

**CITY OF LYNN**

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

**Eleven Councillors Present**

**Moment of Silence.** Council Vice-President Barton asked that the Family of Dick Bourgeois. Councilor LaPierre asked that the Family of John Flynn also be remembered.

**Pledge of Allegiance.**

**Motion made by Councilor Colucci and seconded by Councilor Capano to accept the Meeting Minutes of January 10, 2017.**

**Motion carried.**

**COMMUNICATIONS:****Communications from Her Honor the Mayor:**

*Dear Councilors:*

*I am hereby reappointing Mr. Jeff Waldron, 19 Francesca Drive, Lynn, MA to the Parks Commission. Mr. Waldron's term is effective immediately and will expire on May 1, 2021.*

*Sincerely, Judith Flanagan Kennedy, Mayor*

**Motion made by Councilor Trahan and seconded by Councilor Colucci to grant the reappointment of Mr. Jeff Waldron to the Parks Commission, effective immediately and will expire on May 1, 2021.**

**Motion carried.**

*Dear Councilors:*

*I am hereby reappointing Mr. Steven Babbitt, 31 Manson Street, Lynn, MA to the Parks Commission. Mr. Babbitt's term is effective immediately and will expire on May 1, 2022.*

*Sincerely, Judith Flanagan Kennedy, Mayor*

**Motion made by Councilor Trahan and seconded by Councilor Trahan to grant the reappointment of Steven Babbitt to the Parks Commission effective immediately and will expire on May 1, 2022.**

**Motion carried.**

*Dear Councilors:*

*I am hereby reappointing Dr. John Steriti, 90 Emerald Drive to the Board of Health effective immediately and will expire on December 26, 2020.*

*Sincerely, Judith Flanagan Kennedy, Mayor*

**Motion made by Councilor Trahant and seconded by Councilor Colucci to grant the reappointment of Dr. John Steriti to the Board of Health. Dr. Steriti's term is effective immediately and will expire on December 26, 2020.**

**Motion carried.**

*Dear Councilors:*

*I am hereby reappointing Ronald Dupuis, 22 Blanchard Street, to the Board of Health effective immediately and will expire on December 26, 2020.*

*Sincerely, Judith Flanagan Kennedy, Mayor*

**Motion made by Councilor Trahant and seconded by Councilor Barton to grant the reappointment of Ronald Dupuis to the Board of Health. Mr. Dupuis' term is effective immediately and will expire on December 26, 2020.**

**Motion carried.**

*Dear Councilors:*

*I am hereby reappointing Michael Dewan, 455 Broadway, to the Board of Health effective immediately and will expire on December 26, 2020.*

*Sincerely, Judith Flanagan Kennedy, Mayor*

**Motion made by Councilor Barton and seconded by Councilor Colucci to grant the reappointment of Michael Dewan to the Board of Health. Mr. Dewan's term is effective immediately and will expire on December 26, 2020.**

**Motion carried.**

### **Communication from Dr. Catherine C. Latham, Ed.D; Superintendent of Schools**

*Dear Councilors:*

*Following the School Committee's vote at the meeting of January 12, 2017, I am respectfully requesting the following:*

*Motion to formally request the Lynn City Council to take all necessary votes in order to conduct a Special Election on March 14, 2017 requesting the voters to approve the construction of two new middle schools at McManus Field and the Reservoir Site contingent upon funding assistance from the Massachusetts School Building Authority with the precise language of said ballot question to be drafted and approved by the City Solicitor.*

*Motion to formally request the Lynn City Council to take all necessary votes to hold a Special Election requesting the voters to approve a debt exclusion to assist in financing the construction of two new middle schools at McManus Field and the*

*Reservoir Site with the precise language of said ballot question to be drafted and approved by the City Solicitor's Office and the Chief Financial Officer.*

*Motion to formally request the Lynn City Council to initiate Eminent Domain proceedings of the property at 97 Parkland Avenue, Lynn, Massachusetts for the purpose of constructing a roadway to the new Pickering Junior High School.*

