

MINUTES OF THE MEETING
OF THE LAWRENCE CITY COUNCIL

DATE: Monday, December 15, 2008

A **SPECIAL MEETING** of the City Council was held on **Monday, December 15, 2008** at 7: 09 p.m. in the City Council Chamber with all Members present except for Councilor Alvarez-Rodriguez.

Approximately Twenty-five [25] persons were present.

A Moment of Silence was held.

The Pledge of Allegiance was recited.

I. ACCEPTANCE OF MINUTES: - None

II. PUBLIC PARTICIPATION: - None

III. PUBLIC HEARINGS:

Doc. 258B/08: Tax Recapitulation – FY’09 – B & F Comm.-Hearing held – Approved

Council President Blanchette introduced the item to be presented for hearing. He invited the Budget & Finance Director Mark Andrews and Assistant Assessor Vega to provide a summary of the tax recap factor process.

Director Andrews provided an overview of the tax factor process.

Upon being granted the floor, Councilor Abdo presented a motion to approve the item. The motion was seconded by Councilor Fielding and the Council Members present voted to approve Doc.258B/08 by the following vote: 5-Yes; 3-No; 1-Absent

Councilor Fielding – Yes
Councilor Gonzalez – No
Councilor Moran – Yes
Councilor Abdo – Yes
Councilor Alvarez-Rodriguez – Absent
Councilor Twomey - No
Councilor Silva – Yes

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Council Vice President Kolofos – No
Council President Blanchette – Yes

Doc. 258B/08: Approved

Doc.259/08: Tax Classification Factor - FY'09 – B & F Comm.-hearing held- Approved

Upon being granted the floor, Councilor Kolofos commented that he believes a super majority vote is required to approve the item presented.

Budget and Finance Director Mark Andrews provided the Council Members with information concerning the Department of Revenue requirements for consideration of approval of the tax factor. A discussion ensued regarding the publication of the notice of public hearing for the tax factor.

Assistant Assessor Alex Vega was invited to explain the request for tax factor by Council President Blanchette.

At 7:40 p.m. Councilor Abdoo presented a motion to recess the Council proceedings for 5 minutes which was seconded by Councilor Moran and unanimously approved by the Council Members present. [8-0]

At 7:55 p.m. Councilor Abdoo presented a motion to terminate the recess and resume proceedings. The motion was seconded by Councilor Twomey and unanimously [8-0] approved by the Council Members present.

Budget and Finance Director Mark Andrews and Assistant Assessor Alex Vega presented a power point exhibit for informational purposes.

At the request of Council President Blanchette, the City Clerk read the public hearing notice regarding the tax factor. 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.

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Will Carpenter, Vice President of the Chamber of Commerce, spoke in favor of approving the proposed tax rate as presented.

Norm Torres, Vice President of Operations for the Staples Company, 655 Andover Street, Lawrence, MA discussed the impact that last year's tax increase upon his business. He stated that the Staples is reviewing all its distribution centers including the Lawrence location for possible consolidation.

Modesto Maldonado, 115 Spruce Street, Lawrence, MA spoke in favor of reducing taxes in light of the current recession.

Frank Incropera, 514 Mt Vernon Street, Lawrence, MA and President of the Mt. Vernon Neighborhood Association spoke in favor the proposed 1.75 tax rate.

Robert Ansin, President of Mass. Innovations, 255 Merrimack Street, Lawrence, MA spoke in favor of approving the proposed 1.75 tax rate.

Myles Burke, Commissioner of Inspectional Services for the City of Lawrence, spoke in favor of the proposed 1.75 tax rate.

Sal Lupoli, owner of Salvatore's Restaurant, 250 Merrimack Street, Lawrence, MA, spoke in favor of the proposed tax rate factor of 1.75 and stated that he would support an additional increase in the commercial tax rate.

Marcos Devers, 16 Woodland Street, Lawrence, MA, spoke in opposition of the proposed tax rate.

Jay Dowd, Lawrence resident and a Trustee of the Lawrence Public Library, discussed the inability of the City Of Lawrence to meet the current certificate requirements imposed upon all municipal libraries due to the lack of sufficient financial support. He

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suggested that despite recent financial difficulties the Lawrence Public Library will be able to obtain necessary certification. He stated that the proposed tax rate factor would be beneficial to the City of Lawrence and the Public Library which is why he supported the measure as proposed.

Michael Miller, 90 South Bowdoin Street, Lawrence, MA and Commissioner of the Lawrence Airport, spoke in favor of the proposed tax rate factor.

