

CITY OF LYNN

**Regular City Council Meeting, October 24, 2017
Council President Darren P. Cyr**

**Nine Councilors Present (Councilor Capano and Councilor Trahan absent).
Moment of Silence. Councilor Cahill asked that the Family of Paul Baribeau be remembered. Councilor LaPierre asked that the Family of Joseph Cahill also be remembered.**

Pledge of Allegiance.

Motion made by Councilor Cahill and seconded by Councilor Colucci to accept the Meeting Minutes of September 26, 2017.

Motion carried.

Council President Cyr stated that Councilor Capano could not be at the meeting due to the elections at the I.U.E. Councilor Trahan could not attend the meeting as he was out of town on a previously scheduled matter.

COMMUNICATIONS:

Communication from Her Honor the Mayor:

Dear Councilors,

I am hereby appointing Aaron Liber to the Lynn Cultural Council. His term is effective immediately and will expire on December 31, 2020.

Sincerely, Mayor Judith Flanagan Kennedy

Motion made by Councilor Colucci and seconded by Councilor Barton to appoint Aaron Liber to the Lynn Cultural Council, effective immediately and will expire on December 31, 2020.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilor Capano and Councilor Trahan absent).

Communication from Her Honor the Mayor:

Dear Councilors,

I am hereby Re-Appointing Mr. Kirirath "AJ" Saing, 44 Vermont Street, to the Economic Development Industrial Corporation Board. Mr. Saing's term is effective immediately and will expire on June 30, 2020.

Sincerely, Mayor Judith Flanagan Kennedy

Motion made by Councilor Colucci and seconded by Councilor Barton to re-appoint Kirirath “AJ” Saing to the Economic Development Industrial Corporation Board, effective immediately and will expire on June 30, 2020.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilor Capano and Councilor Trahan absent).

Communication from Her Honor the Mayor:

Dear Councilors,

I am hereby Re-Appointing Vincent Phelan, 10 Grosvenor Park, to the Lynn Human Rights Commission, effective immediately and will expire on October 17, 2019.

Sincerely, Mayor Judith Flanagan Kennedy

Motion made by Councilor Colucci and seconded by Councilor Barton to re-appoint Vincent Phelan to the Lynn Human Rights Commission, effective immediately and will expire on October 17, 2019.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilor Capano and Councilor Trahan absent).

Presentation by Massachusetts Department of Energy Resources regarding Green Communities.

Mr. Neal Duffy, Regional Coordinator, Green Communities presented an overview of the Green Communities Program.

PUBLIC HEARINGS TO BE SET DOWN:

-Petition of Thomas L. Demakes, to allow mixed use with a garage on street level and an apartment on the second floor in a Business District at 86R Centre Street.

-Petition of Thomas L. Demakes to allow demolition of an existing structure and authorize mixed use street level in an Apartment House Class 2, R-4 District with a medical office on the first floor and apartments on the second and third floors in a new building to be constructed at 34-38 Spencer St (hours for the medical office will be 8am-8pm).

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

Motion carried.

UNFINISHED BUSINESS: (Continued from the October 10, 2017 Meeting):

Petition of Zachary Andrews, for an Apartment House use (6 units) in the Central Business District at 38-44 Andrew St.

Motion made by Councilor Chakoutis and seconded by Councilor Colucci to continue to November 14, 2017.

Motion carried by the following ye and nay vote:

9 YES 0 NO (Councilor Capano and Councilor Trahan absent).

COMMITTEE REPORTS:**Report of the October 24, 2017 Committee on Ways and Means recommending the following to be accepted:**

Transfer the sum of SIX THOUSAND DOLLARS AND ZERO CENTS (\$6,000.00)

From the Account of 98035-7800 Reserve \$6,000.00

To the Account of 44125-2503 DPW-Exp \$6,000.00

To fund unexpected repair to Dam, initiated by DEP via Legal Correspondence

Councilor 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 transferring the sum of SIX THOUSAND DOLLARS AND ZERO CENTS (\$6,000.00)

From the Account of 98035-7800 Reserve \$6,000.00

To the Account of 44125-2503 DPW-Exp \$6,000.00

To fund unexpected repair to Dam, initiated by DEP via Legal Correspondence

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

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

9 YES 0 NO (Councilor Capano and Councilor Trahan absent).

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

9 YES 0 NO (Councilor Capano and Councilor Trahan absent).

Transfer the sum of EIGHT THOUSAND FOUR HUNDRED SEVENTY FIVE DOLLARS AND THIRTY TWO CENTS (\$8,475.32)

From the Account of 91980-9510 Insurance Losses-Exp \$8,475.32

To the Account of 44045-2409P DPW/LPD-Exp \$8,472.32

To fund repairs initially paid via DPW/LPD operating budget for claims processed through Insurance carrier to offset cost.

Councilor 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 transferring the sum of EIGHT THOUSAND FOUR HUNDRED SEVENTY FIVE DOLLARS AND THIRTY

TWO CENTS (\$8,475.32)

From the Account of 91980-9510 Insurance Losses-Exp \$8,475.32

To the Account of 44045-2409P DPW/LPD-Exp \$8,472.32

To fund repairs initially paid via DPW/LPD operating budget for claims processed through Insurance carrier to offset cost.

