

MINUTES OF THE MEETING
OF THE LAWRENCE CITY COUNCIL

DATE: Tuesday, October 17, 2006

A **REGULAR MEETING** of the City Council was held on **Tuesday, October 17, 2006** at 7:04 pm. in the City Council Chamber with all Members present except for Councilor Parolisi and Councilor DiMarca. [Councilor Frechette arrived at 7:10 p.m.].

Council President Blanchette presided over the meeting.

Approximately forty-six [46] 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 July 18, 2006 and July 26, 2006 were submitted by the City Clerk for consideration and acceptance of the City Council Members. Councilor Kolofoles presented a motion to accept the minutes and to amend the word “rescind” to “amend” for Doc. 277/06 on page 301. The motion was duly seconded by Councilor Gonzalez, the Council Members present voted unanimously [6-0] to accept the minutes.

[The City Clerk confirms the correction to the minutes as ordered by the City Council Members is complete].

II. PUBLIC PARTICIPATION: - No Members of the Public Requested to Speak

Councilor Kolofoles presented a motion to take document 318/2006 out of the order appearing on the agenda. The motion was duly seconded by Councilor Gonzalez and unanimously approved by the Council Members present [6-0].

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Doc. 318/06: Lawrence Fire Department - Swearing in of Rene Lavallee to Lieutenant, Dan Kennedy to Captain and Brian Murphy to Deputy Chief – Mayor Sullivan – Presented-Sworn in

Council President Blanchette introduced the item to the Council Members present and invited Mayor Sullivan to conduct the proceedings.

Mayor Sullivan greeted the Council Members and presented the promotions for the Lawrence Fire Department as follows: Renee Lavallee - to Lieutenant, Daniel Kennedy - to Captain, and Brian Murphy - to Deputy Chief.

At the request of Mayor Sullivan, Lawrence Fire Chief Peter Takvorian provided information concerning the years of honorable service and dedication by each of the honorees to the Council Members present and the public in support of their promotion.

[Councilor Frechette arrived to the meeting @ 7:10 p.m.]

Mayor Sullivan then proceeded to administer the Oath of Office to Lieutenant Rene Lavallee, Captain Daniel Kennedy, and Deputy Chief Brian Murphy.

Upon conclusion of their promotion ceremony, each of the honorees thanked Mayor Sullivan, Chief Takvorian, and the Council Members.

Doc. 318/06: Presented-Sworn in

III. PUBLIC HEARINGS:

Doc. 212/06: Taxi Cabs and other vehicles for Hire –proposed ordinance amendment – Public Hearing – 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

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themselves to speak. Upon no comment offered 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 being granted the floor, Councilor Alvarez-Rodriguez asked if one of the Council Members might explain the reason and purpose of the proposed measure to the public.

Upon being recognized, Councilor Kolofoles explained the purpose of the proposed amendment as found by the Ordinance Committee. He explained that the measure, if approved, will allow the Lawrence Police Department a greater ability to enforce the current Taxi Ordinances to prohibit taxis from other communities from unlawfully taking fares away from Lawrence operators. The financial losses resulting from unlawful and unfair taxi operations will be better addressed through better enforcement which the Lawrence Police expect will result through effective prosecution.

Upon no further comment or inquiry 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 as seconded by Councilor Gonzalez, the Council Members present voted unanimously to approve the measure. [7-0]

Doc. 212/06 – Approved

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

Doc. 309/06: Handicapped Parking at the Prospect Street School –(city owned building)– Emergency item – Attorney Charles D. Boddy, Jr. & Council Pres. Blanchette-Temp.-Approved-Ref. to Ord.

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Council President Blanchette presented the item and asked that it be taken up as an emergency measure. In further explanation of the measure, Council President Blanchette read a letter from City Attorney Charles Boddy concerning the lack of handicapped parking at the Prospect Street School/DAV Building during the recent State Primary. He stated that this location serves as a polling location and it is difficult, if not impossible, for the disabled to access the building upon arrival by car or other vehicle. He suggested that the measure is an “emergency” due to the fact that the location will continue to be a voting location in the upcoming State Election in November. Although it is expected that this location may be abandoned as a polling place in future elections because of its poor condition and location, it is not likely that it will be abandoned prior to the November Election. Council President Blanchette emphasized that the measure would only be “temporary” because of the anticipated abandonment of the polling place.

Upon being recognized, Councilor Kolofoles stated that the Guilmette and Bruce Schools are also without sufficient handicapped parking to allow for ease of access by the disabled and asked that the measure include emergency handicapped parking be included for these locations as well. Councilor Kolofoles presented a motion to declare the measure an emergency and approve temporary handicapped parking space at the Prospect Street School/DAV Building. The motion was seconded by Councilor Alvarez-Rodriguez.

Upon being recognized, Councilor Silva stated that placing the temporary handicapped location on East Haverhill Street might be dangerous for the handicapped and suggested that the Prospect Street entrance be considered.

