

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

**DATE: Thursday, August 16, 2007**

A **SPECIAL MEETING** of the City Council was held on **Thursday, August 16, 2007** at 7: 09 p.m. in the City Council Chamber with all Members present.

Approximately Seventy -Two [72] persons were present.

A Moment of Silence was held.

The Pledge of Allegiance was recited.

**I. ACCEPTANCE OF MINUTES:** - None

**II. PUBLIC PARTICIPATION:** - None

**III. PUBLIC HEARINGS:**

**Doc. 184/07: FY'08 Budget – Hearing Held - Recessed**

At the request of Council President Blanchette, the City Clerk read the public hearing notice regarding the above matter as published. Upon the conclusion of the Clerk's reading of the public notice and upon the invitation of Council President Blanchette, Mayor Sullivan provided the public and the Council Members present with a power point presentation of the proposed FY 2008 budget.

Upon the conclusion of Mayor Sullivan's presentation, Council President Blanchette opened the public hearing portion of the proceedings and invited the public to comment on the matter presented.

Library Director Maureen Nimmo, 24 Yale Street, Lawrence, MA stated that any budgetary reductions to the Lawrence Library funding will result in the loss of certification. She also commented that public safety funding should also receive priority.

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Adeando Cruz, 3 Clinton Court, Lawrence, MA proposed reducing the salaries of all City employees by 5% rather than increasing property taxes. He stated that many City employees receive high salaries.

Ruth Rojas, 45 Summer Street, Lawrence, MA, stated that the budget process is not working. She spoke against increasing the City budget to the levy limit. She stated that City employees salaries should be cut rather than approving a budget increase.

Ed Warnshuis addressed the City Council and stated that he is a future property owner in Lawrence and that he believes the budget should be approved as presented.

Norman Nimmo, 24 Yale Street, Lawrence, MA stated that a tax increase is necessary to keep the City of Lawrence solvent. He stated that budget reductions will result in a loss of corporate confidence, businesses, and jobs. He stated that the decertification of the Lawrence Library would be a tremendous loss.

Patrick Driscoll, 60 Rollins Street, Lawrence, MA commented about the City services and public safety in Lawrence.

A Cambridge College Professor [unidentified] stated that Library services are extremely important to any community and that it allows people who may not otherwise be able to afford books and educational materials to access these materials for their betterment.

Colin DeFrancisco spoke in opposition of the proposed FY 2008 Budget because it would hurt people of Hispanic origin more than people of Anglo origin.

Modesto Maldonado, 115 Spruce Street, Lawrence, MA spoke in opposition of the proposed FY 2008 Budget.

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Lindy Galland, 196 West Street, Lawrence, MA spoke in opposition of raising property taxes.

Michelle Faye, 5 Cleveland Street, Lawrence, MA spoke against the proposed FY 2008 Budget and against any increase in taxes.

Scott McNamara, Lawrence Police Patrolman's Association, spoke of the accomplishments of the Lawrence Police and in favor of the proposed FY 2008 Budget.

Lawrence Hester, 171A Abbott Street, Lawrence, MA asked the Council Members to review the City Budget carefully and questioned how raises were implemented in the Office of Inspectional Services.

Franklin Fernandez, 185 Water Street, Lawrence, MA stated that the City Council should carefully review the proposed budget for feasible cuts.

Alicea Lugo, 130 Berkeley Street, Lawrence, MA asked the Council Members not to pass the FY 2008 Budget as presented.

A resident [unidentified] who resides at 24 Mt. Vernon, spoke in favor of passing the FY 2008 Budget and asked that funding for the services provided by the Public Library not be cut.

Fausto Nunez, 9 Spruce Street, Lawrence, MA spoke in support of the Mayor, Police Department, and the Fire Department and commended their actions for providing a cleaner and safer City.

Carlos Matos ,27 Saunders Street, Lawrence, MA provided suggestions on how to reduce spending for the FY 2008 Budget. He spoke in favor of implementing cuts to the proposed FY 2008 Budget.