*Very truly yours, Catherine C. Latham, Ed. D., Superintendent of Schools*

**Ordered:**

That the City of Lynn appropriate the amount of One Hundred Eighty-Eight Million, Five Hundred Sixty-Six Thousand, Five Hundred Thirty-Two (\$188,566,532.00) Dollars for the purpose of paying a two-school new construction building program for a replacement Pickering Middle School and a new West Lynn Middle School. The Pickering Middle School is to be located on city-owned land at about 105 Parkland Avenue and will be a 3-story building of 131,295 SF on 12 acres of developed land. The West Lynn School is to be located on city-owned land at about 140 Commercial Street and will be a 4-story building of 185,444 SF on 4.74 acres. Both schools will house Grades 6-8. Said funds shall include the payment of all costs incidental or related thereto (the "Project(s)"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, and for which the City of Lynn may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the Chief of Inspectional Services. To meet this appropriation the Chief Financial Officer and City Treasurer are authorized to borrow said amount under M.G.L. Chapter 44, or pursuant to any other enabling authority. The City of Lynn acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City of Lynn incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City of Lynn; provided further that any grant that City of Lynn may receive from the MSBA for the Project shall not exceed the lesser of (1) eighty percent (80%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the City of Lynn to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C(k) (Proposition 2½)]; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Lynn and the MSBA.

**Motion made by Councilor Barton and seconded by Councilor Cahill to grant.**  
**Motion carried by the following yea and nay vote:**  
**11 YES 0 NO**

**Ordered:**

That the City of Lynn hold a Special Election on March 14, 2017 where the following ballot questions will be submitted to the voters for their approval.

**BALLOT QUESTION # 1**

Shall the vote of the Lynn City Council dated January 24, 2017 wherein it was voted to approve the borrowing of the sum of One Hundred Eighty-Eight Million, Five Hundred Sixty-Six Thousand, Five Hundred Thirty-Two (\$188,566,532.00) Dollars for the purpose of the design, construction and completion a two-school new construction building program for a replacement Pickering Middle School and a new West Lynn Middle School. The Pickering Middle School is to be located on city-owned land at about 105 Parkland Avenue and will be a 3-story building of 131,295 SF on 12 acres of developed land. The West Lynn School is to be located on city-owned land at about 140 Commercial Street and will be a 4-story building of 185,444 SF on 4.74 acres.

Yes: \_\_\_\_\_ No: \_\_\_\_\_

**BALLOT QUESTION # 2**

Shall the City of Lynn be allowed to exempt from the proposition two and one half, so called, the amounts required to pay for the bond issued in order to pay a two-school new construction building program for a replacement Pickering Middle School and a new West Lynn Middle School. The Pickering Middle School is to be located on city-owned land at about 105 Parkland Avenue and will be a 3-story building of 131,295 SF on 12 acres of developed land. The West Lynn School is to be located on city-owned land at about 140 Commercial Street and will be a 4-story building of 185,444 SF on 4.74 acres. Both schools will house Grades 6-8

Yes: \_\_\_\_\_ No: \_\_\_\_\_

**Motion made by Councilor Barton and seconded by Councilor Cahill to grant.**

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

**11 YES 0 NO**

## **PUBLIC HEARINGS:**

### **Public Hearing for the Order of Taking of Easement Only in Kelly Lane**

Motion to approve the Order of Taking of a perpetual right and easement to pass along and to use the parcel of land known as Kelly Lane, for all purposes for which public ways are now or may hereafter be used in the City of Lynn and as more fully set out and defined in said order of taking, subject to the City of Lynn receiving a recorded Restrictive Perpetual Covenant that prohibits future access nor future egress either by private or public way into any abutting city or town for the purpose(s) of future development.

The following appeared in Favor:

Attorney Ted Regnante

David Solimini, Jr.

