

MINUTES OF THE MEETING
OF THE LAWRENCE CITY COUNCIL

DATE: Wednesday, September 20, 2006

A **REGULAR MEETING** of the City Council was held on **Wednesday, September 20, 2006** at 7:09 pm. in the City Council Chamber with all Members present except for Councilor Alvarez-Rodriguez and Councilor Gonzalez. [Councilor Frechette arrived at 7:35 p.m.].

Council President Blanchette presided over the meeting.

Approximately eleven [11] 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 there were no prior minutes submitted by the City Clerk for acceptance.

II. PUBLIC PARTICIPATION;

Council President Blanchette requested those who wished to provide public input and participation to present themselves and address the City Council. The following individuals addressed the Council.

Veronica Grieco, 3 Prospect Ct., Lawrence, MA discussed her dedication and prompt attendance as a parking attendant for the City of Lawrence. She stated she completed and submitted a job application on Sept. 5, 2006.

Francis Cialek, 260 So. Union St., Lawrence, MA discussed having a no tax day before Thanksgiving and Christmas. Mr. Cialek talked about possible bonuses for good

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ideas that make money. He also discussed basketball programs through the Boys Club. He suggested eliminating the \$2.00 tire deposit fee and would like to see the employee of the month program reinstated..

Fernando Landor, Phillips Street, Lawrence, MA complained about Representative Lantigua going to the polls and telling people not to vote for Mr. Devers.

Edward Halfkenney, 23 Lenox Cir., Lawrence, MA asked about the CORI check for the parking lot attendant positions and if it was required before pay checks are issued.

Manuel Urena, 651 Essex Street, Lawrence, MA who works at the Buckley Parking Garage asked why he has to come to City Hall tonight.

Julio Ormaza, 209 Broadway, Lawrence, MA discussed the length of the licensing approval process.

Councilor Kolofoles stated that the parking attendant issues raised in public participation were a result of not being issued pay checks timely and asked the Council to put the matter on the agenda as a point of personal preference.

Upon being recognized Council Gosselin asked if the Personnel Director could attend at the next meeting to answer questions concerning this matter.

III. PUBLIC HEARINGS:

Doc. 187/06: Handicapped Parking – 25 Clinton Street – Hearing Held - Approved - 30 day period waived

At the request of Council President Blanchette, the City Clerk read the public hearing notice regarding the above matter into the record. Upon completing the Clerk's reading, Council President Blanchette opened the public hearing portion of the proceedings and invited anyone who wished to comment on the matter to present

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themselves to speak.

Upon no comment by anyone present, Council President Blanchette closed the public hearing portion of the proceedings and opened the matter for consideration by the Council Members present.

Upon no comment offered by the Council Members present on the matter, Council President Blanchette closed the discussion portion of the hearing.

Upon the motion of Councilor Kolofoles to approve the measure and to waive any applicable thirty (30) day waiting period pursuant to section 3.8(a) of the City Charter, as seconded by Councilor Gosselin, the Council Members present voted unanimously to approve the handicapped parking [6-0].

Doc. 187/06 – Approved - 30 day period waived

Doc. 203/06: Handicapped Parking - 51 Coolidge Street – Hearing Held -Approved

At the request of Council President Blanchette, the City Clerk read the public hearing notice regarding the above matter into the record. Upon completing the Clerk's reading, Council President Blanchette opened the public hearing portion of the proceedings and invited anyone who wished to comment on the matter to present themselves to speak.

Upon no comment by anyone present, Council President Blanchette closed the public hearing portion of the proceedings and opened the matter for consideration by the Council Members present.

Upon no comment offered by the Council Members present on the matter, Council President Blanchette closed the discussion portion of the hearing.

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Upon the motion of Councilor Kolofoles for approval, as seconded by Councilor DiMarca, the Council Members present voted unanimously to approve the handicapped parking [6-0].

Doc. 203/06 – Approved

Doc. 230/06: Handicapped Parking – 18-20 Maurice Ave- Hearing Held -Approved

At the request of Council President Blanchette, the City Clerk read the public hearing notice regarding the above matter into the record. Upon completing the Clerk's reading, Council President Blanchette opened the public hearing portion of the proceedings and invited anyone who wished to comment on the matter to present themselves to speak.

Upon no comment by anyone present, Council President Blanchette closed the public hearing portion of the proceedings and opened the matter for consideration by the Council Members present.

Upon no comment offered by the Council Members present on the matter, Council President Blanchette closed the discussion portion of the hearing.

Upon the motion of Councilor Kolofoles for approval, as seconded by Councilor Parolisi, the Council Members present voted unanimously to approve the handicapped parking [6-0].

