

CITY OF LYNN

Regular City Council Meeting, December 18, 2012
Council President Timothy Phelan Presiding

Eleven Councillors Present

Moment of Silence. Council President Phelan asked Father Rossi from St. Pius Church to say a few words in remembrance of the children and adults from the Sandy Hook Elementary School in Newtown, Connecticut.

Pledge of Allegiance.

COMMUNICATIONS:

Communication from Her Honor the Mayor:

Dear Councilors:

I am hereby appointing Mr. Lester McClain to replace Mr. George Meimeteas on the Lynn Council on Aging. Mr. McLain's term is effective immediately and will expire on August 9, 2018. Sincerely, Judith Flanagan Kennedy, Mayor

Motion made by Councillor Colucci and seconded by Councillor Crighton to suspend the rules to appoint Lester McClain to the Lynn Council on Aging, effective immediately and will expire on August 9, 2018.

Motion carried by the following yea and nay vote:

11 YES 0 NO

PUBLIC HEARINGS:

Abandonment of a Portion of Land Along Saunders Road at 78 and 82 Saunders Road.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

Council President Phelan asked the Clerk to read in the records a letter from the Planning Board.

Motion made by Councillor Lozzi and seconded by Councillor Trahan to grant.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Public Hearing relative to An Ordinance Amending the Zone Ordinance of the City of Lynn ("Medical Marijuana Treatment Center").

The following appeared in Favor:

Chief Kevin Coppinger, Lynn Police Department

Cassandra Foley, Girls, Inc.

Three girls spoke from Girls, Inc.

Bob Connolly, Lynn

Jennis Diaz, Lynn

Stephanie Hardy, Lynn

The following appeared in Opposition:

Michael Fortarianno, Lynn

Public Hearing Closed.

Council President Phelan asked the Clerk to read in the records a letter from the Planning Board.

Motion made by Councillor Cahill and seconded by Councillor Crighton to TABLE.

Motion carried by the following yea and nay vote:

8 YES 3 NO (Councillor Cyr, Lozzi and Trahan voting NO).

Public Hearing for a \$4 Million Dollar Bond Order Relative to the Following:

Project	Cost
Barry Park Field Reconfiguration and Improvements	\$75,000
Breed Park Courts	\$150,000
City Hall Flag Pole	\$20,000
City Hall Servers and Fiber Optics	\$350,000
City Hall Steps	\$250,000
Clark St Playground	\$50,000
Cook St Playground	\$60,000
Frasier Field Roof	\$390,000
Frasier Field Turf	\$200,000
Frey Playground and Courts	\$60,000
Gallagher Playground and Courts	\$98,000
Grand Army of the Republic Museum Façade	\$150,000
Lynn Commons Bandstand Rehabilitation	\$225,000
Lynn Commons Fountain Repairs	\$75,000
Lynn Memorial Auditorium Air Conditioning	\$600,000
Lynn Woods Entrance Rest Rooms	\$100,000
Magnolia Playground and Courts	\$50,000
McManus Field	\$400,000
Misc. School Repairs	50,000
Protective Office Glass Barriers	\$75,000
Sagamore St Playground	\$50,000
Seaport Marina Repairs and Wave Attenuator	\$500,000
Sheridan St Playground	22,000

The following appeared in Favor:

Mayor Judith Flanagan Kennedy

(Mayor Kennedy asked that a friendly amendment be added that if there were monies left over from any under-budget project and/or projects paid by funds elsewhere, to allow for excess allocations be used for other projects necessary throughout the city.)

Steve Babbit, 31 Manson Street, Lynn
 Ralph Sevinor, Lynn Chambers
 Jeff Crosby, Lynn
 Ron Mendez, Lynn
 Representative from Lynn Youth Organization Network (LYON)
 Michael Fontariano, Lynn
 Sheldon Pastor, Highlands Coalition
 Resident of Lynn (did not state name)
 Chief Kevin Coppinger, Lynn Police Department
 Dan Small, Park Ranger
 Bill Devin, Lynn Classical Athletic Director
 Charlie Gallo, Lynn School Committee
 Brant Duncan, Commonwealth Road, Lynn / Teacher
 Dexter Bishop, GAR
 Karen Thompson, Lynn Park Woman's Softball Association
 Colt Mallet, Lynn Park Men's Softball Association
 Seth Albaum, Lynn
 Dan Richards, Lynn
 Bob Mathius, GAR
 Jim Gangi, GAR Trustee
 Bill Terlecky, North Shore Navigators
 Katrina Panagiotakis, Lynn Historical Commission
 Corey Jackson, Lynn
 Jack Suslak, Lynn
 David Gass, Highlands Coalition
 Jeff Bryd, Lynn
 Joel Henderson, East Lynn Pop Warner
 David Dorgan, Lynn Shore Little League
 Tony Luciano, Wyoma Little League
 Resident, Cook Street

Motion made by Councillor Cahill and seconded by Councillor Colucci to grant.

Discussion:

Councillor Crighton stated that he also received letters of support from Catherine Lyons, GE-Aviation Customer Support Manager; Rolf Flor, Lynn; Tim Ferrari, Jr., Director of Project Y.E.S; Domenic Finelli, Cross Country Coach at St. Mary's of Lynn; Mike Toomey, Friends of Lynn Woods Board of Directors; Kristina Racek Pechulis, Esq., Director of Lynn Food and Fitness/Mass in Motion Coordinator; Stephen Hirsch, Lynn; Kaoeu Hirsch, Lynn; Doris Hirsch, Lynn; and Ryan O'Neil, Lynn.

