

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

**DATE: Tuesday, November 18, 2008**

A **REGULAR MEETING** of the City Council was held on **Tuesday November 18, 2008** at 7: 05 p.m. in the City Council Chamber with all Members present except for Councilor Moran and Councilor Silva.

Approximately Eight [8] 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:

Joseph D'Amico, 11 Lorenzo Road, Lawrence, MA stated that the Council Meeting is not on the City Website and asked it be published.

William Labsolu, 6 Green Street, Lawrence, MA informed the Council Members about the dangers on Green Street due to poor sidewalk conditions.

Donald Silva, Grace Street, Lawrence, MA informed the Council of the poor conditions on the sidewalks on Green Street. He stated that the sidewalks on both the north and south side of Greet Street are a public safety hazard in their present condition and need to be repaired to avoid injury to pedestrians.

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

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Councilor Twomey presented a motion to take document #269/2008 out of the order appearing on the agenda. The motion was seconded by Councilor Kolofoles and unanimously approved by the Council Members present [7-0].

**Doc.269/08: Resolution- The Tower Hill Neighborhood Association-Councilor Twomey  
– Presented**

Councilor Twomey made presentation of the resolution to Dan Clarke and Keith Wlodyka of the Tower Hill Neighborhood Association.

**IV. PUBLIC HEARINGS:**

**Doc.220/08: Parking-Methuen Street-Lawrence Firefighters Credit Union-15-20 min. –  
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 Kolofoles presented a motion to approve the item. Councilor Alvarez-Rodriguez seconded the motion.

A discussion between Councilor Kolofoles and Councilor Twomey ensued concerning the necessity of the proposed ordinance.

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Upon being granted the floor, Councilor Alvarez-Rodriguez discussed the necessity of the parking space.

Upon being granted the floor, Councilor Kolofoles informed the Council Members about the availability of the proposed location.

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 Kolofoles, as seconded by Councilor Alvarez-Rodriguez, the Council Members present voted unanimously [7-0] to approve the measure.

**Doc. 220/08: Approved**

**Doc.221/08: Handicapped Parking-10 Hawley Street-Hearing Held -  
Approved/30 Days Waived**

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

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seconded by Councilor Alvarez-Rodriguez, the Council Members present voted unanimously [7-0] to approve the Handicapped Parking Sign at 10 Hawley Street.

**Doc. 221/08: Approved-30 Days Waived**

**Doc.222/08: Stop Sign-East Platt St @ East Pleasant 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 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 presented by Councilor Alvarez-Rodriguez as seconded by Councilor Kolofos, the Council Members present voted unanimously [7-0] to approve the stop sign on East Platt Street at East Pleasant Street.

**Doc. 222/08: Approved**

**Doc.223/08: Parking-Willow St. between Center & Arlington Sts-restrictions-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 presented by Councilor Gonzalez as seconded by Councilor Alvarez-Rodriguez, the Council Members present voted unanimously [7-0] to approve the item. **Doc.**

**223/08: Approved**

**Doc.236/08: National Grid-request permission to place underground electric conduits on Green St-Hearing Held – Tabled**

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.

David Agnew, a representative of National Grid, presented the proposal to place underground electric conduits on Green Street to the Council Members present and requested their approval.

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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 Kolofoles posed questions to the National Grid representative regarding the proposed construction. He suggested that he would like to view the area before construction begins.

Upon being granted the floor and at the request of Councilor Alvarez-Rodriguez, Don Silva of the Tower Hill Neighborhood Association discussed the safety hazard that the proposed construction will create. He stated that the south sidewalk on Green Street should be repaired before any construction begins on the north side of Green Street.

Councilor Alvarez-Rodriguez posed questions to Mr. Silva about the poor condition of the south sidewalk on Green Street.

Upon being granted the floor, Councilor Abdo informed the Council Members of a planned construction project to a nearby building required the south sidewalk be excavated which resulted in its presently disrepair.

Upon being granted the floor, Councilor Alvarez-Rodriguez suggested that the private contractor performing the construction project be notified and required to complete repairs to the south sidewalk on Green Street before allowing any construction or excavation of the north sidewalk. Councilor Alvarez-Rodriguez presented a motion to approve National Grid's request to place underground electric conduits on Green Street with the condition that the petitioner be required to prioritize the safety of area residents and pedestrians on Green Street and that no construction take place in accord with this item until after Councilor Kolofoles,

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Councilor Gonzalez and members of The Tower Hill Neighborhood Association meet with the petitioner's work crew and are satisfied that all safety issues are addressed. The motion was seconded by Councilor Kolofoles. A discussion ensued between Councilor Alvarez-Rodriguez and Councilor Kolofoles regarding plans to meet and discuss the matter with the City Engineer and the petitioner's contractor.

Upon being granted the floor, Councilor Gonzalez pointed out if the petitioner were allowed to begin work at this time it would result in removing any available sidewalk on either side of Green Street near the construction site and the petitioner's excavation site.

Upon being granted the floor, Councilor Twomey posed questions to the National Grid Representative about the time frame of the proposed work.

Council President Blanchette suggested it may be some benefit to "table" the measure and take up further proceedings after the safety issues are addressed. Councilor Alvarez-Rodriguez agreed and withdrew her motion to approve the item and moved to "table" the matter. The motion to "table" was seconded by Councilor Kolofoles and unanimously [7-0] approved by the Council Members present.

