

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

**DATE: Tuesday, December 19, 2006**

A **REGULAR MEETING** of the City Council was held on **Tuesday, December 19, 2006** at 7:06 p.m. in the City Council Chamber with all Members present. Council President Blanchette presided over the meeting.

Approximately Twenty Four [24] 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.20 2006, Oct. 3, 2006, Oct. 17, 2006, Nov. 8, 2006 and Nov. 21, 2006 were submitted by the City Clerk for consideration and acceptance of the City Council Members.

Upon a motion to table the Minutes presented by Councilor Kolofoles, seconded by Councilor Alvarez-Rodriguez, the Council Members present voted unanimously [9-0] to table the minutes submitted in order to review them.

**II. PUBLIC PARTICIPATION:**

Council President Blanchette requested those who wished to provide public input and participation to present them-selves and address the City Council. Upon the invitation of Council President Blanchette, the following individuals addressed the City Council:

Joseph D'Amico, 11 Lorenzo Road, Lawrence, MA complained that the newspaper ad in the Eagle Tribune inviting public comment on budget cuts was misleading because the public speakers were limited to only two minutes and no limitation was announced in the

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newspaper ad. He discussed areas of cuts that could be implemented and cited Police Officers contract and D.P.W. costs as examples.

Carlos Cardones 35 Amherst St., Lawrence, MA stated that people in Lawrence are struggling financially and cannot afford a tax increase. He suggested that the City has to learn to get by with what they have now.

Mark Vivier, Lowell Street, Lawrence, MA [an employee of Martineau's Towing Company] stated that his company has provided excellent towing service to the City of Lawrence for more than seven years. He stated that he could not reach the Mayor to discuss the matter of his company's contract with the City despite repeated attempts by telephone and by mail. He stated that the matter should be addressed by the City Council and asked if the item could be placed on the City Council Agenda.

Cindy Martinez [Lawrence resident] stated that the Mayor failed to keep his promise not to raise taxes. She stated that the Mayor was elected based on this promise and his failure to keep that promise is a financial and spiritual setback. Ms Martinez stated that she believes Council President Blanchette and the Council Members are "flip flopping" on the issue of taxes.

Howard Tejada, 195 Essex Street, Lawrence, MA emphasized that the issue of taxation is important to all Lawrencians but especially the elderly. He stated that the City Council has already voted to raise taxes up to \$39 million. Mr. Tejada stated he would volunteer his time to help solve the tax problem and that Council Members may want to become full time employees in order to completely and adequately address the matter seriously.

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Francis Cialek, 260 South Union Street, Lawrence, MA stated that balancing the budget cannot be solved by laying-off parking lot attendants. He stated that the \$11 million in uncollected taxes should be collected and applied toward the deficit. He stated that maximizing use of the Stadium for events could raise funds could be helpful.

Bob Hamel, 32 Lawrence Street, Lawrence, MA stated that he opposes laying off the City parking attendants as a solution to the deficit. He informed the Council Members that his position as a parking attendant requires that he work seven days a week. He stated that he believes he performs his duties to the best of his abilities and that they are done well. Mr. Hamel stated that the parking attendants need to be secure in their positions and need to know if their positions are in jeopardy.

Lindy Galland, 196 West Street, Lawrence, MA wished everyone a Merry Christmas and a Happy Birthday to Rev. James Stokes. She congratulated the “8 Great” City Councilors who voted against the tax increase recently. She stated she agreed with Mr. Cialek’s idea about using the Stadium to conduct profitable events.

John Lydon, 9 Monroe Street, Lawrence, MA suggested the job of City Councilor requires more time than it current permits.

### **III. COMMITTEE REPORTS:**

#### **Doc. 363/06 : Appointment – Council on Aging – Ms. Gladys Owler – Pers. Committee – Approved**

Councilor Parolisi presented a motion to take document #363/2006 out of the order appearing on the agenda. The motion was seconded by Councilor Alvarez-Rodriguez and unanimously approved by the Council Members present [9-0].

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At the request of Council President Blanchette, Councilor Silva presented the report from the Personnel Committee to approve the appointment of Gladys Owler to the Council on Aging Committee, in the form of a motion, which was seconded by Councilor Parolisi and unanimously [9-0] voted upon by Council Members present.

**Doc. 363/06: Approved**

**Doc. 364/06: Appointment – Cultural Council – Dolores Calaf – Personnel Committee – Approved**

Councilor Parolisi presented a motion to take document #364/2006 out of the order appearing on the agenda. The motion was duly seconded by Councilor Alvarez-Rodriguez and unanimously approved by the Council Members present [9-0].

At the request of Council President Blanchette, Councilor Silva presented the report from the Personnel Committee to approve the appointment of Dolores Calaf to the Cultural Council, in the form of a motion, which was duly seconded by Councilor Alvarez-Rodriguez.

