

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

**DATE: Tuesday, November 20, 2007**

A **REGULAR MEETING** of the City Council was held on **Tuesday, November 20, 2007** at 7: 09 p.m. in the City Council Chamber with all Members present.

Approximately Eight [8] 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 August 23, 2007, August 30, 2007, August 31, 2007, Sept. 5, 2007, Sept. 6, 2007, Sept. 18, 2007, October 2, 2007 and October 17, 2007 were submitted by the City Clerk for consideration and acceptance of the City Council Members.

Upon the motion of Councilor Alvarez-Rodriguez to accept the minutes as presented duly seconded by Councilor Parolisi, the Council Members present voted unanimously [9-0] 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:

Modesto Maldonado, 115 Spruce Street, Lawrence, MA asked for an investigation of candidate Fernandez's use of School Department equipment for political purposes. He commented that tax increases be defeated.

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Meghan Rouillard, 10 Strathmore Road, Brookline, MA spoke in favor of the “Homeowners and Bank Protection Act of 2007”. She spoke about the high foreclosure rate in Massachusetts. [Doc. 304/07]

Jennifer Getachew, 81 Bartlett Street, Somerville, MA also spoke in favor of the “Homeowners and Bank Protection Act of 2007” [Doc. 304/07].

### **III. PUBLIC HEARINGS:**

#### **Doc. 266/07: Building without a Permit – amend Ordinance Sec. 15.04.10 – proposed increase of fine from \$50.00 to \$200.00 – hearing held – Approved in the amount of \$100.00**

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.

Upon no 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.

Upon being granted the floor, Councilor Gosselin presented a motion to approve the item as seconded by Councilor DiMarca.

Upon a call for discussion Councilor Silva stated that she opposes the proposed increase of fees at a rate of 150%. She asked Building Inspector, Peter Blanchette if building inspectors actually inspect a roof on a petition to repair a roof [by way of example]. Inspector Blanchette responded by suggesting that the proposal was presented in light of area

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communities who charge more. He stated also that issuing a fine is discretionary and the intention is to make sure anyone performing construction or home repairs obtains the proper permit. Councilor Silva asked if there is any “follow up” inspections to completed repairs. Inspector Blanchette stated that although an inspector typically will not climb onto a roof to perform inspections, there is follow up to assure proper completion of the work performed. Councilor Silva proposed a friendly amendment to adjust the proposed fine from \$200.00 to \$100.00. Councilor Gosselin accepted the proposed amendment.

Upon being granted the floor, Councilor DiMarca stated he believes the \$200.00 fine is appropriate in order to discourage people from violating the ordinance.

Upon being granted the floor, Councilor Frechette stated that he agrees with Councilor DiMarca and that the “fee” is really a “fine” imposed upon those who violate the ordinance.

Upon being granted the floor, Councilor Alvarez-Rodriguez asked Inspector Blanchette to explain the purpose of the proposed ordinance. Inspector Blanchette discussed the reasons for the proposed amendment. A discussion ensued about the reserved discretion of each of the building inspectors if the fine is to be assessed.

Council President Blanchette discussed the general concern shared among the Council Members concerning fines assessed against home owners initiating their own repairs.

Upon being granted the floor, Councilor Kolofoles asked Inspector Blanchette about the origin of the proposed amount of \$200.00. Inspector Blanchette stated the amount was recommended through discussions with Building Commissioner Waldron. A discussion

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ensued regarding items that may or may not require a building permit. Inspector Blanchette stated that it is not unusual to find about 12 violations each month in the City of Lawrence. A discussion ensued regarding the current permit charges of \$7.00 per thousand and the minimum permit fee of \$35.00 currently charged by the Inspectional Services Department.

Upon no further discussion or comment offered by the Council Members present, Council President Blanchette closed the discussion portion of the hearing and called upon the Council Members present to consider the matter presented. Upon a motion to approve the measure as presented by Councilor Gosselin [with the agreed upon amendment attached] and duly seconded by Councilor DiMarca, the Council Members present voted to approve the measure as presented and amended as follows:

6-YES; 3-NO

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

**Doc. 266/07: Approved**

**IV: Communication from Mayor, City Officials & City Attorney: - None**

**VI. COMMITTEE REPORTS:**

Councilor Gosselin presented a motion to take document #280/07 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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**Doc. 280/07: Commercial Revitalization Deduction – Bagel Boy -485 South Union St. -  
B & F Committee – Approved**

At the request of Council President Blanchette, Councilor Parolisi presented the report of the Budget & Finance Committee. The report was presented in the form of a motion to approve the measure which was seconded by Councilor Alvarez-Rodriguez and unanimously approved by the Council Members present [9-0].

