

**CITY OF LYNN**

**Regular City Council Meeting – February 10, 2015  
Council President Daniel F. Cahill, Presiding**

**Nine Councilors Present (Councilor Net and Councilor Trahant absent).  
Moment of Silence. Councilor Crighton asked that Frank Valeri be remembered  
in their prayers.**

**Pledge of Allegiance**

**Motion made by Councilor Colucci and seconded by Councilor Capano to accept  
the Meeting Minutes of January 20, 2015.**

**Motion carried.**

**Council President Cahill announced that Councilor Net was in the Council Office  
earlier, however he did not feel well and went home and that Councilor Trahant  
was plowing.**

**PUBLIC HEARINGS:**

Petition of A Starr Auto Sales, Bernadino Duprey, for permission for a 2<sup>nd</sup> Class Dealer's  
license at 1117B Western Avenue.

The following appeared in Favor:

Bernadino Duprey, Owner

No one appeared in Opposition.

Public Hearing Closed.

**Motion made by Councilor Capano and seconded by Councilor Colucci to grant  
the prayer of the Petitioner.**

**Motion carried by the following yea and nay vote:**

**9 YES 0 NO (Councilor Net and Councilor Trahant absent).**

Petition of Moka Coffee Company, DBA Café Moka, Yakov Tseitlin, for permission for a  
Restaurant with an All Alcohol License at 56 Central Avenue.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

**Motion made by Councilor Chakoutis and seconded by Councilor Colucci to grant  
the prayer of the Petitioner.**

**Motion carried by the following yea and nay vote:**

**9 YES 0 NO (Councilor Net and Councilor Trahant absent).**

Petition of Soriya Market, Suy Hean Khy, for permission for a sign permit at 551 Summer Street.

The following appeared in Favor:

Louis Francis, Sign Contractor

No one appeared in Opposition.

Public Hearing Closed.

**Motion made by Councilor Ford and seconded by Councilor Crighton to grant the prayer of the Petitioner.**

**Motion carried by the following yea and nay vote:**

**9 YES 0 NO (Councilor Net and Councilor Trahan absent).**

Petition of Comcast, Timothy Broderick, for permission to install from existing manhole at intersection of Oxford Street & Washington Street, place (1) 4" pvc conduit 200' +/- in a Southwesterly direction down Washington Street and place vault in sidewalk at rear of 10-20 Central Avenue and 130 Munroe Street. From new vault, place (2) 4" pvc conduits 10' +/- in a Northerly direction to properties of 10-20 Central Avenue & 130 Munroe Street.

The following appeared in Favor:

Timothy Broderick

No one appeared in Opposition.

Public Hearing Closed.

**Motion made by Councilor Chakoutis and seconded by Councilor Colucci to grant the prayer of the Petitioner with the stipulations issued by the DPW and that it be repaved curb to curb and to be put back in same condition.**

**Motion carried by the following yea and nay vote:**

**9 YES 0 NO (Councilor Net and Councilor Trahan absent).**

### **PUBLIC HEARINGS TO BE SET DOWN:**

-Petition of Fiesta Shows, Eugene Dean, for permission for a carnival for Fourth of July Fireworks at Keaney Park, 50 Goodrich Street. (English), June 3-7, 2015.

-Petition of Fiesta Shows, Eugene Dean, for permission for a carnival for Fourth of July Fireworks at McManus Park-Lynn Tech, May 6-10, 2015

-Petition of Walnut Street Coffee Café, James Chalmers, for permission for an All Alcohol license at 157 Walnut Street where Wine & Malt License is currently there.

-Petition of Chatham Laundry, Gary Pezzulo, for permission for a change of use from Commercial to Residential (Tear down existing structure for new Residential Construction (3 Units) at 294 Chatham Street.

-Petition of El Tropical Restaurant, Luis Ortiz, for permission for Beer & Wine License at existing restaurant at 429 Lynnway.

-Petition of Comcast, Timothy Broderick, for permission to place from existing vault/manhole at 39 Buffum Street, (1) 4" pvc conduit 120' +/- in an Easterly direction to property of 9 Buffum Street.