Councilor Alvarez-Rodriguez invited Dolores Calaf to the podium and spoke favorably on her appointment.

Upon being recognized Councilor DiMarca spoke favorably on Ms. Calaf's recommended appointment.

The Council Members present voted unanimously [9-0] to approve Dolores Calaf's appointment to the Cultural Council.

Upon being recognized Councilor Silva thanked Library Director Maureen Nimmo for her work providing books to the area school children for Christmas.

**Doc. 364/06: Approved**

**IV. PUBLIC HEARINGS:**

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**Doc. 166/06: Trash Disposal Fee for Certain Cathode Ray Tube Goods and Bulky Goods – Public 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.

Lindy Galland, 96 West Street, Lawrence, MA stated she had not studied the matter thoroughly. She asked that the fee, if to be established, be minimal or no more than a couple of dollars.

John Lydon 9 Monroe Street, Lawrence, MA stated the proposed fees are "cash for trash". He commented that the L.H.A. collects its own trash for about \$130,000.00. He asked the City to review this cost and any others that are being paid for trash disposal. Mr. Lydon stated that fees should be imposed for disposal of trash.

Fernando Landor, 362 Essex Street, Lawrence, MA asked that if these fees must be imposed that a minimal amount be imposed. He stated that he generally does not agree with fee increases.

Frank Cialek 260 South Union Street, Lawrence, MA stated that the City should look into doubling the fine for illegal dumping. He suggested that people should be allowed to bring these trash items to a central location.

Howard Tejeda 195 Essex Street, Lawrence, MA suggested that an educational video be put together to demonstrate the damage that non-disposal or unlawful disposal of trash causes. He stated he agrees with Mr. Cialek's suggestion.

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Upon no further discussion or comment offered by anyone present, 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 presented by Councilor Gosselin to approve the measure was seconded by Councilor Parolisi.

Upon being granted the floor, Councilor Kolofoles informed the Council that the proposed Ordinance was reported with a favorable recommendation. He stated the Ordinance is not well-planned in its implementation of collection of goods or fees.

Councilor Kolofoles stated he believes this Ordinance will have a tremendous impact on cleanliness of the City and there should be greater enforcement of the Trash Ordinances. He commented that a new position will have to be created to enforce implementation and fee collection. Councilor Kolofoles suggested defeating or tabling the item.

Upon being granted the floor Councilor Alvarez-Rodriguez requested Chief of Staff, Myles Burke to approach the podium and asked if the proposed trash fees were incorporated in the budget structure. Mr. Burke stated in response that there were a number of fees that impact the budget. He stated that D.O.R. requires an explanation from the City when fees are raised more than 5%. He stated the cost of trash collection is escalating and will negatively impact the budget unless fees are imposed as recommended.

As a point of order Councilor Frechette stated about \$150,000 was factored into the budget and will be lost if defeated.

Mr. Burke stated that the estimated amount of \$150,000 was calculated by the D.P.W. Director Mr. McCann, with the assistance of B.F.I. [the current contracted City trash

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collector]. He stated that much of the costs incurred is due to people bringing trash from outside the City into Lawrence and leaving it to be collected in Lawrence at a tremendous cost to the taxpayers.

Councilor Alvarez-Rodriguez asked Mr. Burke about pursuing violators of the ordinance and the expense of prosecuting offenders. She discussed past efforts to enforce the Trash Ordinance and unlawful dumping. [A discussion ensued between Mr. Burke and Councilor Alvarez-Rodriguez regarding implementation of the trash disposal plan].

Upon being granted the floor, Councilor DiMarca requested D.P.W. Director Frank McCann to approach the podium and asked him about total tonnage of trash collected in the City of Lawrence. In response, Director McCann stated that about 36,000 tons of waste material is collected in the City of Lawrence at a cost of about \$2 million. He stated that the total tonnage has increased over the past 10-12 years for a variety of reasons. Mr. McCann commented that trash collection and costs change from year to year. He also stated that any fees collected as a result of the new ordinance would be payable to the general fund rather than "allocated" to the Public Works Department.

Councilor DiMarca suggested that monies collected from fees generated as a result of this ordinance should be deposited into the DPW budget for its use. He discussed methods of enforcing violation of the littering and dumping ordinances with Director McCann.

Councilor DiMarca stated that fines should be assessed and in an amount that will discourage violations of the ordinance. He asked Director McCann how many positions remain unfilled in the DPW. Mr. McCann answered about 4 or 5 positions are presently unfilled.

