

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

**DATE: Tuesday, May 19, 2009**

A **REGULAR MEETING** of the City Council was held on **Tuesday, May 19, 2009** at 7: 26 p.m. in the City Council Chamber with all Members present.

Approximately forty seven [47] 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:

James Barnes, Community Development Director for the City of Lawrence, spoke in support of Director Schiavone for the position of Economic Development Director.

Frank O'Connor, Jr., Economic Development Officer, spoke in support of Thomas Schiavone for the position of Economic Development Director.

Maggie Superchurch, spoke in favor of Thomas Schiavone as Economic Development Director.

Kevin Schiavone, Ames Street, Lawrence, MA and Lawrence Police Officer, spoke in favor of Thomas Schiavone for the position of Economic Development Director.

Homayoun Maali, 53 Chester Street, Lawrence, MA commented about the qualities a candidate for Mayor of the City of Lawrence must possess to be effective in that position.

[Tuesday, May 5, 2009]

[Tuesday, May 19, 2009]

Sean McDonnell, President of Architectural Development, Cambridge, MA, stated that he believed it would further benefit the City of Lawrence to approve Thomas Schiavone as Chief Economic Development Director for the City of Lawrence.

Peter Milano, representative from the Massachusetts Office of Business Development, spoke in favor of Thomas Schiavone as Economic Development Director.

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

#### **Doc.41/09: Zoning Amendments – 85 Manchester Street – proposed re-districting – 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.

Katherine Pandowski, Groundworks Lawrence, informed the Council of the intended result of the proposed zoning amendment.

Lawrence Planning Director Michael Sweeney spoke in support of the proposed zoning amendment.

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 Alvarez-Rodriguez presented a motion to approve the item presented as seconded by Councilor Kolofoles.

[Tuesday, May 19, 2009]

Upon a call for discussion, Councilor Alvarez-Rodriguez discussed the history of the location formerly known as the “Covanta” site. She stated that she supported the measure presented.

Upon being granted the floor, Councilor Twomey posed questions regarding the proposed change to the parcel as submitted to Planning Director Sweeney.

Upon being granted the floor, Councilor Kolofoles posed questions regarding the access to the parcel to be provided to local businesses to Planning Director Sweeney.

Upon being granted the floor, Councilor Silva spoke in favor of the proposed zoning amendment but expressed her concerns about the ability of the City of Lawrence to continue maintaining the new park and other public locations with a reduced public works staff.

Council President Blanchette permitted Ms. Pandowski to offer additional comment on the how the property would be maintained when the park is completed.

Upon being granted the floor, Councilor Gonzalez stated that it would be absolutely necessary for DPW to maintain the park area.

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 a motion to approve the measure presented by Councilor Alvarez-Rodriguez, as seconded by Councilor Kolofoles, the Council Members present voted unanimously [9-0] to approve the measure.

**Doc. 41/09: Approved**

**Doc.94/09: Parking – Hale Street – review of parking ordinances – Hearing held – Approved/30 days waived**

[Tuesday, May 19, 2009]

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 being recognized, Councilor Alvarez-Rodriguez presented a motion to approve the item, as seconded by Councilor Silva.

Upon being granted the floor, Councilor Alvarez-Rodriguez stated the work done with the neighborhood residents and expressed her support of the measure.

Upon being granted the floor, Councilor Kolofoles discussed the history of the proposed measure stating that the advancement of the measure has been somewhat controversial among the residents of the area where it is to be put into effect.

At the request of Councilor Kolofoles, Councilor Alvarez-Rodriguez agreed to amend her motion to approve by adding a waiver of the 30 day waiting period required of all approved ordinances.

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 a motion to approve the measure with the waiver of the 30 days waiting period required by section 3.8(a) of The Lawrence City Charter presented by Councilor Alvarez-

[Tuesday, May 19, 2009]

Rodriguez and seconded by Councilor Silva, the Council Members present voted unanimously [9-0] to approve the review of parking ordinances on Hale Street.

**Doc. 94/09: Approved-30 Days Waived**

**Doc.112/09: Speed Limit – 20 mph – May Street – between Manchester and Haverhill Sts. – 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 being recognized, Councilor Kolofoles presented a motion to approve the item presented, as seconded by Councilor Silva.

Upon being granted the floor, Councilor Kolofoles discussed his support of the measure.

