

CITY OF LYNN

**Regular City Council Meeting – January 20, 2015
Council President Daniel F. Cahill, Presiding**

**Eleven Councillors Present
Pledge of Allegiance**

**Motion made by Councillor Colucci and seconded by Councillor Ford to accept the Meeting Minutes of January 13, 2015.
Motion carried.**

PUBLIC HEARINGS:

Public Hearing on a Proposed Ordinance Amending the City of Lynn Zone Ordinance to include Floodplain Districts, Amending Section 9 of the Parking Regulations, Amending Use Provisions Pertaining to the Central Business District and the Washington Street Corridor/Sagamore Hill Overlay District.

The following appeared in Favor:

A.J. Capano, 101 North Common Street, Lynn

Emily Ruddock, Director, Downtown Lynn Cultural District

Seth Album, 7 Central Square #303, Lynn

No one appeared in Opposition.

Public Hearing Closed.

Council President Cahill informed the Council that prior to the Council Meeting, the Lynn Planning Board took a vote to approve the Amendment to the Zone Ordinance to Include Floodplain Districts, Amending Section 9 of the Parking Regulations, amending Use Provisions Pertaining to Central Business District and the Washington Street Corridor/ Sagamore Hill Overlay District.

Motion made by Councilor Crighton and seconded by Councilor Cyr to grant.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Public Hearing relative to a proposal to establish a Housing Development Zone (HD Zone) as part of the Commonwealth of Massachusetts' Housing Development Incentive Program (HDIP). Representatives from the Metropolitan Area Planning Council (MAPC) will offer a presentation regarding the HD Zone and the benefits of said designation. HDIP encourages developers to create market-rate housing in a city-designated zone. The HDIP, established as Massachusetts General Laws Chapter 40V, provides Gateway Cities with a development tool to increase residential growth, expand diversity of housing stock, support economic development, and promote

neighborhood stabilization in designated areas. The program provides two tax incentives to developers to undertake substantial rehabilitation of properties for lease or sales multi-unit market housing. The Central Business District, the Downtown, Waterfront, new Marshall Middle School site, and the neighborhoods that surround these areas are included in the proposed HD Zone. A map of the proposed HD Zone is available for inspection during normal City Hall hours at the City Clerk's Office, Room 203, Lynn City Hall, 3 City Hall Square, Lynn, MA 01901. The HD Zone encompasses generally the areas from the Lynn/Saugus line and land east of Western Avenue to the Waterfront, extending northerly towards Chestnut Street, to Essex Street to Eastern Avenue to the waterfront. Comments will be accepted in writing, in advance of the hearing, at the Lynn City Council Office, Room 408, Lynn City Hall, 3 City Hall Sq., Lynn, MA 01901. All persons interested in presenting public comment at the meeting are welcomed to attend.

The following appeared in Favor:

Manisha Gadia Bewtra, Senior Regional Planner, Metropolitan Area Planning Council

Emily Ruddock, Director, Downtown Lynn Cultural District

Jeff Wheaton, Lynn Housing Authority and Neighborhood Development (LHAND)

Seth Album, 7 Central Square #303, Lynn

No one appeared in Opposition.

Public Hearing Closed.

Council President Cahill stated that "Letters of Support" were received from the Lynn Housing Authority and Neighborhood Development, the Economic Development Industrial Corp., and the Hall Company.

Motion made by Councilor Crighton and seconded by Councilor Trahant to order that the City of Lynn hereby establishes Housing Development and Incentive Program HD Zone as permitted by Massachusetts General Laws Chapter 40V. Further Ordered that the City of Lynn hereby approves the Housing Development (HD) Zone Plan for the City of Lynn and authorizes and forwards said HD Zone Plan for certification to the Massachusetts Department of Housing and Community Development (DHCD) for its approval and endorsement. Further Ordered that the HD Zone shall encompass the area delineated in the Housing Zone Plan dated December, 2014.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Petition of Comcast, Timothy Broderick, for permission to place from existing manhole on Silsbee Street, (1) 4" PVC conduit 20'+/- in a Southwesterly direction to property at 270 Union Street.

The following appeared in Favor:

Tim Broderick, Comcast

No one appeared in Favor.