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Upon being granted the floor, Councilor Silva stated that it is difficult to support the proposed fee increase because there has been progress cleaning neighborhoods and it is unfair to charge the residents and taxpayers for disposal of these items. She stated that the proposed fees are actually taxes disguised as fees. Councilor Silva stated that the change in the method of trash pick-up will confuse the residents and the targeted items will now appear on the streets and in the vacant lots dumped by people who are trying to evade the fee. She discussed that fees should possibly be increased in other areas and cited some examples. Councilor Silva suggested that the Administration be required to disclose the amount of money collected as a result of recycling trash as a result of this ordinance. Director McCann commented that the “income” derived from “white goods” fees will be used to “off-set” the cost of trash collection through the current contract. He stated that no market exists to independently collect and dispose of metals and white goods that would be subject of the new ordinance.

Councilor Silva stated that she would like to have the matter reviewed to possibly reduce the cost to the taxpayer. Director McCann discussed and explained the trash buy-back market. He explained that the market presently does not create “income” but rather it results in a “cost” to the City of Lawrence as it currently operates.

Upon being granted the floor, Councilor Gonzalez stated to Director McCann that DPW picks up “white goods” about 2 to 3 times per week which would generate about \$20,000 plus per week upon implementation of the fee program. Councilor Gonzalez stated that the net result will be a loss of money to the City due to the increased illegal disposal of the items subject to the ordinance.

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Upon being granted the floor, Councilor Parolisi asked Director McCann when the proposal was first brought to the attention of The City Council. Director McCann stated that the proposal had been suggested at least since May 2006. He stated that DPW would need about one month to make the program operational. Councilor Parolisi and Director McCann discussed the financial savings that would result from implementation of the program. Director McCann explained that individuals requesting disposal would be the person responsible for payment of the fee and that the fee would not necessarily fall upon the owner or landlord of a multiple family dwelling.

Upon being granted the floor, Councilor Frechette stated that the proposed ordinance will ultimately be good for the City Of Lawrence. He stated that the cost of disposing “white goods” is often negotiated by the purchaser at the time the new item is being purchased. He stated that the purchase of new items usually requires the seller to take the replaced item from the household as well in most sales. Councilor Frechette stated that the method of disposal being proposed is not new and it will help the taxpayer reduce costs on a “use basis”. Councilor Frechette discussed various methods of enforcing violations of the littering and dumping ordinances.

Upon being granted the floor, Councilor Kolofos asked Director McCann about revenues that are generated from prosecuting illegal dumping violations. Director McCann stated that he does not know the exact amount collected for unlawful dumping and stated that the prosecution is a function of the Inspectional Services Office in conjunction with the City Attorney. Councilor Kolofos concluded by stating he believes that if the proposed “white

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goods” fee ordinance is implemented it will result in increased dumping and littering of these goods by people trying to evade the fee.

Upon no further inquiry, 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 as presented earlier by Councilor Gosselin, and seconded by Councilor Parolisi, the Council Members present voted as follows to approve the trash disposal fee for certain cathode ray tube goods and bulky goods. 5-Yes; 4-No; 0-Absent

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

**Doc. 166/06: Hearing Approved**

**V: Communication from Mayor, City Officials & City Attorney:**

**Doc. 366/06: Separation Agreement – J. Griffin & City of Lawrence – Request  
 Emergency Vote/Resolution to stop such payment – Council Pres. Blanchette -Passed –  
 Letter to Mayor**

Council President Blanchette introduced the item and passed the control of the gavel and Council Meeting Proceedings to Vice President Frechette in order to proceed.

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Council President Blanchette began by explaining to the Council Members present and the public that his reference to “Rasputin” on December 16, 2006 was not directed at the Budget & Finance Director John Griffin or the Chief of Staff, Myles Burke.

Council President Blanchette proceeded to cite the terms by which termination of employment may occur as a result of the Employment Contract of Director Griffin. He stated that he opposes the use of any agreement to terminate the employment of any employee of the City. [Council President Blanchette proceeded to read from a memo sent to Mayor Sullivan requesting information concerning the termination agreement of Budget and Finance Director John Griffin from the Mayor and City Attorney Charles Boddy].

Citing and discussing a “separation agreement” concerning the terms of terminating the employment of Director Griffin dated November 9, 2006, as signed by Mayor Sullivan, John Griffin and Assistant City Attorney Bowers, Council President Blanchette commented that he is disturbed that Mayor Sullivan did not disclose the agreement or its terms. He stated that he believes the Mayor lied by stating it does not exist when he was asked directly by the City Council President to provide a copy of the public document. He also expressed concern about Assistant City Attorney Bowers’ role in this matter and that he believes that Attorney Bowers may have also known about the existence of the document or at least its existence when asked by the City Council President.

Council President Blanchette stated that he discussed the matter with Attorney Bowers at approximately 5:30 p.m. on December 19, 2006 and indicated that the issues relating to Attorney Bowers’ will be addressed before the City Council at a later time.

