

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

**DATE: Tuesday, April 7, 2009**

A **REGULAR MEETING** of the City Council was held on **Tuesday, April 7, 2009** at 7: 09 p.m. in the City Council Chamber with all Members present except for Council Vice President Kolofoles.

Approximately Forty [40] persons were present.

A Moment of Silence was held.

The Pledge of Allegiance was recited.

**I. ACCEPTANCE OF MINUTES:**

Council President Blanchette informed the Council Members present that the minutes of City Council Meetings conducted February 17, 2009 were submitted by the City Clerk for consideration and acceptance of the City Council Members.

Upon the motion of Councilor Fielding to accept the minutes as presented duly seconded by Councilor Abdoo, the Council Members present voted unanimously [8-0] to accept the minutes.

**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:

Ellie Curtin, residence, Brunswick House City, Lawrence, MA stated that 15-20 minute parking should be posted in front of the Brunswick House.

Homayoun Maali, 53 Chester Street, Lawrence, MA stated that the Superintendents' Assistant violated the civil rights of those he investigated.

Joseph D'Amico, 11 Lorenzo Road, Lawrence, MA stated that stipends serve a valuable purpose by allowing compensations for additional work.

Mark McKallagat, 25 Dunstable Street, Lawrence, MA informed the Council Members and the public that extensive maps and information recorded with the Registry of Deeds are available.

Dan Clark, 1 Jasper Street, Lawrence, MA stated that he was disgusted by with Superintendent Laboy and the efforts of his assistant investigating the background and personal history of several people. He suggested Superintendent Laboy should resign or be terminated from his position in the best interest of the City.

Upon no further individuals appearing to speak in public, Councilor Alvarez-Rodriguez presented a motion to take document #118/2009 out of the order appearing on the agenda. The motion was seconded by Councilor Silva and unanimously approved by the Council Members present [8-0].

### **III. APPROPRIATIONS-ORDERS-RESOLUTION:**

#### **Doc.118/09: Resolution – Paul Neal – Counc. Twomey – Presented**

Council President Blanchette brought the measure to the attention of the Council Members present and called upon Councilor Twomey to present the Resolution.

After presenting the Resolution of The City Council, Councilor Twomey introduced the recipient and offered praise for his efforts as the Lawrence Varsity Basketball Coach.

Paul Neal thanked The City Council for presenting the Resolution and for their support throughout the years.

#### **Doc.118/09: Presented**

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**IV. PUBLIC HEARINGS:**

**Doc. 40/09: Essex Street-between Milton and Ames St.–ordinance to be amended–  
reduce speed restrictions to 20 mph- 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.

Dan Clark spoke in support of the measure and urged the Council Members to approve the item.

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 a motion to approve the measure presented by Councilor Alvarez-Rodriguez, as seconded by Councilor Twomey, the Council Members present voted unanimously [8-0] to approve the measure.

**Doc. 40/09: Approved**

**Doc.88/09: Verizon New England, Inc. – request permission to lay and maintain  
underground conduits and manholes on Union Street and South Union Street – Hearing  
held – Approved/with conditions**

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

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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.

Attorney Joseph Gleason appeared on behalf of Verizon, New England, Inc. and provided a summary of the proposed work as presented in the petition.

Upon no further 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 being granted the floor, Councilor Alvarez-Rodriguez presented a motion to approve the item with conditions that work not take place during rush hours in the a.m. and the p.m. The motion was seconded by Councilor Moran.

The Verizon Representative appeared and discussed an available option to allow the work to be completed by working twenty-four hours a day for three weeks rather than restricting the work during rush hour times. A discussion between Council President Blanchette and the Verizon representative regarding the time that it would take to complete the work.

Upon continuing, Councilor Alvarez-Rodriguez stated that the current traffic congestion posed significant travel difficulties to the motorist public already and suggested that some assurance must be offered to allow area residents the ability to travel with minimal disruption. A discussion between Councilor Alvarez-Rodriguez and the Verizon representative ensued regarding traffic congestion that may result from the proposed project.

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Council President Blanchette suggested that it may be prudent to wait two weeks to allow Verizon to conclude and solidify its plan for construction.

Upon being granted the floor, Councilor Gonzalez noted the importance of a time frame that will accelerate the work being done.