Doc. 230/06 – Approved

IV. COMMUNICATIONS FROM MAYOR, CITY OFFICIALS, & CITY ATTORNEY:

Doc. 278/06 School Committee Member – Amy McGovern – resignation – filling of vacancy

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Council President Blanchette read the names of the candidates filing for District E-School Committee. Councilor Kolofoles and Council President Blanchette discussed the selection process.

[Councilor Frechette arrived at 7:35 pm.]

Doc. 291/06: Myrtle Court 30 – back taxes – to be discussed – Counc. Silva-Matter Addressed

Upon being recognized, Councilor Silva discussed the ownership history of the property. Councilor Silva also discussed the current taxes owed on the parcel and the efforts of Lazarus House to obtain ownership. She stated that the property has not been cleaned or cared for since Lazarus House became owners of the property.

Council President Blanchette stated that \$116,000.00 toward the outstanding taxes was paid as of 4:30 p.m. today.

As a point of information, Councilor Kolofoles asked whether or not Lazarus House paid its past due taxes pursuant to the Tucker Bill.

Councilor Kolofoles asked to question Donna Leone who appeared on behalf of Lazarus House. Councilor Kolofoles asked Ms. Leone if the taxes were paid. Ms. Leone stated she appeared on February. 21, 2006 to pay back taxes and a check presented was not accepted by the City of Lawrence. She explained that Lazarus House Attorneys advised that it could no longer wait for the Tucker Bill approval and that the outstanding property taxes should be paid in the amount of \$156,000.00.

Upon being recognized Councilor Silva suggested that the matter should be submitted to the sub-committee for further discussion.

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Councilor Kolofoles asked Ms. Leone to state her position with Lazarus House. A discussion among the Council Members present ensued concerning this matter.

Upon being recognized Councilor Gosselin stated that she believes the matter has been sufficiently addressed.

Councilor Silva suggested that if the matter was not placed on the Council Agenda by her the taxes would not have been paid and the matter would not have been addressed.

Council President Blanchette explained that the City Council typically is not arbitrators of matters that should be determined by the Zoning Board of Appeals or the Planning Board.

Upon being recognized, Councilor DiMarca stated that both Mr. Torrisi and Ms. Leone maintain credibility in the Community through their civic responsibility demonstrated throughout the years and that they deserve the respect and honor of the City Council Members for their assistance and participation.

Doc. 291/06: Matter Addressed

V: COMMITTEE REPORTS:

**Doc. 162/06: Old Gold Dealer's License –Julio Rolando Ormaza – 204 Broadway St. –
Ord. Comm.-Approved**

At the request of Council President Blanchette, Councilor Kolofoles read the report of the Ordinance Committee. The report was presented in the form of a motion for approval and seconded by Councilor Parolisi. The Council Members present voted unanimously [7-0] to approve the Old Gold License pursuant to the petition of Rolando Ormaza at 204 Broadway, Lawrence, MA

Doc. 162/06: Approved

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Doc. 212/06: Taxi Ordinance – amendment – Ord. Comm.-Public Hearing Ordered

At the request of Council President Blanchette, Councilor Kolofoles read the report of the Ordinance Committee. The report was presented in the form of a motion for approval and seconded by Councilor Parolisi. The Council Members present voted unanimously [7-0] to order a public hearing on the matter.

Doc. 212/06: Public Hearing Ordered

Doc. 268/06: Amesbury Street – North Canal Driveway Apron Improvements – Ord. Comm.-Approved

At the request of Council President Blanchette, Councilor Kolofoles read the report of the Ordinance Committee. The report was presented in the form of a motion for approval and seconded by Councilor Parolisi. The Council Members present voted unanimously [7-0] to approve the North Canal Driveway Apron Improvements on Amesbury Street.

Doc. 268/06: Approved

Doc. 272/06: Appointment – Dan Clark to Zoning Board of Appeals – 3 year term – Pers. Comm-Approved

At the request of Council President Blanchette, Councilor Silva read the report of the Personnel Committee. The report was presented in the form of a motion for approval and seconded by Councilor Parolisi. The Council Members present voted unanimously [7-0] to approve Dan Clark to the Zoning Board of Appeals for a three year term.

Doc. 272/06: Approved

Doc. 277/06: Veteran Affairs Director – Daniel Lannon - Termination Review – Pers. Comm.-Tabled

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At the request of Council President Blanchette, Councilor Silva read the report of the Personnel Committee to send the matter to Full Council without a recommendation. The report was presented in the form of a motion and seconded by Councilor Parolisi.

Upon being recognized Councilor DiMarca stated that Mr. Lannon should be present for questions and inquiry.

Councilor Silva stated that he was not able to attend today due to surgery and suggested the matter be “tabled” until the next meeting.

