

CITY OF LYNN

**Regular City Council Meeting – May 26, 2015
Council President Daniel F. Cahill, Presiding**

Eleven Councillors Present

Moment of Silence – Councilor Barton asked that the family of Althea Flamer be remembered in their prayers.

Pledge of Allegiance

Motion made by Councilor Colucci and seconded by Councilor Lozzi to accept the Meeting Minutes of May 12, 2015.

Motion carried.

COMMUNICATIONS:

Donald Walker, Director of Project Operations

Requesting that the Lynn City Council schedule a Public Hearing on Tuesday, July 14, 2015 to allow public input to the City's Five-Year Consolidated Plan/Annual Action Plan, including the HUD Community Development Block Grant, HOME Investment Partnership Grant and the Emergency Solutions Grant.

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

Motion carried.

PUBLIC HEARINGS TO BE SET DOWN:

-Set down Public for FY2016 City of Lynn Budget.

Motion made by Councilor Lozzi and seconded by Councilor Capano to set down for Public Hearing on June 23, 2015.

Motion carried.

-Petition of Kerri's Cookies & Candies, Kerri Surette, for permission to install commercial appliances in a space not previously occupied as a kitchen. Hours Monday-Friday 9:30 – 5:30 and Saturday 9:00 – 2:00. (Lozzi)

-Petition of Nina's Market, Baseem Nsier, for a sign permit at 51 Essex Street. (Cyr)

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

Motion carried.

COMMITTEE REPORTS

Report of the May 26, 2015 Committee on Personnel recommending the following to be accepted:

Request from Chief of Police:
re: One Full-Time Crime Analyst Position - **Granted**

Request from Election Chairperson:
re: One Full-Time Election Coordinator - **Granted**

OTHER BUSINESS REPORT ACCEPTED.

Report of the May 26, 2015 Committee on Government Administration recommending the following to be accepted:

1. Discussion with Representatives from Melanson Heath Accounts and Auditors
re: City of Lynn Audit (Year Ended June 30, 2014).- **Motion made by Councilor Net and seconded by Councilor Lozzi to accept for the files.**
Motion carried.

2. OTHER BUSINESS REPORT ACCEPTED.

Report of the May 26, 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 Sixty Two Thousand Three Hundred Seventy Six Dollars and Zero Cents (62,376.00) from the Reserve Fund to the ISD-Snow 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 Sixty Two Thousand Three Hundred Seventy Six Dollars and Zero Cents (62,376.00) from the Reserve Fund to the ISD-Snow 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:

10 YES 0 NO (Councilor Trahant absent at vote).

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

10 YES 0 NO (Councilor Trahant absent at vote).

Transfer the sum of Two Hundred Forty Five Thousand Dollars and Zero Cents (\$245,000.00) from Police Payroll Account to Police 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 Two Hundred Forty Five Thousand Dollars and Zero Cents (\$245,000.00) from Police Payroll Account to Police 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

Ordered that the City of Lynn accept the provisions of Sections 27 and 28 of Chapter 131 of the Acts of 2010 which increases the annual survivor allowance paid under Section 101 of Chapter 32 from \$6,000 to \$9,000.

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 an Order that the City of Lynn accept the provisions of Sections 27 and 28 of Chapter 131 of the Acts of 2010 which increases the annual survivor allowance paid under Section 101 of Chapter 32 from \$6,000 to \$9,000.

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

Ordered that the City of Lynn accepts the provisions of Section 29 and 30 of Chapter 176 of the Acts of 2011 which increases the monthly minimum survivor allowance paid under Section 12 of Chapter 32 from \$250 to \$500.

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 an Order that the City of Lynn accepts the provisions of Section 29 and 30 of Chapter 176 of the Acts of 2011 which increases the monthly minimum survivor allowance paid under Section 12 of Chapter 32 from \$250 to \$500.

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

REPORT ACCEPTED.