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Council President Blanchette expressed his disgust with the Mayor's threats to lay off 26 parking attendants employed by the City as a first reaction to the City Council's rejection of the proposed tax recap proposal submitted by the Administration. He stated that parking attendant employees like Mr. Hamel who appeared before the City Council earlier in the evening should not be placed as "pawns" by the Mayor and should not be given reason to believe that their positions are in jeopardy because of this matter.

Council President Blanchette returned to discussing the "termination agreement" regarding Budget and Finance Director John Griffin and informed the Council Members present and the public that among the terms of the agreement are provisions for the payment of the same salary for a period of six months as well as the continued payment of family health and dental benefits for nine months after the date of separation from employment. He stated that given the serious budgetary matters facing the City at this time, contract terms for the termination of employment such as these should not be agreed upon by the Mayor or any other City Official.

Upon being granted the floor, Councilor Kolofoles discussed item #3 regarding the compensation rate paid to the Budget and Finance Director and read it into the record. He stated that he believes the current City Ordinance does not provide for the amount of salary cited in the separation agreement as the basis of the negotiated settlement which appears to reference the amount of \$87,000.00 as the base salary.

Upon being recognized, Council President Blanchette stated that his allegiance is to the City Of Lawrence. He commented that he never heard of a "buy out" agreement like the one apparently entered into between the Mayor on behalf of the City of Lawrence and the

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Budget and Finance Director. He stated that it was his understanding that any City employee terminating employment would provide proper notice and select an effective date. He stated that its additional requirements and conditions are extraordinary and are not typical. Council President Blanchette informed the Council Members that the terms of the agreement provide Director Griffin to terminate employment with the City effective on January 5, 2007. He stated that termination dates that are effective after January 1<sup>st</sup> of any year are usually selected in order to assure that other benefits are in place since these “benefits” vest after the first of the year. He indicated that benefits such as vacation time, sick time, personal time, and pension accrual may be affected by selecting a date after the January 1<sup>st</sup>.

Upon conclusion, Council President Blanchette presented a motion that the City Council Members authorize a letter be sent to Mayor Sullivan stating that the City Council Members disfavor entering into a “separation agreement” for the termination of employment with Budget and Finance Director John Griffin. The motion was seconded by Councilor Gosselin.

Upon being granted the floor, Councilor Frechette stated that he doesn't support the motion for reasons that he will discuss shortly. Council Vice President opened the floor for further discussion.

Upon being granted the floor, Councilor Kolofos suggested that there may be other deals and contracts entered by the Assistant City Attorney which need to be investigated. He stated that the matter currently before the City Council is very serious and needs to be addressed immediately.

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Upon being granted the floor, Councilor Silva stated she has many questions and issues regarding the documents and information presented by Council President. She stated that there may be a law suit pending as a result of this matter which may need to be discussed. Councilor Silva stated that there are ordinances not being enforced which may require a review of all of the current City Ordinances in effect in the City Of Lawrence. She commented that she could not attend the emergency meeting of the City Council on Saturday, December 16, 2006 for “good cause”. She stated that she did not agree with any comparison of Mayor Sullivan to Sadaam Hussein who is a mass murderer and despot.

Upon being recognized, Councilor Kolofos stated that he believed that Councilor Silva was straying “off topic” and then discussed the history of resignations by financial personnel in the Office of The City Comptroller and The Budget Director since 2001.

Councilor Frechette requested that Councilor Kolofos also remain “on topic” regarding this matter and asked that he continue.

Councilor Kolofos stated that he believes that this matter will likely generate yet another law-suit the City Of Lawrence will be required to defend and possibly have to settle at great cost and expense.

Upon being recognized Councilor Parolisi stated that he is unaware of any law suit filed and believes that the matter is simply a “termination agreement” at this time. He stated that he cannot foresee a lawsuit being filed for any reason unless the terms of any agreement entered into are not honored.

Councilor Silva stated that her belief that a law suit may result is not due to the termination agreement but rather as a possible result of comments that may be alleged against

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City Officials in which the Budget and Finance Director may claim harassment as a reason for terminating his employment.

Upon being recognized, Councilor Parolisi stated that he is unaware of any harassment or lawsuit. He asked Council President Blanchette if he had discussed the matter with the Mayor.

Council President Blanchette stated that he had not yet discussed the matter with Mayor Sullivan.

Councilor Parolisi suggested the action taken by the Council this evening would be symbolic and should be unified.

Upon being recognized Council President Blanchette commented that although the City Council Members may address the matter in a unified manner, the issues relating to possible misconduct by Assistant Attorney Bowers will have to be addressed by the City Council at a later date and in its own forum.

Upon being granted the floor, Councilor Gosselin stated that she would like to hear from the Mayor regarding this matter. She stated that the tax payer issues are most important. Councilor Gosselin stated that the financial provisions of the separation agreement are expensive. She also stated she would support a symbolic better from Council.

