

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

DATE: Tuesday, August 29, 2006

A **SPECIAL MEETING** of the City Council was held on **Tuesday August 29, 2006** at 7:05 p.m. in the City Council Chamber with all Members present.

Approximately five [5] persons were present

Council President Blanchette presiding.

A Moment of Silence was held.

The Pledge of Allegiance was recited.

Council President Blanchette called the Special Meeting of the City Council to order and proceeded with the agenda for the evening.

I. PUBLIC PARTICIPATION - None

II. PUBLIC HEARING - None

**III. COMMUNICATION FROM MAYOR, CITY OFFICIALS & CITY ATTORNEY
- None**

IV. APPROPRIATIONS-ORDERS-RESOLUTIONS:

**Doc. 265/06: Appropriation Transfer –
30 Day Appropriation FY 2007 Budget- Approved**

Council President Blanchette called the matter to order and to the attention of the Council Members present. Council President Blanchette, read a memorandum from Mayor Michael J. Sullivan, Re: FY 2007 Continuing Appropriation [1/12th Budget] for Sept. 2006. A motion to accept Doc.265/2006 was made by Councilor Alvarez-Rodriguez and seconded by Councilor Parolisi. Upon being recognized, Council Vice President Frechette pointed out that the 30 Day Appropriation Transfer should be taken up as an emergency measure before

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further consideration. Councilor Alvarez-Rodriguez amended her motion to consider Doc. 265/2006 as an emergency measure. Councilor Parolisi seconded the motion which was unanimously [9-0] approved by the Council Members present. Councilor Alvarez next presented a motion to approve the 30 Day Appropriation Transfer which was seconded by Councilor Parolisi.

Upon being recognized, Council Vice President Frechette commented that this is the third 1/12th Budget being considered. Councilor Frechette stated his disappointment and commented that he will only be voting for the payment of employee salaries.

Councilor Silva concurred with Councilor Frechette and stated that there is no need to eliminate twenty police officers. She objected to the scare tactics being used to pressure the passage of the budget.

As a point of information Councilor Parolisi stated that the 1/12 Budget doesn't reflect the proposed increases for FY 2007.

Councilor Silva stated that budget cuts should include union employees and non-union employees. She also stated that travel expenses requested by various departments should be looked into very closely and disallowed.

Council President Blanchette, commented that he had sent an e-mail concerning the impact statements received earlier in the day and stated that the City must soon pass a complete FY 2007 Budget in order to operate.

Councilor Alvarez-Rodriguez commented that the 1/12 budget is based on last years and does not include the \$800,000 proposed for FY 2007.

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At the request of Council President Blanchette, Chief of Staff Myles Burke presented himself to address the Council Members. Mr. Burke stated that there is some questions as to whether the city may be “out of compliance” if it failed to meet its obligations. He stated that the spirit of the motion is understood by The Administration.

Upon being granted the floor, Councilor Alvarez-Rodriguez ask Budget and Finance Director John about transfers of 2006 line item and if they represented accrual of items not expended during FY 2006. Director Griffin stated the proposed transfers represent the results of analyzing expenditure “short falls” and “turn-backs” intended to eliminate negative accounts. Councilor Alvarez-Rodriguez asked if the Budget and Finance Office would be able to address the issues raised by the Council Members on September 5th – Director Griffin stated that he would be prepared to respond to the questions and issues raised at that time. Councilor Alvarez-Rodriguez moved to amend her motion for approval to include only salary expenditures. Councilor Alvarez-Rodriguez stated that she would not support a tax increase despite the levy limit. She also stated that she believes the non-union employees were legally advised and represented sufficiently.

Upon being recognized, Councilor Parolisi commented that he does not agree with the proposed amendment and proceeded to pose questions to Budget and Finance Director, John Griffin. Upon inquiry by Councilor Parolisi, Director Griffin stated that if salaries were the only obligations paid that City operations would be significantly impaired. He explained that employees would be working without the tools to complete any assigned task. He state that the Council Members might consider limiting expenditures during the 1/12th period rather than limiting all expenses. Director Griffin stated that certain

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contractual obligations of the City would be violated if not paid according to the terms of the contract which would likely generate claims against the City.

Councilor Alvarez-Rodriguez amended her motion to approve the 1/12th Budget to allow for the payment of personnel services and ordinary maintenance. Councilor Parolisi stated he agreed with the amendment.