Report of the May 26, 2015 Committee on Licensing recommending the following to be accepted:

TAXI OPERATORS (NEW)

Arias, Leo, 3 Henry Avenue - **Tabled**

Blair, Samuel, 141 Sea St. Apt. #302, Quincy, MA- **Granted**

Brown, Stephen, 8 Gordon Road- **Granted**

Espinal, Carlos, 7 Read St. Apt #1, Salem, MA- **Granted**

Peguero, Omar, 21 Barrett Ct. #2- **Granted**

Ramirez, Ernesto, 50 Baldwin St. Apt. - **Granted**

GRANTED TO SET DOWN FOR PUBLIC HEARINGS - EXTENDED HOURS (RENEWALS) SET DOWN PUBLIC HEARING FOR JUNE 9, 2015:

60	BOSTON ST	MCDONALDS	DRIVE THRU 24 HOURS
80	BOSTON ST	DUNKIN DONUTS	24 HOURS
102	BOSTON ST	CVS PHARMACY	24 HOURS
108	BOSTON ST	BURGER KING	SUN-WED 6AM-12AM TH-SAT 6AM-2 AM
116	BOSTON ST	WENDY'S	DRIVE THRU TILL 4 A.M.
122	BOSTON ST	BOSTON SHELL	24 HOURS
124	BROAD ST	GEORGE'S ROAST BEEF	10:30 A.M.-2:00 A. M 7 DAYS
512	CHESTNUT ST.	GHEMWA LYNN MOBIL	5:00 AM-2:00 AM
668	CHESTNUT ST.	CUMBERLAND FARMS	24 HOURS
264	ESSEX ST	7-11	24 HOURS
61	FRANKLIN ST. C	ARIBE RESTAURANT	7:00 A.M.-1:00 A.M.
120-122	LIBERTY ST	HESS OIL	24 HOURS
3	LYNNFIELD ST	7-11	24 HOURS
364	LYNNWAY	DUNKIN DONUTS	24 HOURS
377	LYNNWAY	WENDY'S	24 HOURS
525	LYNNWAY	SPIROS ENERGY	24 HOURS
535	LYNNWAY	LYNNWAY SHELL	24 HOURS
567	LYNNWAY	MCDONALDS	24 HOURS
16	MARKET SQ.	LYNN HOUSE OF RB	10:00 A.M.-2:00 A.M. 7 DAYS
17	MARKET SQ	PEOPLE'S CHOICE	10:0 A.M.-1:00 A.M. 7 DAYS
50	WESTERN AVE	7-11	24 HOURS
707	WESTERN AVE	DOMINOS	SUN-THURS 11 A.M.-12 A.M. FRI-SAT 11AM 1:30 AM
709	WESTERN AVE	SUBWAY	7:00 AM -2 AM 7 DAYS
969	WESTERN AVE	A L PRIME ENERGY	24 HOURS

SIGN LICENSE-REWEVAL

244 Broadway, Mino's RoastBeef- **Granted**
 328a Broadway, Lazy Dog- **Granted**
 156 Chestnut St., E.T. Communication- **Granted**
 546 Chestnut St., Kim's Barber Shop- **Granted**
 105 Commercial St., Commercial Market- **Granted**
 50 Essex St., Bei Jing Restaurant- **Granted**
 59 Essex St., Osborne Pharmacy- **Granted**
 121 Essex St., Welch Florist - **Granted**
 135 Essex St. Neves Karate Academy- **Granted**
 161 Essex St., AlNour Market- **Granted**
 163 Essex St., Swampscott Refrigeration, Inc. - **Granted**
 188 Essex St., Charlie's Seafood- **Granted**
 204 Essex St., Continental and Unicom Communication- **Granted**
 268 Essex St., Tony Tipico Inc- **Granted**
 333 Essex St., New Angkor Thom Market- **Granted**
 391 Essex St., Vista Market- **Granted**
 420 Essex St., Nunez Barber Shop- **Granted**
 103 Federal St., Hibernian Bldg. Corp. - **Granted**
 159 Lewis St., JD Sports Bar- **Granted**
 175 Lewis St., Liberty Tax Service- **Granted**
 315 Lynnway, Lynn Motor Sales- **Granted**
 3 Market Sq., Market Square Beverage Co. Inc. - **Granted**
 17 Market Sq., People's Choice- **Granted**
 9 Minot St., Western Ave Auto Body of Lynn- **Granted**
 333 Union St., Ministerios Vision Cristiana- **Granted**
 57 Washington St., Angelina's Subs Shop, Inc. - **Granted**
 616 Washington St., Dito's Corner Store- **Granted**
 877 Western Ave., Apsara Angkor Restaurant- **Granted**
 882 Western Ave., Western Ave Auto Body Lynn, Inc. - **Granted**

