

MINUTES OF THE MEETING
OF THE LAWRENCE CITY COUNCIL

DATE: Wednesday, November 4, 2009

A **REGULAR MEETING** of the City Council was held on **Wednesday, November 4, 2009** at 7: 09 p.m. in the City Council Chamber with all Members present. Councilor Alvarez-Rodriguez arrived at 7:15 p.m. and Councilor Abdo arrived at 7:23 p.m.

Approximately Nine [9] 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 themselves and address the City Council. Upon the invitation of Council President Blanchette, the following individuals addressed the City Council:

Homayoun Maali, 53 Chester Street, Lawrence, MA, spoke of the new trash contract entered by the City of Lawrence stating that the program will result in illegal dumping of trash due to the fact that extra costs to City residents is built into the program.

Ellie Curtin, a resident of The Brunswick House, Lawrence, MA, stated that Brunswick House needs more than the one handicapped parking space it has and that the Council Members should look into the matter.

Bob Comeau, 16 Boyd Street, Lawrence, MA, discussed the cost of trash disposal implemented in Lowell. He provided a price comparison of trash pick-up items charged by Lowell and Lawrence.

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Joseph Quartarone, 8 West Kenneth Street, Lawrence, MA, discussed the impracticality of implementing the new trash disposal program.

Daniel Rooney, property owner in Lawrence, discussed the new trash disposal program and stated that it would not work.

Scott Clegg, 8 Reservoir Street, Lawrence, MA, urged the Council Members to take steps to prevent the implementation of the trash disposal program.

III. PUBLIC HEARINGS:

Doc.300/09: Handicapped Parking – Brookfield Street – Hearing held - Approved

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.

Upon no 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 no 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. Upon a motion to approve the measure and waive the 30 days waiting period required by section 3.8(a) of The Lawrence City Charter presented by Councilor Kolofoles as seconded by Councilor Alvarez-Rodriguez, the

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Council Members present voted unanimously [9-0] to approve the measure.

Doc. 300/09: Approved-30days Waived

Doc. 306/09: Handicapped Parking – Olive Avenue – Hearing held - Approved

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.

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

Upon no 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.

Upon a motion to approve the measure and waive the 30 days waiting period required by section 3.8(a) of The Lawrence City Charter presented by Councilor Kolofoles as seconded by Councilor Alvarez-Rodriguez, the Council Members present voted unanimously [9-0] to approve the measure.

Doc. 306/09: Approved-30 Days Waived

Doc.320/09: Parking – 330 Lowell Street – Hearing held – Approved

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

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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.

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

Upon no 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.

Upon a motion to approve the measure and waive the 30 days waiting period required by section 3.8(a) of The Lawrence City Charter presented by Councilor Kolofoles as seconded by Councilor Moran, the Council Members present voted unanimously [9-0] to approve the measure.

Doc. 320/09: Approved/30 days waived

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

Doc.335/09: Special State Primary for State Senator – Tuesday, December 8, 2009 – City Council Ratification of Warrant-William J. Maloney, City Clerk - Approved

Council President Blanchette introduced the item to the Council Members present.

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

Upon being granted the floor, Councilor Twomey posed questions to City Clerk Maloney regarding polling locations.

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Upon being granted the floor, Councilor Alvarez-Rodriguez posed questions to the City Clerk Maloney regarding notification of the Special State Primary and Special State Election.

A brief discussion ensued between Councilor Kolofoles and the City Clerk, Maloney regarding the cost of running elections and consolidation of polling places.

Upon no further discussion, comment or inquiry the Council Members present voted unanimously [9-0] to approve the warrant for the Special State Primary for State Senator to be held on Tuesday, December 8, 2009.

Doc.335/09: Approved

Doc. 340/09: Pro-forma Submission – Council Pres. Blanchette - Tabled

Council President Blanchette introduced the measure to the Council Members.

Upon being granted the floor, Councilor Alvarez-Rodriguez discussed the importance of Budget and Finance Director to engage in the process by providing more information to the Council Members. A discussion ensued between Councilor Alvarez-Rodriguez and Council President Blanchette regarding the necessity of information regarding the current status of tax information.

Upon being granted the floor, Councilor Kolofoles stated that the financial difficulties providing for a balanced budget, he believes oversight by the State will likely result.

Upon being granted the floor, Councilor Silva expressed concern that the adverse financial situation will result in additional budget deficit and delay.

Upon being granted the floor, Councilor Moran suggested the item should be tabled.

Upon being granted the floor, Councilor Abdoos agreed the item should be tabled.

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Upon being recognized, Councilor Twomey agreed that tabling the item will result in keeping the measure before the Full City Council.

Upon being recognized, Councilor Kolofoles moved to table the item, as seconded by Councilor Silva and unanimously approved by the Council Members present [9-0].

Doc. 340/09: Tabled

Doc. 342/09: New Trash Pick-up System – immediate vote to suspend – Council Pres. Blanchette – Letter to Mayor

Council President Blanchette presented the item and suggested that public dialogue concerning this matter should take place. He further stated that a symbolic vote should be taken by the Council Members to suspend the implementation of the proposed automated trash program.

