

MINUTES OF THE MEETING
OF THE LAWRENCE CITY COUNCIL

DATE: Tuesday, July 15, 2008

A **REGULAR MEETING** of the City Council was held on **Tuesday July 15, 2008** at 7: 04 p.m. in the City Council Chamber with all Members present except for Councilor Twomey.

Approximately [17] Seventeen 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 June 3, 2008, June 9, 2008, June 17, 2008 and June 18, 2008 were submitted by the City Clerk for consideration and acceptance of the City Council Members.

Upon the motion of Councilor Moran to accept the minutes as presented duly seconded by Councilor Gonzalez, 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 themselves and address the City Council. Upon the invitation of Council President Blanchette, the following individuals addressed the City Council:

Ellie Curtin, Brunswick House City, Essex Street, Lawrence, MA spoke about Bruce Willis completing a movie near Essex and Mill Street. She also spoke of crime and parking problems near her apartment.

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Juan Bonilla, 106 Sunset Ave. Lawrence, MA spoke in favor of the Home Rule Petition pertaining to foreclosures and evictions.

Loraina Miranda, 33 Brook Street, Lawrence, MA spoke in support of the Home Rule Petition pertaining to foreclosures and evictions.

Nelson Button, 107 Marble Ave., Lawrence, MA spoke in support of the Home Rule Petition legislation regarding foreclosures and eviction on his own behalf and on behalf of Arlington Neighborhood Tabajando.

Grace Ross of Worcester, MA spoke in support of the Home Rule Petition regarding foreclosures and evictions.

III. PUBLIC HEARINGS:

Doc. 63/08: Stop Sign – Marston Street @ Ferry 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 being granted the floor Councilor Alvarez-Rodriguez presented a motion to approve the item as seconded by Councilor Fielding.

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Upon being granted the floor Councilor Kolofoles provided information regarding the report of the Police Department concerning the placement of a stop sign as suggested by the proposed ordinance. A recommendation for approval by Officer Bernabe was read into the record. Councilor Kolofoles also provided information from the City Engineer stating that the change suggested must be presented by Massachusetts Highway Commission before implementation.

Council President Blanchette stated that a letter must be sent to MA Highway if approved.

Upon being granted the floor Councilor Alvarez-Rodriguez amended the motion to include a letter to the Massachusetts Highway Commission upon approval.

Council President Blanchette discussed the process of approval of an item which public safety is an issue.

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 send a letter to the Massachusetts Highway Commission upon approval as presented by Councilor Alvarez-Rodriguez and seconded by Councilor Fielding the Council Members present voted unanimously [8-0] to approve the measure.

Doc. 63/08: Approved

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

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

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Doc. 147/08: Lawrence's Excavation Permit Ordinances – Revisions – Atty. Charles D. Boddy, Jr. & Councilor Twomey – Ref to Ordinance

Upon being recognized, Councilor Kolofoles presented a motion to table the Document 168/2008 appearing on the Agenda. The motion was seconded by Councilor Alvarez-Rodriguez and the Council Members present voted unanimously [8-0] to table Document 168/08.

Doc. 168/08: Department of Public Works – status on lay off and further request that DPW Director Frank Mc Cann and Personnel Director Frank Bonet to attend to discuss and answer questions – Councilor Twomey – Tabled

Doc. 169/08: Citizen Friendly City Hall Hours – proposal to change hours of City Hall to be negotiated with unions – Late Night Closing & Early Friday Closing – Council Pres. Blanchette – Ref. to Personnel

Council President Blanchette suggested that he would like to see changes to the hours of operation in City Hall. He suggested that the hours be set to allow for greater access and later in the day.

Upon being granted the floor Councilor Kolofoles discussed prior administration requirements to have City Hall remain open at times that were more convenient to the public. He suggested that the issue may be an item for Executive order rather than a Legislative decision.

Upon being granted, the floor Councilor Alvarez-Rodriguez spoke in support of advertising the availability of City Hall Offices to the public through this measure.

Upon no further discussion or comment Council President Blanchette referred the matter to the Personnel Committee.

Doc. 169/08: Ref. to Personnel

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V. APPROPRIATIONS-ORDERS-RESOLUTION:

Doc.166/08: Transfers for FY 2008 Authorization Plan – Mark J. Andrews, Budget & Finance Director – Approved

Council President Blanchette introduced the item and invited Budget and Finance Director Mark Andrews to address the Council Members on the item presented.

