

CITY OF LYNN

**Regular City Council Meeting, July 11, 2017
Council President Darren P. Cyr**

**Eleven Councillors Present
Moment of Silence.
Pledge of Allegiance.**

COMMUNICATIONS:

**Motion made by Councilor Lozzi and seconded by Councilor Cahill to suspend the rules to Re-Appoint Christopher Gaeta to the position of Assessor.
Motion carried by the following yea and nay vote:
11 YES 0 NO**

Communication from Her Honor the Mayor:

Dear Councilors:

Pursuant to my authority under Section 2-3 and 3-9 of the Lynn City Charter, I hereby re-appoint Andrew J. Hall to the position of DPW Commissioner, subject to Council approval. Said appointment shall take effect upon Council approval.

Sincerely, Judith Flanagan Kennedy, Mayor

Motion made by Councilor Colucci and seconded by Councilor Trahant to Re-Appoint Andrew J. Hall to the position of DPW Commissioner, subject to Council Approval. Said appointment shall take effect upon Council approval.

***Motion carried by the following yea and nay vote:
11 YES 0 NO***

PUBLIC HEARINGS:

Petition of Cristobal Garcia, Pastor of Iglesia de Dios at 16 Union St for a Sign Permit.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

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

**Motion carried by the following yea and nay vote:
11 YES 0 NO**

Petition of Dollar Tree located at 15 Joyce St for a Sign Permit.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

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

Motion carried by the following yea and nay vote:

11 YES 0 NO

Petition of Joyce St LLC located at 17 Joyce St for a Sign Permit.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

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

Motion carried by the following yea and nay vote:

11 YES 0 NO

Ordered that the MA Patient Foundation Inc. have permission to operate a dispensing only Medical Marijuana Treatment Center at 487-491 Lynnway.

The following appeared in Favor:

Attorney Sam Vitali

Lou Markakas, Lynnway Associates

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Capano and seconded by Councilor Walsh to grant the Prayer of the Petitioner with the following stipulations:

- 1. Massachusetts Patient Foundation, Inc. providing a copy of its registration as a Medical Marijuana Treatment Center from the Department of Public Health to operate in the City of Lynn.**
- 2. Massachusetts Patient Foundation, Inc. executing a Satisfactory Host Community Agreement with the City of Lynn.**
- 3. The conditions included in Section 13 of the Medical Marijuana Zoning Amendment.**
- 4. Massachusetts Patient Foundation, Inc. providing a description of the security measures, including employee security policies, approved by the Department of Public Health for the Medical Marijuana Treatment Center.**
- 5. Massachusetts Patient Foundation, Inc. providing a copy of the emergency procedures approved by the Department of Public Health for the Medical Marijuana Treatment Center.**

6. **Massachusetts Patient Foundation, Inc. providing a copy of the policies and procedures for patient or personal caregiver home delivery approved by the Department of Public Health for the Medical Marijuana Treatment Center.**
7. **Massachusetts Patient Foundation, Inc. providing a copy of the policies and procedures for the transfer, acquisition, or sale of marijuana between the Medical Marijuana Treatment Center approved by the Department of Public Health.**

Motion carried by the following yea and nay vote:

11 YES 0 NO

PUBLIC HEARINGS TO BE SET DOWN FOR AUGUST 8 MEETING:

-Request for a Public hearing on the City's Annual Action Plan, including the use of the Department of Housing and Urban Development appropriations for the Community Development Block Grant, HOME Investment Partnership Grant and the Emergency Solutions Grant.

Petition of Kettle Cuisine LLC for a sign permit at 330 Lynnway **(Capano)**

Petition of Vicky's Restaurant at 141 Essex St to serve wine and malt beverages in an existing restaurant with hours from 7 am to 10 pm. **(Cyr)**

Petition of N.S. Holdings LLC for an Apartment House use in a business district at 559, 563, 567, and 571 Summer Street **(Walsh)**

Petition of National Grid to install 1 JO pole on Boston St beginning at a point approx. 0 feet north of the intersection of Boston and Washington St and continuing approx. 150 feet in a northerly direction. **(Chakoutis)**

Petitions by Mobilitie to attach, maintain and operate cell communication equipment on existing poles at the following locations:

Eastern Ave and Lambert St **(Trahan)**

Western Ave and Bellaire St **(Trahan)**

Commercial St and S. Common **(Capano)**

Hanson St and Lynnway **(Capano)**

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

Motion carried.