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Carolyn Cronin, 214 Howard Street, Lawrence, MA commented that she is concerned about the increasing rate of foreclosures occurring in Lawrence. She stated that cuts to the City Budget will likely be a secondary effect if further losses are incurred through the foreclosure process.

Ana Santos, 30 Camden Street, Lawrence, MA, Assistant Lawrence Library Director, stated that library services and offerings are necessary to help educate the children and residents of the Lawrence community.

Ana Luna, 599 Canal Street, Lawrence, MA, executive Director of Arlington Community Trabajando, spoke in opposition to the proposed FY 2008 Budget as presented. She stated that any increase in taxes will result in further financial hardship and cause additional mortgage foreclosures.

Ms. Rodriguez, 340 S. Broadway, Lawrence, MA stated that the taxes for her house are too high. She also complained that the water coming from the City service is very dirty and she cannot continue to use it to wash her cloths. She stated that she opposed any increase of taxes.

Daniel Rooney, 3 Kingston Street, Lawrence, MA criticized the Council Members for not adequately addressing the budget matters.

Ms. Ceron, 17 Grafton Street, Lawrence, MA spoke on behalf of her sister and asked the Council not to pass the proposed FY 2008 Budget.

A resident of Lawrence read a petition on behalf of Lawrence Community Works in opposition to the FY 2008 Budget.

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Nelson Buton encouraged the public to contact the City Council to express their dissatisfaction with the proposed FY 2008 Budget.

Carlos Morel, 35 East Haverhill Street, Lawrence, MA spoke against implementing any tax increase.

Mr. Vasquez [first name unknown] stated that the City Council should not pass the proposed FY 2008 Budget.

Mr. Britton [first name unknown], 10 Maple Street, Lawrence, MA spoke against any increase in taxes.

Lidia Rivera [unknown address] spoke in opposition of the FY 2008 budget and tax increases.

Mark Gray, 159 Carlton Street, Lawrence, MA spoke in favor the Fire Department. He spoke in opposition to any increases in taxes.

Lydia Cruz of Swan Street, Lawrence, MA, spoke in opposition to an increase in taxes.

Tashia Alba, 51 Nesmith Street, Lawrence, MA spoke against approval of the FY2008 budget.

Bill Collins, 1 Platt Court, Lawrence, MA ,asked the City Council to consider keeping the public comment portion “open” if the meeting is continued. He suggested that the City Council consider allowing the Commonwealth to use its financial control board services to assist with the FY 2008 Budgetary matters.

Barney Riley, 117 Bunkerhill Street, Lawrence, MA discussed the impact that the lack of a City Budget will have upon the elderly served by the Council on Aging.

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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 further discussion.

Upon being recognized, Councilor Parolisi presented a motion to adopt the proposed FY 2008 Budget subject to any changes offered by way of amendment. The motion failed for lack of a second.

Upon being recognized, Councilor DiMarca presented a motion to review the proposed FY 2008 Budget by reviewing each line item.

As a point of parliamentary procedure, Council President Blanchette stated to the Council Members that a motion was necessary prior to advancing any further discussion or other comment on the matter. A discussion between Councilor Kolofos and Councilor DiMarca ensued concerning the lawful ability of the Council Members to recommend cuts to specific line items presented.

Upon being recognized, Councilor Parolisi again presented a motion to adopt the proposed FY 2008 budget with changes that may be presented by way of amendment.

Councilor Silva commented that she wanted to read the opinion of the City Attorney recently provided concerning the lawful ability of the City Council Members to recommend line item cuts to particular items.

Councilor DiMarca seconded the motion presented by Councilor Parolisi for the adoption of the proposed FY 2008 Budget with changes that may be presented by way of amendment.

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Upon being granted the floor, Councilor Silva read the opinion of the City Attorney regarding line item cuts dated August 16, 2007. After reading the opinion letter of the City Attorney, Councilor Silva presented a motion to amend the proposed approval of the FY 2008 Budget by cutting employee vacation buyback funds.

Upon being recognized, Councilor Parolisi stated that he does not believe that vacation buy back cannot be cut as recommended because it affects a contractual matter bargained by the various unions.