Director Andrews provided an overview of the measure and explained its purpose.

Upon being granted the floor, Councilor Silva presented a motion to have the matter declared an emergency measure by suspending the Rules of the City Council in order to presently address the matter. The motion was seconded by Councilor Kolofoles and the Council Members present voted unanimously [8-0] to declare the item an emergency.

Upon being granted the floor, Councilor Silva presented a motion to approve the item. The motion was seconded by Councilor Fielding and discussion among the Council Members ensued.

Upon being granted the floor Councilor Kolofoles posed questions about the manner which the amounts presented by Director Andrews were calculated..

Council President Blanchette posed questions to Director Andrews about the over-run on fuel expenses by the Lawrence Police Department.

Upon being granted the floor, Councilor Abdoos asked Director Andrews about matters pertaining to Medicaid expenses and Veteran expenses.

Upon being granted the floor, Councilor Silva discussed the gas allowance payments due to staff as a result of negotiations with the unions of affected employees. Director Andrews stated that payments were mailed today.

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Upon being granted the floor, Councilor Alvarez-Rodriguez asked if there were any additional amounts beyond the amounts presented to be paid into any other accounts.

Director Andrews explained that there were no other funds being transferred other than as presented. Councilor Alvarez-Rodriguez discussed implementation of Medicare Benefits through the current plan with Director Andrews.

Upon no further discussion, comment or inquiry the motion was called and the Council Members present voted unanimously [8-0] to approve the Transfers for FY 2008 Authorization Plan.

Doc.166/08: Approved

VI. COMMITTEE REPORTS:

**Doc. 119/08: Parking – West Street – 20 minute –
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 Gonzalez and unanimously approved by the Council Members present [8-0].

Doc. 119/08: Public Hearing Ordered

**Doc.141/08: St. Alfio Society–request permission to conduct its 85th Annual Feast of the
Three Saints on Labor Day Weekend – 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 St. Alfio Society request for permission to conduct its 85th Annual Feast of the Three Saints on Labor Day

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Weekend, which was duly seconded by Councilor Gonzalez and unanimously [8-0] voted upon by Council Members present.

Doc.141/08: Approved

**Doc. 142/08: Team ECR – Car Show – use of Pemberton Park – 7/20/08 or 7/26/08 -
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-Car Show use of Pemberton Park on July 20, 2008 or July 26, 2008, which was duly seconded by Councilor Alvarez-Rodriguez and unanimously [8-0] voted upon by Council Members present.

Doc.142/08: Approved

**Doc.143/08: Cosecha Borincana – permission to use the Common Park on 7/27/08 –
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 Cosecha Borincana permission to use the Common Park on July 27, 2008, which was duly seconded by Councilor Alvarez-Rodriguez and unanimously [8-0] voted upon by Council Members present.

Doc.143/08: Approved

**Doc.140/08: Foreclosure State Bills – Home Rule Petition – Housing Comm. -
Addressed**

Councilor Alvarez-Rodriguez requested Consumer Loan Attorney Robert Perkins to

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present an overview of the proposed measures. Attorney Perkins presented the matter with an explanation for the necessity of their implementation.

Doc.140/08: Addressed

At the request of Council President Blanchette, Councilor Alvarez-Rodriguez presented the reports from the Housing Committee in the form of a motion to approve the following Document 140A/08, 140B/08 and 140C/08 appearing on the City Council Agenda. The motion was seconded by Councilor Kolofoles and the Council Members present voted unanimously [8-0] to approve Doc.140A/08 Foreclosure State Bill –Judicial review, Doc.140B/08 Foreclosure State Bill-Just cause eviction and Doc. 140C/08- Foreclosure State Bill-Temporary Moratorium.

Doc.140A/08: Foreclosure State Bills – Judicial Review – Housing Comm.-Approved

**Doc.140B/08: Foreclosure State Bills – Just Cause Evictions –Housing Comm.-
Approved**

**Doc.140C/08: Foreclosure State Bills – Temporary Moratorium–Housing Comm.-
Approved**

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.

Councilor Alvarez-Rodriguez moved to present the matters listed below in “block” form for withdrawal from the Council agenda. The motion was seconded by Councilor Gonzalez and Council Members present voted unanimously [8-0] to withdraw the following matters from the City Council Agenda.

