

MINUTES OF THE MEETING
OF THE LAWRENCE CITY COUNCIL

DATE: Tuesday, February 6, 2007

A **REGULAR MEETING** of the City Council was held on **Tuesday, February 6, 2007** at 7: 03 p.m. in the City Council Chamber with all Members present except for Councilor Alvarez-Rodriguez. Councilor Kolofoles arrived at 7:04 pm and Councilor Gonzalez arrived at 7:05 p.m. Council President Blanchette presided over the meeting.

Approximately Forty Seven [47] 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 Sept. 5, 2006, Sept. 14, 2006, Sept.20 2006, Sept. 26, 2006, Oct. 3, 2006, Oct. 17, 2006, Nov. 8, 2006 and Nov. 21, 2006, Nov. 30, 2006, Dec. 5, 2006, Dec. 12, 2006, Dec. 16, 2006, Dec. 19, 2006, Jan. 2, 2007, Jan. 16, 2007 and the Executive Session of October 3, 2006 were submitted by the City Clerk for consideration and acceptance of the City Council Members.

Upon being recognized on a point of personal privilege, Councilor Kolofoles objected to the approval of the minutes stating that there are errors contained in the minutes submitted.

Upon the motion of Councilor Parolisi as seconded by Councilor Gosselin the Council Members present voted as follows to approve the minutes. 6-Yes; 2-No; 1 Absent

Councilor Gosselin – Yes
Councilor Gonzalez – Yes
Councilor Parolisi – Yes
Councilor DiMarca – Yes

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Councilor Kolofoles – No
Councilor Alvarez-Rodriguez – Absent
Councilor Silva – No
Councilor Frechette – Yes
Councilor Blanchette – Yes

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:

Cristobal Ramos, 1 Farnham Street Lawrence, MA stated he supports Sergeant Urena for appointment as the Veterans Administration representative for the City of Lawrence.

Henry Misserville, 249 Ferry Street, Lawrence, MA stated that the City shelters would be available to the homeless during the cold winter days and nights.

Charles R. Breen, 122 Amesbury Street, Lawrence, MA spoke about the public bid for the real property located at 281 Haverhill Street and the real property that will be made available for public bid at 277 Haverhill Street. He stated that his business [Breen Funeral Home] would like to receive appropriate consideration by the Members of the City Council when the matters are presented for their vote and approval. He cited the many years of service his business has provided to the Lawrence Community and stated that his family's commitment to the City of Lawrence should be recognized.

Phil Glendye, 23 Ames Street, Lawrence, MA spoke in favor of awarding a vacant lot located at 281 Haverhill Street to Breen Funeral Home.

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Tina Traisnell, 301 Haverhill Street, Lawrence, MA, principal of St. Mary of Assumption Grammar School, stated that she was concerned about the proposed construction of a business on the lot located at 281 Haverhill Street being considered by the City Council Members for disposition and award. She stated that the location of a business in the immediate vicinity of St. Mary's Grammar School should not be permitted.

Janice M. Jacobs, 501 Mt. Vernon Street, Lawrence, MA discussed the loss of the availability of parking that would result if the real property at 281 Haverhill Street were awarded as proposed.

James Jacobs, 501 Mt. Vernon Street, Lawrence, MA discussed the parking difficulties in the area of 281 Haverhill Street and stated that he opposes proposed disposition of the property.

Lisa Breen, 122 Amesbury Street, Lawrence, MA stated that the real estate at 281 Haverhill Street will cause parking problems if the property were awarded to a developer as proposed.

Attorney Thomas Caffrey, 300 Essex Street, Lawrence, MA stated that the bid award for real estate at 281 Haverhill Street should be awarded to the Breen Funeral Home.

Gary Keating 91 Summer Street, Lawrence, MA spoke in favor of the appointment of Sergeant Urena to the Veterans' Services Office.

III. PUBLIC HEARINGS:

Doc. 19/02: Parking – Eastside Street – alternate parking to be inserted – Hearing Held Approved- send letter to City Attorney

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 being granted the floor, Councilor Kolofoles questioned the legality of presenting a 2002 petition for public hearing and stated that he would move to approve the matter if that motion would also include requesting the City Attorney to provide a legal opinion to determine whether or not the measure can be presented to the City Council for approval since the order for a public hearing had entered almost five years earlier. Councilor Parolisi seconded the motion as presented by Councilor Kolofoles which was unanimously approved by the Council Members present [8-0].

Doc. 19/02: Approved [Request for Legal Opinion to be sent to City Attorney]

Councilor Parolisi presented a motion to take document #12/2007 out of the order appearing on the agenda. The motion was seconded by Councilor DiMarca and unanimously approved by the Council Members present [8-0].

