the Prospect Hill Fire Station. Director Andrews stated that in his opinion rotational closings save money so as to avoid lay-offs for public safety officials. Council President Blanchette stated that closing fire stations throughout the City on a rotational basis provides some amount of fiscal stability, it is not sound public policy because it compromises public safety. A discussion ensued between Council President Blanchette and Director Andrews regarding the efforts to staff and fund the Fire Department.

Upon being granted the floor, Councilor Gonzalez stated that he voted against the FY 2010 Budget and opposes closing Engine 7 fire station.

Upon being granted the floor, Councilor Alvarez-Rodriguez asked Fire Chief Takvorian questions about the possibility of losing additional fire personnel and how the rotational closing of fire stations is implemented. Fire Chief Takvorian stated that if the current measure is approved, only one engine house will close and, if it is not approved then two engine houses will have to be closed. A discussion ensued between Chief Takvorian and Councilor Alvarez-Rodriguez concerning the impact that rotational closings have upon service provided in comparison with closing specific engine houses. Deputy Chief Bergeron suggested that the present budget requires laying-off fourteen additional firefighters and approval of the measure presented will allow some of the fourteen firefighters to avoid being laid-off. A discussion between Director Andrews and Councilor Alvarez-Rodriguez ensued about the manner of calculating the overall financial impact of rotational closing of fire

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stations. Chief Takvorian discussed the reason for involving only fire stations on the north side of the City for consideration of closing.

Upon inquiry, Director Andrews stated that it is his opinion that continued rotational closings of fire stations is the most sound financial method of addressing personnel and financial issues until additional funds can be found to keep all stations operational.

Upon being granted the floor, Councilor Silva discussed constituents' reaction to current rumors that Engine 7 on Park Street was scheduled to close on July 6, 2009. A discussion ensued between Councilor Silva and Chief Takvorian regarding the rationale behind the decision to close the Engine 7 fire station.

Captain Maccarone addressed the Council Members about the grant application process he uses to obtain funding for various projects offered from a variety of sources. A discussion ensued between Councilor Silva and Director Andrews on the possible acquisition and use of School Transportation Funds to supplement the Fire Department's financial requirements.

Upon being granted the floor, Councilor Moran posed questions to Deputy Chief Bergeron, Director Andrews, and Fire Chief Takvorian about the amount of overtime used to address the problem that there is insufficient full time staff available to cover all fire department shifts. A discussion ensued between Councilor Moran and Deputy Chief Bergeron regarding the possible use of current budgetary funds to hire additional firefighters.

Upon further inquiry, Director Andrews explained the financial impact that attrition has on the loss of firefighters. Councilor Moran again reviewed the grant process with

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Captain Maccarone. Further discussion ensued between Councilor Moran and Chief Takvorian about the inability to provide for sufficient staff due to current budget constraints.

Upon inquiry of Councilor Abdoo, Chief Takvorian discussed and explained the duties and responsibilities of the four Deputy Chiefs currently employed by the City of Lawrence Fire Department. Chief Takvorian again explained the operational problems that implementation of rotational closings of fire stations causes in relation to the sufficiency of staff required to be in place by State Law..

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

A discussion ensued between Councilor Abdoo and Deputy Chief Bergeron regarding the inability to hire staff without prior approval from the Mayor.

Upon being granted the floor, Councilor Kolofoles commented about the lack of sufficient manpower while still paying large amounts of money for over-time. Councilor Kolofoles suggested that additional firefighters are needed to properly staff the Lawrence Fire Department and that it is necessary that all fire stations remain open and operational to properly provide public safety to the residents of Lawrence. He again asked Chief Takvorian about the impact if the appropriation measure presented was not approved. Councilor Kolofoles also asked Firefighter's Union President Patrick Driscoll about the results of the contract negotiation process.

Upon no further discussion or comment offered by the Council Members present, Council President Blanchette closed the discussion portion of the hearing and called upon the Members present to consider the matter presented.

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Councilor Kolofoles presented a motion to table the item which was seconded by Councilor Alvarez-Rodriguez and approved by The Council Members present who voted as follows to table Doc. 244/09: Yes-6; No-3

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

**Doc. 244/09: Tabled**

**IV: COMMUNICATION FROM MAYOR, CITY OFFICIALS & CITY ATTORNEY:**

**Doc. 256/09: Fire Stations Closings–  
 declare emergency–Resolution to Federal & State Delegations–  
 Council Vice President Kolofoles – Tabled**

Councilor Kolofoles presented a motion to table the item presented which was seconded by Councilor Alvarez-Rodriguez and approved by The Council Members present as follows. Yes-8; No-1

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

**Doc. 256/09: Tabled**

**V. APPROPRIATIONS-ORDERS-RESOLUTION:** - None

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**VI. COMMITTEE REPORTS:**

**Doc.193/09: Ministry Christ Restores – use of Campagnone Common  
on 7/25/09 from 12:00 p.m. to 2:00 p.m.-Ord. Comm. – Approved**

At the request of Council President Blanchette, Councilor Kolofoles presented the report from the Ordinance Committee in the form of a motion to approve Ministry Christ Restores use of Campagnone Common on July 25, 2009 from 12:00 p.m. to 2:00 p.m. The motion was seconded by Councilor Alvarez-Rodriguez and unanimously approved [8-0] by The Council Members present. [Councilor Gonzalez was not in the Council Chamber during the vote].