Public Hearing Closed.

Motion made by Councilor Colucci and seconded by Councilor Net to grant the prayer of the Petition.

Motion carried by the following yea and nay vote:

11 YES 0 NO

PUBLIC HEARINGS TO BE SET DOWN

-A Starr Auto Sales, Bernardino Duprey, for permission for a 2nd Class Dealer's License at 1117 Western Avenue.

Motion made by Councilor Colucci and seconded by Councilor Capano to set down for Public Hearing.

Motion carried.

UNFINISHED BUSINESS:

Public Property and Parks Committee Report of January 13, 2015:

Ordered that the Mayor be authorized to execute Deeds and any other documents required by the Law Department to convey title for nominal consideration to the following lots to the following individuals:

Lot 1 containing 366 +/- sq. ft. to be conveyed for nominal consideration to Nancy and Richard DiFillipo Trustees, DiFillipo Family Trust, 163 Blossom Street, Lynn, Massachusetts. Said Lot 1 to be combined with 163 Blossom Street creating one continuous lot containing 4,726 +/- sq. ft. pursuant to a plan entitled Subdivision of Land prepared for the City of Lynn Blossom Street, by Ralph Reid Land Surveyors, 365 Chatham Street, Lynn, Massachusetts, dated September 25, 2014.

Lot 2 containing 361 +/- sq. ft. to be conveyed for nominal consideration to Nancy and Richard DiFillipo, Trustees, DiFillipo Family Trust, 163 Blossom Street, Lynn, Massachusetts. Said Lot 2 is to be combined with 159 Blossom Street creating one continuous lot containing 4,711 +/- sq. ft. pursuant to a Plan entitled Subdivision of Land prepared for the City of Lynn Blossom Street, by Ralph Reid Land Surveyors, 365 Chatham Street, Lynn, Massachusetts, dated September 25, 2014.

Lot 3 containing 334 +/- sq. ft. to be conveyed for nominal consideration to Lucia DeFillippis, Trustee, Paco Trust, 88-92 Harbor Street, Lynn, Massachusetts. Said Lot 3 is to be combined with 88-92 Harbor Street creating one continuous lot containing 4,651 +/- sq. ft. pursuant to a Plan entitled Subdivision of Land prepared for the City of Lynn Blossom Street, by Ralph Reid Land Surveyors, 365 Chatham Street, Lynn, Massachusetts, dated September 25, 2014.

Motion made by Councilor Colucci and seconded by Councilor Capano to grant.

Motion carried by the following yea and nay vote:

11 YES 0 NO

COMMITTEE REPORTS:**Report of the January 20, 2015 Committee on Ways and Means recommending the following to be accepted:**

Ordered that the City Comptroller take the following actions:

Transfer the sum of Thirty Five Thousand Dollars and Zero Cents (\$35,000.00) from the Reserve Account to the DPW/Parks Expense Account.

Councillor Net 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 in the amount of Thirty Five Thousand Dollars and Zero Cents (\$35,000.00) from the Reserve Account to the DPW/Parks Expense Account.

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

Transfer the sum of Forty Eight Thousand One Hundred Dollars and Zero Cents (\$48,100.00) from the Parking Meter Receipts Account to the Parking Expense Outside Professional \$45,600.00 and Parking Expense/Office Supplies \$2,500.00.

Councillor Net 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 in the amount of Forty Eight Thousand One Hundred Dollars and Zero Cents (\$48,100.00) from the Parking Meter Receipts Account to the Parking Expense Outside Professional \$45,600.00 and Parking Expense/Office Supplies \$2,500.00.

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

Establish an account for the purposes of the city's revenue of the on-going sale of authorized overflow bags that are now in use with the new trash program. This account (Revolving Fund) will have no restrictions and spending is at the discretion of the Mayor/CFO. This account is intended to provide aid for the education of proper trash and recycling procedures in the City of Lynn.

Councillor Net 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 Order to Establish an account for the purposes of the city's revenue of the on-going sale of authorized overflow bags that are now in use with the new trash program. This account (Revolving Fund) will have no restrictions and spending is at the discretion of the Mayor/CFO. This account is intended to provide aid for the education of proper trash and recycling procedures in the City of Lynn.

