

MINUTES OF THE MEETING
OF THE LAWRENCE CITY COUNCIL

DATE: Monday, August 20, 2007

A **SPECIAL MEETING** of the City Council was held on **Monday, August 20, 2007** at 7: 10 p.m. in the City Council Chamber with all Members present. Councilor Silva arrived at 7:20 and Councilor Frechette arrived at 7:50.

Approximately Twenty-seven [27] 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: - None

IV: COMMUNICATION FROM MAYOR, CITY OFFICIALS& CITY ATTORNEY:
- None

V. APPROPRIATIONS-ORDERS-RESOLUTION: - None

VI. COMMITTEE REPORTS: - None

VII. WITHDRAWALS:- None

VIII. OLD BUSINESS:

Doc. 184/07: FY'08 Budget – Recess

Upon being recognized Councilor Parolisi presented a motion to resume the Meeting of the Lawrence City Council and to come out of recess approved on August 16, 2007. The motion was seconded by Councilor DiMarca and unanimously [7-0] approved by the Council Members present [7-0] [Councilor Silva and Councilor Frechette not having arrived by the time of the vote on the motion presented].

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At the invitation of Council President Blanchette, Attorney Boddy addressed the City Council Members in an effort to explain a legal opinion dated August 20, 2007.

Upon being granted the floor, Councilor Kolofoles discussed the manner which the amendments to the proposed FY 2008 Budget could be implemented.

Upon being granted the floor, Councilor Gosselin discussed the explanation offered by Attorney Boddy.

Upon being granted the floor, Councilor Alvarez-Rodriguez also discussed the implementation of amendments to the proposed FY 2008 Budget and the proper lawful manner of approach.

Upon being recognized, Councilor Kolofoles discussed vacation “buy back” amounts.

[Councilor Silva arrived at 7:20 p.m.]

Upon being recognized, Councilor Parolisi stated that he formally withdraws his prior motion to approve the FY 2008 Budget presented on August 16, 2007. He explained that the effect of withdrawal of the motion for approval of the FY 2008 Budget necessarily results in the removal of all amendments to this original motion that remained pending.

Upon being granted the floor, Councilor DiMarca discussed presenting a motion to approve the current FY 2007 Budget as an operating budget for the City of Lawrence in FY 2008.

Upon being recognized, Councilor Silva presented a motion to cut \$5 Million from the proposed FY 2008 Budget document.

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Upon being granted the floor, Councilor Parolisi discussed the budget and presented a motion to approve the proposed FY 2008 Budget as presented by the Mayor. The motion failed for lack of a second.

Upon being granted the floor, Councilor Kolofoles presented a motion to approve an FY 2008 Budget with a spending cap at \$38.9 million. The motion was seconded by Councilor Gosselin.

A discussion ensued between Councilor Kolofoles and Council President Blanchette regarding the levy limit and the impact that approval of Councilor Kolofoles' motion may have on the levy limit and ultimately upon the recap.

At the request of Councilor Kolofoles, City Assessor Joseph Giuffrida stated that the levy limit in 2007 was \$40,826,728.00 million and the proposed levy limit for 2008 is \$42,947,396.00 million. Councilor Kolofoles presented a motion to approve an FY 2008 budget based on last years FY 2007 Budget figures presented by City Assessor Giuffrida in the amount of \$40,826,728.00 reducing the proposed FY 2008 Budget presented by Mayor Sullivan in the amount of \$2,120,668.00 [docketed as vote no. 12; 8-20-07].

The motion was seconded by Councilor Gosselin and defeated by vote of the Council

Members present for lacking a required 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

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Upon the conclusion of the vote, a discussion ensued among Council Members regarding the actual 2007 levy limit.

Upon being granted the floor, Councilor Parolisi stated that if this motion passes, approximately \$2.1million would be reduced from the budget plus \$1.7million for a total reduction of \$3.8 million. He suggested that implementation of such a drastic reduction would not be feasible. A discussion ensued between Councilors Parolisi and Kolofoles concerning the matter.

Upon being recognized, Councilor Alvarez-Rodriguez discussed various methods by which budget cuts could be achieved.

Upon being recognized, Councilor Silva stated the school construction fund would not be impacted if Council did not vote to approve the FY 2008 Budget based upon the levy limit.

Councilor Alvarez-Rodriguez commented that monies from the school construction fund could possibly be used to reduce taxes.

Upon being granted the floor, Councilor DiMarca discussed difficulties he has with certain positions with the Lawrence Police Department and other City Departments that should be cut. He discussed details of his proposed reductions in an amount of approximately \$2.3 million.

[Council Vice President Frechette arrived at 7:50 p.m.]

Upon the arrival of Councilor Frechette, at 7:50 p.m., Council President Blanchette provided an update of the proceedings prior to his arrival.

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Upon being granted the floor, Councilor Silva discussed her efforts to calculate proposed cuts through her review of approximately 42% of the proposed FY 2008 Budget document and cited some specific examples of proposed cuts she would recommend.

Upon being recognized, Councilor Frechette stated that he believes Councilor Silva's comments about specific Departmental cuts are out of order.

Councilor Silva responded by stating that her efforts were focused upon cuts to specific line items appearing in the proposed FY 2008 Budget document submitted for consideration. She added that the City would realize a reduction of costs if the City Parking services were privatized. A discussion ensued among Council Members concerning proposed budget cuts being suggested by Councilor Silva.

Upon being granted the floor, Councilor Gosselin stated that the Council should respect each other during the budget discussions. Councilor Gosselin also discussed Councilor Kolofoles's proposal to cut approximately \$2 million dollars from the proposed FY 2008 Budget.