Motion made by Councillor Cyr and seconded by Councillor Trahant to amend the Bond Order to include an additional \$350,000 for: Williams Avenue Park (\$75,000); increase \$50,000 to the Clark Street Playground (for a total of \$150,000); Kiley Park (\$150,000); and Goldfish Pond (\$25,000).

Motion FAILED by the following yea and nay vote:

7 NO 4 YES (Councillors Cyr, Lozzi, Phelan and Trahant voting YES).

Motion made by Councillor Trahant and seconded by Councillor Cyr to amend the Bond Order to include \$171,000 to remove the asbestos from the various Lynn Firehouse.

Motion FAILED by the following yea and nay vote:

7 NO 4 YES (Councillors Cyr, Lozzi, Phelan and Trahant voting YES).

Motion made by Councillor Trahant and seconded by Councillor Cyr to amend the bond Order to include \$175,000 for interior locks at the various schools.

Motion FAILED by the following yea and nay vote:

6 NO 5 YES (Councillors Colucci, Cyr, Lozzi, Phelan and Trahant voting YES).

Motion made by Councillor Trahant and seconded by Councillor Cyr to amend the Bond Order to include \$43,000 for the Babe Ruth Complex (Bowser Field).

Motion FAILED by the following yea and nay vote:

7 NO 4 YES (Councillors Cyr, Lozzi, Phelan and Trahant voting YES).

Motion made by Councillor Trahant and seconded by Councillor Cyr to amend the Bond Order to include \$120,000 for Keaney Park Field Improvements.

Motion FAILED by the following yea and nay vote:

7 NO 4 YES (Councillors Cyr, Lozzi, Phelan and Trahant voting YES).

Motion made by Councillor Lozzi and seconded by Councillor Trahant to amend the bond Order to include \$350,000 for Gowdy Park, Magnolia Park, Lynn Woods Park and Wyoma Little League /Major Field.

Motion FAILED by the following yea and nay vote:

7 NO 4 YES (Councillors Cyr, Lozzi, Phelan and Trahant voting YES).

Motion made by Councillor Cahill to add an amendment to the Bond Order that if the City of Lynn receives additional funding or grants for any of the projects, the Mayor can utilize unexpended bond funds on capital improvements throughout the City at her discretion. Friendly amendment added by Councillor Cyr to include "with a strong recommendation that the Mayor consider funding the proposed amendments for projects made at the December 18, 2012 meeting.

Motion carried by the following yea and nay vote:

11 YES 0 NO

ROLL CALL ON THE BOND ORDER AS AMENDED.

11 YES 0 NO

PUBLIC HEARINGS TO BE SET DOWN:

-Petition of Arthur Argeros, Argeros Realty Trust, for a food establishment with Roast Beef and Sub Sandwiches at 50 Western Avenue, Unit 5. Hours of operation 11 a.m. to 11 p.m. Sunday – Saturday. (Trahan)

Motion made by Councillor Colucci and seconded by Councillor Lozzi to set down for Public Hearing.

Motion carried by the following yea and nay vote:

11 YES 0 NO

UNFINISHED BUSINESS:

Renewable Energy Committee Report of December 11, 2012:

ORDERED that her Honor the Mayor is hereby authorized to execute a twenty (20) year contract with Trane USA to perform energy efficient projects pursuant to M.G.L. c. 25A.

Motion made by Councillor Lozzi and seconded by Councillor Cahill to grant.

Motion carried by the following yea and nay vote:

11 YES 0 NO

COMMITTEE REPORTS:

Report of the December 18, 2012 Committee on Finance recommending the following to be accepted:

Ordered that the following Transfers be made:

From the Account of Fire Department Expense: \$3,770.47

And From Reserve Account: \$4,221.75

To the Account of Fire Dept. Prior Year: \$7,992.22

Councillor Colucci attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a Financial Transfer from the Account of Fire Department Expense \$3,770.47 and from the Reserve in the amount of \$4,221.75 to the Account of Fire Department Prior Years in the amount of \$7,992.22.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

From the Account of Aide to Councilors – Unclassified:

To the Account of Aide to Councilors – HR Comm. Clerk: \$5,000.00

Councillor Colucci attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a Financial Transfer from the Account of Aide – Unclassified to Councilors to the Account of Aide to Councilors – HR Commission Clerk in the amount of \$5,000.00.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

From the Reserve Account:

To the IT Department Rent & Lease Expense: \$75,000.00

Councillor Colucci attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a Financial Transfer from the Reserve Account of the IT Department Rent and Lease Expense in the amount of \$75,000.00.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

From the Account of Commissions Expense:

To the Account of Aide to Councilors – HR Comm. Clerk: \$600.00

Councillor Colucci attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a Financial Transfer from the Account of Commission Expense to the Account of Aide to Councilors – HR Commission Clerk in the amount of \$600.00.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following yea and nay vote:

11 YES 0 NO

Emergency Order was then adopted by the following yea and nay vote:

11 YES 0 NO

Motion made by Councillor Ford and seconded by Councillor Cahill to adjourn.

Motion carried.

Notice of this meeting was posted in the City Clerk's Office at least forty-eight (48) hours in advance.

A True Copy Attest:

CITY CLERK