Upon being recognized Councilor DiMarca seconded the motion presented by Councilor Silva to cut vacation buyback funds from the proposed FY 2008 City Budget.

Upon further discussion, Councilor Kolofoles stated he believes the motion could be passed without violating any union agreement concerning vacation buy back provisions.

At the request of Councilor Gosselin, Councilor Silva explained how the "vacation buy back" system applies. Councilor Parolisi also provided further explanation concerning the how the vacation buy back system is implemented.

Upon being recognized, Councilor Silva presented a motion to cut \$257.00 from personnel services. The motion dies for the lack of a second.

Upon being recognized, Councilor Silva presented a motion amend the motion to approve the FY 2008 Budget by cutting \$7,306.00 from Mayor's Office Budget [docketed as vote no: 5; 8-16-07]. The motion was seconded by Councilor Alvarez-Rodriguez and the Council Members present voted as follows by roll call vote to cut \$7,306.00 from the Mayor's Budget: 7-Yes; 2-No

Councilor Gosselin – Yes  
Councilor Gonzalez – Yes

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

Upon being granted the floor, Councilor Silva presented a motion to amend the motion to approve the FY 2008 Budget by cutting personnel services from Budget and Finance Department. The motion was seconded by Councilor Alvarez-Rodriguez.

Discussion ensued among the Council Members concerning the efficiency of voting for cuts without sufficient information. Councilor Gosselin stated that it may be more effective to eliminate all new positions from the FY 2008 Budget. A discussion ensued between Councilor Silva and Councilor Gosselin regarding removal of funding from new positions.

Upon being granted the floor, Councilor Alvarez-Rodriguez commented that no one from the administration was present to respond to questions by Council.

Upon being recognized, Councilor Gosselin discussed methods of implementing cuts to be applied to City personnel.

Upon being granted the floor, Councilor Silva presented a motion to amend the motion to approve the FY 2008 Budget by cutting two positions from the IT Department [docketed as vote no: 6; 8-16-07]. The motion was seconded by Councilor Gosselin and the Council Members approved the motion by the following vote. 5-Yes; 3-No; 1-Abstain

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

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

Discussion ensued among Councilor Kolofoles and Councilor Silva regarding the approved amendment [vote no. 6; 8-16-07] and the impact it may have upon the operations of the City if two members of the IT Department were eliminated. Further discussion ensued concerning the positions that the Council Members approved for termination.

Upon being granted the floor, Councilor Frechette stated he would not vote for any cuts to personnel services without hearing from department heads concerning the impact the cut may have on the particular department.

Councilor Alvarez-Rodriguez stated that she would abstain from votes to cut positions in the IT Department because her son is an employee in that department.

Upon being recognized, Councilor Silva presented a motion to amend the motion to approve the FY 2008 Budget by cutting \$16,591.00 from the Treasurer/Reserve funds. The motion was seconded by Councilor Kolofoles and discussion ensued to clarify specifically which item was being presented by Councilor Silva's motion.

Upon being recognized, Alvarez-Rodriquez stated she does not favor the motion to cut.\$16,591.00 from the Treasurer/reserve at this time.

Upon no further comment or discussion concerning the motion presented, Council President Blanchette called the motion to the attention of the Council Members present for their consideration. The Council Members present voted upon roll call on the motion to amend the motion to approve the FY 2008 Budget by cutting \$16,591.00 from the

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Treasurer/Reserve funds as presented which failed to pass due to the lack of a sixth vote as follows. 5-Yes; 4-No

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

Upon being recognized, Councilor Silva presented a motion to amend the motion to approve the FY 2008 Budget by cutting one Senior Account Clerk position from the City Clerk's Office as appearing on page 31 of the proposed FY 2008 Budget document. The motion was seconded by Councilor Gonzalez. The Council Members voted by roll call and the motion failed as follows. 2-Yes; 7-No

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

Upon resuming, Councilor Silva referenced page 33 of the proposed FY 2008 Budget document and presented a motion to amend the motion to approve the FY 2008 Budget by cutting \$200,000.00 for election workers [docketed as vote no. 8; 8-16-07]. The motion dies for lack of a second.