COMMITTEES:**Report of the July 11, 2017 Committee on Ordinance and Rules recommending the following to be accept:**

Discussion re: The Noise Ordinance
Other Business

REPORT ACCEPTED.

Report of the July 11, 2017 Committee on Ways and Means recommending the following to be accepted:

Transfer the sum of FIVE THOUSAND SIX HUNDRED FIFTY TWO DOLLARS AND ZERO CENTS (\$5,652.00)

From the Account of <u>43915-Various</u> Abandoned Veh-Exp	\$5,652.00
To the Account of <u>43925-3000</u> Parking-Exp	\$5,652.00

To fund purchase of new meters.

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 FIVE THOUSAND SIX HUNDRED FIFTY TWO DOLLARS AND ZERO CENTS (\$5,652.00)

From the Account of <u>43915-Various</u> Abandoned Veh-Exp	\$5,652.00
To the Account of <u>43925-3000</u> Parking-Exp	\$5,652.00

To fund purchase of new meters.

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 TWENTY THREE THOUSAND EIGHT HUNDRED SIXTY EIGHT DOLLARS AND ZERO CENTS (\$423,868.00)

From the Account of <u>44105-2905</u> DPW-Exp	\$125,000.00
From the Account of <u>89505-7800</u> Pension-Exp	\$150,000.00
From the Account of <u>91177-9510</u> Excess WC-Exp	\$148,868.00

To the Account of 98045-7400 FICA-Exp \$423,868.00
 To fully fund account through the end of FY, shortfall due to settlement of
 labor contracts.

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 TWENTY THREE THOUSAND EIGHT HUNDRED SIXTY EIGHT
 DOLLARS AND ZERO CENTS (\$423,868.00)**

**From the Account of 44105-2905 DPW-Exp
 \$125,000.00**

From the Account of 89505-7800 Pension-Exp \$150,000.00

From the Account of 91177-9510 Excess WC-Exp \$148,868.00

To the Account of 98045-7400 FICA-Exp \$423,868.00

**To fully fund account through the end of FY, shortfall due to settlement of
 labor contracts.**

**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 ONE HUNDRED EIGHTY DOLLARS AND ZERO CENTS
 (\$180.00)

From the Account of 98035-7800 Reserve \$180.00

To the Account of 43914-1000 Abandoned Veh-PR \$180.00

To fully fund Payroll thru the end of the FY.

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 EIGHTY DOLLARS AND ZERO CENTS (\$180.00)**

From the Account of 98035-7800 Reserve \$180.00

To the Account of 43914-1000 Abandoned Veh-PR \$180.00

To fully fund Payroll thru the end of the FY.

**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 SIX HUNDRED SEVENTEEN DOLLARS AND ZERO CENTS (\$617.00)

From the Account of <u>98035-7800</u> Reserve	\$617.00
To the Account of <u>22604-1000</u> Emerg Mgmt-PR	\$127.00
To the Account of <u>22604-0900</u> Emerg Mgmt-PR	\$490.00

To fully fund Payroll thru the end of the FY.

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 HUNDRED SEVENTEEN DOLLARS AND ZERO CENTS (\$617.00)

From the Account of <u>98035-7800</u> Reserve	\$617.00
To the Account of <u>22604-1000</u> Emerg Mgmt-PR	\$127.00
To the Account of <u>22604-0900</u> Emerg Mgmt-PR	\$490.00

To fully fund Payroll thru the end of the FY.

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

Transfer the sum of SIX HUNDRED DOLLARS AND ZERO CENTS (\$600.00)

From the Account of <u>98035-7800</u> Reserve	\$600.00
To the Account of <u>43924-0900</u> Parking-PR	\$592.00
To the Account of <u>43924-1000</u> Parking-PR	\$ 8.00

To fully fund Payroll thru the end of the FY.

