

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

**DATE: Tuesday, September 18, 2007**

A **REGULAR MEETING** of the City Council was held on **Tuesday, September 18, 2007** at 7: 29 p.m. in the City Council Chamber with all Members present except for Councilor Gonzalez who arrived at 7:47 p.m.

Approximately Seventy-six [76] 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 Meeting conducted July 17, 2007 were submitted by the City Clerk for consideration and acceptance of the City Council Members.

Upon the motion of Councilor Parolisi to accept the minutes as presented duly seconded by Councilor Silva, the Council Members present voted unanimously [8-0] to accept the minutes.

**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:

Ana Rodriguez 15 East Haverhill Street, Lawrence, MA spoke in favor of the Lawrence Community Works award of 128 Newbury Street.

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Sandra Mouzon, 14 Orchard Street, Lawrence, MA, spoke in favor of Lawrence Community Works proposal to obtain the award of property located at 128 Newbury St. She stated she is an active Board Member of L.C.W.

James Coleman, 6 Shawsheen Court, Lawrence, MA spoke in favor of Mark Andrews for the position of Budget and Finance Director.

Attorney Albert Previte 98 Nesmith Street, Lawrence, MA, as Council to Antoine Karko, as a bidder of the real estate at 128 Newbury Street, spoke in favor of his client to be favorably considered by the Council Members for an award and disposition of 128 Newbury Street.

Mark Gray, 159 Carlton Street, Lawrence, MA, spoke of the difficulty of picking up and dropping off his children due to police cruisers being parked in the way near the school.

Lindy Galland, 196 West Street, Lawrence, MA, commended Councilor DiMarca, Councilor Gonzalez, Councilor Silva and Councilor Alvarez-Rodriguez who voted against taxes and for the poorer residents of Lawrence. She commented about the poor conditions of sidewalks and roadways in the City Of Lawrence and thanked Councilor DiMarca for making himself available to inspect her district.

**III. PUBLIC HEARINGS:** - None

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

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

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**VI. COMMITTEE REPORTS:**

**Doc. 252/04: Disposition – 8-10 Temple – affirmation of purchase – Housing Committee – Reaffirmed**

At the request of Council President Blanchette, Councilor Alvarez-Rodriguez presented the report of the Housing Committee to reaffirm the purchase of disposition 8-10 Temple Street. The report was presented in the form of a motion, seconded by Councilor Kolofoles and unanimously [8-1][Councilor Gonzalez being absent at the time the vote was recorded] approved by the Council Members present to provide a “confirmatory vote” to affirm the prior approval of the City Council for the transfer of real property as awarded to Emily Rollins who successfully bid on the property for a sale price of \$2,000.00.

**Doc. 252/04: Reaffirmed**

**Doc. 309/05: Disposition – 128 Newbury Street – Housing Committee - Awarded to Mr. Karko**

At the request of Council President Blanchette, Councilor Alvarez-Rodriguez presented the report of the Housing Committee to refer the disposition of 128 Newbury Street to the fully Council. The report was presented in the form of a motion and seconded by Councilor Silva.

Upon a call for discussion Councilor Alvarez-Rodriguez read a letter of Planning Director Michael Sweeney asking to remand the item back to the Housing Committee. Councilor Alvarez-Rodriguez informed the Council Members that she believes the matter should be remanded to the Housing Committee.

**[7:47 p.m. - Councilor Gonzalez arrived to the Council Meeting]**

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Upon being granted the floor, Councilor Kolofoles stated that the decisions of the Council are intended for the best interest of all the people of the City Of Lawrence. He stated that he took exception to the statements and characterizations contained in correspondence presented by Planning Director Sweeney's in a recent correspondence to the Council Members.

Upon being granted the floor, Councilor Silva stated she agrees with Attorney Albert Previte and believes the real property subject to the petition should be developed for business purpose. Councilor Silva commented that Mr. Karko is an exemplary liquor store owner and should be afforded the opportunity to own the property where the business is to be established.

Upon being granted the floor, Councilor Alvarez-Rodriguez discussed the reasons that she supports the plan submitted by or on behalf of Lawrence Community Works which proposes to construct housing at the property location at 128 Newbury Street.

Upon being granted the floor, Councilor DiMarca informed the Council Members present that he has asked the City Attorney to determine if there is a violation of Chapter 30B and that he was informed that there was no violation of the bidding laws in this matter.

Upon being recognized, Councilor Alvarez-Rodriguez stated she has not seen a written opinion on the matter presented by City Attorney Charles Boddy.

Upon being granted the floor, Councilor DiMarca reiterated that he is informed there is no violation of Chapter 30B.

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Upon being granted the floor, Councilor Kolofoles suggested that the area of Newbury Street should be re-zoned to residential if Lawrence Community Works intends to build more residences in an area that is zoned for business.

Upon being granted the floor, Councilor Frechette stated that he took exception to Attorney Armand Hyatt's allegation that certain Council Members have made their decision before the matter has been presented and voted upon. He stated that he is tired of being intimidated and challenged by non-profit groups and their supporters. Councilor Frechette stated that he makes his decisions based upon what he believes is best for the City of Lawrence. He stated that he supports the proposal and bid submitted by Mr. Karko.