Upon being granted the floor, Councilor Alvarez-Rodriguez presented a motion to cease and desist the new trash pick-up system, as seconded by Councilor Silva.

Upon discussion, Councilor Alvarez-Rodriguez expressed concern that the Mayor has not honored an agreement not to implement the trash program which will likely result in additional costs to the residents. She stated that if correspondence agreeing to suspend the program is not provided by the Administration then the Council Members should pursue injunctive relief.

Upon no further discussion or comment, the Council Members present voted unanimously [9-0] to forward written communication to Mayor Sullivan requesting that implementation of the new trash program be suspended.

Doc. 342/09: Letter to Mayor

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V. APPROPRIATIONS-ORDERS-RESOLUTION:

Council President Blanchette called the following matter to the attention of the Council Members as appearing on the Agenda which was referred as indicated:

Doc. 336/09: Prior Year Bills – The Valley Patriot – Anne L. Randazzo, Personnel Department Director – Ref. to Budget & Finance

VI. COMMITTEE REPORTS:

Doc. 309/09: Handicapped Parking – 14 Cambridge Street – 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 for a public hearing, seconded by Councilor Gonzalez and unanimously approved by the Council Members present [9-0].

Doc. 309/09: Public Hearing Ordered

Doc.310A/09: Handicapped Parking – Jackson Street – 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 for a public hearing, seconded by Councilor Abdoo and unanimously approved by the Council Members present [9-0].

Doc. 310A/09: Public Hearing Ordered

Doc.310B/09: Parking – Jackson Street – 20 minute – to be eliminated – Ord. Comm. & Public Hearing ordered

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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 for a public hearing, seconded by Councilor Moran and unanimously approved by the Council Members present [9-0].

Doc. 310B/09: Public Hearing Ordered

Doc.311/09: Stop Sign – 4 way – Lenox Circle – 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 for a public hearing, seconded by Councilor Twomey and unanimously approved by the Council Members present [9-0].

Doc. 311/09: Public Hearing Ordered

Doc.313/09: Stop Sign – 4 way – Essex Street @ Nesmith Street – 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 for a public hearing, seconded by Councilor Gonzalez and unanimously approved by the Council Members present [9-0].

Doc. 313/09: Public Hearing Ordered

Doc.315/09: Stop Sign – 4 way – Essex Street @ Cypress Avenue – 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 for a public hearing, seconded by Councilor Gonzalez and unanimously approved by the Council Members present [9-0].

Doc. 315/09: Public Hearing Ordered

Doc. 326/09: Fire Department – Increase of Permits and Fees – 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 for a public hearing, seconded by Councilor Alvarez-Rodriguez and unanimously approved by the Council Members present [9-0].

Doc. 326/09: Public Hearing Ordered

VII. WITHDRAWALS:

Council President Blanchette granted Councilor Kolofoles the floor for the purpose of presenting a recommendation and motion to withdraw matters pending before the Ordinance Committee. Councilor Kolofoles moved to present the matters listed below in “block” form for withdrawal from the Council agenda. The motion was seconded by Councilor Gonzalez and unanimously approved by the Council Members present [9-0].

**Doc. 314/09: Stop Sign – 4 way – Essex Street @ Towerhill Street
Ord. Comm. –Withdrawn**

Doc. 323/09: Parking – Tremont Street – restrictions – Ord. Comm. -Withdrawn

Doc. 324/09: Parking – West Street – restrictions – Ord. Comm. -Withdrawn

VIII. OLD BUSINESS: - None

IX. TABLED MATTERS:

The following items remained “tabled” without further action:

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- 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.
- 281/08 Revised Zoning Ordinance – Political Signs – hearing
- 23/09 Water Treatment Plant – contract approval
- 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
- 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. Camasso to attend to answer questions
- 222/09 Brook Street – request to have alternate parking year round
- 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
- 279/09 Fire Department – Budget Status
- 305A/09 Compost Program – Ord. Comm.
- 329/09 Automated Trash Proposal – “Let the Residents be heard”

X. NEW BUSINESS:

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:

- 337/09: Handicapped Parking – 2 Gale St. – Jehovah’s Witness Congregation – 825 Essex St. – Council Vice Pres. Kolofoles – Ref. to Ord.
- 338/09: Tax Increment Financing – discussion and approval of decertify the existing (TIF) Agreement approved for ADTEC Electroplating, at 125 Glenn Street in Lawrence, MA–Frank O’Connor, Jr., Economic Development Office – Ref. to Budget & Finance
- 339/09: Tax Increment Financing – discussion and approval of amending the existing (TIF) Agreement approved for Daxad, LLC at 25 Marston Street in Lawrence, MA – Frank O’Connor, Jr., Economic Development Officer Ref. to Budget & Finance
- 341/09: National Grid – request permission to place underground electric conduits on Park Street – Ref. to Ord.

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XI. ADJOURNMENT:

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

**ADJOURNED
(8:11p.m.)**

Attest:

William J. Maloney
City Clerk