Upon being granted the floor, Councilor Silva concurred with Councilor Alvarez-Rodriguez's concerns, but also understands the impact that delay will have on repairs.

Upon being granted the floor, Councilor Alvarez-Rodriguez affirmed her position to restrict work during work hour periods, but agreed to modify her motion if MA Highway obtains funds for 24 hour work operations and, if not, then impose rush hour work restrictions.

Upon being granted the floor, Councilor Moran posed questions about the time frame that Verizon requires to the project.

Further discussion ensued regarding the practicality of voting as the roadway is currently in disrepair and traffic will be hindered even if a vote to authorize work was not addressed immediately.

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. Upon vote of the Council Members present, the measure was unanimously [8-0] approved for work to be conducted on a twenty-four hour basis if funding for that option were available, if not, all work to be suspended during morning and evening rush hours.

**Doc.88/09: Approved**

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

**Doc.119/09: Community Oriented Policing Services (COPS Office) Hiring Recovery Programs (CHRP) – City Council’s authorization to apply – Mayor Sullivan- Approved**

Council President Blanchette introduced the measure and invited Chief Romero to speak on the item. Lawrence Chief Police John Romero explained the emergency status of the item requiring the matter be brought to the attention of The Lawrence City Council Members for their consideration.

Upon being recognized, Councilor Moran presented a motion to declare the item an emergency measure and to suspend the Rules of the City Council in order to allow the matter be addressed. The motion was seconded by Councilor Gonzalez and a discussion on the item among the Council Members ensued.

A discussion ensued between Council President Blanchette and Chief Romero on the details of the grant funds that would be available if the program were adopted.

At the request of Councilor Alavarez-Rodriguez, Council President Blanchette provided an explanation of how the grant is intended to work. Councilor Alvarez-Rodriguez posed questions to Lawrence Police Chief Romero regarding how the grant funds would be applied.

Upon being granted the floor, Councilor Moran posed questions to Chief Romero concerning other grants funded with the Lawrence Police Department.

Upon being granted the floor, Councilor Alvarez-Rodriguez presented a motion to approve the item which was seconded by Councilor Moran.

Upon being granted the floor, Councilor Twomey inquired if funds were to be available through other Federal programs.

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Upon being granted the floor, Councilor Alvarez-Rodriguez commented that the measure represents an on-going effort to support public safety.

Upon being granted the floor, Councilor Silva concurred with Councilor Alvarez-Rodriguez.

Upon no further discussion or comment the Council Members present voted unanimously [8-0] to approve the item presented.

**Doc.119/09: Approved**

**Doc.121/09: Bridge Repairs – Update requested – Thomas D. Schiavone, Mayor’s Office – Presented**

Council President Blanchette invited Chief Economic Director Thomas Schiavone to present information regarding the item.

At the invitation of Director Schiavone, Mark Jewell discussed the current state of the repair projects taking place at the various bridges in Lawrence, MA [ie: Salem Street Bridge; Falls Bridge; Duck Bridge; Hampshire Street Bridge over the Spicket River; Haverhill Street over the Spicket River, and the Amesbury Street Bridge]

Upon being granted the floor, Councilor Abdo posed questions about prospective completion dates and the effectiveness of repairs. [Particularly the Salem Street Bridge and the Great Crossing]

Upon being granted the floor, Councilor Twomey asked if up-dates could be provided in writing. Mr. Jewell agreed.

Upon being granted the floor, Councilor Alvarez-Rodriguez asked about keeping informed and requested that up-dates and information be forward to the City through Council

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President Blanchette as Council President. Mr. Jewell suggested that information can be sent on a regular basis.

Council President Blanchette suggested that monthly updates would be appropriate.

**Doc.121/09: Presented**

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

**124/09: Appointment – Lawrence Cultural Council – Richard Reyes, 42 Canton Street, Lawrence - Mayor Sullivan – Ref. to Pers.**

**125/09: Appointment – Lawrence Cultural Council – Rafael Tejada, 71 Greenwood Street, Lawrence - Mayor Sullivan – Ref. to Pers.**

**126/09: Appointment - Library Board of Trustees – Father Jorge Reyes – 300 Haverhill Street, Lawrence – Mayor Sullivan – Ref. to Pers.**

**122/09: 2008 Audit Report – Status of Recommendations/Findings – Council Pres. Blanchette – Ref. to Budget & Finance**

Comptroller, David Camasso informed Council that the President of Melanson-Heath would not be available at certain Budget & Finance meetings.