Upon being granted the floor, Councilor Parolisi commended Lawrence Community Works for the work done on Newbury Street area and the Newton Street area as well as the work being done on the former St. Lawrence's School. Despite the commendable work done in the City of Lawrence by Lawrence Community Works he stated that he supports Mr. Karko's proposal and bid in this case.

Upon no further comments, discussion or inquiry by the Council Members present, Council President Blanchette called the motion for the approval of the bid and proposal submitted by Antoine Karko to the attention of the Council Members present who voted as follows:. 8-Yes; 1-No

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

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Councilor Silva – Yes  
Councilor Frechette – Yes  
Councilor Blanchette – Yes

**Doc. 309/05: Real Property Transfer to Mr. Karko Approved**

Councilor Parolisi presented a motion to take document #241/07 out of the order appearing on the agenda. The motion was duly seconded by Councilor Gonzalez and unanimously approved by the Council Members present [9-0].

**Doc. 241/07: Lawrence Retirement Board –to transfer its assets voluntarily to the Pension Reserves Investment Trust Fund in accordance with Governor Patrick’s Law Chapter 68 of the Acts of 2007 –John A. Neilon, Chairman – Approved- 30 days waived**

At the request of Council President Blanchette, Councilor Parolisi presented the report from the Budget and Finance Committed in the form of a motion to approve the Lawrence Retirement Board to transfer its assets voluntarily to the Pension Reserves Investment Trust Fund in accordance with Governor Patrick’s Law Chapter 68 of the Acts of 2007, which was duly seconded by Councilor Kolofoles and unanimously [9-0] voted upon by Council Members present. Upon no discussion Councilor Kolofoles presented a motion to waive the 30 days waiting period required by City Charter Section 3.8(a) as seconded by Councilor Alvarez-Rodriguez and unanimously [9-0] approved by the Council Members present.

**Doc. 241/07: Approved & 30 days waived**

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**Doc. 242/07: Appointment – Budget and Finance Director – Mark Andrews –  
Personnel Committee – Approved**

At the request of Council President Blanchette, Councilor Silva presented the report from the Personnel Committee in the form of a motion to appoint Mark Andrews as the Budget and Finance Director. The motion was seconded by Councilor Gonzalez.

Upon a call for discussion Councilor Kolofos spoke in favor of supporting Mark Andrews as Budget and Finance Director. He posed questions to Mr. Andrews regarding the Retirement Board. Councilor Kolofos stated that he favors approving Mr. Andrews.

Upon being granted the floor, Councilor Alvarez-Rodriguez stated that she received some communications from constituents offering objection to Mr. Andrews' appointment but can only decide based upon information presented before the Council. She posed questions to Mr. Andrews regarding his expertise and ability in public finance. Mr. Andrews discussed his experience in the State Legislature, City of Haverhill and his involvement with the approval of the Lawrence City Charter. Upon inquiry, he stated that he believes in the principles of the Lawrence City Charter and discussed the responsibilities assigned by the Executive and Legislative Branches.

Upon being granted the floor, Councilor Frechette recounted the financial seminars Mr. Andrews ran for the Council Members demonstrating his expertise and ability in the field of finance. Councilor Frechette posed questions concerning specific action necessary of the Budget and Finance Director concerning the Tax Recap and Tax Classification process.

Upon inquiry Mr. Andrews discussed the principles pertaining to G.A.S.B. 44 and G.A.S.B.45 financial procedures. Councilor Frechette discussed the need to understand the

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use of “free cash” better and asked that Mr. Andrews make an effort to explain and discuss

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how “free cash” operates in the City Of Lawrence. Upon inquiry Mr. Andrews discussed the capabilities and use of the MUNIS Systems currently in operation in the City Of Lawrence.

Upon being questioned by Councilor Kolofoles, Mr. Andrews discussed and explained the role of the City Comptroller in a municipality.

Upon being granted the floor, Councilor Silva commended Mr. Andrews for his responses and frankness during the interview process. Upon inquiry Mr. Andrews discussed his belief that operating the financial aspects of the City Of Lawrence is based upon “jobs”. He discussed his philosophy in regard to securing employment from industry through various methods. Mr. Andrews discussed the various aspects that make any city financially attractive to business and mentioned ways in which the City Of Lawrence could use these methods to improve the financial conditions and out-look of the city.

Upon being granted the floor, Councilor Gosselin stated that she is encouraged and looking forward to Mr. Andrews’ appointment as Budget and Finance Director. She stated she believes that Mr. Andrews is the next candidate for the position and his background as a native Lawrencian will prove to be a tremendous benefit to the City Of Lawrence.

Upon being granted the floor, Councilor DiMarca discussed the possibilities of implementing new growth business, consolidating services and being accountable. Mr. Andrews concurred.

Upon being granted the floor, Councilor Parolisi commented that the interview process was thorough and complete and left no doubt as to his abilities.

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Council President Blanchette wished Mr. Andrews luck if approved and hoped the Budget and Finance Department professionalized.