**Doc.236/08: Tabled**

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

Council President Blanchette called the following matters to the attention of the Council Members appearing on the agenda and referred the items as indicated:

**Doc.263/08: Planning Board – removal of Mr. Michael Kennedy – Mayor Sullivan – Ref. to Personnel**

**Doc. 264/08: TIF and EOA Application for 280, 290 and 350 Merrimack Street – Thomas Schiavone-Mayor's Office –Ref. to Budget & Finance**

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

**Doc.248/08: Resolution – Preserve America Designation – Ord. Comm. - Approved**

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee endorsing the approval of the measure presented. The report was presented in the form of a motion to approve which was seconded by Councilor Twomey and unanimously approved by the Council Members present [7-0].

**Doc. 248/08: Approved**

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

**268/08 Appropriations -FY 2008 Bills – request to authorize payment of outstanding bills – City Clerk Bond - \$104.00 & Mass. Dept. of Fisheries and Wildlife, Hunting and Fishing Licenses –\$391.50 – William J. Maloney, City Clerk – Ref. to Budget & Finance Committee**

**VII. COMMITTEE REPORTS:**

**Doc.243/07: Stop Sign–Traffic Design Pattern -Triangle– E. Haverhill Street & Newbury 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 to order a public hearing. The motion was seconded by Councilor Twomey and unanimously approved by the Council Members present [7-0].

**Doc. 243/07: Public Hearing Ordered**

**Doc.239/08: Parking – Essex St. – 2 hr. (between Lawrence and Hampshire Streets – 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 to order a public hearing. The motion was seconded seconded by Councilor Twomey and unanimously approved by the Council Members present [7-0].

**Doc. 239/08: Public Hearing Ordered**

**Doc.243/08: Parking – Holt St. – restrictions – 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 Twomey and unanimously approved by the Council Members present [7-0].

**Doc. 243/08: Public Hearing Ordered**

**Doc.247/08: National Grid – permission to place underground electric conduits on  
Common 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 to order a public hearing. The motion was seconded by Councilor Twomey and unanimously approved by the Council Members present [7-0].

**Doc. 247/08: Public Hearing Ordered**

**Doc.256/08: Parking–Prospect/E. Haverhill Streets. – removal of 20 min. signs - 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 to order a public hearing. The motion was seconded by Councilor Abdoo and unanimously approved by the Council Members present [7-0].

**Doc. 256/08: Public Hearing Ordered**

**Doc. 251/08: World Aids Day–use of Campagnone Common–12/1/08–  
Ord. Comm. - Approved**

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee in the form of a motion to approve the petitioner’s request to use the Campagnone Common on December 1, 2008. The motion was seconded by Councilor Alvarez-Rodriguez and unanimously approved [7-0] by Council Members present.

**Doc. 251/08: Approved**

**VIII. WITHDRAWALS:**

Council President Blanchette granted Councilor Kolofoles the floor for the purpose of presenting matters concerning the withdrawal of pending matters before the Ordinance Committee.

Councilor Kolofoles moved to present all matters concerned in “block” form to withdraw them from the City Council Agenda. The motion was seconded by Councilor Gonzalez and unanimously approved by the Council Members present [7-0].

Councilor Kolofoles presented a motion to withdraw the following items from the City Council Agenda:

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**Doc.29/07: Parking – Andover Street – from Andover Line to Broadway Street – Ord. Comm. –Withdrawn**

**Doc.30/07: Jacques Pond – City Park Area – Ord. Comm. –Withdrawn**

**Doc.177/08: Transient Vendor License – Angel Valdez – Ord. Comm. - Withdrawn**

**Doc.255/08: Handicapped Sign – 37 Woodland Street – Ord. Comm. - Withdrawn**

**IX. OLD BUSINESS:** - None

**X. TABLED MATTERS:**

The following items remained “tabled” without further action:

14/07	Temporary Appointments–proposed amendments to Sec. 2.04.081 of the Municipal Code
275/07	Marion Avenue – park to be named – Ord. Comm.
6B/08	City Contract Ordinance – Section 3.04.230- Ord. Comm.
146/08	Water Treatment Plant and its affect on the 2009 City Budget
22/08	Personnel Dept. - reorganization

**XI. 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:

257/08	Handicapped Parking Sign – removal of sign and effecting ordinance for 6 Vermont St.- Council Pres. Blanchette-Ref. to Ord. Cmt.
258/08	Tax Recapitulation FY 2009/Budgetary Adjustments – Mark Andrews, B and F Director- Ref. to Budget and Finance Cmt.
259/08	Tax Classification Factor FY 2009 – Alexcy Vega, Board of Assessor-Ref. to Budget & Finance Cmt.
260/08	National Grid – request permission to locate poles, wires and fixtures on Cross Street- Ref. to Ord. Cmt.
261/08	Sewer Service for 115 Corbett St., Andover from 190 Sylvester St., Lawrence, MA- Karen Hurley Ref. to Ord. Cmt.
262/08	Parking – 76 Bennington Street – Passion Market – 15 min. (2 spaces) - Counc. Moran- Ref. to Ord. Cmt.
265/08	Appointment – Planning Board – Lesly Melendez – reappointment–Michael R. Sweeney, Planning Department Director – Ref. to Personnel Cmt.
266/08	Appointment – Planning Board – Mr. James R. Blatchford – Michael R. Sweeney, Planning Department Director – Ref. to Personnel Cmt.
267/08	Parking – Lawrence Fire Department - Ladder 4 - request a change in signage from “NO PARKING to “FIRE DEPARTMENT PARKING ONLY– Lieutenant John Duxbury, Ladder 4 Group 1 – Ref. to Ord. Cmt.

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**XII. ADJOURNMENT:**

Upon Motion of Councilor Alvarez-Rodriguez duly seconded by Councilor Kolofos, the Council Members present voted unanimously to Adjourn.

**ADJOURNED  
(8:00p.m.)**

Attest:

William J. Maloney  
City Clerk