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

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

9 YES 0 NO (Councilor Capano and Councilor Trahant absent).

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

9 YES 0 NO (Councilor Capano and Councilor Trahant absent).

Certify as an "Available Fund" the amount of FIFTY TWO THOUSAND DOLLARS AND ZERO CENTS (\$52,000.00) as allotted to the City of Lynn Department of Public Works by the Department of Environmental Protection (MassDEP) for the Sustainable Materials Recovery Program Grant under the Recycling Dividends Program (RDP) Grant Period 10/17/17-06/30/18

*Emergency Preamble in order for DPW to start spending these funds.

Councilor 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 Funds" the amount of FIFTY TWO THOUSAND DOLLARS AND ZERO CENTS (\$52,000.00) as allotted to the City of Lynn Department of Public Works by the Department of Environmental Protection (MassDEP) for the Sustainable Materials Recovery Program Grant under the Recycling Dividends Program (RDP) Grant Period 10/17/17-06/30/18

*Emergency Preamble in order for DPW to start spending these funds.

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

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

9 YES 0 NO (Councilor Capano and Councilor Trahant absent).

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

9 YES 0 NO (Councilor Capano and Councilor Trahant absent).

REPORT ACCEPTED.

Report of the October 24, 2017 Committee on Licensing recommending the following to be accepted:

TAXI OPERATORS

Mendez, Francisco, A., 26 Northern Ave, Salem, MA - **Tabled**

Omrey, Hiciano, 21 Beach Road - **Granted**

Ventura, Jose, 137 Alley Street- **Granted**

LIVERY OPERATORS

Winslow, Belinda , 66 Newhall Street - **Tabled**

EXTENDED HOUR RENEWALS –EXTENDED HRS:

65 Boston St. , CVS PHARMACY / 24 Hours

Ordered that the 24 Hour License of CVS on Boston Street shall be extended provided that CVS pays its fair share of the cleanup costs presently being provided by businesses operating on Boston St, Lynn, MA

122 Boston St., BOSTON SHELL / 24 Hours

Ordered that the 24 Hour License of Boston Street Shell, on Boston Street shall be extended provided that Boston Street Shell, pays its fair share of the cleanup costs presently being provided by businesses operating on Boston St, Lynn,

AUTO REPAIR FLAMMABLE LICENSE – RENEWAL

106 Chestnut St. – Los V Tires- **Granted**

555 Lynnway – Midas Auto Service- **Granted**

FLAMMABLE LICENSE – RENEWAL

573 Chestnut St. – Richdale Convenience Store- **Granted**

969 Western Ave. – A.L. Prime Energy_- **Granted**

SIGN- RENEWAL

569 Western Ave., Seventh Day Adventist Hispanic Church- **Granted**

OTHER BUSINESS

REPORT ACCEPTED.

Report of the October 24, 2017 Committee on Utilities recommending the following to be accepted:**1. PUBLIC HEARINGS:**

Petitions of National Grid Gas, National Grid Electric, Comcast, Verizon, GTT Communications, and the Lynn Water and Sewer Commission re: A Grant of Location at a portion of a public way known as Wheeler Street and Neptune Boulevard (YMCA) in order to replace/relocate equipment.

Motion made by Councilor LaPierre and seconded by Councilor Chakoutis Ordering that the City Solicitor’s Office draft all necessary documents to effectuate a Grant of Location at a portion of a public way known as Wheeler Street and Neptune Boulevard (YMCA) in order to replace/relocate condition. This order is specifically contingent upon the City accepting the proposed location.

2. OTHER BUSINESS

REPORT ACCEPTED.

Report of the October 24, 2017 Committee on Public Property and Parks recommending the following to be accepted:

1. Discussion re: Proposed License Agreement for former Harding Street Abandoned Car Lot.

Motion made by Councilor Barton and seconded by Councilor Chakoutis Ordering that the City Solicitor's Office draft a License Agreement with G/J Carting, Inc. for the former abandoned car lot on Harding Street upon the grant of a variance for a Contractor's yard, if any.

2. Discussion re: Sale of Public Property including undersized vacant lots. - **Tabled**

**3. OTHER BUSINESS.
REPORT ACCEPTED.**

NEW BUSINESS:

On behalf of Councilor Chakoutis, Clint Muche, Associate ISD Director spoke in response to the recent turkey incidents in the Ward Five area.

Motion made by Councilor Colucci and seconded by Recommends that the Lynn City Council be requested to set down a Public Hearing relative to a burnt, dilapidated or dangerous building or other structure located at **5-7 Chancery Court** Lynn, Massachusetts, and after hearing, may make record of an Order adjudging it to be a nuisance to the neighborhood or dangerous and prescribing its disposition, alteration, or regulation all as authorized by Massachusetts General Laws Chapter 139, Section 1

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

Motion carried by the following yea and nay vote:

Motion made by Councilor Walsh and seconded by Councilor Colucci 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