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

Establish an account for the purposes of the city's revenue of the on-going sales of the refuse and recycle carts that are now in use with the new trash program. This account (Revolving Fund) will have no restrictions and spending is at the discretion of the Mayor/CFO. This account is intended to provide aid for the education of proper trash and recycling procedures in the City of Lynn.

Councillor Net 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 order to Establish an account for the purposes of the city's revenue of the on-going sales of the refuse and recycle carts that are now in use with the new trash program. This account (Revolving Fund) will have no restrictions and spending is at the discretion of the Mayor/CFO. This account is intended to provide aid for the education of proper trash and recycling procedures in the City of Lynn.

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

Transfer the sum of One Thousand Two Hundred Eighty Four Dollars and Six Cents (\$1,284.06) from the account of Fire Expense to the Account of Fire Bills of Prior Year.

Councillor Net 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 in the amount of One Thousand Two Hundred Eighty Four Dollars and Six Cents (\$1,284.06) from the account of Fire Expense to the Account of Fire Bills of Prior Year.

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

Certify as an "Available Fund" the amount of Seven Hundred Forty One Thousand Nine Hundred Fifty Five Dollars and Zero Cents (\$741,955.00) as allotted to the City of Lynn to increase original allotment of One Million Four Hundred Eighty Three Thousand Nine Hundred and Nine Dollars and Zero Cents (\$1,483,909.00) to Two Million Two Hundred Twenty Five Thousand Eight Hundred and Sixty Four Dollars and Zero Cents (\$2,224,864.00) by Transportation Bond Bill Chapter 291D of the Acts of 2015 for FY15.

Councillor Net 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 order certifying as an "Available Fund" the amount of Seven Hundred Forty One Thousand Nine Hundred Fifty Five Dollars and Zero Cents (\$741,955.00) as allotted to the City of Lynn to increase original allotment of One Million Four Hundred Eighty Three Thousand Nine Hundred and Nine Dollars and Zero Cents (\$1,483,909.00) to Two Million Two Hundred Twenty Five Thousand Eight Hundred and Sixty Four Dollars and Zero Cents (\$2,224,864.00) by Transportation Bond Bill Chapter 291D of the Acts of 2015 for FY15.

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

Certify as an "Available Fund" the amount of One Million Five Hundred Sixty Thousand Four Hundred Eighty Four Dollars and Zero Cents (\$1,560,484.00) as allotted to the City of Lynn by Transportation Bond Bill Chapter 291D FY09 One Million One Hundred Fifty One Thousand One Hundred Fifty Four Dollars and Zero Cents (\$1,151,154.00) along with miscellaneous projects Four Hundred Nine Thousand Three Hundred Thirty Dollars and Zero Cents (\$409,330.00) previously not accounted for.

Councillor Net 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 certifying as an “Available Fund” the amount of One Million Five Hundred Sixty Thousand Four Hundred Eighty Four Dollars and Zero Cents (\$1,560,484.00) as allotted to the City of Lynn by Transportation Bond Bill Chapter 291D FY09 One Million One Hundred Fifty One Thousand One Hundred Fifty Four Dollars and Zero Cents (\$1,151,154.00) along with miscellaneous projects Four Hundred Nine Thousand Three Hundred Thirty Dollars and Zero Cents (\$409,330.00) previously not accounted for.

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

NEW BUSINESS:

Motion made by Councilor Cyr and seconded by Councilor Ford to present the following Resolution declaring February 8, 2015 “Bob Seibel Day”.

Motion carried.

RESOLUTION/ CYR

RESOLVED / that February 8, 2015 is hereby declared to be Bob Seibal Day in the City of Lynn. Bob has been a tireless supporter of charitable endeavors in the City of Lynn and has generously donated his time and comedic talents to numerous worthwhile causes throughout his career. Bob was instrumental in ensuring that the 2000 MILLYNNIUM celebration in 2000 was a resounding success. The City of Lynn wishes to thank Bob for all of his commitment dedication to charitable causes for more than three decades. Bob Seibal is a comedic genius and a true Lynner and the City is proud to call him as one of our own.

Motion made by Councillor Colucci and seconded by Councillor Barton to adjourn.

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