Upon being granted the floor, Councilor Gonzalez commented that motorists are known for travelling at excessive speeds on May Street which must be addressed through the proposed ordinance.

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.

[Tuesday, May 19, 2009]

Upon a motion to approve the measure presented by Councilor Kolofoles as seconded by Councilor Silva, the Council Members present voted unanimously [9-0] to approve the speed limit of 20 mph on May Street.

**Doc. 112/09: Approved**

**Doc.113/09: Handicapped Parking – 71 Byron Avenue – Hearing held – Approved/30 Days Waived**

At the request of Council President Blanchette, the City Clerk read the public hearing notice regarding the above matter 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 being granted the floor, Councilor Kolofoles presented a motion to approve the measure and waive the 30 days waiting period required by section 3.8(a) of The Lawrence City Charter. The motion was seconded by Councilor Twomey.

Upon a call for discussion, Councilor Kolofoles questioned whether or not the petitioner actually needed a handicapped parking space in front of her home because she had a driveway, the residence is a one story building, and the property is on level ground.

Upon being granted the floor, Councilor Alvarez-Rodriguez stated that just because there is a driveway available to the resident does not reflect the need for using a handicapped parking space in front of the residence. A discussion ensued between Councilor Alvarez-

[Tuesday, May 19, 2009]

Rodriguez and Councilor Kolofoles regarding the necessity of granting the petition.

Councilor Kolofoles concluded by insisting that all petitions for handicapped parking presented to the City Council Members should be complete in all respects in order to allow the Council Members the ability to make an informed decision.

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 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 Twomey, the Council Members present voted unanimously [9-0] to approve the handicapped parking at 71 Byron Ave.

**Doc. 113: Approved-30 Days Waived**

**Doc.117/08: Take Home Vehicles – Ordinance to be amended – Hearing held – Defeated**

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.

Lawrence Police Chief Romero read a prepared statement opposing the proposed measure.

[Tuesday, May 19, 2009]

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 Silva presented a motion to approve the item which was seconded by Councilor Moran.

A discussion between Police Chief Romero and Council President Blanchette ensued concerning the current motor vehicle policy use policy in effect at the Lawrence Police Department and consideration of what may result if the proposed measure were adopted.

Council President Blanchette provided information to the Council Members regarding other cities similar to Lawrence who have adopted measures regulating use of vehicles. Council President Blanchette read an opinion letter from City Attorney Charles Boddy regarding the regulation of motor vehicles.

Upon being granted the floor, Councilor Kolofoles posed questions to Police Chief Romero regarding the current vehicle use policy. Chief Romero discussed the advantages of allowing members of the Police Department the ability to take vehicles home and use them during times when they may not be officially “on duty”. A discussion ensued between Police Chief Romero and Council President Blanchette regarding distances that some officers may have to travel from their home to appear at crime locations within the City of Lawrence and the overall response time in various scenarios.

Upon being granted the floor, Councilor Silva suggested there is considerable delay caused by the response of an officer who may be travelling from somewhere other than Lawrence to a crime scene in Lawrence.

[Tuesday, May 19, 2009]

Upon being granted the floor, Councilor Kolofoles continued to ask Police Chief Romero about the present vehicle use policy and a discussion ensued about how the proposed ordinance may be applied. Councilor Kolofoles suggested that City vehicles should be leased. Chief Romero suggested that the proposed ordinance will have an adverse impact on police response if adopted.

A discussion ensued between Council President Blanchette and Chief Romero regarding administrative oversight.

Upon being granted the floor, Councilor Kolofoles posed further questions to Chief Romero. Chief Romero suggested the Council Members consider providing an exemption to members of the Lawrence Police Department if the proposed ordinance is adopted.

Upon being granted the floor, Councilor Silva stated that an exemption granted to the Lawrence Police would be questionable. Councilor Silva posed questions to Police Chief Romero regarding the application of the present policy on members of the Lawrence Police Department. Councilor Silva raised issues concerning possible liability for injuries to others when the vehicles were being used for anything other than official police business. Councilor Silva stated that she believes the use of City owned vehicles needs to be abated. Chief Romero again emphasized that the purpose of allowing officers to take vehicles home is to help reduce crime.

Upon being granted the floor, Councilor Moran stated that the proposed ordinance applies to all city vehicles and not only to Police vehicles being used by City employees. He suggested the proposed ordinance provides for reasonable financial management of issues

[Tuesday, May 19, 2009]

related to vehicle fleet use and cost during difficult financial times. Councilor Moran posed questions to Police Chief Romero concerning the frequency of vehicle use.