**116/09: Easements required for construction of the Lawrence Gateway: Prospect, Canal, Marston, and Union Streets – Charles D. Boddy, City Attorney – Ref. to Ord.**

**VI. APPROPRIATIONS-ORDERS-RESOLUTION:**

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

**108/09: Appropriation Transfer –DPW – National Grid, Electricity for the Lift Stations – Frank McCann, Director – Ref. to Budget & Finance**

**110/09: Appropriation Transfer – DPW – Woodard & Curran Managing Water Treatment Plant through 6/30/09 – Frank McCann, Director – Ref. to Budget & Finance**

**111/09: Resolution – Budget Timeline – Counc. Silva – Ref. to Budget & Finance**

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**VII. COMMITTEE REPORTS:**

**Doc.83/09: Loading Zone – Silver Sweets – 522 Essex Street -3:30 p.m. to 5:00 p.m.-  
Ord. Comm. & Public Hearing ordered**

At the request of Council President Blanchette, Councilor Moran 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 to order a public hearing, seconded by Councilor Alvarez-Rodriguez and unanimously approved by the Council Members present [8-0].

**Doc. 83/09: Public Hearing Ordered**

**Doc. 91/09: Handicapped Parking – establish policy – renewals – Ord. Comm. & Public  
Hearing ordered**

At the request of Council President Blanchette, Councilor Moran 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 to order a public hearing, seconded by Councilor Twomey and unanimously approved by the Council Members present [8-0].

**Doc. 91/09: Public Hearing Ordered**

**Doc. 98/09: Trench Safety Ordinance – Ord. Comm. & Public Hearing ordered**

At the request of Council President Blanchette, Councilor Moran 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 to order a public hearing, seconded by Councilor Alvarez-Rodriguez and unanimously approved by the Council Members present [8-0].

**Doc. 98/09: Public Hearing Ordered**

**Doc. 100/09: Junk Dealer Licenses – to be amended – Ord. Comm. & Public Hearing  
ordered**

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At the request of Council President Blanchette, Councilor Moran 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 to order a public hearing, seconded by Councilor Alvarez-Rodriguez and unanimously approved by the Council Members present [8-0].

**Doc. 100/09: Public Hearing Ordered**

**Doc.106/09: Community Development - FY 2010 CDBG Funding – Budget and Finance Comm. & Public Hearing ordered**

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

**Doc. 106/09: Public Hearing Ordered**

**Doc. 96/09: Lawrence Little League – Tag days – various dates –  
Ord. Comm. -Approved**

At the request of Council President Blanchette, Councilor Moran presented the report from the Ordinance Committee in the form of a motion to approve Lawrence Little League-tag days-various dates, which was duly seconded by Councilor Gonzalez and unanimously [8-0] voted upon by Council Members present.

**Doc. 96/09: Approved**

**Doc. 97/09: Acceptance of Funding from the Commonwealth of Massachusetts –  
Budget and Finance Comm. – Approved**

At the request of Council President Blanchette, Councilor Silva presented the report of the Budget and Finance Committee for acceptance of funding from the Commonwealth of

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

**Doc. 97/09: Approved**

**Doc.103/09: Greater Lawrence Technical School District– stabilization of fund for Capital Expenditures– Budget and Fin. Comm. – Approved**

At the request of Council President Blanchette, Councilor Silva presented the report of the Budget and Finance to approve the Greater Lawrence Technical School District stabilization of fund for Capital Expenditures. The report was presented in the form of a motion, seconded by Councilor Twomey and unanimously approved by the Council Members present [8-0].

**Doc. 103/09: Approved**

**Doc.104/09: Greater Lawrence Family Health Center – use of Campagnone Common – 3/8/09 – Education Program- Ord. Comm. – Approved**

At the request of Council President Blanchette, Councilor Moran presented the report from the Ordinance Committee in the form of a motion to approve Greater Lawrence Family Health Center use of the Campagnone Common, which was duly seconded by Councilor Alvarez-Rodriguez and unanimously [8-0] voted upon by Council Members present.