Upon being recognized Councilor Kolofoles commented that he had not read the Eagle Tribune articles concerning the FY 2007 Budget until recently. Councilor Kolofoles recounted the history of the passages of 1/12th Budgets and stated that the Administration is probably communicating aspects of the budget directly to the press without discussing the matter with the Members of the City Council. As the request of Councilor Kolofoles, Chief of Staff Myles Burke stated that he believes there may be an impact resulting from continued passages of monthly budgets. He also stated that the current 1/12th budget proposal will not likely reach contracted services. Councilor Kolofoles asked whether election officials, police, and poll workers would be paid under the proposed 1/12th budget. President Blanchette stated that delay in the payment of the election payroll is a delay in the process. Councilor Kolofoles asked the City Clerk if poll workers will be paid if the budget is approved. Clerk Maloney stated that based on the question posed, poll workers would be paid in accord with the budgetary amounts approved. Councilor Kolofoles proceeded by asking Budget and Finance Director John Griffin if the 1/12th of the proposed budget were to be passed will poll workers be paid – Director Griffin answered “yes”.

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A discussion among the Council Members ensued about the method and amount of payment to the poll workers which the City Clerk stated is contingent upon approval of the FY 2007 Budget.

In response to questions posed by Councilor Kolofoles, Director Griffin explained that the failure of the City of Lawrence to pass the FY 2007 Budget after pass three consecutive monthly budgets will result in a lapse of spending authorization and a loss of the ability to appropriate funds. The State would be required to intervene at that point. He stated that the Department of Revenue has suggested that it is in the best financial interest of the City of Lawrence approve a Budget that both the Mayor and City Council can agree upon. Councilor Kolofoles explored the possible action by the Department of Revenue based upon the information provided by Director Griffin. In conclusion, Councilor Kolofoles stated that the would like to further amend the motion to approve the 1/12th budget to include contracted services.

Upon being recognized, Councilor DiMarca stated that the number of Police Officers in service has doubled over the past five years while the City's population remained the same. Councilor DiMarca stated he would not vote to increase taxes.

Council President Blanchette commented that the approval of a 1/12th Budget will permit the City to operate without interruption. He stated that the greatest objection to the FY 2007 Budget advanced by the Administration is the 4 million dollar increase. He stated that it was not fair for the Mayor to solicit City Department Heads to present impact statements to the City Council Members and requested that the public submit statements that explains the impact that a tax increase will have on their individual household budgets to the

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City Council Members. Council President Blanchette concluded by requesting that the Administration prepare and present a FY 2007 Budget as soon as possible.

Upon being granted the floor, Councilor Kolofoles asked Chief of Staff Myles Burke about the financial impact the proposed 4 million dollar increase would have. Mr. Burke stated that The Administration does an analysis.

Upon no further comment or discussion of the matter, Council President Blanchette called the motion to the attention of the Council Members who voted unanimously [9-0] to approve the measure.

Doc.265/06: Approved

V. COMMITTEE REPORTS - None

VI. WITHDRAWN - None

VII. OLD BUSINESS - None

VIII. TABLED MATTERS:

279/03	20 Minute parking on Essex St-Hearing held
35/04	Ordinance-Boards & Commissions-Residence –Sec. 2.04.090- Hearing held
204/05	Sale/Management –Delinquent Tax Liens –Mayor Sullivan
206/05	Sale/Auction of City–Owned Property – Mayor Sullivan
274/05	Tucker Bill – 40-50 Margin Street Homes – application for Tax Abatement
60/06	Zoning Board of Appeals, Planning Board, Lawrence Redevelopment Authority & Conservation Commission – hearing held
99/06	National Grid and Verizon New England, Inc. – request permission to locate poles ,wires and fixtures on East Gilbert Street – hearing held
153/06	Proclamation – Rumbo Newspaper – 10 th Anniversary
146/06	Captain Pizza - 262 Essex St. – permission to place tables and chairs on sidewalk
163/06	FY 07 Budget – B & F Comm. & hearing to be ordered – ref. back to Mayor
215/06	Good Citizenship Award – Mayor
128/06	Acting Jobs Positions and Consultants – on more than 90 days
257/06	Resolution – Dr. Claire Paradiso

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IX. ADJOURNMENT:

Upon a motion to adjourn presented by Councilor Alvarez-Rodriguez as seconded by Councilor Parolisi, the Council Members present voted unanimously [9-0] to Adjourn.

ADJOURNED
(8:00 p.m.)

Attest:

William J. Maloney
City Clerk