Upon being granted the floor, Councilor Abdoo discussed and proposed sections 2.150.160 and 2.160.180 suggesting that section 2.160.180 should not be approved unless the language pertaining to the City Council be stricken.

In response, Councilor Silva agreed to amend her motion to approve the measure with section 2.160.160 stricken

Upon being granted the floor, Councilor Alvarez-Rodriguez posed questions to Chief Romero regarding the present policy regarding the policy that requires that unmarked police cars remain unidentifiable. She suggested that it was not necessary to go into a detailed level of scrutiny that may result in revealing vehicle identities that should not be publicly disclosed. Councilor Alvarez-Rodriguez inquired about insurance costs and the number of vehicles placed in service as a result of vehicles confiscated and forfeited to the police as a result of criminal conduct. Councilor Alvarez-Rodriguez posed questions to Budget and Finance Director Mark Andrews about the applicability of motor vehicle insurance coverage for vehicles use by the Lawrence Police Department under current conditions. Councilor Alvarez-Rodriguez inquired about stipends paid to Lawrence Police Officers in comparison with other Police Departments. She also inquired about crime statistics demonstrating a sixty percent decrease in crime over the past ten years.

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.

[Tuesday, May 19, 2009]

Upon a motion to approve the measure presented by Councilor Silva as seconded by Councilor Moran, the Council Members present defeated the motion for approval of the proposed ordinance as follows: 4-Yes; 4- No; 1-Abstain

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

**Doc.117/08: Defeated**

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

- None

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

**VI. COMMITTEE REPORTS:**

**Doc.142/09: Appointment – Lawrence Board of Registrars – Lynne Garcia –  
 1 Rockwood Lane – Mayor Sullivan - Approved**

At the request of Council President Blanchette, Councilor Abdo presented the report from the Personnel Committee in the form of a motion to appoint Ms. Lynne Garcia to the Lawrence Board of Registrars which was seconded by Councilor Kolofoles.

Upon being granted the floor, Councilor Kolofoles posed questions to Ms. Garcia regarding her party application and activity in the City of Lawrence. The City Clerk, William Maloney, informed Council of the state statute requirements for the City Board of Registrars.

[Tuesday, May 19, 2009]

Upon being granted the floor, Councilor Alvarez-Rodriguez commented on her abilities as an educator that she may bring to the board.

Upon no further inquiries, comment or discussion, the Council Members present voted unanimously [9-0] to appoint Ms. Lynne Garcia to the Lawrence Board of Registrars for a two year term.

**Doc.142/09: Approved**

**Doc.143/09: Appointment – Lawrence Board of Registrars – Esvelia Lopez – 50 Ferry Street – Mayor Sullivan – Approved**

At the request of Council President Blanchette, Councilor Abdo presented the report from the Personnel Committee in the form of a motion to appoint Ms. Esvelia Lopez to the Lawrence Board of Registrars which was seconded by Councilor Moran.

Council President Blanchette posed questions to Ms. Esvelia Lopez concerning her interest in the position and how she was notified to apply.

Upon no further inquiries, comment or discussion, the Council Members present voted unanimously [9-0] to appoint Ms. Esvelia Lopez to the Lawrence Board of Registrars for a one year term.

**Doc.143/09: Approved**

**Doc.144/09: Appointment – Lawrence Board of Registrars – Ronald Martin – 12 Plummer Road – Mayor Sullivan – Approved**

At the request of Council President Blanchette, Councilor Abdo presented the report from the Personnel Committee in the form of a motion to re-appoint Ronald Martin to the Lawrence Board of Registrars for a three year term, as seconded by Councilor Twomey.

[Tuesday, May 19, 2009]

Council President Blanchette thanked Mr. Martin for his services and stated his support.

Upon being granted the floor, Councilor Kolofoles posed questions to Mr. Martin about his reasons for serving on the Board of Registrars. Councilor Kolofoles stated his support of the candidate.

Upon no further inquiries, comment or discussion, the Council Members present voted unanimously [9-0] to re- appoint Ronald Martin to the Lawrence Board of Registrars for a three year term.