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 HUNDRED DOLLARS AND ZERO CENTS (\$600.00)

From the Account of <u>98035-7800</u> Reserve	\$600.00
To the Account of <u>43924-0900</u> Parking-PR	\$592.00
To the Account of <u>43924-1000</u> Parking-PR	\$ 8.00

To fully fund Payroll thru the end of the FY.

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

Transfer the sum of One Hundred Thousand Dollars and Zero Cents (\$100,000.00)

From the Account of 98035-7800 Reserve \$100,000.00

To the Account of D8234-1000 School Dept-Exp \$100,000.00

To fully fund FY18 School Department allocation.

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 THOUSAND DOLLARS AND ZERO CENTS (\$100,000.00)

From the Account of 98035-7800 Reserve \$100,000.00

To the Account of D8234-1000 School Dept-Exp \$100,000.00

To fully fund FY18 School Department allocation.

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 SEVENTY TWO THOUSAND NINE HUNDRED SEVENTY THREE DOLLARS AND NINETY ONE CENTS (\$172,973.91) as allotted to the City of Lynn Health Department by the Department of Public Health (DPH) for the FY2018 MA Tobacco Cessation & Prevention Program. Grant Period 7/1/17-6/30/18

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 SEVENTY TWO THOUSAND NINE HUNDRED SEVENTY THREE DOLLARS AND NINETY ONE CENTS (\$172,973.91) as allotted to the City of Lynn Health Department by the Department of Public Health (DPH) for the FY2018 MA Tobacco Cessation & Prevention Program.

Grant Period 7/1/17-6/30/18

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 SIXTY FIVE THOUSAND ONE HUNDRED ONE DOLLARS AND ZERO CENTS (\$65,101.00) as allotted to the City of Lynn Police Department by the Department of Justice (DOJ) for the FY2015 JAG Grant.

Grant Period 10/1/14-09/30/18

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 SIXTY FIVE THOUSAND ONE HUNDRED ONE DOLLARS AND ZERO CENTS (\$65,101.00) as allotted to the City of Lynn Police Department by the Department of Justice (DOJ) for the FY2015 JAG Grant.

Grant Period 10/1/14-09/30/18

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 July 11, 2017 Committee on Licensing recommending the following to be accepted:

TAXI OPERATORS – NEW:

Antulano, Alberto – 22 Paleo Logo St, Peabody, MA - **Tabled**

Elsnrafi, Tarik- 65 Kennedy Dr. Malden, MA - **DENIED**

Encarnacion, Ruddy-5 Oakwood Ave, Lynn, MA - **Granted**

Fausto, Pena-22 Paleo Logo St, Peabody, MA- **Granted**

Reyes, Jonathan- 232 Curwin Circle, Lynn, MA - **Tabled**

Sanchez, Julio -13 Cleveland St., Gloucester, MA (*LIVERY & TAXI*) - **DENIED**

LIVERY OPERATORS (NEW):

Florence, Taylor, 25 Taylor St., Lynn, MA - **Tabled**

Lopez, Jose- 41 Elliot St. Beverly, MA - **Granted**

O’Rielly, Jessica- 36 Derby St, Salem, MA - **Granted**

Rucker, Ty- 2 Williams Pl., Lynn, MA- **Tabled**

Sanchez, Julio -13 Cleveland St, Gloucester, MA - **DENIED**

FOOD TRUCK LICENSE-NEW :

3-11 Mt. Vernon Street – Chef Leo’s Kitchen 133 Walnut Street, Malden, MA - **Granted with standard stipulations.**

AUTO BODY/AUTO REPAIR/FLAMMABLE LICENSE – NEW:

154 South St. – Saugus Auto Craft, Inc. – **Granted with standard stipulations.**

AUTO REPAIR/FLAMMABLE LICENSE – NEW:106 Chestnut St. – Bodre Auto Repair - **Tabled****COIN OPERATED DEVICES – NEW:**337 Union St. – JB's Barber Shop – 1 Class II- **Granted with 30-60-90 Day Review**47-49 Central Ave.–Eclipse Bar & Grill – 1 Class II- **Granted w/ 30-60-90 Day Review****90 DAY REVIEWS:****CLASS II AUTO DEALER/AUTO REPAIR/FLAMMABLE – NEW**350 Chestnut St. – Duran Auto Repair, Inc. - **Granted****AUTO REPAIR/FLAMMABLE :**407 Essex St. – Melo's Tire and Auto Service- **Granted w/30-60-90 Day Review**371 Summer St. – Express Auto and Tires Repair - **Tabled****EXTENDED HOUR RENEWALS PUBLIC HEARINGS:****The following Extended Hours were Extended for 30-Day Review:**

60 Boston St	McDonalds	Drive thru 24 Hours
65 Boston St	CVS Pharmacy	24 Hours
80 Boston St	Dunkin Donuts	24 Hours
108 Boston St	Burger King	Sun-Wed 6:00am - 1:00am/ Thurs-Sat 6am-2am
116 Boston St	Wendys	Drive Thru Till 4am

The following Extended Hours were Granted:

122 Boston St	Boston Shell	24 Hours
124 Broad St	George's Roast	10:30 AM-2:00 & SUN 12:00 PM-2:00 AM
668 Chestnut St	Cumberland Farms	24 Hours
512 Chestnut St	Ghemwa Inc	5:00am-2:00am Lynn Mobil
264 Essex St	7-11	24 Hours
61 Franklin St.	Caribe Restaurant	7:00am-1:00am
120-122 Liberty St.	Speedway	24 Hours
3 Lynnfield St	7-11	24 Hours
377 Lynnway	Wendys	24 Hours
364 Lynnway	Dunkin Donuts	24 Hours
567 Lynnway	McDonalds	24 Hours
535 Lynnway	Lynnway Shell	24 Hours
525 Lynnway	Ese Energy DBA	24 Hours
16 Market Sq	Lynn House Of RB	10:00am-2:00am 7 Days
17 Market Sq	People's Choice	10:00am-1:30am 7 Days
50 Western Ave	7-11	24 Hours
707 Western Ave	Dominos	Sun-Thurs 11am -12am/Fri-Sat 11am-1:30am

CANNING:Lynn Special Needs (Adults Only) – July 12, 13, 14, 2017- **Granted**Lynn Parks & Recreation (Adults Only) – July 19, 20, 21, 2017- **Granted**Lynn English Varsity Cheerleaders (Adults Only) – July 15, 16, 23, 2016 - **Granted****AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL**61 Commercial St. - Perez Service & Repair- **Granted**555 Lynnway – Midas- **Granted**860 Western Ave. – A & J Auto Repair- **Granted**

AUTO BODY/AUTO REPAIR/FLAMMABLE LICENSE - RENEWAL

15 Alley St. – Crystal Diamond Auto Body- **Granted**
 46 Bennett St. – Tatiana’s Auto Body- **Granted**
 220 Chestnut St. – Auto Body Rebuilders, Inc. - **Granted**
 443 Lynnway – Toro’s Auto Center- **Granted**

FLAMMABLE LICENSE – RENEWAL

20-24 Boston St. – Lynn Ladder & Scaffolding, Co., Inc. - **Granted**
 122 Boston St. – Boston St. Shell #04037- **Granted**
 172 Boston St. – Arctic Oil Co. - **Granted**
 134 Broadway – St. Joseph Cemetery- **Granted**
 229 Broadway – Fardin Inc./DBA Richdale- **Granted**
 512 Chestnut St. – (Ghenwa Inc.) Lynn Mobil- **Granted**
 31 Collins St. – Delulis Brothers Construction- **Granted**
 225 Commercial St. – Turner Inc. - **Granted**
 101 Harbor St. – All Welding Supplies, Inc. - **Granted**
 122 Liberty St. – Speedway LLC dba Speedway 2502 - **Granted**
 535 Lynnway – Lynnway Shell #04032- **Granted**
 195 Market St. – Eastern Bank- **Granted**
 95 Munroe St. – Beden Hardware- **Granted**
 56 Sanderson Ave. – Leahy Landscaping, Inc. - **Granted**
 638 Summer St. – C.L. Hawthaway- **Granted**
 12 Washington St. – J & S Transport Co., Inc. - **Granted**
 510 Washington St. – Michael Russo Jr. Plumbing & Heating Co., Inc. - **Granted**
 37 Waterhill St. – Demakes Enterprises DBA Old Neighborhood Foods- **Granted**
 1069 Western Ave. – Fisher Auto Parts- **Granted**