**Doc. 280/07: Approved**

**V. APPROPRIATIONS-ORDERS-RESOLUTION:**

Council President Blanchette called the following matter to the attention of the Council Members as appearing on the Agenda which was referred as indicated:

**Doc. 295/07: Appropriation Transfer—from Personal Services to Instructors-\$2,880.00—  
Bernard Reilly Council on Aging Director – Ref. to Budget and Finance**

**VI. COMMITTEE REPORTS:**

**Doc. 248/07: Parking – 253 South Union Street @ Fowler Street –  
20 minute – Ordinance Committee – Public Hearing Ordered**

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

**Doc. 248/07: Public Hearing Ordered**

**Doc. 264/07: Stop Sign - Sylvester Street – Ordinance Committee –  
Public Hearing Ordered**

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee recommending a public hearing be ordered to present the

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measure for consideration of the Council Members. 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. 264/07: Public Hearing Ordered**

**Doc. 279/07: National Grid – permission to locate poles, wires and fixtures on Franklin St.-Ord. Committee – Public Hearing Ordered**

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee recommending a public hearing be ordered to present the measure for consideration of the Council Members. 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. 279/07: Public Hearing Ordered**

**Doc. 283/07: Marion Avenue from Lawrence Street to dead end – proposal to permanently close public way - Ordinance Committee – Public Hearing Ordered**

At the request of Council President Blanchette, Councilor Kolofoles presented the report of the Ordinance Committee recommending a public hearing be ordered to present the measure for consideration of the Council Members. 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. 283/07: Public Hearing Ordered**

**VII. WITHDRAWALS:**

**Doc. 254/07: Handicapped Parking Sign – 234 High Street – Ordinance Committee – Ref. to Ordinance Committee**

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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 presented a motion to withdraw the item from the agenda. The motion fails for lack of a second.

Upon being recognized Councilor Alvarez-Rodriguez presented a motion to send the matter back to the Ordinance Committee. The motion was seconded by Councilor Silva and the Council Members present voted unanimously [9-0] to refer Doc. 254/07 back to the Ordinance Committee for further proceedings.

**Doc. 254/07: Ref. to Ord.**

### **VIII. COMMITTEE REPORTS:**

At the request of Council President Blanchette, Councilor Alvarez-Rodriguez presented the report concerning matters before the Housing Committee.

Upon the motion of Councilor Alvarez-Rodriguez, seconded by Councilor Kolofoles, the following items were unanimously approved by the Council Members present [9-0] to consider them as a block.

Upon the motion of Councilor Alvarez-Rodriguez, seconded by Councilor Kolofoles, the following items were declared surplus by unanimous vote of the Council Members present [9-0]:

**Doc. 289/07: Surplus Declarations–243 S. Broadway St.–Tax Map #119, Lot 53-  
Michael R. Sweeney-Planning Department Director-Declared Surplus**

**Doc. 290/07: Surplus Declarations- 135 Common Street -Tax Map #106, Lots 74, 75, 76  
& 77 – Michael R. Sweeney, Planning Department Director-Declared Surplus**

**Doc. 291/07: Surplus Declarations – 15 Center Street – Tax Map #173, Lot 47 –  
Michael R. Sweeney, Planning Department Director-Declared Surplus**

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**Doc. 292/07: Surplus Declarations – 7 Lowell Street –Tax Map #127, Lot 27 –Michael R. Sweeney, Planning Department Director-Declared Surplus**

**IX. OLD BUSINESS:** - None

**X. TABLED MATTERS:**

**Doc. 215/06: Good Citizenship Award – Mayor - Withdrawn**

Councilor Kolofoles presented a motion to remove the item from the table which was seconded by Councilor Alvarez-Rodriguez and unanimously approved by the Council Members present [9-0]. Councilor Kolofoles moved to withdraw the item from the Council Agenda which was seconded by Councilor Alvarez-Rodriguez and unanimously approved [9-0] by the Council Members present.

**Doc. 215/06: Withdrawn**

**Doc. 42/07: Lawrence Community Works – FY 2006 unpaid invoice - \$4,217.66 - Withdrawn**

Councilor Parolisi presented a motion to remove the item from the table which was seconded by Councilor Alvarez-Rodriguez and unanimously approved by the Council Members present [9-0]. Councilor Parolisi moved to withdraw the item from the Council Agenda which was seconded by Councilor Alvarez-Rodriguez and unanimously approved [9-0] by the Council Members present.

**Doc. 42/07: Withdrawn**

**Doc.245/07: Appointment – Temporary Board of Registrars –William J. Maloney, City Clerk - Withdrawn**

Councilor Alvarez-Rodriguez presented a motion to remove the item from the table which was seconded by Councilor Kolofoles and unanimously approved by the Council

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Members present [9-0]. Councilor Alvarez-Rodriguez moved to withdraw the item from the Council Agenda which was seconded by Councilor Kolofoles and unanimously approved [9-0] by the Council Members present.

