

MINUTES OF THE MEETING
OF THE LAWRENCE CITY COUNCIL

DATE: Thursday, August 13, 2009

An **EMERGENCY MEETING** of the City Council was held on **Thursday, August 13, 2009** at 7: 09 p.m. in the City Council Chamber with all Members present. Councilor Silva arrived at 7:19 p.m. and Councilor Abdoo arrived at 7:29 p.m. Approximately Twenty-five [25] persons were present.

A Moment of Silence was held.

The Pledge of Allegiance was recited.

I. ACCEPTANCE OF MINUTES: - None

II. PUBLIC PARTICIPATION: - None

III. PUBLIC HEARINGS: - None

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

**Doc.293/09: Proposed Closing of Fire Stations– Council Pres. Blanchette-
Presented/Discussed**

Council President Blanchette introduced the item and explained the purpose of the emergency meeting. [Council President Blanchette read the opinion of City Attorney Charles Boddy, concerning the authority of Council to convene an emergency meeting on less than 48 hours notice.]

Council President Blanchette reviewed the history of the FY 2010 Budget process and recent information concerning the possibility of closing two fire houses and lay-off of firefighters if budget shortfalls persist.

Council President Blanchette invited Chief Takvorian to speak, who informed the Council Members of the current situation regarding possible closings of two fire stations and

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firefighter lay-offs, ten of which took place today. Council President Blanchette posed questions about the method by which the ten lay-offs of firefighters would be implemented and additional questions pertaining to the current financial expenditures of the Fire Department.

Upon being granted the floor, Councilor Twomey posed questions about the application of monies recently appropriated and whether there is any other financial solutions being sought by the Administration. Councilor Twomey asked Council President Blanchette what course of action can be taken by the City Council to remedy this situation. Council President Blanchette suggested the Council may send a demand for immediate appropriation order to keep the two fire houses open.

Upon being granted the floor, Councilor Silva reviewed the current situation in light of events that lead to the present financial crisis. She suggested the Fire Department Union offer concessions in order to help resolve some of the financial problems.

In response, Patrick Driscoll, Union Representative for the Lawrence Firefighters, reviewed the course of recent negotiations with the Administration resulting in the present situation. A discussion between Mr. Driscoll and Councilor Silva ensued regarding the matter presented.

Upon being granted the floor, Councilor Alvarez-Rodriguez posed questions to Councilor Silva regarding suggested appropriations recommended by the Administration. Councilor Alvarez-Rodriguez posed questions to Fire Chief Takvorian regarding recent discussions between the Chief and Mayor Sullivan concerning the current financial situation. Councilor Alvarez-Rodriguez reviewed the history of personnel staffing of the Fire

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Department in recent years. She reviewed alternatives that may be implemented to resolve the current situation. Councilor Alvarez-Rodriguez posed questions to Mr. Driscoll regarding the reasons the union will not negotiate. Mr. Driscoll explained that the issue is not an related to a lack of cooperation but concerned public safety due resulting from insufficient staffing. Mr. Driscoll explained the differences between what contract offers to the Lawrence Firefighters and how it differed to contract negotiations with other unions in the City of Lawrence.

Upon continuing, Councilor Alvarez-Rodriguez reviewed numerous staffing requirements of the Fire Department with Fire Chief Takvorian. She suggested that the Council Members should demand some action of the Administration and commence legal action if necessary.

Upon being granted the floor, Councilor Kolofoles recounted the course of events occurring during the budget process. He concurred with Councilor Alvarez-Rodriguez and stated that some action is necessary under these circumstances.

Upon being granted the floor, Councilor Moran posed questions to Union President Patrick Driscoll regarding the concessions offered by the Firefighters Union and what can be offered at this time to resolve the situation. Mr. Driscoll stated that he is not authorized to make any presentation on behalf of the union members at this time.

A discussion ensued between Council President Blanchette and Councilor Alvarez-Rodriguez regarding issues and presented by Budget Director Andrews to induce the Council Members to vote favorably on the FY 2010 Budget.

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Councilor Alvarez-Rodriguez presented a motion to request the Mayor to be forthcoming with an appropriation order consistent with the resolution of Council of June 30, 2009 to keep all fire stations in Lawrence open and operational. The motion was seconded by Councilor Kolofoles.

Upon being granted the floor, Councilor Gonzalez affirmed his position originally stated that he was not convinced the funds were ever available.

Upon being granted the floor, Councilor Kolofoles stated that the City Charter provides that the Mayor is charged with the fiscal authority to make appropriations. [A discussion ensued pertaining to the form of communication to the Mayor and City Attorney] Councilor Kolofoles suggested that two Council Members might be appointed to approach the Mayor to seek informal resolution. [A discussion ensued among the Council Members regarding the possibility of additional appropriation from the Administration necessary to keep the firehouses open].

Upon being granted the floor, Councilor Twomey commented about the expectations of results through an action taken against the Administration. Councilor Twomey asked Fire Chief Takvorian if he could keep the two engine houses open. Chief Takvorian stated the current financial and staffing circumstances was not able to keep the two closed fire houses open.

Upon no further comments, discussion or inquiry by the Council Members present, Council President Blanchette called the motion for the consideration of the Council Members. The Council Members present voted unanimously [9-0] to approve the motion to request the Mayor to be forthcoming with an appropriation order consistent with the

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resolution of Council of June 30, 2009 to keep all fire stations in Lawrence open and operational.

Upon being recognized, Councilor Alvarez-Rodriguez presented a motion to send a letter to the City Attorney to identify and opine on representation of Council to consider further action on behalf of the City Council to prevent closing of the fire stations. The motion was seconded by Councilor Kolofoles and the Council Members present voted unanimously [9-0] to approve the motion.

V. APPROPRIATIONS-ORDERS-RESOLUTION: - None

VI.COMMITTEE REPORTS: - None

VII. WITHDRAWALS: - None

VIII. OLD BUSINESS: - None

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.
- 39/09: Water Commissioner – lay off – compliance with MGL Chapter 111 Section 160- City Attorney invited to attend
- 141/09: Resolution – Delilah 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
- 222/09: Brook Street – request to have alternate parking year round

X. NEW BUSINESS: - None

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XI. RECESS:

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

**RECESSED
(8:43p.m.)**

Attest:

William J. Maloney
City Clerk