Lawrence Fire Chief Peter Takvorian discussed the difficulty completing smoke detector inspections for home sales because of the lack of sufficient fire department staff. He suggested that the proposed tax rate factor may help the Lawrence Fire Department hire sufficient staff to complete smoke detector inspections which, in turn, will help real estate brokers meet time deadlines regarding the sale of real property in the City of Lawrence.

Maureen Nimo, 24 Yale Street, and Director of the Lawrence Public Library spoke in favor of the proposed tax factor. She stated that Lawrencians must have the availability of a fully functional public library in order to assure the public has the means by which to remain informed and educated.

Lawrence Police Chief John Romero spoke in support of the proposed tax rate factor presented for consideration of the Council Members in order to assure that the Lawrence Police can continue to provide its services to the public.

Eileen Brunelle, 257 Mt. Vernon Street, Lawrence, MA, a Trustee of the Lawrence Public Library, spoke in support of the tax rate factor as presented.

Don Silva, Lawrence resident and on behalf of The General Donovan Neighborhood Association spoke in favor of the proposed tax rate factor as presented.

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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 Silva presented a motion to approve the item as seconded by Councilor Fielding.

Upon being granted the floor, Councilor Kolofoles discussed a memo from Council President Blanchette referencing information provided by City Attorney Charles Boddy dated January 22, 2008 pertaining to the establishment of the tax rate factor process. Councilor Kolofoles also discussed the real estate assessment process currently taking place for FY 2010. Councilor Kolofoles referenced G.L. c.40, sec. 56. He reviewed the list of individuals who provided public comment at the public hearing portion of the proceedings. Upon inquiry by Councilor Kolofoles, Assistant Assessor Alex Vega stated that the total number of residential properties currently in Lawrence amounts to 11,677 residences. Upon further inquiry, Assistant Assessor Vega provided an estimate of the total number of properties that will be subject to tax increases if the measure presented is approved. A discussion ensued between Councilor Kolofoles and Assistant Assessor Vega regarding tax rate increases. Additional discussion ensued between Councilor Kolofoles and Assistant Assessor Vega about various conditions and scenarios that may result if an increase in the tax rate were approved. Councilor Kolofoles discussed the findings of a report submitted by the Assessor's Office and posed additional questions to Assistant Assessor Vega concerning the tax abatement process.

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Upon being granted the floor, Councilor Gonzalez posed questions concerning the accuracy of the percentage of properties that may receive an increase if the proposed tax rate factor is approved.

Upon being granted the floor, Councilor Silva discussed the impact the current recession has upon the ability to continue home ownership. A discussion ensued between Councilor Silva and Budget and Finance Director Mark Andrews concerning the budget approval process as it relates to city operations and setting the tax rate.

Upon being granted the floor, Councilor Twomey discussed the 5 to 10 percent departmental budgetary reductions implemented this fiscal year. He reiterated that the impact the approval of the tax rate factor will have on each category of real property in the City of Lawrence. A discussion ensued between Councilor Twomey and Budget and Finance Director Andrews concerning the overall budget process followed in FY 2009. Further discussion about possible cuts that may be required was suggested by Councilor Twomey.

Upon being granted the floor, Councilor Abdo discussed impact that approval of the proposed tax rate would have on Lawrence homeowners. He pointed out that municipal services requires funding which can only be supplied by raising revenue.

Upon being granted the floor, Councilor Kolofos commented on a letter received from a constituent regarding other communities that post their property assessments on their websites. He commented that he does not believe the approval of the proposed tax rate will improve the quality of goods and services provided to the public in the City of Lawrence. Despite the fact that “increased taxes” will not result in an “increase in the delivery or quality

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of services”, Councilor Kolofos stated that he will reluctantly vote in favor of the item presented.

Council President Blanchette thanked Assistant Assessor Vega and Budget and Finance Director Andrews for their assistance and hard work.

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 motion of Councilor Silva to approve the measure, as seconded by Councilor Fielding, the Council Members present voted to approve the measure as follows. 7-Yes; 1-No; 1-Absent

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

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

- None

V. APPROPRIATIONS-ORDERS-RESOLUTION: - None

VI. COMMITTEE REPORTS: - None

VII. WITHDRAWALS: - None

VIII. OLD BUSINESS: - None

IX. TABLED MATTERS:

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
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 Department – reorganization
236/08	National Grid-request permission to place underground electric conduits on Green Street
256/08	Parking – Prospect St./East Haverhill St. – removal of a 20 minute parking sign

X. NEW BUSINESS: - None

XI. ADJOURNMENT:

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

ADJOURNED
(9:45p.m.)

Attest:

William J. Maloney
City Clerk