

**CITY OF LYNN****Regular City Council Meeting, February 14, 2017  
Council President Darren P. Cyr****Eleven Councillors Present**

**Moment of Silence.** Councilor Walsh asked that the Family of Bob Doyle be remembered. Council Vice-President Barton asked that the McCoy Family also be remembered.

**Council President Cyr introduced Kyle McCarthy, a student at Lynn Classical High School who is attending the Council Meeting with Councilor Chakoutis for a school project. Council President Cyr asked Mr. McCarthy to lead the audience in the Pledge of Allegiance.**

**Pledge of Allegiance.**

**Motion made by Councilor Colucci and seconded by Councilor Capano to accept the Meeting Minutes of January 24, 2017.**

**Motion carried.**

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

Dear Councilors:

I am hereby appointing Ms. Roxanne Marshall to the Citizens Advisory Board to replace Gregory Osias. Ms. Marshall's term is effective immediately.

Sincerely, Judith Flanagan Kennedy, Mayor

**Motion made by Councilor Colucci and seconded by Councilor Walsh to approve.**

**Motion carried.**

Dear Councilors:

I am hereby reappointing Mr. Robert Stillian as Chairman to the Planning Board, effective immediately and will expire on April 1, 2022.

Sincerely, Judith Flanagan Kennedy, Mayor

**Motion made by Councilor Barton and seconded by Councilor Trahan to reappoint Robert Stillian as Chairman to the Planning Board, effective immediately and will expire on April 1, 2022.**

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

**11 YES 0 NO**

Dear Councilors:

I am hereby reappointing the following individuals to the Planning Board: David Angelli, Paul Price and Stephen C. Upton. Mr. Angelli's term is effective immediately and will expire on April 1, 2019; Mr. Price's term is effective immediately and will expire on April 1, 2021; and Mr. Upton's term is effective immediately and will expire on April 1, 2018.

Sincerely, Judith Flanagan Kennedy, Mayor

**Motion made by Councilor Baton and seconded by Councilor Colucci to re-appoint David Angelli, Paul Price and Stephen C. Upton to the Planning Board. Mr. Angelli's term is effective immediately and will expire on April 1, 2019; Mr. Price's term is effective immediately and will expire on April 1, 2021; and Mr. Upton's term is effective immediately and will expire on April 1, 2018.**

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

**11 YES 0 NO**

**Motion made by Councilor Lozzi and seconded by Councilor Capano to forward a letter to Her Honor the Mayor why their terms lapsed for so long.**

**Motion carried.**

**Discussion:** Medical Marijuana Treatment Facilities

**Motion made by Councilor Capano and seconded by Councilor Walsh to forward a Letter of Non Opposition to the Massachusetts Department of Public Health regarding the Application for a Medical Marijuana Treatment Facility in the City of Lynn on behalf of Olde World Remedies, Inc. for a facility located at 953 Western Avenue, Lynn, MA 01902.**

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

**10 YES 0 NO (Councilor Cahill ABSTAINED).**

**Motion made by Councilor Capano and seconded by Councilor Walsh to forward a Letter of Non Opposition to the Massachusetts Department of Public Health regarding the Application for a Medical Marijuana Treatment Facility in the City of Lynn on behalf of Massachusetts Patient Foundation, Inc. for a facility located at 487 – 491 Lynnway, Lynn, MA 01902.**

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

**11 YES 0 NO**

Resolution for the Downtown Arts and Culture District Re-Designation. *(Cyr, Barton, Chakoutis, Cahill, LaPierre, Net, Lozzi, Trahant, Colucci, Capano and Walsh)*

**Motion made by Councilor Lozzi and seconded by Councilor Walsh to grant.**

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

**11 YES 0 NO**

**PUBLIC HEARINGS:**

A Proposed Ordinance Repealing the Ordinance Modernizing and Reorganizing the Office of the City Clerk.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

**Motion made by Councilor Barton and seconded by Councilor Trahan to Grant.**

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

**11 YES 0 NO**

An Act Amending the Act Establishing a Department of Inspectional Services in the City of Lynn.

The following Appeared in Favor:

Joseph Martin, 27 Kings Beach Road, Lyn

The following appeared in Favor.

Public Hearing Closed.