AUTO BODY LICENSE – NEW

8 Burrus Sq. – Meadow Park Auto Sales- **Granted with a 30-60-90 Day Review and stipulations on file.**

AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL

8 Burrus Sq. – Jesus Auto Repair Corp. - **Granted**
 61 Commercial St. – Perez Auto Service & Repair- **Granted**
 129 Commercial St. – Ernesto Auto Repair Corp. - **Granted**
 41 Stewart St. – NRT Bus, Inc. - **Granted**
 800 Western Ave. – Henley Enterprises Inc. d/b/a Valvoline Instant Oil Change - **Granted**

FLAMMABLE LICENSE – RENEWAL

77 Alley St. – American By Products- **Granted**
 21 City Hall Sq. – Verizon- **Granted**

COIN OPERATED MACHINES – RENEWAL

138 Boston St. – Imperial Buffet – 2 Class III - **Granted**

CLASS II AUTO DEAL/AUTO REP/FLAM – 30 DAY REVIEW FROM 4/21/2015

119 Essex St. – Jerry's Auto Sales & Repair- **Granted with 30 Day Review and stipulations on file.**

OTHER BUSINESS**CANNING**

LVTI (Adults Only) – July 25, 2015 and August 23, 2015 – **Granted**

REPORT ACCEPTED.

Report of the May 26, 2015 Committee on Public Property and Parks recommending the following to be accepted:

Ordered that Her Honor the Mayor and the Lynn City Council are hereby authorized to execute a Grant of Easement to the Massachusetts Electric Company to maintain and operate for the transmission of high and low voltage current to the new Thurgood Marshall Middle School on the southerly side of Brookline Street and the westerly side of Empire Street. Said Grant of Easement shall permit an overhead system and an underground electric distribution system. The location of said Easement is more particularly shown on a Plan of Land recorded with the Essex South District Registry of Deeds in Plan Book 111, Plan No. 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 an Order that Her Honor the Mayor and the Lynn City Council are hereby authorized to execute a Grant of Easement to the Massachusetts Electric Company to maintain and operate for the transmission of high and low voltage current to the new Thurgood Marshall Middle School on the southerly side of Brookline Street and the westerly side of Empire Street. Said Grant of Easement shall permit an overhead system and an underground electric distribution system. The location of said Easement is more particularly shown on a Plan of Land recorded with the Essex South District Registry of Deeds in Plan Book 111, Plan No. 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

Ordered that the Lynn City Council set down a public hearing to determine whether to abandon a portion of Day Street pursuant to M.G.L., C. 82, Section 32A.

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 an Order that the Lynn City Council set down a public hearing to determine whether to abandon a portion of Day Street pursuant to M.G.L., C. 82, Section 32A.

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

Ordered that after having determined that the granting of the Stone Cottage Preservation Restriction is in the public interest, it is ordered that the Mayor be authorized to execute the Preservation Restriction and any other document(s) required by the Massachusetts Historical Commission related to the same and to execute any other document(s) required by the City of Lynn Law Department to effectuate this matter.

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 an Order that after having determined that the granting of the Stone Cottage Preservation Restriction is in the public interest, it is ordered that the Mayor be authorized to execute the Preservation Restriction and any other document(s) required by the Massachusetts Historical Commission related to the same and to execute any other document(s) required by the City of Lynn Law Department to effectuate this matter.

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

REPORT ACCEPTED.

NEW BUSINESS:

Motion made by Councilor Chakoutis and seconded by Councilor Crighton that the City Council request the Inspectional Services Department to determine whether the 2006 BETA recommendations to widen Boston Street are still sound based on the 2014 traffic study results.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Colucci/Ordered that the City Treasurer notify any occupants of the City of Lynn foreclosed properties from 2010 and 2011 of imminent sale of public properties.

Motion made by Councilor Cyr and seconded by Councilor Ford to TABLE.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Motion made by Councillor Colucci and seconded by Councillor Capano 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