IV. TABLED MATTERS:

Doc. 12/07: Resolution – Al Zappala – Councilor DiMarca – Presented

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

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Councilor DiMarca introduced the recipient of the Resolution and read the Resolution into the record. Attorney Al Zappala thanked Councilor DiMarca and the Council Members present.

Doc. 12/07: Presented

V. PUBLIC HEARINGS:

**Doc. 233/06: Mileage Reimbursement – Section 2.140.240 of the Municipal Code –
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 Kolofoles as seconded by Councilor Gonzalez, the Council Members present voted unanimously [8-0] to approve the measure.

Doc. 233/06: Approved

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

Doc. 22/07: South Lawrence East Middle School National Junior Honor Society – Council Pres. Blanchette – Presented

Council President Blanchette presented the matter and introduced the members of the South Lawrence East Middle School's National Junior Honor Society. Council President Blanchette stated that the students are trying to raise funds for their trip to Washington D.C. planned for the spring.

Patricia McGonagle, teacher/advisor of the South Lawrence East Middle School, introduced students and Honor Society Members Kaitlyn Norris and Kayla Rodriguez who discussed their plans to visit Washington D.C. during April School Vacation. The students stated that public donations will be used to defray the cost and expense of funding their trip to Washington D.C.

Mrs. McGonagall asked that donations be sent to the South Lawrence East Middle School in the name of the National Junior Honor Society.

Upon being recognized Councilor Silva commented on the importance of donating to this worthy cause.

Doc. 22/07: Presented

Doc. 38/07: Charter Review – regarding Mayor and Nine (9) Councilors – Council Vice President Frechette- Ref. to Committee on the Whole

Council Vic President Frechette stated that he placed the item on the agenda to discuss possibilities of changing the form of government under the present City Charter from a Mayoral form of government to a City Manager form of Government. He stated that a City manager is necessary to properly run the City of Lawrence under the present conditions.

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Council President Blanchette referred the matter to the Committee on the Whole.

Doc. 38/07: Ref to Cmt. on of the Whole

VII. APPROPRIATIONS-ORDERS-RESOLUTION:

Doc. 39/07: Resolution – Miguel DiMarca – Councilors Gosselin and DiMarca – Tabled

Councilor DiMarca presented a motion to table the resolution which was seconded by Councilor Gonzalez. The Council Member present voted unanimously [8-0] to table the matter.

Doc. 39/07: Tabled

Doc. 40/07: Resolution – Ann Anzalone – Councilors Gosselin and DiMarca-Tabled

A motion presented by Councilor DiMarca to table the resolution was seconded by Councilor Gonzalez and unanimously [8-0] voted upon by Council Member present.

Doc. 40/07: Tabled

VIII. COMMITTEE REPORTS:

Doc. 18/07: Appointment – Cultural Commission – Patricia Waters – Personnel Committee – Approved

At the request of Council President Blanchette, Councilor Silva presented the report from the Personnel Committee to approve the appointment of Patricia Waters to the Cultural Commission. The report was presented in the form of a motion to approve the measure which was seconded by Councilor Gonzalez.

Upon being granted the floor, Councilor Kolofoles invited Ms. Waters to the podium and asked her why she wanted to be a Member of the Lawrence Cultural Commission.

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Ms. Waters stated she would like to serve as a Member of the Lawrence Cultural Commission because she believes the Commission performs a valuable civic function and that she would do a very good job as a member. Councilor Kolofoles thank her for applying and praised her for all she has done for the City of Lawrence.

Upon no further discussion or inquiry, The Council Member present voted unanimously [8-0] to approve Ms. Waters appointment as a Member of The Lawrence Cultural Commission.

Doc. 18/07: Approved

Doc. 19/07: Appointment – Veteran’s Services – Sergeant Francisco Urena – Pers. Committee- Recessed

At the request of Council President Blanchette, Councilor Silva presented the report from the Personnel Committee to approve the appointment of Sergeant Francisco Urena to serve as the Director of the Veterans Services Department. The report was presented in the form of a motion to approve the measure which was duly seconded by Councilor DiMarca.

Upon being granted the floor, Councilor Kolofoles invited Sergeant Francisco Urena to the podium and asked him to discuss why he would like to be appointed to the represent the City of Lawrence as the Veterans Service Officer. Mr. Urena stated that the position offered him an opportunity to “give back” to the community in a unique manner. Sergeant Urena discussed his volunteer work with the Veteran’s Services Office in 2006 and informed the Council Members that he took additional training classes to help him understand the implementation of administrative responsibilities attendant to the position.

