

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

**DATE: Tuesday, March 20, 2007**

A **REGULAR MEETING** of the City Council was held on **Tuesday, March 20, 2007** at 7:10 p.m. in the City Council Chamber with all Members present except for Councilor Kolofoles and Councilor Vice President Frechette. Council President Blanchette presided over the meeting.

Approximately Twenty-seven [27] 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 the City Council Meeting conducted March 6, 2007 were submitted by the City Clerk for consideration and acceptance of the City Council Members.

Upon a motion to accept and approve the minutes as submitted presented by Councilor Parolisi as seconded by Councilor DiMarca, the Council Members present voted unanimously [7-0] to accept and approve the minutes of March 6, 2007.

**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:

Jean Louis Michaud, 25 Boyd Street Lawrence, MA stated that the roads in Lawrence were in very poor condition after the snow storm this past Friday.

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Mark Vivier of Lowell Street, Lawrence, MA stated that he has not received public information which he has requested since February 20, 2007 regarding towing contracts. He stated that the information requested was within G.L. c. 66, sec..10 [Freedom of Information Action - FOIA] and he asked the City Council to contact the Mayor to insist the information be provided without further delay.

Lindy Galland 196 West Street, Lawrence, MA congratulated Council President Blanchette on his 30<sup>th</sup> Birthday that was on March 19, 2007. She thanked Councilor Gosselin for her successful organization of the Saint Patrick's Day Parade on March 11, 2007 and discussed the celebration that followed at The Claddagh Pub.

John Lydon 9 Monroe Street, Lawrence, MA stated that although the snow may not have been fully cleared from the City Streets, he praised the hard work of the DPW workers for their efforts.

Michael Sweeney, 104 Dascomb Road, Andover, MA stated that he supports Acting DPW Director Michael Morley and Parks Director Joe Viel. He praised the work of all DPW workers who cleared the snow in last Friday's snow storm and stated that the streets were cleared.

Dalia Diaz, 315 Mount Vernon Street, Lawrence, MA [Editor in Chief and owner of RUMBO publication] complained about an attempted sexual assault on a 10 year old boy recently occurring at the Oliver School. She stated that the Superintendent of Schools has instructed the school staff not to report the incident and claimed that he is "downplaying" the matter. She stated that teachers and school staff are mandated reporters and required to report such matters to their superiors and the police if necessary. She stated that the response

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of the Superintendent and the School Committee regarding this incident and all such incidents is insufficient.

Joseph D'Amico, 11 Lorenzo Road, Lawrence, MA discussed an article recently published in the newspaper indicating that City Government needs to be more "citizen friendly". He spoke in favor of City Council allowing more time for public comment to those who wish to present their point of view on any matter of public concern. Mr. D'Amico stated that the City Council Meeting held in rare Saturday session last year was deceptive as it failed to permit the public to comment on the budget process being considered by the Mayor and City Council at the time. He stated that he believes that tax and budget issues require greater public comment and discussion than is currently being allowed.

### **III. APPROPRIATIONS-ORDERS-RESOLUTIONS:**

Councilor Parolisi presented a motion to take document #81/2007 out of the order appearing on the agenda. The motion was seconded by Councilor Alvarez-Rodriguez and unanimously approved by the Council Members present [7-0].

#### **Doc. 81/07: Proclamation – Greater Lawrence Technical School – State Champions – Wrestling Team-Counc. DiMarca – Presented**

Upon the invitation of Council President Blanchette, Councilor DiMarca Presented the Proclamation to the Greater Lawrence Regional Vocational Technical School Wrestling Team and Coaches for their success as Massachusetts State Champions.

**Doc. 81/07: Presented**

### **IV. TABLED MATTERS:**

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**Doc. 53/07: Resolution – Foreclosure Hot Zone – Wealth Preservation and Housing Partnership-Councilor Alvarez-Rodriguez – Presented**

Upon the motion of Councilor Parolisi to remove the item from the table as seconded by Councilor Gonzalez, the City Council Members present voted unanimously to remove the document from the table [7-0].

Upon the invitation of Council President Blanchette, Councilor Alvarez-Rodriguez, Councilor Gonzalez and Council President Blanchette presented the Resolution to Ana Luna and Mayte Rivera. Ana Luna and Mayte Rivera thanked the City Council for the award and recognition.