Councilor Frechette, as temporary Chairman of proceedings, commented that he is surprised the Chief Executive Officer would treat the President of the City Council in the manner as recounted by Council President Blanchette. He agreed that the City Attorney issues arising from this matter also need to be addressed appropriately by the City Council at

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a later date. He stated that he believes the agreement is completed and that a law suit is not pending because the contract will be followed on its own terms.

He stated that he believes a “resolution” is a mild response and, if possible, the City Council should censure the Mayor for his actions. Councilor Frechette stated Mayor Sullivan should at least apologize to the City Council for his actions in this matter.

Upon being granted the floor, Councilor Alvarez-Rodriguez commented that she is disappointed. She stated that she is saddened this matter has arisen during the serious financial issues facing the City of Lawrence and its residents.

Councilor Alvarez-Rodriguez stated she will support the resolution but would like to hear from the Mayor regarding this matter in order to better understand the reasons the termination agreement was necessary. She suggested that future hiring entail a memo of the contract to the City Council Members prior to final approval.

In conclusion Council President Blanchette stated that requests for information from the Mayor began prior to the tax rate dispute. He suggested the Mayor be asked for a public apology or explanation.

Upon no further comments, discussion or inquiry by the Council Members present, Council Vice President Frechette called the motion to the attention of the Council Members. Upon vote of the Council Members present, the measure was approved as follows: 8-YES; 0-NO; 1 ABSTAIN

Councilor Silva - Abstain  
Councilor Alvarez-Rodriguez - Yes  
Councilor Kolofoles - Yes  
Councilor DiMarca - Yes  
Councilor Parolisi – Yes  
Councilor Gonzalez - Yes

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Councilor Gosselin - Yes  
 Councilor Blanchette – Yes  
 Councilor Frechette – Yes

**Doc. 366/06: Letter to Mayor Sullivan Authorized**

**Doc. 367/06: Water Treatment Center – Fiber Optics – update on who authorized such work to occur –Contract and Bid Inquiry – Council President Blanchette – Tabled**

Councilor Parolisi presented a motion to table the item which was duly seconded by Councilor Alvarez-Rodriguez and unanimously approved by the Council Members present [9-0]. Based upon the request for further proceedings, the matter was tabled.

**Doc. 367/06: Tabled**

Council President Blanchette brought the matter listed below to the attention of the Council Members present and referred the measure to the Council Subcommittee as indicated:

**VI. APPROPRIATIONS-ORDERS-RESOLUTION:**

**Doc. 368/06: Appropriation Transfer –Buildings and Facilities – Frank McCann, Jr., DPW Director – Ref to Budget & Finance**

**VII. COMMITTEE REPORTS:**

**Doc. 139/06: Poster Boards, Promotion Signs – Ordinance: Fine \$200.00 – Ordinance Committee – Public Hearing Ordered**

At the request of Council President Blanchette, Councilor Kolofoles presented the report from the Ordinance Committee to order a public hearing, in the form of a motion, which was duly seconded by Councilor Silva and unanimously [9-0]voted upon by Council Members present.

**Doc. 139/06: Public Hearing Ordered**

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**Doc. 233/06: Standard Mileage Review Rate – Ordinance Committee – Public Hearing Ordered**

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee to order a public hearing on the measure presented. The report was presented in the form of a motion and seconded by Councilor Gosselin.

A brief discussion ensued about the rate to be established between Councilor Kolofoles and Council President Blanchette.

Councilor Silva stated that the ordinance had not been updated and the proposed ordinance refers to mileage.

The Council Members present voted unanimously [9-0] to order a public hearing on the standard mileage review rate.

**Doc. 233/06: Hearing Ordered**

**Doc. 238/06: Parking - Broadway Street – 30 minute parking – Ordinance Committee – Hearing Ordered**

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee to order a public hearing on the measure presented. He also explained that the Ordinance Committee determined that the spaces that would result if the ordinance were to be approved would be thirty minute parking spaces. The report was presented in the form of a motion, seconded by Councilor Parolisi and unanimously approved by the Council Members present [9-0].

**Doc. 238/06: Public Hearing Ordered**

**Doc. 239/06: Parking – Broadway Street – 30 minute parking – Ordinance Committee - Hearing Ordered**

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At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee to order a public hearing on the measure presented. He also explained that the Ordinance Committee determined that the spaces that would result if the ordinance were to be approved would be thirty minute parking spaces. The report was presented in the form of a motion, seconded by Councilor Parolisi and unanimously approved by the Council Members present [9-0].

**Doc. 239/06: Hearing Ordered**

**Doc. 339/06: Parking – 39 Loring Street – sign to be removed – Ordinance Committee – Approved**

At the request of Council President Blanchette, Councilor Kolofoles presented the report from the Ordinance Committed in the form of a motion to approve which was duly seconded by Councilor Gosselin and unanimously [9-0] voted upon by Council Members present.