**Doc. 245/07: Withdrawn**

**Doc. 34/07: Arlington Mills Smart Growth District – hearing held – Discussed – Removed from Table - Tabled**

A discussion ensued about proceedings and current status of this item among Council Members.

Councilor Frechette presented a motion to remove the item from the table which was seconded by Councilor Kolofoles and unanimously approved by the Council Members present [9-0].

Upon being granted the floor, Councilor Kolofoles discussed what he believed needed to be done. He discussed the procedural history of the item and stated that he believed the matter had to be approved by the Zoning Board.

Upon being recognized Councilor Parolisi presented a motion to table the item as seconded by Councilor Silva and the Council Members present voted unanimously [9-0] to table the item.

**Doc. 34/07: Discussed – Removed from Table - Tabled**

**Doc. 123/06: Revisiting Residency Requirements – Ref. to Ord.**

Councilor DiMarca presented a motion to remove the item from the table which was seconded by Councilor Gosselin and unanimously approved by the Council Members present [9-0].

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Councilor DiMarca presented a motion to send the item to the Ordinance Committee which was seconded by Councilor Alvarez-Rodriguez and the Council Members present voted to refer Doc. 123/06 to the Ordinance Committee for further proceedings by the following vote. 8-YES; 1-NO

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

**Doc. 123/06: Ref. to Ord.**

**Doc.107/07: Legal Pending Litigation and Claims against the Police Dept. and the City-Councilor Silva – Withdrawn**

Councilor Silva presented a motion to remove the item from the table which was seconded by Councilor Alvarez-Rodriguez and unanimously approved by the Council Members present [9-0]. Councilor Silva moved to withdraw the item from the Council Agenda which was seconded by Councilor Alvarez-Rodriguez and unanimously approved [9-0] by the Council Members present.

**Doc. 107/07: Withdrawn**

**XI. TABLED MATTER**

60/06	Zoning Board of Appeals, Planning Bd., Lawrence Redevelopment Auth. & Conservation Commission – hearing held
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?
46/07	Sign Ordinance –new sign – discussion-Peter Blanchette, Building Inspector
14/07	Temporary Appointments- proposed amendments to Section 2.04.081 of the Municipal Code
228/07	Proclamation – Maggie Super Church

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288/07 Traffic and Public Safety – 5 corners (Floral, School, Hancock, Doyle Streets  
and Oregon Avenue  
13/06 Parking Garage- new High School site

## **XII. 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:

296/07 Home Rule Petition for Voter ID – Counc. Gosselin – Ref. to Ord.  
297/07 Disclosure of Financial Interest by Municipal Employee – Frank Martin, LFD  
Captain – Ref. to Ord.  
298/07 National Grid and Verizon New England, Inc. – request permission to locate poles, wires  
and fixtures on Shawsheen Road – Ref. to Ord.  
299/07 National Grid – request permission to place underground electric conduits on Concord St.  
- Ref. to Ord.  
300/07 FY 2008 Tax Recapitulation – Mark Andrews, Budget and Finance Director – Ref. to  
Budget and Finance  
301/07 FY 2008 Tax Classification Factor – Joseph Giuffrida, Board of Assessors Chairman –  
Ref. to B & F  
302/07 Downtown Parking Lots – city lot on Common Street (adjacent to City Hall) and city lot  
on Essex Street (behind Superior Court) – Parking Ordinance - Counc. Kolofoles – Ref.  
to Ord.  
303/07 New Telephone System – to be discussed – Counc. Kolofoles – Ref. to Ord.  
304/07 Owners and Bank Protection Act of 2007 – LaRouche Political Action Comm. – Ref. to  
Housing

### **Items added during Meeting [proceedings noted above]**

289/07 Surplus Declarations–243 S. Broadway St.–Tax Map #119, Lot 53-Michael R. Sweeney-  
Planning Department Director – Declared Surplus  
290/07 Surplus Declarations- 135 Common Street -Tax Map #106, Lots 74, 75, 76 & 77 –  
Michael R. Sweeney, Planning Department Director – Declared Surplus  
291/07 Surplus Declarations – 15 Center Street – Tax Map #173, Lot 47 – Michael R. Sweeney,  
Planning Department Director – Declared Surplus  
292/07 Surplus Declarations – 7 Lowell Street –Tax Map #127, Lot 27 –Michael R. Sweeney,  
Planning Department Director – Declared Surplus

## **XIII. ADJOURNMENT:**

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

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

Attest:

William J. Maloney  
City Clerk