**Doc. 193/09: Approved**

**Doc.196/09: New Horizon Church of God in Christ -  
use of Campagnone Common on 9/25/09 & 9/26/09 – Ord. Comm. - Approved**

At the request of Council President Blanchette, Councilor Kolofoles presented the report from the Ordinance Committee in the form of a motion to approve the request of The New Horizon Church of God in Christ to use The Campagnone Common on September 25<sup>th</sup> and 26<sup>th</sup> of 2009. The motion was seconded by Councilor Alvarez-Rodriguez and unanimously approved [8-0] voted upon by Council Members present. [Councilor Gonzalez was not in the Council Chamber during the vote].

**Doc. 196/09: Approved**

**Doc.208/09: Parking – 49 Walnut Street – (2) 15 minute spaces – Ord. Comm. & Public  
Hearing Ordered**

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee to order a public hearing on the measure presented. The

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report was presented in the form of a motion, seconded by Councilor Alvarez-Rodriguez and unanimously approved by the Council Members present [8-0].

**Doc. 208/09: Public Hearing Ordered**

**Doc.221/09: Saratoga Street – one way – from Lawrence St. to Arlington St. – Ord. Comm. & Public Hearing Ordered**

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee to order a public hearing on the measure presented. The report was presented in the form of a motion, seconded by Councilor Alvarez-Rodriguez and unanimously approved by the Council Members present [8-0].

**Doc. 221/09: Public Hearing Ordered**

**Doc.222/09: Parking – Brook Street – alternate parking – winter months – Ord. Comm. & Public Hearing Ordered**

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee to order a public hearing on the measure presented. The report was presented in the form of a motion, seconded by Councilor Alvarez-Rodriguez and unanimously approved by the Council Members present [8-0].

**Doc. 222/09: Public Hearing Ordered**

**Doc.238/09: Community Service Agency–use of Campagnone Common Park–8/29/09 from 11:00 a.m. to 5:00 p.m.-Ord Comm. – Approved**

At the request of Council President Blanchette, Councilor Kolofoles presented the report from the Ordinance Committee in the form of a motion to approve the petition presented by The Community Service Agency for a permit to use of Campagnone Common Park on August 29, 2009 from 11:00 a.m. to 5:00 p.m. The motion was seconded by

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Councilor Alvarez-Rodriguez and unanimously [8-0] approved by The Council Members present.

**Doc.238/09: Approved**

**Doc.239/09: St. Alfio's Society – Feast of Three Saints – Labor Day Weekend on September 4, 5 and 6, 2009- Ord. Comm. – Approved**

At the request of Council President Blanchette, Councilor Kolofoles presented the report from the Ordinance Committee in the form of a motion to approve the petition of The Saint Alfio Society to conduct its annual Feast of The Three Saints to be held over the Labor Day weekend on September 4, 5 and 6, 2009. The motion was seconded by Councilor Twomey and unanimously [8-0] approved by The Council Members present.

**Doc.239/09: Approved**

Upon the motion of Councilor Kolofoles, seconded by Councilor Alvarez-Rodriguez, The Council members unanimously [8-0] voted to present the following matters in a block.

**Doc.241/09: Transient Vendor License – Carlos Alba – Ord. Comm. – Approved**

At the request of Council President Blanchette, Councilor Kolofoles presented the report from the Ordinance Committee in the form of a motion to approve Transient Vendor License, Carlos Alba, which was seconded by Councilor Alvarez-Rodriguez and unanimously [8-0] approved upon by Council Members present.

**Doc.241/09: Approved**

**Doc.242/09: Transient Vendor License – Olga Jimenez – 43 Texas Avenue – Ord. Comm. - Approved**

At the request of Council President Blanchette, Councilor Kolofoles presented the report from the Ordinance Committee in the form of a motion to approve the petition for a

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Transient Vendor License presented by Olga Jimenez of 43 Texas Avenue, Lawrence, MA.

The motion was seconded by Councilor Alvarez-Rodriguez and unanimously [8-0] approved by Council Members present.