**Doc.144/09: Approved**

**Doc.159/09: Appointment – Thomas D. Schiavone as a permanent Chief Economic Development Director - Mayor Sullivan - Defeated**

At the request of Council President Blanchette, Councilor Abdo presented the report from the Personnel Committee to accept the committee report without recommendation, in the form of a motion to accept the report of the Personnel Committee. The motion to accept the report was seconded by Councilor Fielding and unanimously [8-0] adopted by the Council Members present.

Upon being recognized, Councilor Twomey presented a motion to approve the appointment of Thomas D. Schiavone as permanent Chief Economic Development Director. Councilor Twomey's motion was seconded by Councilor Fielding.

Council President Blanchette discussed requests upon the Personnel Office regarding applications and interview process. Council President Blanchette informed the Council Members that a total lack of any process used to fill the position is questionable at best and very disturbing. He cited a similar lack of process to fill the Community Development

[Tuesday, May 19, 2009]

Director position. Council President Blanchette stated that under these circumstances that he could not support the recommendation as presented.

Upon being granted the floor, Councilor Alvarez-Rodriguez commented that it is difficult for her to support the approval of the recommendation due to the consistent disregard for the selection process by the Administration which her constituents take note. She stated she would not support the recommendation presented.

Upon being granted the floor, Councilor Abdoo stated his support for Mr. Schiavone as recommended despite the problems with the selection process cited by Member Councilors. He suggested that the City Charter requires Mr. Schiavone be appointed to the position despite the lack of any process to support the recommendation. More importantly, Councilor Abdoo stated that the accomplishments and positive progress brought about by Mr. Schiavone as Economic Development Director are testament to his ability and should be enough to obtain the approval of the City Council Members.

Upon being granted the floor, Councilor Alvarez-Rodriguez suggested that Mr. Schiavone has been working in an “acting” capacity since his appointment which is well beyond the ninety day time period allowed by the City Charter which requires that he be automatically made permanent Economic Development Director. Councilor Alvarez-Rodriguez suggested that there is a possible violation of the City Charter in this instance.

Upon being granted the floor, Councilor Twomey stated that he concurs with Councilor Abdoo and that Mr. Schiavone should not be faulted for the lack of formal process in the selection process.

[Tuesday, May 19, 2009]

Upon being granted the floor, Councilor Kolofoles suggested that Mayor Sullivan should present the recommendation before the Council Members in person and that his failure to appear in support of this important position is a mistake. Regardless, Councilor Kolofoles stated that he supports Mr. Schiavone for the recommended position.

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 defeated as follows: 4-YES; 5-NO

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

**Doc.159/09: Defeated**

**Doc.116/09: Lawrence Gateway Project – to accept Easements only – 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 to order a public hearing. The motion was seconded by Councilor Moran and unanimously approved by the Council Members present [9-0].

**Doc. 116/09: Public Hearing Ordered**

[Tuesday, May 19, 2009]

**Doc.117/09: Handicapped Parking – 95 Alder 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, seconded by Councilor Abdoo and unanimously approved by the Council Members present [8-0].

**Doc. 117/09: Public Hearing Ordered**

**Doc.158/09: Acceptance of Silverstein Court – 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 to order a public hearing, seconded by Councilor Moran and unanimously approved by the Council Members present [8-0].

**Doc. 158/09: Public Hearing Ordered**

**Doc.156/09: Lawrence Public School – Spring Fling – 5/21/09 4:00 p.m. to 8:00 p.m.  
(rain date: 5/28/09) – 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 Lawrence Public School Spring Fling to be held on 5/21/09 from 4:00 p.m. to 8:00 p.m. (rain date: 5/28/09). The motion was seconded by Councilor Alvarez-Rodriguez and unanimously [8-0] approved by Council Members present.

**Doc. 156/09: Approved**

**Doc. 157/09: Movimiento Puertorriqueno – use of Pemberton Park – 6/17/09 – 6:00  
p.m. to 11:00 p.m. – Ord. Comm. - Approved**

[Tuesday, May 19, 2009]

At the request of Council President Blanchette, Councilor Kolofoles presented the report from the Ordinance Committee in the form of a motion to approve Movimiento Puertorriqueno use of Pemberton Park on 6/17/09 from 6:00 p.m. to 11:00 p.m. The motion was seconded by Councilor Alvarez-Rodriguez and unanimously [8-0] approved by Council Members present.

**Doc. 157/09: Approved**

Upon the motion of Councilor Alvarez-Rodriguez, seconded by Councilor Kolofoles, the following items were unanimously approved by the Council Members present [9-0] to consider them as a block.