-Petition of Comcast, Timothy Broderick, for permission to place from existing vault/manhole at corner of Oxford Street and Washington Street, (2) 4" pvc conduits 310' +/- in a Northwesterly direction up Washington Street to Central Avenue to Andrew Street & place new manhole on Andrew Street. From new manhole place (2) 4" pvc conduits 480' +/- Southwesterly on Andrew Street to existing vault/manhole on Andrew Street near intersection of Market Street. Continue from existing vault/manhole on Andrew Street & place (2) 4" pvc conduits 365' +/- southwesterly on Andrew Street, southeasterly on Market Street and then Southwesterly on State Street to existing vault/manhole on State Street. From existing vault/manhole on State Street, place (1) 4" pvc conduit 70' +/- in a southerly direction to property of 2 State Street.

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

**Motion carried.**

## **COMMITTEE REPORTS:**

### **Report of the February 10, 2015 Committee on Public Works recommending the following to be accepted:**

1. Discussion re: Winter Operations / Snow Storms

**2. OTHER BUSINESS:  
REPORT ACCEPTED.**

### **Report of the February 10, 2015 Committee on Ordinance and Rules recommending the following to be accepted:**

1. Discussion re: Demolitions / Lynn Historical Commission

### **TO BE SET DOWN FOR PUBLIC HEARINGS:**

2. A Proposed Ordinance Amending a Portion of the Zone Map of the City of Lynn and Zone Ordinance of the City of Lynn (Boston Street/Site Plan Review) – **Granted to be Set Down for Public Hearing**
3. A Proposed Ordinance Amending a Portion of the Zone Map of the City of Lynn and Zone Ordinance of the City of Lynn. (Waterfront Zone 3 District). – **Granted to be Set Down for Public Hearing**

**4. OTHER BUSINESS:  
REPORT ACCEPTED.**

**Report of the February 10, 2015 Committee on Government Administration recommending the following to be accepted:**

Set Down Public Hearing relative to an Act Authorizing the City of Lynn to Grant an Additional Liquor License for the Sale of All Alcohol Beverages Not to be Drunk on the Premises. – **Granted to Set Down for Public Hearing**

AN ACT AUTHORIZING THE CITY OF LYNN TO GRANT AN ADDITIONAL LIQUOR LICENSE FOR THE SALE OF ALL ALCOHOL BEVERAGES NOT TO BE DRUNK ON THE PREMISES

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by authority of the same, as follows:*

Section 1. Notwithstanding the provisions of M.G.L. Chapter 138, Section 17, the Lynn Licensing Board may grant one additional license for the sale of All Alcohol Beverages not to be drunk on the premises under M.G.L. Chapter 138, Section 15. Said license to be subject to all other provisions of M.G.L. Chapter 138 except Section 17. Said license is to be located at T-Stop Superette, 546 Walnut Street, Lynn, MA.

Notwithstanding any General or special law or any rule or regulation to the contrary, the local licensing authority shall not approve the transfer of said license to any other location. Said license may be re-issued by the local alcohol licensing authority at the same location if an applicant for said license files with said authority a letter in writing from the Department of Revenue indicating that said license is in good standing with said Department and that any and all applicable taxes have been paid.

If any license granted under this section is cancelled, revoked, or no longer in use, said license shall be returned physically, with all legal rights, privileges or restrictions pertaining thereto, to the local licensing authority. Notwithstanding Section 17 of Chapter 138, or any other general or special law or rule or regulation to the contrary, the local alcohol licensing authority may grant said license to a new applicant at the same location and under the same conditions as specified in the preceding paragraph.

Section 2. This act shall take effect upon its passage.

**REPORT ACCEPTED.**

**Report of the February 10, 2015 Committee on Ways and Means recommending the following to be accepted:**

Ordered that the City Comptroller be and is hereby authorized to take the following action:

Transfer the sum of Two Hundred Fifty Dollars and Seventy Four Cents (\$250.74) from the Reserve Account to the Abandoned PR Account.

**Councillor Barton 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 Two Hundred Fifty Dollars and Seventy Four Cents (\$250.74) from the Reserve Account to the Abandoned PR 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:**

**8 YES 0 NO (Councilor Lozzi abstained, Councilor Net and Councilor Trahant absent).**

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

**8 YES 0 NO (Councilor Lozzi abstained, Councilor Net and Councilor Trahant absent).**

Transfer the sum of Seven Thousand Five Hundred Dollars and Zero Cents (\$7,500.00) from the Reserve Account to the Treasurer's Expense Account.