**Motion made by Councilor Capano and seconded by Councilor Walsh to grant with the stipulation that the Custodians and Maintenance go over to the school side and that Collective Bargaining be conducted by the Lynn School Department.**

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

**11 YES 0 NO**

An Act Authorizing the City of Lynn to Use Certain Park Land for School Purposes.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

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

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

**11 YES 0 NO**

**PUBLIC HEARINGS TO BE SET DOWN:**

-Petition of Jose Bracamontes owner of Taqueria Dona Julia, 80 Central Ave for permission to add an "All Alcohol" license in an existing restaurant open on Monday through Sunday 9:00 AM to 12:00 AM (**Chakoutis**)

-Petition of Alexander and Wilder Rodriguez to open a Bakery with seating at 70 Commercial Street (**Capano**)

-Petition of National Grid, Robert Coultor, for permission to propose duct bank installation on Washington St from the intersection of Boston St to the intersection of Loughton St. **(Chakoutis)**

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

**Motion carried.**

## **COMMITTEE REPORTS:**

**Report of the February 14, 2017 Committee on Ways and Means recommending the following to be accepted:**

*Ordered that the City Comptroller take the following action:*

Transfer the sum of (106,100.00)  
ONE HUNDRED SIX THOUSAND ONE HUNDRED DOLLARS AND ZERO  
CENTS (106,100.00) from the Reserve to Police Dept for Retirement payouts

**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 HUNDRED SIX THOUSAND ONE HUNDRED DOLLARS AND ZERO CENTS (106,100.00) from the Reserve to Police Dept for Retirement payouts**

**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 (58,446.49)  
FIFTY EIGHT THOUSAND FOUR HUNDRED FORTY SIX DOLLARS AND  
FORTY NINE CENTS from the Reserve to various departments to fund Sick buy back  
per Collective Bargaining terms.

**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 FIFTY EIGHT THOUSAND FOUR HUNDRED FORTY SIX DOLLARS AND FORTY NINE CENTS (\$58,446.49) from the Reserve to various departments to fund Sick buy back per Collective Bargaining terms.**

**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**

Appropriate the sum of (355,000.00)

THREE HUNDRED FIFTY FIVE THOUSAND DOLLARS AND ZERO CENTS from Revolving accounts to the Pickering Middle School Feasibility Study for 2 new Middle schools

**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 appropriating the sum of THREE HUNDRED FIFTY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$355,000.00) from Revolving accounts to the Pickering Middle School Feasibility Study for 2 new Middle schools**

**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 (2,271.54)

TWO THOUSAND TWO HUNDRED SEVENTY ONE DOLLARS FIFTY FOUR CENTS from the State Election Funds to the Election payroll to fund Workers for the Special Elections.

**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 TWO THOUSAND TWO HUNDRED SEVENTY ONE DOLLARS FIFTY FOUR CENTS (\$2,271.54) from the State Election Funds to the Election payroll to fund Workers for the Special Elections.**

**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 (50,600.00)

FIFTY THOUSAND SIX HUNDRED DOLLARS ZERO CENTS from the State Election funds to the accounts of Election and City Clerk to fund the Special Election in March 2017

**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 FIFTY THOUSAND SIX HUNDRED DOLLARS ZERO CENTS (\$50,600.00) from the State Election funds to the accounts of Election and City Clerk to fund the Special Election in March 2017**

**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 (55.06)

FIFTY FIVE DOLLARS AND SIX CENTS from the Lynn Fire expense to the Fire Dept for prior year bills

**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 FIFTY FIVE DOLLARS AND SIX CENTS (\$55.06) from the Lynn Fire expense to the Fire Dept for prior year bills**

**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" in the amount of (399,288.00)

THREE HUNDRED NINETY NINE THOUSAND, TWO HUNDRED EIGHTY EIGHT DOLLARS AND ZERO CENTS (399,288.00) to the DPW by the DOT for the Complete Streets Program Grant.

**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 THREE HUNDRED NINETY NINE THOUSAND, TWO HUNDRED EIGHTY EIGHT DOLLARS AND ZERO CENTS (399,288.00) to the DPW by the DOT for the Complete Streets Program Grant.**

**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:**

**11 YES 0 NO**

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

**11 YES 0 NO**

Certify as an "Available Fund" the amount of (8,800.00) EIGHT THOUSAND EIGHT HUNDRED DOLLARS AND ZERO CENTS to the School Department by the MASS Life Sciences Center to fund the Professional Development Program at LEHS.