COIN OPERATED VENDORS – RENEWAL

A-1 Vending – 287 Nahattan St., Norwood, MA- **Granted**
 C & R Vending Co. – 21 Gates Rd., Middleton, MA - **Granted**

COIN OPERATED DEVICES – RENEWAL

421 Essex St. – Essex Laundromat – 4 Class III- **Granted**
 497 Lynnway – Lynnway Sports Center – 3 Class II, 1 Class III- **Granted**
 595 Summer St. – 595 Café – 1 Class II- **Granted**
 612 Summer St. – White Eagle – 1 Class III- **Granted**
 535 Western Ave. – Franco-Amvets – 1 Class III- **Granted**

SIGN LICENSE-RENEWALS

11 Agganis Square, Barcelona Barbershop- **Granted**
 15 Alley Street, Crystal Diamond- **Granted**
 22 Bennett Street, O -N- W Auto Body- **Granted**
 26 Bennett Street, REM Auto Body- **Granted**
 511 Boston Street, Top Of The Line Haircuts- **Granted**
 524 Boston Street, Loomos Bros. - **Granted**
 9 Broad Street, Tropical Nails- **Granted**
 174 Broad Street, Olympic Auto Body & Sales, LLC- **Granted**
 314 Broadway, Wyoma Square- **Granted**

116 Central Ave., Taqueiria Montecristo- **Granted**
 159 Central Ave., C.M. Bistro- **Granted**
 256 Chatham Street, Crown Fried Chicken, II- **Granted**
 105 Essex Street, TC Nails Spa- **Granted**
 161 Essex Street, Alnour Market- **Granted**
 163 Essex Street, Swampscott Refrigeration- **Granted**
 395 Essex Street, Centro Liquors- **Granted**
 411 Essex Street, Mi Provencia Market- **Granted**
 585 Essex Street, Richdale Conven. - **Granted**
 137 Euclid Ave., Connor Real Estate- **Granted**
 65 Exchange Street, Junction Deli- **Granted**
 143 Franklin Street, New England Laundromat- **Granted**
 162 Franklin Street, Chapin Express- **Granted**
 2 Lafayette Park, Professional Beauty Salon- **Granted**
 2-4 Lafayette Park, San Francisco Market- **Granted**
 15 Lewis Street, Giovanni's House of Pizza- **Granted**
 161 Lewis Street, Harriet Beauty Salon- **Granted**
 183 Lewis St, Casa Amalia Restaurant- **Granted**
 204 Lewis Street, Beachside Roastbeef- **Granted**
 234 Lynnfield Street, Salon 234 Salon & Spa- **Granted**
 16 Market Street, Taqueria Mexico Lindo Corp. - **Granted**
 30 Market Street, North Shore Vacuum- **Granted**
 144 Market Street, Dragon Inn- **Granted**
 95 Munroe Street, Beden Hardware- **Granted**
 201 No Common Street, America Food Basket- **Granted**
 15 Sutton Street, Thomas D. Haggard Attorney- **Granted**
 19 Sutton Street, Nike Africa Food Market- **Granted**
 116 Union Street, Envios de Valores La Nacional Corp. - **Granted**
 201 Union Street, My Guatemala Bakery- **Granted**
 333 Union Street, Ministerios Vision Cristiana- **Granted**
 12 Washington Street, J & S Transport Co. Inc. - **Granted**
 341 Washington Street, Dr. Joseph Dowling, Md- **Granted**
 32 Western Ave., W. Proodian & Sons, Inc. - **Granted**
 836 Western Ave., Alvin Barbershop- **Granted**
 858 Western Ave., Bruno's Bar & Burger- **Granted**
 860 Western Ave., A & J Auto Repair- **Granted**
 1069 Western Ave., Fisher Auto Parts- **Granted**