**Doc. 104/09: Approved**

**Doc.105/09: Colonial Drive (End) –request to use city owned for Boy Scout Troop #13 – Ord. Comm. – Approved**

At the request of Council President Blanchette, Councilor Moran presented the report from the Ordinance Committee in the form of a motion to approve Colonial Drive (end) – request to use city owned for Boy Scout Troop #13.

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City Clerk Maloney read a letter from the City Attorney suggesting that use of publicly owned property as requested should be done with a bond filed to indemnify the City of Lawrence for any liability.

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

**Doc. 105/09: Approved**

**VIII. WITHDRAWALS:**

Council President Blanchette granted Councilor Moran the floor for the purpose of presenting matters concerning the withdrawal of pending matters before the Ordinance Committee. Councilor Moran moved to withdraw the following item from the Council Agenda. The motion was seconded by Councilor Silva and Council Members present voted unanimously [8-0] to withdraw the following matter from the City Council Agenda:

**Doc.10/09: Parking – (Odd –Even Review) – Ord. Comm. – Withdrawn**

Council President Blanchette granted Councilor Silva the floor for the purpose of presenting matters concerning the withdrawal of pending matters before the Budget and Finance Committee. Councilor Silva moved to present the matters listed below in “block” form for withdrawal from the Council agenda. The motion was seconded by Councilor Twomey and the Council Members present voted unanimously [8-0] to withdraw the following matters from the City Council Agenda:

**71/08 Appropriation – Lawrence Voting Process Task Force – Budget and Finance Comm.- Withdrawn**

**76/08 Personnel Dept. – Prior Year Bills (FY 2007) - \$210.00 – Budget and Finance Comm. – Withdrawn**

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**77/08 Personnel Dept. – Prior Bills -\$2,336.00 – (FY 2007) –Budget and Finance Comm. – Withdrawn**

**146/08 Water Treatment Plan – Budget and Finance Comm. – Withdrawn**

**225/08 FY’09 Budget Adjustment – Budget and Finance Comm. – Withdrawn**

**107/09 Non Union Reclassification – Budget and Finance Comm. - Withdrawn**

**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.

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

**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:

109/09: Old Gold Dealer License – Julio Ormaza – 135 Berkeley Street – Ref. to Ord.

112/09: Speed Limit – 20 mph – May Street – between Manchester and Haverhill Streets – Counc. Gonzalez – Ref. to Ord.

113/09: Handicapped Parking – 71 Byron Avenue – Mrs. Rita M. Polito – Ref. to Ord.

114/09: Pawnbroker Dealer License –Belkis Oslan – 442 Essex Street – Ref. to Ord.

115/09: Old Gold Dealer License – Belkis Oslan – 442 Essex Street – Ref. to Ord.

117/09: Handicapped Parking – 95 Alder Street – Sarai De La Cruz – Ref. to Ord. Cmt.

120/09: Christian Missionary Church – 98 Essex Street – request permission to use the Campagnone Common on 7/18/09, 7/19/09 & 8/15/09 from 3:00 p.m. to 5:00 p.m. to reach out to the community with a religious activity – Fernando Delgado, Church Pastor – Ref. to Ord.

123/09: Veteran’s Services Office – request permission to sponsor an Air Show at the Lawrence Municipal Airport on October 30<sup>th</sup> and October 31<sup>st</sup>, 2009 –Francisco A. Urena, Director – Ref. to Ord.

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- 127/09: Sick Day Legislation – Counc. Alvarez-Rodriguez – Ref. to Ord,
- 128/09: Morton and Lowell Streets – pot holes concerns – Counc. Alvarez-Rodriguez – Ref. to Ord.
- 129/09: Parking – Broadway Street – problems between Cedar and Florence Streets- Counc. Alvarez-Rodriguez – Withdrawn from Agenda
- 130/09: Parking Problems–Essex Street, between Jackson and Newbury Streets-Counc. Alavrez-Rodriguez – Ref. to Ord.

**XI. ADJOURNMENT:**

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

**ADJOURNED**  
**(8:46p.m.)**

Attest:

William J. Maloney  
City Clerk