**Doc. 339/06: Approved**

**Doc. 349/06: National Grid and Verizon – Osgood St. – permission to locate poles, wires and fixtures-Ordinance Committee – Hearing Ordered**

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee to order a public hearing on the measure presented. The report was presented in the form of a motion, seconded by Councilor Frechette and unanimously approved by the Council Members present [9-0].

**Doc. 349/06: Hearing Ordered**

**Doc. 354/06: Verizon – Methuen and Amesbury Sts. - permission to place conduits (underground) – Ordinance Committee - Hearing Ordered**

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At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee to order a public hearing on the measure presented. The report was presented in the form of a motion, seconded by Councilor Frechette and unanimously approved by the Council Members present [9-0].

**Doc. 354/06: Hearing Ordered**

**Doc. 358/06: H & R Block – National Tax Advice Rally on the Common – Jan 11, 2007  
– Ordinance Committee – Approved**

At the request of Council President Blanchette, Councilor Kolofoles presented the report from the Ordinance Committed in the form of a motion to approve the H & R Block, National Tax Advice Rally on the Common which, was duly seconded by Councilor Gosselin. Upon vote of the Members present the measure was approved by the following vote: 6-Yes; 2-No; 1-Absesnt from Chamber

Councilor Gosselin – Yes  
 Councilor Gonzalez – Yes  
 Councilor Parolisi – Yes  
 Councilor DiMarca – No  
 Councilor Kolofoles – Yes  
 Councilor Alvarez-Rodriguez – Yes  
 Councilor Silva – Absent from Chamber  
 Councilor Frechette – No  
 Councilor Blanchette – Yes

**Doc. 358/06: Approved**

**VIII. WITHDRAWALS:**

**Doc. 47/06: Abutters Notification – Ordinance – Ordinance Committee – Tabled**

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

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Committee from the City Council Agenda in the form of a motion. The motion was seconded by Councilor Gosselin.

Upon being recognized Councilor Alvarez-Rodriguez asked Councilor Kolofoles why this is being withdrawn. Councilor Kolofoles stated that no problems are occurring and notice is sufficient. Councilor Alvarez-Rodriguez stated her reasons that she believes that abutters notice is not sufficient.

Upon no further discussion, inquiry or comment, a motion was presented by Councilor Alvarez-Rodriguez to table the measure, as seconded by Councilor Parolisi.

The Council Members present voted unanimously [9-0] to table the Abutters Notification/Ordinance.

**Doc. 47/06: Tabled**

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 [9-0].

The Council Members present voted unanimously [9-0] to withdraw the following matters from the City Council Agenda:

- |        |  |
|--------|--|
| 122/06 | North Parish Road – to be renamed for late Sgt. P. Raymond – Ordinance Committee - <b>Withdrawn</b>                            |
| 250/06 | Veteran’s Memorial Stadium – Ordinance Committee - <b>Withdrawn</b>  |
| 262/06 | Stop Sign – Easton and Dunstable – Ordinance Committee - <b>Withdrawn</b>  |
| 263/06 | Municipal Parking Lots – Personnel Issues – Ordinance Committee <b>Withdrawn</b>   |
| 274/06 | Tenney St. (between Park and Arlington Sts.) to be closed during school dismissal hours-Ordinance Committee - <b>Withdrawn</b> |

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- 321/06 Resident Sticker Parking – Ferguson Street – Ord. Comm. - **Withdrawn**  
 322/06 Handicapped Parking – 56 Floral Street – Ord. Comm. - **Withdrawn**  
 323/06 Parking – 64 Milton Street – 15 minutes – Ord. Comm. – **Withdrawn**

### **IX. OLD BUSINESS:**

The following items were referred to the subcommittee as indicated:

- 286/05 Disposition – 6-8 Bedford Street – recommendations – RFP – Michael Sweeney, Planning Dept. Director – **Ref to Housing Committee**  
 289/05 Disposition – 54-56 Bodwell Street – recommendations – RFP – Michael Sweeney, Planning Dept. Director – **Ref. to Housing Committee**  
 290/05 Disposition – 101 Bradford Street – recommendations - RFP – Michael Sweeney, Planning Dept. Director – **Ref. to Housing Committee**  
 220/06 Disposition – 56 Bromfield Street – recommendations – RFP – Michael Sweeney, Planning Dept. Director – **Ref. to Housing Committee**

### **IX. 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**

### **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:

- 369/06 Parking - 334 Lawrence Street – two 15 minute parking spots – Officer Eugene Scanlon – **Ref. to Ord.**  
 370/06 Handicapped Parking – 34 Walnut Street – Erick Preston – [see old #311/06]  
 371/06 National Grid and Verizon New England, Inc. – Melrose Street - request permission to locate poles, wires and fixtures – **Ref. to Ordinance Cmt.**  
 372/06 National Grid and Verizon New England, Inc. – Marston Street – request permission to locate poles, wires and fixtures – **Ref. to Ordinance Cmt.**  
 373/06 National Grid – Merrimack Street – request permission to place underground electric conduits – **Ref. to Ordinance Cmt.**  
 374/06 Polling Locations – review – William J. Maloney, City Clerk – **Ref. to Ord. Cmt.**  
 375/06 Taxi/Livery Licenses Yearly Renewal – Sgt. Melix Bonilla – **Ref. to Ord. Cmt.**