**Councillor Barton 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 Seven Thousand Five Hundred Dollars and Zero Cents (\$7,500.00) from the Reserve Account to the Treasurer's 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:**

**8 YES 0 NO (Councilor Lozzi abstained, Councilor Net and Councilor Trahant absent).**

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

**8 YES 0 NO (Councilor Lozzi abstained, Councilor Net and Councilor Trahant absent).**

Transfer the sum of Two Thousand Six Hundred and Zero Cents (\$2,600.00) from the Reserve Account to the Collector's Expense Account.

**Councillor Barton 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 Two Thousand Six Hundred and Zero Cents (\$2,600.00) from the Reserve Account to the Collector's 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:**

**8 YES 0 NO (Councilor Lozzi abstained, Councilor Net and Councilor Trahant absent).**

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

**8 YES 0 NO (Councilor Lozzi abstained, Councilor Net and Councilor Trahant absent).**

Transfer the sum of Seven Hundred Dollars from the Reserve Account to the Personnel Expense Account.

**Councillor Barton 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 Seven Hundred Dollars from the Reserve Account to the Personnel 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:  
 8 YES 0 NO (Councilor Lozzi abstained, Councilor Net and Councilor Trahan absent).  
 Emergency Order was then adopted by the following yea and nay vote:  
 8 YES 0 NO (Councilor Lozzi abstained, Councilor Net and Councilor Trahan absent).**

Certify as an Available Fund the amount of Eighty Eight Thousand Seven Hundred Seventy Dollars and Zero Cents (\$88,770.00) as allotted to the City of Lynn DPW by the Department of Environmental Protection (DEP) to fund FY15 Sustainable Materials Recover Program Municipal Grant, "Recycling Works in Lynn". Grant period 7/1/14 – 12/31/16.

**Councillor Barton 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 Eighty Eight Thousand Seven Hundred Seventy Dollars and Zero Cents (\$88,770.00) as allotted to the City of Lynn DPW by the Department of Environmental Protection (DEP) to fund FY15 Sustainable Materials Recover Program Municipal Grant, "Recycling Works in Lynn". Grant period 7/1/14 – 12/31/16.**

**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:  
 8 YES 0 NO (Councilor Lozzi abstained, Councilor Net and Councilor Trahan absent).  
 Emergency Order was then adopted by the following yea and nay vote:  
 8 YES 0 NO (Councilor Lozzi abstained, Councilor Net and Councilor Trahan absent).**

Ordered that Her Honor the Mayor is hereby authorized to execute the Project Funding Agreement with the Massachusetts School Building Association for repairs to the projects at William A. Connery Elementary School and the E.J. Harrington Elementary School.

**Councillor Barton 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 an Order that Her Honor the Mayor is hereby authorized to execute the Project Funding Agreement with the Massachusetts School Building Association for repairs to the projects at William A. Connery Elementary School and the E.J. Harrington Elementary School.**

**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:  
 8 YES 0 NO (Councilor Lozzi abstained, Councilor Net and Councilor Trahan absent).  
 Emergency Order was then adopted by the following yea and nay vote:  
 8 YES 0 NO (Councilor Lozzi abstained, Councilor Net and Councilor Trahan absent).**

Set down Public Hearing on an Proposed Ordinance Repealing the Ordinance to Establish a Bill of Rights for Homeowners in the City of Lynn.

**Councillor Barton 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 an Order to Set down Public Hearing on an Proposed Ordinance Repealing the Ordinance to Establish a Bill of Rights for Homeowners 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:**