**Doc.242/09: Approved**

**Doc.243/09: Transient Vendor License – Romeo Tellez – 43 Texas Avenue – Ord. Comm. – Approved**

At the request of Council President Blanchette, Councilor Kolofoles presented the report from the Ordinance Committee in the form of a motion to approve the Transient Vendor License for Romeo Tellez, 43 Texas Avenue, Lawrence, MA which was seconded by Councilor Alvarez-Rodriguez and unanimously [8-0] approved by Council Members present.

**Doc.243/09: Approved**

**Doc.249/09: Transient Vendor License – Eric Morales – 21 Dartmouth Street – Ord. Comm. – Approved**

At the request of Council President Blanchette, Councilor Kolofoles presented the report from the Ordinance Committee in the form of a motion to approve the Transient Vendor License for Eric Morales, 21 Dartmouth Street, Lawrence, MA which was seconded by Councilor Alvarez-Rodriguez and unanimously [8-0] approved by Council Members present.

**Doc.249/09: Approved**

**Doc. 252/09: Team ECR – use of Pemberton Park for their 3<sup>rd</sup> Annual Car Show on 7/25/09 - 8:00 a.m. to 5:00 p.m. –Ord. Comm. – Approved**

At the request of Council President Blanchette, Councilor Kolofoles presented the report from the Ordinance Committee in the form of a motion to approve Team ECR use of Pemberton Park for their 3<sup>rd</sup> Annual Car Show on July 25, 2009 from 8:00 a.m. to 5:00 p.m.

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The motion was seconded by Councilor Alvarez-Rodriguez and unanimously [8-0] approved by Council Members present.

**Doc.252/09: Approved**

**Doc.255/09: Municipal Vehicles – regulating use – Ord. Comm. – Public Hearing Ordered**

At the request of Council President Blanchette, Councilor Kolofoles presented the report from the Ordinance Committee in the form of a motion to order a public hearing on the item. The motion was seconded by Councilor Abdo and the Council Members present voted as follows to order a public hearing. Yes-6; No-1; Absent-1:

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

**Doc.255/09: Public Hearing Ordered**

**Doc.236/09: Appointment – Bellevue Cemetery – Lawrence J. Smith – Pers. Comm. – Tabled**

Councilor Abdo presented a motion to table the item, as seconded by Councilor Kolofoles and the Council Members present voted unanimously [8-0] to table Doc. 236/09.

**Doc.236/09: Tabled**

**VII. WITHDRAWALS:** - None

**VIII. OLD BUSINESS:** - None

**IX. TABLED MATTERS:**

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**Doc. 275/07: Marion Avenue – park to be named – Ord. Comm.– Tabled**

Councilor Twomey presented a motion to remove the item from the table which was seconded by Councilor Alvarez-Rodriguez. The motion was defeated by vote of the Council Members as follows. Yes-4; No-4; Absent-1:

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

**Doc. 275/07: Tabled**

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.  
 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 Mark Andrews and Comptroller Dir. Cammaso to attend to answer questions  
 227/09: Cell Towers – Presence requested of Land Use Planner Dan McCarthy and City Attorney Richard D’Agostino to explain process in securing cells towers and the appeal process if denied  
 245/09: Audit Bid Process – Council Pres. Blanchette

**X. NEW BUSINESS:**

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Council President Blanchette brought the matters listed below to the attention of the Council Members present and referred each to the Council Subcommittee as indicated:

- 257/09: Transient Vendor License – Antonia Vasquez – 12 Tenney Street, Lawrence, MA – Ref. to Ord.
- 258/09: National Grid & Verizon New England, Inc–request permission to locate poles, wires and fixtures on Hampshire St – Ref. to Ord.
- 259/09: Buckley Transportation Parking Garage – complaints due to an incident – Barbara A. Hendrick – Ref. to Budget & Finance
- 260/09: Iglesia La Shekina de Jehovah –request permission to use the Dr. Nina Scarito’s park for religious services on August 15th & 22<sup>nd</sup> from 12:00 p.m. to 6:00 p.m. – Pastor Juan Jimenez – Ref. to Ord.
- 261/09: Home Rule Petition – Antonio Jara – Myrtle Street – Counc. Alvarez-Rodriguez – Ref. to Ord.
- 262/09: Handicapped Parking – 245 Broadway Street – Council Vice Pres. Kolofoles – Ref. to Ord.
- 263/09: Handicapped Parking – 248 Broadway Street – Council Vice Pres. Kolofoles – Ref. to Ord.

**XI. RECESS:**

Upon Motion of Councilor Alvarez-Rodriguez as seconded by Councilor Kolofoles, the Council Members present voted unanimously to Recess to July 22, 2009 at 7:00 p.m.

**MEETING RECESSED  
(10:45p.m.)**

Attest:

William J. Maloney  
City Clerk