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

Upon the motion of Councilor Alvarez-Rodriguez, seconded by Councilor Kolofoles, the following items were declared surplus by unanimous vote of the Council Members present [9-0]:

- 160/09 Surplus Declaration – 23-25 Acton Street – (Tax Map #190, Lot 47) – declared surplus – Hous. Comm. – Declared Surplus
- 161/09 Surplus Declaration – 152 Bailey Street – (Tax Map #82, Lot 7) – declared surplus – Hous. Comm. – Declared Surplus
- 162/09 Surplus Declaration – 17A-17B Bennington St. – (Tax Map #149, Lot 66) – declared surplus – Hous. Comm. – Declared Surplus
- 163/09 Surplus Declaration – 27 Bennington St. – (Tax Map #149, Lot 62) – declared surplus – Hous. Comm.- Declared surplus
- 164/09 Surplus Declaration – 9-11 Bromfield St. – (Tax Map #149, Lot 18) – declared surplus – Hous. Comm. – Declared surplus
- 165/09 Surplus Declaration – 15 Canton St. – (Tax Map #90, Lot 50) – declared surplus – Hous. Comm. – Declared surplus
- 166/09 Surplus Declaration – 32 Cedar St. – (Tax Map #168, Lot 142/A) – declared surplus – Hous. Comm.- Declared surplus
- 167/09 Surplus Declaration – Devonshire St. – (Tax Map #178, Lot 8) – declared surplus – Hous. Comm. – Declared Surplus

[Tuesday, May 19, 2009]

- 168/09 Surplus Declaration – 122-124 Essex St. - (Tax Map #106, Lot 38) – declared surplus – Hous. Comm. – Declared surplus
- 169/09 Surplus Declaration – 158-160 Essex St. – (Tax Map #106, Lot 43) – declared surplus – Hous. Comm. – Declared surplus
- 170/09 Surplus Declaration – 203-205 Essex St. – (Tax Map #106, Lot 14) – declared surplus – Hous. Comm. – Declared Surplus
- 172/09 Surplus Declaration – 18 Exchange St. – (Tax Map #170, Lot 147) – declared surplus – Hous. Comm. -Declared Surplus
- 173/09 Surplus Declaration – 25 Exchange St. – (Tax Map #170, Lot 52) – declared surplus – Hous. Comm. – Declared surplus
- 175/09 Surplus Declaration – 7 Florence St. – (Tax Map #190, Lot 81) – declared surplus – Hous. Comm. . – Declared surplus
- 176/09 Surplus Declaration – 8 Florence St. – (Tax Map #168, Lot 16) – declared surplus – Hous. Comm. – Declared Surplus
- 177/09 Surplus Declaration – Furber St. - (Tax Map #181, Lot 12) – declared surplus – Hous. Comm. – Declared Surplus
- 178/09 Surplus Declaration – Genesse St. – (Tax Map #177, Lot 29) – declared surplus – Hous. Comm. – Declared Surplus
- 179/09 Surplus Declaration – Genesse St. – (Tax Map #177, Lot 33) – declared surplus – Hous. Comm. – Declared Surplus
- 180/09 Surplus Declaration – 341-343 Hampshire St. - (Tax Map #170, Lot 130) – declared surplus – Hous. Comm. – Declared Surplus
- 181/09 Surplus Declaration – 55-57 Haverhill St. – (Tax Map #88, Lot 15) – declared surplus – Hous. Comm. – Declared Surplus
- 182/09 Surplus Declaration – 65 Haverhill St. – (Tax Map #88, Lot 12) – declared surplus – Hous. Comm. – Declared Surplus
- 183/09 Surplus Declaration – 70 Haverhill St. – (Tax Map #87, Lot 96) – declared surplus – Hous. Comm. – Declared Surplus
- 184/09 Surplus Declaration – 451 Haverhill St. - (Tax Map #188, Lot 31) – declared surplus – Hous. Comm. – Declared Surplus
- 185/09 Surplus Declaration – 211-213 Jackson St. – (Tax Map #109, Lot 78) – declared surplus – Hous. Comm. – Declared Surplus
- 186/09 Surplus Declaration – 2-10 Juniper St. – (Tax Map #171, Lot 107) – declared surplus – Hous. Comm. – Declared Surplus
- 187/09 Surplus Declaration – 35-37 Juniper St. – (Tax Map #172, Lot 116) – declared surplus – Hous. Comm. – Declared Surplus
- 188/09 Surplus Declaration – 36-38 Juniper St. – (Tax Map #172, Lot 102) – declared surplus – Hous. Comm. – Declared Surplus
- 189/09 Surplus Declaration – 246 Lawrence St. – (Tax Map #150, Lot 74) – declared surplus – Hous. Comm. – Declared Surplus
- 190/09 Surplus Declaration – 361-365 Lowell St.-(Tax Map #187, Lot 62) - declared surplus – Hous. Comm. – Declared Surplus