Upon being recognized, Councilor Alvarez-Rodriguez provided clarification of the 2007 FY levy limit and the impact that the sale of surplus City owned real property has upon the budget.

Councilor Gosselin discussed the possible use of the FY 2008 School Construction Funds to apply to the levy limit.

Council President Blanchette commented that the proposal requires \$3.2million be raised through the sale of surplus City owned real property.

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Councilor Gosselin continued to discuss the estimated \$3.2 million revenue that would result from the sale of surplus real property.

Upon inquiry by Council President Blanchette, Mayor Sullivan explained that if the budgetary reduction presented were approved then it would ultimately result in a cut of approximately \$4 million. The Mayor further explained that all reductions would be taken only from the City portion of the City Budget rather than the School Department portion of the City Budget which cannot be used. Mayor Sullivan continued by stating the reasons for submitting the proposed FY 2008 Budget for consideration and approval by the City Council Members. He cautioned that reductions to the proposed FY 2008 Budget submitted would seriously impact City services and operations.

Upon being recognized, Councilor Gosselin discussed and inquired about possible areas of cuts that may be implemented.

Upon being granted the floor, Councilor DiMarca discussed proposals he has been submitting to the Mayor for implementation which include, among other suggestions, the consolidation of offices and other methods of providing a more efficient delivery of municipal service.

Upon being granted the floor, Councilor Parolisi discussed the \$3.2 million revenues obtained from the sale of surplus City owned real property and indicated that the Department of Revenue [hereinafter DOR] has previously prohibited the use of funds obtained from this source to supplement the City Budget. At the request of Councilor Parolisi, City Comptroller David Camasso provided an explanation how approximately \$4 million of School Construction money could be accessed and applied to the City Budget.

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A discussion ensued between Councilors Alvarez-Rodriguez and Parolisi concerning the prohibition against using \$4million from the School Construction funds. Councilor Parolisi continued by asking Comptroller Camasso about the implementation of the proposed FY 2008 Budget as submitted.

Upon being granted the floor, Councilor Silva stated that she has confirmed that DOR would withhold 1.6 million dollars unless the City Council could present an FY 2008 Budget that was based upon the current levy limit.

Comptroller Camasso warned that City services would be decimated if the motion to approve the FY 2008 Budget were approved as proposed by Councilor Kolofoles.

Upon being granted the floor, Councilor Gonzalez discussed school transportation costs appearing in the proposed FY 2008 City Budget.

Upon being recognized, Councilor Alvarez-Rodriguez discussed and clarified “grant projects” that do not appear in the budget. She commented that the School Transportation bid presented was fair and reasonable and therefore, approved.

Upon being granted the floor, Councilor Kolofoles stated that he was amending his motion to approve the FY 2008 Budget to reflect that it approval would be based upon the FY 2007 levy amount of \$39,015,475.19. After a brief discussion with other Council Members on the proposed amendment, Councilor Kolofoles withdrew the proposed amendment.

Upon being granted the floor, Councilor Frechette stated that if revenues are not raised to the amount proposed by the Mayor, the Council Members should consider the impact of serious reductions would have upon the City of Lawrence. He also commented

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that the taxpayer will pay more in property taxes even under the proposal submitted by Councilor Kolofoles. He stated he would not support the motion for approval of the FY 2008 City Budget presented by Councilor Kolofoles.

Upon being granted the floor, Councilor Alvarez-Rodriguez discussed funds received from the state for educational costs and expenses for use in the City portion of the FY 2008 Budget. She then discussed her reason for supporting the motion presented.

Upon being granted the floor, Councilor Kolofoles discussed the proposed motion to approve the FY2008 Budget presented. He discussed the history of past and presented budget approvals.

Upon being granted the floor, Councilor Silva inquired about the proposed cuts she presented to the Council Members for approval on August 16, 2007.

In response, Council President Blanchette informed Councilor Silva that the proposed amendments were dissolved upon the withdrawal of the motion by Councilor Parolisi. He also commented that he believed there were inequities occurring within the prior City budget submitted and reviewed by the Budget and Finance Committee.

Upon being granted the floor, Councilor Frechette stated that there is no sense in presenting the impact on public safety through the Police Chief and Fire Department because the Councilors are not listening to their explanations and information.

Council President Blanchette discussed the motion presented and expressed his surprise that more meaningful discussions concerning the practicality of proposed budget cuts were not being presented which would require input concerning the impact of any proposed measure from the various Department Heads.. He discussed the total amount being

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proposed equals about 3.7 million dollars in cuts. He also stated that he cannot support the motion for approval of the FY 2008 Budget as because it will result in the elimination of current positions held by employees.

Upon being granted the floor, Councilor Gosselin stated that it is difficult to discuss possible cuts without the ability to obtain information that she has been unable to obtain. She suggested that the motion for approval of the FY 2008 Budget be withdrawn to allow the Mayor the opportunity to review the impact of any proposed cut or amendment would have upon the City and to allow the City Council Members to become better informed.

Upon being granted the floor, Councilor Parolisi stated that he agrees with Councilor Gosselin and suggested the measure should be defeated and allow the Mayor to come back to the Council with a viable compromise.

Upon being recognized, Councilor Gosselin asked how she could obtain financial information necessary to make an informed decision concerning financial matters being considered.

Upon being recognized, Councilor Parolisi presented a motion to adopt the FY 2008 Budget as submitted by Mayor Sullivan. The motion was seconded by Councilor Frechette and defeated by the Council Members present as follows. 2-Yes; 7-No

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

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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

XI. RECESS:

Upon Motion of Councilor Silva duly seconded by Councilor Alvarez-Rodriguez, the Council Members present voted unanimously [9-0] to recess.

**RECESS
(9:42p.m.)**

Attest:

William J. Maloney
City Clerk