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Upon presentment of the motion to declare the measure and emergency by Council President Blanchette, the Council Members present voted unanimously to declare Doc. 309/06 an emergency item. [7-0]

Councilor Kolofoles presented a motion to amend the measure to add “temporary handicapped parking spaces” at the Bruce School (District D-1 and D-3) and the Guilmette School (District C-1). The motion to amend was seconded by Councilor Gonzalez and unanimously [7-0] approved by Council Members present.

Doc. 309/06 - Declared Emergency - Approved

Doc. 320/06: Michael Sweeney, Planning Director to provide a 5-10 minute informational briefing on RFP’s to be issued – Council Pres.Blanchette – Presented

Council President Blanchette introduced the item and requested the Planning Director, Mike Sweeney to address the Council.

Mr. Sweeney greeted the Council and gave an informational briefing on the Requests for Proposals to be issued.

Upon conclusion, Council President Blanchette thanked Mr. Sweeney and explained the RFP process current in place as previously approved by the City Council.

Doc. 320/06 - Presented

V: APPROPRIATIONS-ORDERS-RESOLUTIONS - None

VI: COMMITTEE REPORTS:

Doc. 266/06: Flashing Red Light with posted “stop” signs at Salem and Osgood Streets- 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 to order a public

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hearing and seconded by Councilor Gosselin. A brief discussion concerning the measure ensued among the Council Members present.

Upon no further comment or discussion offered, the Council Members present voted unanimously [7-0] to order a Public Hearing on the measure.

Doc. 266/06 - Public Hearing Ordered

Doc. 281/06: Handicapped Parking – 9 Whitman Street – 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 Gonzalez. Upon no comment or discussion offered, the Council Members present voted unanimously [7-0] to order a public hearing on the measure.

Doc. 281/06 - Public Hearing Ordered

Doc. 282/06: Parking–Chickering St.–no parking signs on east side–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 Gosselin. The Council Members present voted unanimously [7-0] to order a public hearing on the measure.

Doc. 282/06 - Public Hearing Ordered

Doc. 296/06: National Grid and Verizon – permission to locate poles, wires and fixtures- Midland St.-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

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seconded by Councilor Gonzalez. The Council Members present voted unanimously [7-0] to order a public hearing on the petition.

Doc. 296/06 - Public Hearing Ordered

**Doc. 286A/06: Handicapped Parking –to be placed at 11 Byron Ave.-
Ord. Cmt.-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 Gonzalez. The Council Members present voted unanimously [7-0] to order a public hearing on the measure.

Doc. 286A/06 - Public Hearing Ordered

**Doc. 286B/06: Handicapped Parking –to be removed from 17 Bedford Street – Ord.
Comm.- Handicapped Parking deleted**

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 Gonzalez. The Council Members present voted unanimously [7-0] to approve the removal of handicapped parking from the ordinances as previously approved.

Doc. 286B/06 - Handicapped Parking Deleted

**Doc. 306/06: Water Rate Increase– Budget and Finance Comm. – Ref. to Ordinance
Comm.**

At the request of Council President Blanchette, Councilor Kolofoles read the report of the Budget and Finance Committee. The report was presented in the form of a motion to refer the matter to the Ordinance Committee and seconded by Councilor Gosselin. The Council

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Members present voted unanimously [7-0] to refer the water rate increase to the Ordinance Committee.

Doc. 306/06 - Ref. to Ordinance

Doc. 166/06: Revenue Generating Workshop – Budget and Finance Comm. – Referred to Ordinance Comm.

At the request of Council President Blanchette, Councilor Kolofoles read the report of the Budget and Finance Committee. The report was presented in the form of a motion to refer the matter to the Ordinance Committee and seconded by Councilor Alvarez-Rodriguez. The Council Members present voted unanimously [7-0] to send the Revenue Generating Workshop to the Ordinance Committee.

Doc. 166/06: Ref. to Ordinance

**Doc. 298/06: Appointment - Airport Commission – Mr. Paul Mele – 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 to recommend Paul Mele to the Airport Commission. The motion was seconded by Councilor Gonzalez and the Council Members present voted unanimously [7-0] to approve Paul Mele to the Airport Commission.

Doc. 298/06 - Approved

**Doc. 299/06: Appointment – Airport Commission – Mr. Dan Foley – 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 to recommend Dan Foley to the Airport Commission. The motion was seconded by Councilor Gonzalez and the

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Council Members present voted unanimously [7-0] to approve Dan Foley to the Airport Commission.

Doc. 299/06 - Approved

Doc. 300/06: Appointment – Council on Aging – Mr. Bernie Greenside – 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 as a recommendation to appoint Bernie Greenside to the Board of Council on Aging. The motion was seconded by Councilor Alvarez-Rodriguez.

Upon being recognized Councilor Alvarez-Rodriguez commented that she enjoyed the interview.

The Council Members present voted unanimously [7-0] to approve the appointment of Bernie Greenside to the Board of Council on Aging.