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- 54/06 Auction Process of City Owned Property – Hous. Cmt.-Withdrawn**
- 217/06 Change in request for proposal RFP Policy – Hous. Cmt.- Withdrawn**
- 258/06 Procurement of Real Property – Review Ch. 30B – Hous. Cmt. - Withdrawn**
- 135/07 Surplus Declarations – 127-133 Melvin Street- Hous. Cmt. - Withdrawn**
- 138/07 Surplus Declarations – 17-19 Pleasant Street – Hous. Cmt. - Withdrawn**
- 140/07 Surplus Declarations – 55 Warren Street – Hous. Cmt.-Withdrawn**
- 141/07 Surplus Declarations– 61 Warren Street – Hous. Cmt.-Withdrawn**
- 15/08 City Owned Property – sale RFP proposals – Hous. Cmt. - Withdrawn**
- 58/08 Surplus Declarations – 66-70 Warren Street – Hous. Cmt. - Withdrawn**
- 59/08 Surplus Declarations - 143 Hancock Street – Hous. Cmt. - Withdrawn**

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

Doc. 62/08: Handicapped Parking – 131 High Street – Ord. Cmt. – Withdrawn

Council President Blanchette granted Councilor Kolofoles the floor for the purpose of presenting matters concerning the withdrawal of pending matters before the Ordinance Committee. The motion was seconded by Councilor Alvarez-Rodriguez and Council

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Members present voted unanimously [8-0] to withdraw the following matter from the City Council Agenda.

Doc. 118/08: Parking – Hubbard Place – Ord. Cmt. - Withdrawn

VIII. OLD BUSINESS: - None

IX. TABLED MATTERS:

Doc. 288/06: Traffic and Public Safety–5 corners (Floral, School, Hancock, Doyle Streets and Oregon Avenue) - Ord. Comm.

Councilor Kolofoles presented a motion to remove the item from the table which was seconded by Councilor Abdoo and unanimously approved by the Council Members present [8-0]. Councilor Kolofoles moved to withdraw the item from the Council Agenda which was seconded by Councilor Gonzalez and unanimously approved [8-0] by the Council Members present.

Doc. 288/06: Withdrawn

106/08: Handicapped Parking – 167 Arlington Street – Ord. Comm.

Council President Blanchette recognized Councilor Kolofoles who presented a motion to remove Doc. 160/08 from the “table”. The motion to remove was seconded by Councilor Adoo and unanimously approved by the Council Members present [8-0].

Councilor Kolofoles presented the report of the Ordinance Committee recommending the approval of the measure. The report was presented in the form of a motion to approve which was seconded by Councilor Gonzalez and unanimously approved by the Council Members present [8-0].

Doc. 106/08: Approved.

The following items remained “tabled” without further action:

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14/07	Temporary Appointments–proposed amendments to Sec. 2.04.081 of the Municipal Code
288/06	Traffic and Public Safety–5 corners (Floral, School, Hancock, Doyle Streets and Oregon Avenue) - Ord. Comm.
275/07	Marion Avenue – park to be named – Ord. Comm.
6B/08	City Contract Ordinance – Section 3.04.230- Ord. Comm.

X. NEW BUSINESS:

Doc.152/08: Tower Hill Neighborhood Association – National Night Out – request to close Providence Street (between Shawmut Street and Community Avenue) on Monday, August 4th, 2008 from 3:00 pm. To 10:00 p.m. - Council Vice Pres. Kolofoles – Emergency/Approved pending sign-off

Upon being granted the floor, Councilor Kolofoles presented a motion to have the matter declared an emergency measure and to suspend the Rules of the City Council in order to immediately address the matter. The motion was seconded by Councilor Gonzalez and the Council Members present voted unanimously [8-0] to declare the item an emergency measure.

Upon being granted the floor, Councilor Kolofoles presented a motion to approve the item pending application approvals from Officer Cuddy. The motion was seconded by Councilor Gonzalez and the Council Members present voted unanimously [8-0] to approve Tower Hill Neighborhood Association-National Night Out request to close Providence Street [between Shawmut and Community Avenue] on Monday August 4, 2008 from 3:00 p.m. to 10:00 p.m.