**8 YES 0 NO (Councilor Lozzi abstained, Councilor Net and Councilor Trahan absent).**

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

**8 YES 0 NO (Councilor Lozzi abstained, Councilor Net and Councilor Trahan absent).**

**Report of the February 10, 2015 Committee on Licensing recommending the following to be accepted:**

**TAXI OPERATORS (NEW)**

Brady, Chris, 80 Silsbee street #208- **Granted w/30-60-90 Day Review**

Colombo, Christopher, 47 Collins St. Apt. #8 - **Tabled**

**TAXI OPERATOR (REVIEW)**

Haddigan, Keith, 55 Beach St., Swampscott, MA 01907 (**90 Day**) - **Granted**

**LIVERY OPERATOR (NEW)**

Martinez, Alea, 15C McGreevey Way, Boston, MA 02155 - **DENIED**

Soares, Dexter, 11 Robert Arty Drive, Randolph, MA 02368 - **DENIED**

**LIVERY SERVICE LICENSE (RENEWAL)**

781 Limousines, LLC, 32 Magnolia Ave. - **Granted**

Brown, Richart T., 32 Magnolia Ave. - **Granted**

Vizrides, 69 Lynnway #10- **Granted**

Marquez, Vizmark, 69 Lynnway #10- **Granted**

**DOOR TO DOOR SALES-NEW**

1613 Blue Hill Ave. Boston, MA., BE Energy – **Granted**

29 Draper St., Unit 1, Woburn, MA, Vivint Solar (prev licensed in 2014) - **Granted**

92 Glen St., Lawrence, MA, Comcast Business (prev. tabled at

Jan 13, 2015 meeting) - **DENIED**

309 Moody St. Waltham, MA, Platinum Advertising/Viridian Energy

**OLD GOLD & SILVER-RENEWAL- Granted**

810 Lynnway, Cubano Salvadoreno (currently not reported to police)- **Tabled**

**SECOND HAND-RENEWAL**

204 Essex St., Continental Unicom- **Granted**

800-810 Lynnway, Variedades Ada- **Granted**

810 Lynnway, D'Anna Furniture- **Granted**

810 Lynnway, Cubano Salvadoreno- **Granted**

**CLASS II AUTO DEALER/AUTO REP/FLAM LIC – RENEWAL**

106 Chestnut St. – Kevin Auto Sales & Repair (owes taxes) - **Granted**

**AUTO REPAIR/FLAMMABLE LICENSE – NEW**

760 Summer St. – A.L. Prime Energy - **Tabled**

**CANNING (Excluding Broadway/Wyoma if Street Project not Completed)**

Lynn Shore Little League (Adults Only) – May 29, 30, 31, 2015- **Granted**

Knights of Pythias (Adults Only) – June 20, 21, 2015- **Granted**

**OTHER BUSINESS:**

**REPORT ACCEPTED.**

**Report of the February 10, 2015 Committee on Public Property and Parks recommending the following to be accepted:**

**BID OPENINGS:** (Rescheduled from January 27, 2015):

465 Essex Street, Unit 2 – One Bid received from Habitat For Humanity/North Shore in the amount of \$2,500.00 with a bid deposit in the amount of \$ 250.00.

**Motion made by Councilor Cyr and seconded by Councilor Chakoutis to award the property to Habitat for Humanity /North Shore in the amount of \$2,500.00.**

**(Lays over to February 24, 2015).**

80 Lowell Street – **No Bids Received.** **Motion made by Councilor Cyr and seconded by Councilor Chakoutis to request the Assessor to do a site review of the property located at 80 Lowell Street and make the necessary assessment to place out to bid again.**

**OTHER BUSINESS.**

**REPORT ACCEPTED.**

**Report of the February 10, 2015 Committee on Public Safety and Public Health recommending the following to be accepted:**

Ordered that the City Solicitor's Office prepare a Grant Agreement between the City of Lynn and North Shore Medical Center – Union Hospital for the purpose of effectuating a vehicle swap for the City of Lynn Fire Department. Further ordered that her Honor the Mayor is hereby authorized to execute said Grant Agreement.

**Councillor Barton 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 an Order that the City Solicitor's Office prepare a Grant Agreement between the City of Lynn and North Shore Medical Center – Union Hospital for the purpose of effectuating a vehicle swap for the City of Lynn Fire Department. Further ordered that her Honor the Mayor is hereby authorized to execute said Grant Agreement.**

**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:**

**9 YES 0 NO (Councilor Net and Councilor Trahant absent).**

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

**9 YES 0 NO (Councilor Net and Councilor Trahant absent).**



**NEW BUSINESS:**

**CHAKOUTIS / Ordered that the City of Lynn set down a Public Hearing for March 10, 2014 to amend the Ordinance regarding Snow Removal in the City of Lynn to allow the City of Lynn to remove snow from sidewalks and land immediately abutting public sidewalks and ways of any property owner who has been cited on three (3) occasions for the failure to comply with the existing Ordinance and permit the City of Lynn to place a lien on said property to recover the costs incurred by the City.**

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

**Motion carried by the following yea and nay vote:**

**9 YES 0 NO (Councilor Net and Councilor Trahant absent).**

**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**