**Doc. 53/07: Presented**

**V. PUBLIC HEARINGS:**

**Doc. 14/07: Temporary Appointments – proposed amendment to Section 2.04.081 of the Municipal Code – Public Hearing-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.

Upon no discussion or comment offered by any member of the public, Council President Blanchette closed the public comment portion of the proceedings and called upon the Council Members present to offer comment or discussion.

A motion was presented by Councilor DiMarca as seconded by Councilor Parolisi to approve the measure.

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Council President Blanchette discussed the intended purpose of the proposed amendment for the Council Members present and opened the matter for further discussion. A discussion ensued between Council President Blanchette and Councilor Parolisi regarding the Mayor's opinion sent to the Council Members which stated the proposed amendment, if approved, could not be enforced as it was not within the jurisdiction of the City Council to pass such a measure.

Upon being granted the floor, Councilor Gosselin discussed how the proposed ordinance would operate if approved.

Upon being recognized, Councilor Silva stated that the matter presented was of particular concern to Council Vice President Frechette and that the City Council Members should allow him the opportunity to review the item prior to final vote being taken. In that light, Councilor Silva moved to table the measure which was seconded by Councilor Parolisi. The Council Members present voted unanimously [7-0] to table the item.

**Doc. 14/07: Public Hearing- Tabled**

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

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

- 71/07 Executive Order – Weapons Policy – Mayor Sullivan-Ref to Ord.
- 76/07 FY'08 CDBG Funding Recommendations – Mayor Sullivan –Ref. to Budget & Finance
- 77/07 Citizen Advisory Committee for Better Government – Council Pres. Blanchette-Ref to Ord.

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**Doc. 79/07 Financial Reports to be submitted by the  
Mayor/Comptroller/Administration for all City Departments  
according to city ordinance – Councilor Silva-Ref to Budget & Finance**

Upon being granted the floor by Council President Blanchette, Councilor Silva introduced and explained the purpose of the item and stated that it was her intention that a letter of communication to the Mayor may be directed by the City Council Members concerning this matter with the understanding that the City Departments would be required to comply with the City Ordinance concerning required financial reporting.

Council President Blanchette referred that item to Budget & Finance.

**Doc. 88/07: Conditions of streets – recent storm/plowing –Issue to be discussed -  
Emergency – Councilors Gosselin and DiMarca-Discussion**

Council President Blanchette introduced the item as an emergency measure and called upon the Council Members for their input and discussion on the matter.

Upon being granted the floor, Councilor Gosselin stated that she received many telephone calls and comments during and after the recent snow storm occurring on Friday, March 16, 2007 into Saturday, March 17, 2007. She stated that she believed that despite the efforts of the DPW workers to clear the snow, the streets and walkways in the City of Lawrence posed public safety concerns.

As a point of information, Councilor Silva indicated that she recalled receiving informational packages from the DPW Parks Director Veil that provided process and procedures that the DPW would follow in emergency situations and snow emergencies and that she thought the City Council received that information sometime in October or November of 2006. Council President Blanchette stated that Councilor Silva was correct and

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that the information primarily concerned “parking regulations” that would be put into place during declared snow emergencies and other emergencies as they occurred.

Upon being granted the floor, Councilor DiMarca stated that the streets of the City of Lawrence were in extremely poor condition and the snow was not satisfactorily removed during or after the storm. He cited specific street locations in many districts throughout the City that were poorly plowed which created serious public safety issues and concerns. Upon being granted permission to inquire by Council President Blanchette, Councilor DiMarca asked Acting DPW Director Michael Morley and Parks Supervisor Joseph Viel to discuss the “snow storm” procedures followed by the DPW in response to the recent snow storm. In response, Acting Director Morley explained and outlined the storm procedure followed by DPW workers this past Friday into Saturday and deferred specific question to Parks Supervisor Joe Viel since he was in charge of the operations at that time. Joe Viel informed the Council Members that all twenty-two snow removal vehicles were deployed to remove snow last Friday. He stated that the hospital access ways and primary roadways used by emergency vehicles were first to have snow removed. He stated that additional contractors were called later during the storm to supplement the deployment of City vehicles used to remove snow. Mr. Viel stated that during and throughout the storm he remained in contact with the Police Chief and Fire Chief to make sure there were no problems experienced in the performance of their duties. He informed the Council Members that neither the Police Department nor the Fire Department reported any difficulties with emergency access to any location in the City as a result of snow accumulation. He also informed the Council Members that a “snow emergency” was not declared by the Mayor and that the Mayor is the

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only City Official authorized to declare an emergency. He stated that although the alternate street parking provisions for the City of Lawrence expired on March 15, 2007, vehicles left on the street or snowbound did not pose much difficulty. He explained that these vehicles would typically be towed and ticketed during a snow emergency, but he believed that would have resulted in greater public inconvenience and complaints if a snow emergency were declared. A discussion ensued among Councilor Gosselin, Mr. Viel and Acting Director Morley concerning specific locations of snow accumulations and vehicle abandonment.