**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 EIGHT THOUSAND EIGHT HUNDRED DOLLARS AND ZERO CENTS (\$8,800.00) to the School Department by the MASS Life Sciences Center to fund the Professional Development Program at LEHS.**

**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:**

**11 YES 0 NO**

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

**11 YES 0 NO**

**REPORT ACCEPTED.**

**Report of the February 14, 2017 Committee on Licensing recommending the following to be accepted:**

**TAXI OPERATORS (NEW)**

Garcia, Marcos, 7 Fortesque Terr #2- - **Granted**

Lopez, Alex, 420 Boston St. #2- **Granted**

Moore, Jared, 20 Waverly St.- **Tabled**

Munoz, Elbis F. 50 S. Common St. #111- **Granted**

Ragusa, Lisa, 42 Baker St. – **Granted 2/30-60-90 Day Review**

Vargas Jaquez, Alberto, 465 Essex St. - **Granted**

**LIVERY OPERATOR (NEW)**

Green, James, 21 Wave St. #4- **Tabled**

Dalton, Richard, 550 Eastern Ave.- **Tabled**

Soucier, Catherine, 124 Green St. #301- **Granted**

**TAXI MEDALLION AGREEMENT**

DCBA vs. Steve Rosario Arias- **Granted**

**TAXI OPERATOR (90 DAY REVIEW)**

Garcia, Jelame, 33 Circuit Ave. - **Granted**

Robertson, Corey D., 469 Western Ave. #3- **Granted**

**LIVERY OPERATOR (60 DAY REVIEW)**

Garcia, Jelame, 33 Circuit Ave. - **Granted**

**EXTENDED HOURS (NEW) – TO BE SET DOWN FOR PUBLIC HEARING**

Domino’s Pizza, 341-347 Union St. - **Granted**

**OLD GOLD SILVER -RENEWAL**

506 Lynnway, Lynnway Tools & Collectibles- **Granted**

810 Lynnway, Universal Jewelers- **Granted**

**SECOND HAND-NEW**

306 Essex Street, Ultra Cliff Wireless- **Granted**

**SECOND HAND ARTICLE –RENEWAL**

157 Broad Street, Union Discount- **Granted**

506 Lynnway, Lynnway Tools & Collectibles- **Granted**

810 Lynnway, Lynn Wireless- **Granted**

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

810 Lynnway, Andres Tools- **Granted**

21 Munroe Street, Yours and Mine Consignment- **Granted**

46 Ocean Street, The Yard Sale- **Granted**

39 Savory Street, Quality Quest- **Granted**

41 State Street, Game Stop 6006- **Granted**

381A Summer Street, JMP Wireless (Review) - **Granted**

**AUTO REPAIR/FLAMMABLE LICENSE – NEW**

350 Chestnut St. – Duran Auto Repair, Inc. - **Granted**

**COIN OPERATED DEVICE VENDOR – NEW**

Eastern Candy Co. – 45 Beacon St., Reading, MA 01986- **Granted Temporary**

**COIN OPERATED DEVICES – NEW**

1 Market St. Suite 1D – The Vault Lifestyle Boutique – 1 Class III- **Granted**

408 Summer St. – El Pulgarsito Restaurant II – 2 Class II- **Granted Temporary**

**AUTO REPAIR/FLAMMABLE LICENSE – 60 DAY REVIEW**

*(FYI - Both Owners were out of the country in Dec and Jan)*

131 Commercial St. – North Shore Car Rental- **Granted**

371 Summer St. – Express Auto and Tires Repair - **Tabled**

**CANNING**

Knights of Columbus (Adults Only) – October 6, 7, 8, 9, 2017- **Granted**

Santa’s Island (Adults Only) – Month of December, 2017- **Granted**

East Lynn Little League (Adults Only) – June 1, 2, 3, 2017- **Granted**

English High School Baseball (Adults Only) – March 23, 24, 25, 2017- **Granted**

English High School Football (Adults Only) – July 7,8,9, 2017- **Granted**

Greater Lynn Babe Ruth (Adults Only) – April 14, 15, 16, 2017- **Granted**

**COMMUNICATION FROM THE LYNN POLICE DEPARTMENT**

Re: Complaint / Luli’s Café, 312 Union Street- **Accepted for the File**

**OTHER BUSINESS**

**REPORT ACCEPTED.**



**Report of the February 14, 2017 Committee on Public Property recommending the following to be accepted:**

1. Request from the Department of Public Works to Dispose of Surplus Equipment. - **Granted**
2. Discussion re: Cemetery Land – **Motion to request the Solicitor’s Office to draft language and prepare documents for the transfer of unneeded land to Cemetery. Motion carried.**

**3. OTHER BUSINESS  
REPORT ACCEPTED.**

**NEW BUSINESS:**

**Motion made by Councilor LaPierre and seconded by Councilor Chakoutis to request the City Council forward a letter to the Secretary of Transportation requesting the contact information for a representative at the MBTA regarding snow removal under and around the MBTA Bridges in the City of Lynn.  
Motion carried.**

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