### **ITEMS ADDED AT THE MEETING**

[Tuesday, December 19, 2006]

- 311/06            Handicapped Parking – 34 Walnut Street – Ord. Comm.- withdrawn – **recons – Ref. to Ord. Cmt**
- 365/06            Mayor’s Proposed Budget Cuts – Discussion – Council President  
Blanchette - [see document 376/06].
- 376/06            Proposed Budget Cuts – Mayor Sullivan – **Discussed - Approved**
- 353/06            FY 2007 Tax Classification Factor – John L. Griffin, Budget and Finance Director –  
**Reconsidered - Approved**

**Doc. 311/06: Handicapped Parking – 34 Walnut Street – Erick Preston – Reconsidered – Ref. to Ordinance**

A motion was presented by Councilor Silva to reconsider the Handicapped Parking at 34 Walnut Street, Lawrence, MA and seconded by Councilor Gonzalez. The Council Member present voted unanimously [9-0] to reconsider Doc. 311/06. After the Council Members voted to reconsider the item, Council President Blanchette referred the item to the Ordinance Committee for further proceedings.

**Doc. 311/06: Ref. to Ordinance**

**Doc. 376/06: Proposed Budget Cuts – Mayor Sullivan – Discussed & Approved**

Council President Blanchette explained the item submitted to the City Council for their consideration.

Upon being recognized, Councilor Frechette presented a motion to have the matter declared an emergency measure and to suspend the Rules of the City Council in order to presently address the matter. The motion was seconded by Councilor Alvarez-Rodriguez and a discussion on the item among the Council Members ensued.

Upon being granted the floor, Councilor Kolofoles stated he doesn’t believe there is an emergency but a “target date” to issue a tax bill. He stated he opposes the “emergency”.

**[Councilor Frechette presented a motion to conduct Council business past 10:00 p.m. which was seconded by Councilor Alvarez-Rodriguez. The Council Members present voted to conduct business past 10:00 p.m. as follows. 7 -YES; 2 -NO**

[Tuesday, December 19, 2006]

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

Upon being granted the floor, Councilor Alvarez-Rodriguez stated she believes the item presented is an “emergency” due to the issues facing personnel.

Upon being recognized, Councilor Gosselin questioned the Council Members in general and asked if someone could explain the reason the item presented is an emergency measure.

In response, Councilor Frechette stated the matter presented concerns financial matters pertaining to the city and the nature of the emergency is that the item addresses matters that must be completed to complete the tax rate reportable to the Department of Revenue. He explained that if the New Year arrives without these financial matters addressed the City may have to borrow funds to continue operations.

Council President Blanchette called the motion to the attention of the Council Members. Upon vote of the Council Members present, the measure was taken up as an emergency as follows: 7-YES; 2-NO; 0 ABSENT:

Councilor Marie Gosselin – Yes  
Councilor Jorge Gonzalez - No  
Councilor Joseph Parolisi - Yes  
Councilor Nunzio DiMarca - Yes  
Councilor Nicholas Kolofoles - No  
Councilor Nilka Alvarez-Rodriguez - Yes  
Councilor Grisel Silva - Yes

[Tuesday, December 19, 2006]

Council Vice Pres. Gil Frechette - Yes

Council Pres. Patrick Blanchette - Yes

Council President Blanchette invited Chief of Staff, Myles Burke to present the matter to the Council Members and asked Mr. Burke if the Mayor would be in attendance. Mr. Burke informed the Council Members that Mayor Sullivan would not be present for this matter. Council President Blanchette asked if the Budget and Finance Director, John Griffin would be in attendance. Mr. Burke stated that Director Griffin would not be present for this matter either. Council President Blanchette asked Mr. Burke if the Mayor Sullivan was in the City of Lawrence – Mr. Burke stated that Mayor Sullivan was present in the City of Lawrence.

Chief of Staff, Myles Burke proceeded to address the City Council Members and provided information concerning the item presented. Council President Blanchette discussed the financial strategy being proposed suggested by Mr. Burke in his presentation.

Upon being granted the floor, Councilor DiMarca cited instances of possible areas of cost reduction [ie: consolidation, attrition, duplication of effort within departments]. Councilor DiMarca discussed specific reduction measures that could be implemented by the Police Department. He stated that the proposal submitted by the Administration for cutting cost does not go far enough. He stated that he would probably not vote in favor of the Administration's proposal unless and until further cost cutting measures were included.