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Councilor Kolofoles began to inquire about the procedures that were necessary to follow when processing benefit applications submitted when the proceedings were interrupted by the sudden illness of Council President Blanchette.

[hearing on the measure incomplete]

IX. CONTINUED MATTERS:

The following matters were continued to the next sitting of the City Council as publicly advertised:

Committee Reports

245/04 Disposition – 376-378 Hampshire Street – Hous. Comm.
 295/05 Disposition – 491 Hampshire Street – Hous. Comm.
 296/05 Disposition – 281 Haverhill Street – Hous. Comm.
 299/05 Disposition – 189-193 Jackson Street – Hous. Comm.
 300/05 Disposition – 19-21 Lea Street – Hous. Comm.

Withdrawn

Old Business

223/06 Disposition – 79 Market St.–recommendations–Michael Sweeney, Planning Dept. Dir.
 224/06 Disposition - 148A-150 Newbury Street –recommendations– Michael Sweeney, Planning
 Department Director
 252/04 Disposition – 8-10 Temple Street – recommendations – Michael Sweeney, Planning
 Department Director
 313/06 Disposition – 352 Broadway St.–recommendations – Michael Sweeney, Planning
 Department Director
 314/06 Disposition – 426-428 Broadway St.– recommendations–Michael Sweeney, Planning
 Department Director
 315/06 Disposition – 4 Brook St.– recommendations – Michael Sweeney, Planning Dept. Dir.
 334/06 Monarch on the Merrimack – Wood Mill, LLC – Tax Increment Financing (TIF)-
 Michael Sweeney, Planning Dept. Director

Tabled Matters

60/06 Zoning Board of Appeals, Planning Board, Lawrence Redevelopment Authority
 & Conservation Commission – hearing held
 215/06 Good Citizenship Award – Mayor
 128/06 Acting Jobs Positions and Consultants – on more than 90 days
 257/06 Resolution – Dr. Claire Paradiso
 367/06 Water Treatment Center – Fiber Optics – update on who authorized such work to occur –
 Where is the contract and the bid? – Council President Blanchette
 39/07 Resolution – Miguel DiMarca – Councilors Gosselin and DiMarca
 40/07 Resolution – Ann Anzalone – Councilors Gosselin and DiMarca

New Business

23/07 Parking – two parking stand spaces – Merrimack Taxi – 15 Newbury St.- Counc. Silva

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- 24/07 City Boards/Commissions Meetings- to be televised- Create an Ordinance that will require all meetings to be televised on Channel 22 – Councilors Silva and DiMarca
- 25/07 Prior year’s bill – Randstad – unpaid – Myles Burke, Acting Commissioner Inspectional Services Department
- 26/07 We Transport You Corp. – application to be renewed – Sgt. Bonilla, LPD
- 27/07 Handicapped Parking – 26 Atkinson Street – Lois Cosme
- 28/07 St. Patrick’s Day Parade – March 11, 2007 @ 1:00 p.m. - Counc. Gosselin
- 29/07 Parking – Andover Street – from Andover line to Broadway St. – parking issues- Council Vice Pres. Frechette
- 30/07 Jakes Pond – Request feasibility study for making this area a city park- Council Vice Pres. Frechette
- 31/07 City Ordinance – Review/Amend Section 2.80.010 – 2.80.050 – Council Pres. Blanchette
- 32/07 Commonwealth of Massachusetts – Consideration and Adoption – Chapter 136 Bill H2511 (An Act providing Senior Tax Relief) – Counc. Silva
- 33/07 Wood Mills – Economic Opportunity Area - Michael Sweeney, Planning Dept. Director
- 34/07 Arlington Mills Smart Growth Overlay District (40R) – Michael Sweeney, Planning Department Director
- 35/07 Dedication of Highgate St., Map #210, Lot #15 for burial purposes–Mary Louise Boddy, Bellevue Cemetery Board of Directors, Chairman
- 36/07 Traffic Signals–Common St. from Broadway to Jackson St. – review of synchronization- Council. Kolofoles
- 37/07 Local Tax Exemptions Qualifications: Review - Chapter 59.5.41C and 59.5.17D – Council. Kolofoles
- 41/07 Surplus Declarations – 277 Haverhill Street – Michael R. Sweeney, Planning Department Director
- 42/07 Lawrence Community Works – 2006 Unpaid Invoices – David A. Camasso, Office of Budget and Finance

IX. RECESS:

Upon Motion of Councilor DiMarca as seconded by Councilor Kolofoles, the Council

Members present voted unanimously to **Recess**.

**RECESSED
(8:10p.m.)**

Attest:

William J. Maloney
City Clerk