Doc. 300/06 - Approved

Doc. 302/06: Appointment – Council on Aging – Ms. Ramona Martinez – Personnel 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 as a recommendation to appoint Ms. Ramona Martinez as a Board Member on the Council on Aging. The motion was seconded by Councilor Kolofoles and Council Members present voted unanimously [7-0] to approve the appointment.

Doc. 302/06 - Approved

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Doc. 303/06: Appointment – Lawrence Housing Authority – Ms. Theresa Mejia – Personnel Committee – 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 as a recommendation to appoint Ms. Theresa Mejia to the Lawrence Housing Authority. The motion was seconded by Councilor Alvarez-Rodriguez.

Upon being recognized Councilor Alvarez-Rodriguez commented upon the importance of the Lawrence Housing Authority and Ms. Mejia's involvement.

The Council Members present voted unanimously [7-0] to approve the appointment.

Doc. 303/06 - Approved

VII: WITHDRAWALS:

Council President Blanchette granted Councilor Kolofoles the floor for the purpose of presenting matters concerning the withdrawal of pending matters before the Ordinance Committee.

Councilor Kolofoles moved to present the matters listed below in "block" form for withdrawal from the Council agenda. The motion was seconded by Councilor Gosselin and unanimously approved by the Council Members present [7-0].

The Council Members present voted unanimously [7-0] to withdraw the following matters from the City Council Agenda:

17/06	Stop Sign – Trenton and Buswell Sts. – Ord. Comm - Withdrawn
283/06	Resident Sticker Parking – Colonial Heights – Ord. Comm. - Withdrawn
284/06	Loading Zone – 447 Essex Street – Ord. Comm. - Withdrawn
307/06	Stop Sign -Flashing Lights – Salem Street – Ord. Comm. - Withdrawn
273/06	Parking Issues – Robinson Court – Ord. Comm. - Withdrawn

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Doc. 165/06: Retiree Health Insurance – Budget and Finance Comm. – Withdrawn

At the request of Council President Blanchette, Councilor Kolofoles presented the above matter from the Budget and Finance Committee for withdrawal in the form of a motion, from the City Council Agenda. The motion was seconded by Councilor Alvarez-Rodriguez.

Upon being recognized Councilor Alvarez-Rodriguez discussed the importance of Health Insurance for retirees.

Upon being granted the floor, Councilor Kolofoles stated that the vote at the Budget and Finance Meeting was not unanimous. Councilor Kolofoles commented that it was unfair for retirees to carry the financial burden of health care costs.

Councilor Frechette commented that the presentation by experts demonstrated that the retirees would not be burdened with any additional costs and the matter was tabled with no further action. He also stated that he questions the ability of the Committee to take action on the matter due to an existing conflict and stated he would vote negative.

Upon being granted the floor, Councilor Kolofoles commented that the complete information was never provided to the Council Subcommittee. Councilor Kolofoles reiterates that shouldering the costs and expenses upon retirees is not effective.

Upon no further comment or discussion offered, Council President Blanchette called the motion to withdraw the item from the City Council Agenda. The City Council Members approved the withdrawal of the measure by the following vote: Yes = 6;

No = 1; Absent = 2:

Councilor Gosselin – Yes
Councilor Gonzalez – Yes

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

Doc. 165/06 - Withdrawn

VIII. OLD BUSINESS: - None

IX. TABLED MATTERS:

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

X: 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:

310/06 Handicapped Parking – removal of sign at 67 Lynn Street – Counc. Gosselin- Ref to Ord
 311/06 Parking – 34 Walnut Street – Erick Preston- Ref to Ord.
 312/06 National Grid and Verizon – request permission to locate poles, wires and fixtures – Hampshire Street – Ref to Ord.
 313/06 Surplus Property – 352 Broadway Street – Michael Sweeney, Planning Dept. Director- Ref to Housing
 314/06 Surplus Property – 426-428 Broadway St. –Michael Sweeney, Planning Dept. Director- Ref. to Housing
 315/06 Surplus Property – 4 Brook Street – Michael Sweeney, Planning Dept. Director-Ref to Housing
 316/06 Appointment–Planning Bd.–Norman B. Nimmo–Michael R.Sweeney, Planning Dept.Dir- Ref to Personnel.
 317/06 Appointment-Prospect Hill Historical Commission–Gloria Schwarz-Michael R. Sweeney, Planning Dept. Director – Ref to Personnel
 319/06 Triumph Leasing Corporation Contract–request to be extended for three additional years- John J. Romero, Chief of the Lawrence Police Dept. – Ref. to Budget & Finance Comm.

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XI: ADJOURNMENT:

Upon a motion to adjourn made by Councilor Alvarez-Rodriguez and duly seconded by Councilor Gonzalez the Council Members present voted unanimously [7-0] to Adjourn.

**ADJOURNED
(8:14 p.m.)**

Attest:

William J. Maloney
City Clerk