Lucy Dearborn, Lynn

Christine Pierce, Lynn

John Olson, Lynn

Bob and Ron Connors, Lynn

Kevin Woodbury, Lynn

Bill Hanscom, Lynn

The following appeared in Opposition:

Anthony Gamboli, 18 Kelly Lane

Ms. Chandler, 24 Kelly Lane

Coreen Gilltee, 21 Kelly Lane

Michael Chandler, 24 Kelly Lane

Public Hearing Closed.

**Motion made by Councilor Lozzi and seconded by Councilor Net to grant the Order of Taking.**

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

**10 YES 0 NO (Councilor Trahant voting PRESENT).**

## **UNFINISHED BUSINESS:**

Adopt permanently the following:

An Ordinance Relative to the Granting or Renewing of Certain Licenses and Permits in the City of Lynn.

**Motion made by Councilor Barton and seconded by Councilor Capano to grant.**

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

**11 YES 0 NO**

An Ordinance Amending the Ordinance Regulating Fire alarms in the City of Lynn.

**Motion made by Councilor Barton 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 24, 2017 Committee on Ordinance and Rules recommending the following to be accepted:**

#### **Discussion and/or Set Down for Public Hearings:**

A Proposed Ordinance Repealing the Ordinance Modernizing and Reorganizing the Office of the City Clerk – **Granted**

An Act Amending the Act Establishing a Department of Inspectional Services in the City of Lynn- **Granted**

An Act Authorizing the City of Lynn to Use Certain Park Land for School Purposes- **Granted**  
**REPORT ACCEPTED.**

### **Report of the January 24, 2017 Committee on Ways and Means recommending the following to be accepted:**

Ordered that the City Comptroller take the following actions:

Transfer the sum of One Thousand Five Hundred Dollars and Zero Cents (\$1,500.00) from Reserve Fund to Collector's Expense.

**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 One Thousand Five Hundred Dollars and Zero Cents (\$1,500.00) from Reserve Fund to Collector's Expense**

**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 Four Hundred Forty Dollars and Zero Cents (\$440.00) from Emergency Management Payroll to Emergency Management Expense.

**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 Four Hundred Forty Dollars and Zero Cents (\$440.00) from Emergency Management Payroll to Emergency Management Expense.**

**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 Four Hundred Eighty Nine Thousand Eight Hundred Sixty One Dollars and Eighty Four Cents (\$489,861.84) as allotted to the City of Lynn Police Department by the Executive Office of Public Safety and Security (EPS) for the FY17 Massachusetts Municipal Public Safety Staffing Grant. Grant Period 2/1/17- 12/3/17

**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 an Order to certify as an "Available Fund" the amount of Four Hundred Eighty Nine Thousand Eight Hundred Sixty One Dollars and Eighty Four Cents (\$489,861.84) as allotted to the City of Lynn Police Department by the Executive Office of Public Safety and Security (EPS) for the FY17 Massachusetts Municipal Public Safety Staffing Grant.**

**Grant Period 2/1/17- 12/3/17**

**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 Hundred Twenty Two Thousand Dollars and Zero Cents (\$122,000.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the 323 Title 1 FY17 Grant. Grant period 1/1/17 – 8/31/17

**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 an Order to certify as an “Available Fund” the amount of One Hundred Twenty Two Thousand Dollars and Zero Cents (\$122,000.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the 323 Title 1 FY17 Grant. Grant period 1/1/17 – 8/31/17**

**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 January 24, 2017 Committee of the Whole recommending the following:**

Informal Report of the Pickering Site Review Committee; and Other Business  
Lynn Stapelton and her colleague presented a power point presentation on the proposed two Junior High Schools.

The following Spoke:

Mayor Judith Flanagan Kennedy

Dr. Catherine C. Latham, Superintendent of Schools

Donald Castle, Lynn with Attorney Tim Cavanaugh

Brant Duncan, Lynn

**REPORT ACCEPTED.**

**Motion made by Councilor Barton and seconded by Councilor Walsh 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**