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Upon being granted the floor, Councilor DiMarca presented a motion to reconsider the approved amendment cutting two IT Department personnel [docketed as vote no. 6; 8-16-07]. The motion was seconded by Councilor Parolisi and the Council Members present voted unanimously to reconsider the IT Department vote as follows.

8-Yes; 0-No; 1-Abstain [docketed at vote no. 9; 8-16-07]:

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

Upon being recognized, Councilor Frechette presented a motion to rescind the vote terminating two IT Department personnel [docketed as vote no. 6; 8-16-07]. The motion was seconded by Councilor Silva and the Council Members present voted to rescind the cut of two IT Department personnel [the motion to rescind is docketed as vote no. 10; 8-16-07] as follows. 8-Yes; 0-No; 1-Abstain

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

Upon conclusion of the vote taken, a discussion ensued among the Council

Members present concerning the best method by which the Council should proceed.

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Upon being recognized, Councilor Alvarez-Rodriguez discussed how the budget process has affected the community.

Upon resuming, Councilor Silva cited page 58A of the FY 208 Budget document and presented a motion to amend the motion to approve the FY 2008 Budget by cutting one Deputy Police Chief in the amount of \$107,000.00 [docketed as vote no. 11; 8-16-07]. The motion was seconded by Councilor Alvarez-Rodriguez who also presented a friendly amendment to the motion to cut to allow payment to the current Deputy Chief thru September 1, 2007. Councilor Silva accepted the friendly amendment presented by Councilor Alvarez-Rodriguez. A discussion among the Council Members present ensued concerning the proposed cut presented.

**10:00 PM: COUNCILOR DiMARCA PRESENTED A MOTION TO CONDUCT PROCEEDINGS PAST 10:00 WHICH WAS SECONDED BY COUNCILOR KOLOFOLES AND APPROVED BY ROLL CALL VOTE OF THE COUNCIL MEMBERS PRESENT AS FOLLOWS: 8-YES; 1-NO;**

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

As a point of information, Council President Blanchette suggested that the Council Members be cognizant of sensitive confidentiality issues concerning any retirement of personnel that should not enter into a public discussion.

Upon no further comments, discussion, or inquiry by the Council Members present, Council President Blanchette called the motion to amend [docketed as vote no. 11; 8-16-07]

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to the attention of the Council Members. Upon vote of the Council Members present, the measure was defeated as follows: 3-YES; 5-NO; 1-Abstain

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

**IV: COMMUNICATION FROM MAYOR, CITY OFFICIALS AND CITY ATTORNEY:** - None

**V. APPROPRIATIONS-ORDERS-RESOLUTION:** - None

**VI. COMMITTEE REPORTS:** - None

**VII. WITHDRAWALS:** - None

**VIII. OLD BUSINESS:** - None

**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
367/06	Water Treatment Center – Fiber Optics – update on who authorized such work to occur – Where is the contract and the bid? – Council President Blanchette
46/07	Sign Ordinance – new sign – discussion – Peter Blanchette, Building Inspector
42/07	Lawrence Community Works – FY 2006 unpaid invoice - \$4,217.66
14/07	Temporary Appointments – proposed amendments to Section 2.04.081 of the Municipal Code
107/07	Legal Pending Litigation and Claims against the Police Dept. and the City- Council. Silva
123/06	Revisiting Residency Requirements
309/05	Surplus Declarations – 128 Newbury Street
34/07	Arlington Mills Smart Growth District – hearing held
228/07	Proclamation – Maggie Super Church

**X. NEW BUSINESS:** - None

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**XI. RECESS:**

Upon Motion of Councilor Parolisi as seconded by Councilor Frechette, the Council Members present voted unanimously [9-0] to recess the meeting of the Lawrence City Council until August 20, 2007.

**RECESSED  
(11:00p.m.)**

Attest:

William J. Maloney  
City Clerk