Doc.152/08: Emergency/Approved pending sign-off

Doc.159/08: Desfile Dominicano – request permission to use the Campagnone Common Park for the Annual Festival and Parade on August 17, 2008 – Maria Lopez, President – Emergency/Approved-pending sign-off

Upon being granted the floor, Councilor Kolofoles presented a motion to have the matter declared an emergency measure and to suspend the Rules of the City Council in order

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to immediately address the matter. The motion was seconded by Councilor Alvarez-Rodriguez and the Council Members present voted unanimously [8-0] to declare the item as an emergency.

Upon being granted the floor, Councilor Silva presented a motion to approve the item pending the completion of all application departmental approvals. The motion was seconded by Councilor Alvarez-Rodriguez and the Council Members present voted unanimously [8-0] to approve Desfile Dominicano request for permission to use the Campagnone Common for the Annual Festival and Parade on August 17, 2008.

Doc.159/08: Emergency/Approved pending sign-off

Doc.160/08: Holy Fire Ministries – request permission to use the North and South Common Park for Religious events – Rev. Bert Farias –Emergency/ Approved

Upon being granted the floor, Councilor Alvarez-Rodriguez presented a motion to have the matter declared an emergency measure and to suspend the Rules of the City Council in order to immediately address the matter. The motion was seconded by Councilor Silva and the Council Members present voted unanimously [8-0] to approve the item as an emergency measure.

Upon being granted the floor, Councilor Alvarez-Rodriguez presented a motion to approve the item. The motion was seconded by Councilor Gonzalez and the Council Members present voted unanimously [8-0] to approve Holy Fire Ministries request for permission to use the North and South Common Park for Religious events.

Doc.160/08: Emergency/Approved

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:

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- 148/08 Parking – Portland Street – review and amend parking ordinances to allow parking on the north side – Council. Fielding-Ref to Ord. Cmt.
- 149/08 Melrose Terrace – acceptance as public way – Council Vice Pres. Kolofoles-Ref. to Ord. Cmt
- 150/08 Essex Street – review of all signage and (approved turns) – Council Vice Pres. Kolofoles-Ref. to Ord. Cmt.
- 151/08 Parking – 128 Newbury Street – request for two-15 minute parking spaces – Council Vice Pres. Kolofoles – Ref. to Ord. Cmt.
- 153/08 Vacant Lots – Berkeley and Bruce Street – conditions – Council. Alvarez-Rodriguez-Ref. to Hsg. Cmt.
- 154/08 Abandoned Property–201-203 Cypress Avenue-conditions– Council Vice Pres. Kolofoles-Ref. to Hsg. Cmt.
- 155/08 Abandoned Property-Bedford Street (garages) – conditions- Council Vice Pres. Kolofoles-Ref. to Hsg. Cmt.
- 156/08 Lawrence Civil War Memorial Guard – request permission to hold their 6th Annual Civil War Weekend on the Campagnone Common Park on Sept. 19 through Sept. 21, 2008 – Joseph Bella, LCWVG Board of Directors-Ref. to Ord. Cmt.
- 157/08 Parking – La Casa Program – 200 Essex Street – Thomas D. Schiavone-Ref. to Ord. Cmt.
- 158/08 Capital Café and Grill – 89 South Broadway Street – request permission to place chairs tables and umbrellas on sidewalk – Maritza Almodovar –Ref. to Ord. Cmt.
- 161/08 Right of Entry - Hampshire Street Bridge – Andrew Wall, Sr. Engineer-Ref. to Ord. Cmt.
- 162/08 Transient Vendor License Application and Petition–Siria Colon–42 Texas Avenue-Ref. to Ord. Cmt.
- 163/08 Transient Vendor License Application and Petition–Ricardo Sequinot-121 E. Cambridge – Ref. to Ord. Cmt.
- 164/08 Transient Vendor License Application and Petition–Longino Alex Gonzalez-10 Park Ave-Ref. to Ord. Cmt.
- 165/08 Transient Vendor License Application and Petition-Carlos N. Alba-326 Lowell St.-Ref. to Ord. Cmt.
- 167/08 Lawrence Action Day–Use of Campagnone Common Park on Sept. 6, 2008 from 11 a.m. to 5:00 p.m.- Angela Caruso/Youth Storm-Ref. to Ord. Cmt.

ITEMS ADDED AT THE MEETING

- 170/08 24th Annual Bread and Roses Labor Day Heritage Festival – Ref. to Ord. Cmt.

XI. ADJOURNMENT:

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

**ADJOURNED
(8:32p.m.)**

Attest:

William J. Maloney
City Clerk