Mr Burke stated that the proposal submitted addresses the costs and expenses within the budget already passed.

Upon being granted the floor, Councilor Silva stated that she is ready to support the compromised proposal submitted.

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[A brief discussion between Council President Blanchette and Councilor DiMarca ensued regarding the automatic hiring rule].

Upon being recognized, Councilor Parolisi stated that the proposal presented is the same form of proposal submitted at the last City Council Meeting that he supported and he believes the Administration would have presented if provided the opportunity.

Councilor Parolisi discussed the impact of the proposal items with Chief of Staff Myles Burke.

Upon being granted the floor, Councilor Alvarez-Rodriguez asked Mr. Burke about the process of awarding a contract to parking facilities and how it impacts the City Budget. Mr. Burke explained that the contract amounts approach about \$27 million per year.

Councilor Alvarez-Rodriguez discussed the budget compromise to settle the budget dispute and stated she will vote to approve the proposed tax rate and also would support the plan as presented.

Upon being granted the floor, Councilor Gosselin agreed with the comments offered by Councilor Alvarez-Rodriguez and would support the proposal submitted.

Upon being recognized Councilor Kolofoles asked about the \$1 million overlay reserve account. He discussed the transfer of the overlay reserve account with Councilor Parolisi and Council Vice President Frechette.

**[11:00 PM: COUNCILOR PAROLISI PRESENTED A MOTION TO CONDUCT PROCEEDINGS PAST 11:00 WHICH WAS SECONDED BY COUNCILOR ALVAREZ-RODRIGUEZ AND APPROVED BY ROLL CALL VOTE OF THE COUNCIL MEMBERS PRESENT AS FOLLOWS: 7 =YES; 0 = NO; 2=ABSENT FROM CHAMBER]**

Councilor Frechette – Yes  
Councilor Silva - Yes

[Tuesday, December 19, 2006]

Councilor Alvarez-Rodriguez- Yes  
Councilor Kolofoles - Yes  
Councilor Demarca - Yes  
Councilor Parolisi - Yes  
Councilor Gonzalez - Yes  
Councilor Gosselin – Absent from Chamber  
Council Pres. Patrick Blanchette – Absent from Chamber

Upon the floor being returned to Councilor Kolofoles, he continued to inquire about the overlay reserve account funds with Chief of Staff Myles Burke.

Further discussion ensued about the overlay account between Council President Blanchette and Chief of Staff, Myles Burke.

Councilor Kolofoles reviewed the proposed cuts submitted by the Administration and concluded that he could not vote to approve the proposal as submitted.

Upon being granted the floor, Councilor Frechette discussed the proposed property tax for FY 2007 with Mr. Burke in the amount of \$37.8 as being within the margin approved in the Budget. Councilor Frechette stated that he believes it is sad to have to subject the taxpayers to the matters presently being addressed by the City Council. He stated that it was difficult not to have access to the \$125 million available to the School Department to remedy the current City budget deficit.

Upon no further comments, discussion or inquiry by the Council Members present, Council President Blanchette called for the approval of the proposed Budget Reduction amounts submitted on behalf of the Administration.

A motion presented by Councilor Gosselin to approve the measure was seconded by Councilor Alvarez-Rodriguez and upon vote of the Council Members present the measure was approved as follows: 6-YES; 3-NO; 0 ABSENT:

[Tuesday, December 19, 2006]

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

**Doc. 376/06: Discussed & Approved**

**Doc. 353/06: FY 2007 Tax Classification Factor – John L. Griffin, Budget and Finance Director - reconsidered – Approved**

Council President Blanchette introduced the measure and informed the Council Members that the measure had last been defeated by vote the City Council Member voting. He asked if there were any proposed action the Council Members would consider on the matter.

Councilor Gosselin presented a motion to reconsider the prior vote of the City Council Members defeating the measure which was seconded by Councilor Parolisi. Discussion ensued among Council Members concerning the applicability of the proposed rate and its impact on the budget and expenditures.

Upon no further discussion, comment or inquiry the Council Members present voted unanimously [9-0] to reconsider the measure.

A motion presented by Councilor Gosselin to approve the FY 2007 Tax Classification Factor was seconded by Councilor Parolisi and the Council Members present voted as follows to approve the measure: 6=YES; 3=NO

Councilor Gosselin – Yes  
 Councilor Gonzalez – No  
 Councilor Parolisi – Yes

[Tuesday, December 19, 2006]

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

**Doc. 353/06: Reconsidered - Approved**

**XI. ADJOURNMENT:**

Upon Motion of Councilor Kolofoles duly seconded by Councilor Alvarez-Rodriguez, the Council Members present voted unanimously to Adjourn.

**ADJOURNED  
(11:24p.m.)**

Attest:

William J. Maloney  
City Clerk