Upon no further comments, discussion or inquiry by the Council Members present, Council President Blanchette called the motion to the attention of the Council Members and the Council Members present voted unanimously [9-0] to appoint Mark Andrews as Budget and Finance Director.

**Doc. 242/07: Approved**

Councilor Parolisi presented a motion to remove Doc. 233/07 from the table to be addressed. Councilor Kolofoles second the motion and the Council Members present voted unanimously [9-0] to approve the motion.

**Doc. 233/07: DF Realty LLC – Airport property lease request – Approved**

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Budget & Finance Committee to approve the measure. The report was presented in the form of a motion and seconded by Councilor Parolisi.

Mike Miller, Airport Manager discussed the proposed airport property lease request subject to the petition.

Upon being recognized Councilor Kolofoles presented a motion to approve the item. The motion was seconded by Councilor Parolisi and the Council Members present voted unanimously [9-0] to approve DF Realty LLC-Airport property lease request.

**Doc. 233/07: Approved**

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**Doc.236/07: Appropriation – Request to pay FY 2007 Bills (Eagle Tribune-Ads-\$668.12-Advertising - William J. Maloney, City Clerk-Approved**

At the request of Council President Blanchette, Councilor Parolisi presented the report of the Budget & Finance Committee to approve the measure. The report was presented in the form of a motion seconded by Councilor Kolofoles and the Council Members present voted unanimously [9-0] to approve the City Clerk’s appropriation request to pay FY2007 bills [Eagle Tribune-Ads \$668.12-Advertising]

**Doc.236/07: Approved**

**At 9:34 p.m. Councilor Alvarez-Rodriguez presented a motion to recess the Council proceedings for 2 minutes which was duly seconded by Councilor Frechette and unanimously [9-0] voted upon by the Council Members present.**

**Councilor Parolisi presented a motion to come out of recess which was duly seconded by Councilor Frechette and unanimously [9-0] voted upon by the Council Members present.**

Councilor Parolisi presented a motion to remove Doc. 218/07 from the table which was seconded by Councilor Frechette and unanimously approved by the Council Members present [9-0]. Councilor Parolisi presented a motion to approve the item as seconded by Councilor Frechette.

**Doc. 218/07: Plymouth Park Tax Service LLC – Tabled**

Upon a call for discussion and inquiry by Councilor Gonzalez, Planning Director Sweeney stated there is not a current list of properties. He stated that the contract before Council is to sell “debt” to the agent to allow the company to pursue collections at a profit.

Council President Blanchette asked if the properties to be collected will then be approved by the City Council to render to the collection agency. Director Sweeney stated he does not believe that is correct.

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Upon being granted the floor, Councilor Kolofoles asked Director Sweeney how much debt is outstanding. Director Sweeney didn't know. Councilor Kolofoles inquired of Tax Collector, Patricia Cook how much outstanding debt is due to the City Treasurer. City Treasurer, Cook, stated that she needs to explain the amount that may be collectable. Treasurer Cook stated she has a list of all tax title properties.

Council President Blanchette stated the measure may need more information.

Upon being recognized Councilor DiMarca presented a motion to table the measure. The motion was seconded by Councilor Gosselin and the Council Members present voted as follows to table Doc. 218/07. 5-Yes; 4-No

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

Upon being recognized Councilor Frechette presented a motion to remove Doc. 218/07 off the table. The motion was seconded by Councilor Parolisi and the Council Members present defeated the motion by the following vote. 4-Yes; 5-No

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

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Councilor Silva – No  
 Councilor Frechette – Yes  
 Councilor Blanchette – Yes

**Doc. 218/07: Tabled**

**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- Counc. Silva
123/06	Revisiting Residency Requirements
34/07	Arlington Mills Smart Growth District – hearing held
228/07	Proclamation – Maggie Super Church
218/07	Plymouth Park Tax Service LLC
245/07	Appointment – Temporary Board of Registrars –William J. Maloney, City Clerk

**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:

244/07	Review Committee – establishment to review and update the process of our Budget- Councilor Gosselin – Ref. to B & F
248/07	Parking – 20 minutes – 253 South Union St. – Counc. Gosselin-Ref. to Ord
249/07	Stop Sign – School Street at the five point intersection – Counc. Kolofoles-Ref to Ord.
250/07	Stop Sign – Floral Street at the five point intersection – Counc. Kolofoles-Ref. to Ord.
251/07	Crossing Guards – review of status – Counc. Kolofoles – Ref. to Pers.
252/07	National Grid – request permission to locate poles, wires and fixtures on Merrimack St.- Ref. to Ord.
253/07	National Grid – request permission to place underground electric conduits on Concord St. Ref. to Ord.

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254/07            Handicapped Parking – 234 High Street – Counc. Alvarez-Rodriguez-Ref. to Ord.  
255/07            Dangerous conditions – 2 Fordham Road - sidewalk/street – Counc. Kolofoles – Ref. to  
Ord.

**XI. ADJOURNMENT:**

Upon Motion of Councilor Frechette duly seconded by Councilor DiMarca, the  
Council Members present voted unanimously to Adjourn.

**ADJOURNED**  
**(9:57p.m.)**

Attest:

William J. Maloney  
City Clerk