In response to Council President Blanchette inquiry as to whether or not the snow removal equipment should have been dispatched earlier, Mr. Viel explained that removal equipment was not deployed earlier because the snow storm took place near the afternoon “rush hour”. He stated that snow removal equipment is not deployed during times of dense traffic which make it impossible to clear the snow from the roads. He also stated that additional contractors are not deployed until late evening hours when they can be most effective.

Upon being granted the floor, Councilor DiMarca indicated that he is personally aware that the sidewalks remained unplowed right through Monday. In response, Mr. Viel stated that the City relies on its snow removal contractors to clear the walkways due to the specialize equipment in their possession. He stated that the snow clearing practices were no different for this storm as they were for storms occurring in the past.

Upon being granted the floor, Councilor Parolisi indicated that Mr. Viel and Acting Director Morley stated that removal procedures could “have been better” and asked what might have been done differently to improve snow removal during this storm. Mr. Viel

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stated that he would have concentrated more on removing snow in the Carletonville neighborhood and brought in heavier equipment for this area. Councilor Parolisi concluded that he believes the side streets in North Andover were in the same condition as side streets in Lawrence. Upon inquiry by Councilor Parolisi, Acting DPW Director Morley and Mr. Viel stated that the recent suspension of Director McCann had no effect on staff performance or caused any difficulties in completing snow removal in the City of Lawrence.

Upon being granted the floor, Councilor Alvarez-Rodriguez commented that the recent survey of people in Massachusetts concluded that the most important issue of concern among residents is how to effectively and efficiently remove snow. Upon inquiry by Councilor Alvarez-Rodriguez Mr. Viel explained the method and manner used to identify and prioritize snow removal locations. Councilor Alvarez-Rodriguez discussed possible ways of expanding public notice and communications in snow storms that are not declared snow emergencies.

Upon being granted the floor, Councilor Silva commended DPW for their snow removal efforts and stated that she believe the DPW workers did a great job. She stated that there was a good amount of traffic congestion during the snow storm and believes that it was prudent that a snow emergency was not declared which saved the motorist a great deal of money and aggravation.

Upon being granted the floor, Councilor Gosselin reiterated that she observed the poor condition of the streets and stated that the snow was not sufficiently cleared from the streets. She stated that the condition of the streets were deplorable and posed a significant threat to public safety. She stated that she received reports of a City vehicle running red

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lights and weaving all over the road and asked Mr. Viel to determine the operator of the reported vehicle.

Upon being granted the floor, Councilor Gonzalez stated that the condition of the City streets near his house and in his neighborhood were very poor. He stated that he made an effort to assist by having people in his neighborhood park in his driveway and in the driveway of his relatives to allow them to move their cars off the street. He suggested that although many of the people in the congested areas of Lawrence don't have driveways or places to park, they should still make every effort to get their vehicles off the street so the snow plows and sanders can remove the snow and treat the roads.

Upon being recognized, Councilor DiMarca reiterated that snow removal efforts have to be improved.

Council President Blanchette proceeded to discuss some of the phone calls he received. He stated that the Council meeting forum is the place where issues that may be in dispute should be presented and resolved. He thanked Acting DPW Director Morley and Mr. Viel for providing the City Council Members with the information regarding this matter.

**Doc. 88/07: Discussion**

**VII. OLD BUSINESS:**

**Doc. 68/07: Taxi License Renewal – Maximo Transportation – 205 Broadway St.-  
Maximo Rodriguez - Withdrawn**

Council President Blanchette recounted the procedural history of this item for the benefit of the Council Members present and indicated that a “conditional approval” of the taxi license to Maximo Transportation was granted pending compliance with application procedures as determined by the Lawrence Police Department. Council President Blanchette

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stated that Sgt. Bonilla of the Lawrence Police Department was present to report to the City Council Members regarding the status of the taxi license at the pleasure of the City Council.