**Doc.192/09: FY 2010 City Budget – Budget and Finance Comm. – Rejected**

[Tuesday, May 19, 2009]

Upon being granted the floor, Councilor Silva presented a motion to reject the proposed FY 2010 City Budget, line for line and department by department. The motion was seconded by Councilor Abdo.

Council President Blanchette stated that the motion be to reject the Mayor's proposed FY 2010 Budget submitted on May 5, 2009 including each and every individual line item and each and every individual amount therein.

A discussion ensued about the proposed budget process to follow.

Upon being granted the floor, Councilor Alvarez-Rodriguez requested assurance that the Budget & Finance Committee has formally rejected the proposed budget.

Council President Blanchette affirmed the report of Councilor Silva.

Upon continuing, Councilor Alvarez-Rodriguez posed general questions to the Council President and Council Members about the budget items being proposed in the next budget.

Upon being granted the floor, Councilor Twomey posed questions to the Council President and Council Members about the manner of preparing the next budget document to be submitted.

Upon being granted the floor, Councilor Silva stated she may not be present on May 21, 2009, but will follow the budget calendar through the Budget and Finance Committee.

Upon being granted the floor, Councilor Kolofos inquired about the removal of the proposed forty day furlough for City Employees contained in the first budget submitted.

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.

[Tuesday, May 19, 2009]

Upon vote of the Council Members present, the FY 2010 Budget was rejected as follows:

7-Yes; 2-Absent

Councilor Fielding – Absent  
 Councilor Gonzalez – Absent  
 Councilor Moran – Yes  
 Councilor Abdoo – Yes  
 Councilor Alvarez-Rodriguez – Yes  
 Councilor Twomey - Yes  
 Councilor Silva – Yes  
 Council Vice President Kolofoles – Yes  
 Council President Blanchette – Yes

**Doc.192/09: FY 2010 Rejected**

**VII. WITHDRAWALS:**

Council President Blanchette granted Councilor Alvarez-Rodriguez the floor for the purpose of presenting matters concerning the withdrawal of pending matters before the Housing Committee. The motion was seconded by Councilor Kolofoles and Council Members present voted unanimously [7-0] to withdraw the following matter from the City Council Agenda:

**Doc.250/08: Lodging House – 8 Green Street – Hous. 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.-hearing.
- 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

[Tuesday, May 19, 2009]

127/09: Sick Day Legislation – Ord. Comm.

141/09: Resolution – Delila Rivera – Council Pres. Blanchette

**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:

- 193/09:** Ministry Christ Restores – request permission to use the Campagnone Common on 7/25/09 from 12:00 p.m to 2:00 p.m. for religious preaching – Cristobal M. Toribio, Chairman – Ref. to Ord. Cmt.
- 194/09:** Technical Sports Association – request permission to use the Campagnone Common Park on 7/26/09 for their Tenth Annual Walkathon – Nelson Silvestre, President – Ref. to Ord. Cmt.
- 195/09:** Transient Vendor License – Jose Calcano – 42 Nesmith Street – Ref. to Ord. Cmt.
- 196/09:** New Horizon Church of God in Christ – request permission to use the South Common on 8/8 & 8/9/09 from 6:00 p.m. to 10:00 p.m. for religious preaching – Elder Robert L Webbs, Jr., Pastor – Ref. to Ord. Cmt.
- 197/09:** Semana Hispana en Lawrence – request permission to use the Campagnone Common on 6/18, 6/19, 6/20 & 6/21/09 for their festival – Haydee Cuadrado, President – Ref. to Ord. Cmt.
- 198/09:** Handicapped Parking – 8 Portland Street – Counc. Moran – Ref. to Ord. Cmt.

**XI. ADJOURNMENT:**

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

**ADJOURNED  
(10:20p.m.)**

Attest:

William J. Maloney  
City Clerk