Upon a motion presented by Councilor DiMarca and seconded by Councilor Kolofoles, the Council Members present voted unanimously [7-0] to “table” the item.

Council President Blanchette asked Mrs. Michaud, Confidential Secretary to the City Council, to send a letter to Mr. Lannon informing requesting his attendance before the City Council on October 3, 2006 at 7:00 p.m.

Doc. 277/06: Tabled

VI: WITHDRAWALS:

Doc. 20/06: Appointment – Commission on Disabled and Handicapped – Pers. Comm.-Withdrawn

At the request of Council President Blanchette, Councilor Silva presented the above matter for withdrawal from the City Council Agenda in the form of a motion to withdraw. The motion was seconded by Councilor Parolisi and unanimously approved by the Council Members present [7-0].

Doc. 20/06: Withdrawn

Doc. 141/06: Personnel Grievances – Pers. Comm.-Withdrawn

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At the request of Council President Blanchette, Councilor Silva presented the above matter for withdrawal from the City Council Agenda in the form of a motion to withdraw. The motion was seconded by Councilor Parolisi and unanimously approved by the Council Members present [7-0].

Doc. 141/06: Withdrawn

VII. TABLED MATTERS:

Doc. 255/06: Year End Appropriation - \$2.2M-Approved

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

[8:15 p.m. - Councilor Kolofoles presented a motion to recess proceedings for 2 minutes which was seconded by Councilor Silva and unanimously [7-0] approved by Council Members present]

[8:19 p.m. – Upon the motion to resume proceedings of the City Council presented by Councilor Parolisi and seconded by Councilor Kolofoles and unanimous approved by the Council Members present [7-0]

Upon being granted the floor Councilor Kolofoles asked the Director of Budget and Finance, John Griffin how much money was requested for approval.

Councilor Frechette stated that the amount requested appears in the documents submitted.

Upon being recognized, Councilor Parolisi asked Budget and Finance Director Griffin to describe the impact if the measure failed to obtain the approval of the City Council. Director Griffin stated that the rejection of the proposed transfers presented will minimize the item affected to FY 2006 expenses based upon previously allocated funds.

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Upon no further comment or discussion offered, Councilor Parolisi presented a motion to approve the measure which was seconded by Councilor Frechette and unanimously approved by the Council Members present [7-0].

Doc. 255/06 – Approved

The following items remain “tabled” without further action:

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
146/06	Captain Pizza-262 Essex St. –permission to place tables and chairs on sidewalk
215/06	Good Citizenship Award – Mayor
128/06	Acting Jobs Positions and Consultants – on more than 90 days
257/06	Resolution – Dr. Claire Paradiso
261/06	Marion Avenue & County Road -abandonment

VIII: NEW BUSINESS:

282/06	Parking–Chickering Street (along guard rail) from Rte. 114 to Cutler Street – restrictions- Counc. Gosselin-ref to Ord.
283/06	Resident Sticker Parking – Colonial Heights – Counc. Gosselin-Ref to Ord.
284/06	Loading Zone – Food for the World, Inc. – 447 Essex St. – Julia Polanco, Director-Ref to Ord.
285/06	Requisition for the Lawrence Veterans Stadium – Rev. James Stokes and Jorge De Jesus, Veterans Services-removed from agenda by Counc. Pres. Blanchette
286/06	Handicapped Parking Sign – request to be removed from 17 Bedford Street and placed at 11 Byron Avenue – Ignacio Marte-Ref to Ord.
287/06	Traffic and Public Safety -Marble Ave. at Water St.– to be discussed – Counc. Kolofoles-Ref. to Ord.
288/06	Traffic and Public Safety – 5 corners (Floral, School, Hancock, Doyle Sts. and Oregon Avenue – to be discussed – Counc. Kolofoles-Ref. To Ord.
289/06	Establish Committee to review payment of bills – Counc. Gosselin-Not Submitted-stricken from the Council Agenda by Counc. Pres. Blanchette
290/06	City Charter – possible violation – Section 5.6 - Bill Collins-Ref to Ord.
292/06	Parking – Essex Street – complaints – possible revising of ordinances – Counc. Silva-Ref. to Ord.
293/06	Effective and Overview Sub Committee – which should consist of four council members- Counc. Silva-Ref. to Cmt. Of the Whole
294/06	Fire Equipment Surplus – Peter C. Takvorian, Chief of Fire Dept-Ref to Ord.

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IX: ADJOURNMENT:

Upon a motion to adjourn made by Councilor Kolofoles and duly seconded by Councilor Parolisi the Council Members present voted unanimously [7-0] to adjourn.

ADJOURNED
(8:47 p.m.)

Attest:

William J. Maloney
City Clerk