Councilor Parolisi presented a motion to remove the above item from the “table” which was seconded by Councilor Silva and unanimously approved by the Council Members present [7-0].

At the invitation of Council President Blanchette, Sgt. Bonilla presented his report of the application status of Maximo Transportation and stated that the company had not as yet completed the approval process. He stated that issues relating to the current owner and one of its corporate members had not yet be resolved that would allow for police approval of the application presented. He stated further that he received a letter dated March 13, 2007 from the company president informing him that Maximo Transportation did not wish to continue pursuing reinstatement of its taxi license in the City of Lawrence. A copy of the letter was presented to each of the Council Members present for their reference.

Upon being recognized Councilor Silva presented a motion to withdraw the measure which was seconded by Councilor Gonzalez and unanimously [7-0] approved by the Council Member present.

**Doc. 68/07: Withdrawn**

**VIII. APPROPRIATIONS-ORDERS-RESOLUTION:**

The following items were referred to the subcommittee as indicated:

**78/07 - Appropriation Transfer – City Attorney’s Office - from Judgments to Litigation  
- \$100,000.00- Charles D. Boddy, City Attorney  
Ref to Budget & Finance**

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**80/07 - Appropriation Transfer – Fire Department – from Fire Administration  
Anticipated Grant City Share \$26,263.00 to Mechanical Division Repair and  
Maintenance – Vehicles \$25,000.00 and to Assistance to Firefighters Grant Assist to  
Firefighters Grant \$1,263.00-Chief Peter C. Takvorian, Lawrence Fire Dept. –  
Ref. to Budget & Finance**

**IX. COMMITTEE REPORTS: None**

**X. WITHDRAWALS: None**

**XI. TABLED MATTERS:**

The following items remained “tabled” without further action:

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
43/07	Resolution-Jessica Mercado-Greater Lawrence Technical School-student-Counc.Gosselin
46/07	Sign Ordinance – new sign – discussion – Peter Blanchette, Building Inspector
34/07	Arlington Mills Smart Growth District –hearing
42/07	Lawrence Community Works – FY 2006 unpaid invoice - \$4,217.66

**XII. 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:

70/07	Teleport Communications Boston – request permission to place conduit and cable on Franklin Street and Canal Street – Joseph Acosta, Principal-Ref to Ord.
72/07	Team ECR – request permission to hold a car show in the parking area of Pemberton Park on June 30, 2007 – David Medina, President-Ref. to Ord.
73/07	Handicapped Parking – 211B Farnham St.–deletion of 268 Ames St.–Katherina Ortega-Ref. to Ord.
74/07	Water and Sewer Rates – complete review – Counc. Alvarez-Rodriguez-Ref. to B & F
75/07	Little Leagues -Fund Raising Tag Days – South Lawrence West L.L., South Lawrence East L.L., Prospect Hill L.L., Central L.L.& Tower Hill L.L.– Sy Uliano, Jr., Coordinator-Ref. to Ord.
82/07	Lawrence High School Army Junior Reserves Officer Training Corps (JROTC) – request permission to use the Campagnone Common Park on 4/25 & 4/26/07 for a Field Day 9:30 a.m. to 4:30 p.m. – Robert A. Maldonado, Jr., Cadet Captain LHS JROTC-Ref to Ord
83/07	Personnel File/Records for all City Employees should be kept at the City Personnel Dept. Including DPW, Fire Dept., Police Dept., Planning Dept., Community Development Department, Library, etc. – Counc. Silva-Ref. to Pers.

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- 84/07 Organization Chart – update and review for all City Departments including names of all employees, titles and salaries – Counc. Silva – Ref. to Personnel
- 85/07 Local Groceries and Convenience Stores that sell take-out food–enforcement regulations on Fire Safety Issues – Counc. Silva – Ref. to Ord.
- 86/07 Union Contracts – Ordinance/Charter Review – looking into allowing the City Council to approve – Counc. Silva – Ref. to Ord.
- 87/07 Vacant Positions, Temp/Acting – request to the Administration the names of any Applicants, current Temp/Acting Employees that are more than 90 days, and their current status – Counc. Silva – Ref to Ord.

**XIII. ADJOURNMENT:**

Upon Motion of Councilor Parolisi as seconded by Councilor DiMarca, the Council Members present voted unanimously [7-0] to Adjourn.

**ADJOURNED  
(9:11p.m.)**

Attest:

William J. Maloney  
City Clerk