OTHER BUSINESS:

Motion made by Councilor Lozzi to request ISD to go out daily to enforce the Nuisance and Trash violations at and in the vicinity of Carroll's Boston Street Car Wash, 75 Boston, Lynn.

REPORT ACCEPTED.

Report of the July 11, 2017 Committee on Utilities recommending the following to be accepted:

1. **PUBLIC HEARINGS:**

Petition of Verizon for a Grant of Location to provide service at 104 Ocean Street. (Colucci) **(Tabled 6/13/2017) – Tabled (Councilor Cyr would like to meet with Verizon and neighbors).**

Petition of Mobilitie for permission to attach, maintain and operate small cell communications equipment on a existing pole located within the city right-of-way – Near 22 Tracey Avenue and Wass Street. **(Tabled 6/13/2017) - Tabled**

Petition of Mobilitie for permission to attach, maintain and operate small cell communications equipment on a existing pole located within the city right-of-way – Near 16 Tremont Street – Market Street. **(Tabled 6/13/2017) - Tabled**

Petition of Mobilitie for permission to attach, maintain and operate small cell communications equipment on a existing pole located within the city right-of-way – Location – Route 107-Western Avenue and Barrett Street. **(Tabled 6/13/2017) - Tabled**

Petition of National Grid for permission to install +/- 5' of 2-4" PVC conduit (to the southwesterly direction) from an existing pole #51, in the sidewalk, to the property line of #176 Franklin Street. - **Granted**

2. **OTHER BUSINESS**

REPORT ACCEPTED.

NEW BUSINESS:

Ordered that her Honor the Mayor is hereby authorized to all necessary agreements between the Massachusetts Bay Transportation Authority and North Shore Community College to provide eligible Lynn residents and residents of the North Shore with a discounted Youth Pass.

Motion made by Councilor Barton and seconded by Councilor Cahill to suspend the rules to allow Ms. Patricia A. Gentile, ED.D, President, North Shore Community College to speak.

Motion carried.

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

Motion carried by the following yea and nay vote:

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

**RESOLUTION
IN SUPPORT OF SITE ASSESSMENT OF
83 WILLOW STREET, LYNN MASSACHUSETTS**

WHEREAS, the land located at 83 Willow Street, Lynn, Massachusetts has become a public safety danger due to the real or perceived presence of oil or hazardous materials, and performance of a site assessment will facilitate redevelopment of the "Site";

WHEREAS, the City of Lynn has been awarded a Brownfields recoverable grant in the amount of \$99,500.00 from Mass Development (the "Recoverable Grant") for the assessment of the Site (the "Project");

WHEREAS, the City of Lynn has agreed to repay the Recoverable Grant pursuant to the terms of the grant agreement;

NOW, THEREFORE, the Lynn City Council votes as follows:

If the Site or any portion thereof is sold, conveyed, gifted, demised, ground leased, or otherwise transferred, and as a result of said transfer, City of Lynn receives funds that exceed the aggregate amount necessary for repayment of existing monetary liens, mortgage loans, and other debt on the Project and all of the costs incurred by them in the acquisition, development, ownership, and sale of the Site or of the portion of the Site transferred (the "Net Proceeds"), then Sponsor shall reimburse Mass Development the full amount of the Net Proceeds up to the amount of the Recoverable Grant that has been disbursed and has not already been repaid to Mass Development (the "Disbursed Funds").

Beginning in the fiscal year when any Economic Benefit to the Municipality (as hereinafter defined) is realized, the City of Lynn shall include in its annual budget a line item requiring payment to Mass Development of an amount equal to 15% of any Economic Benefit to the Municipality, until the earlier of: (i) full repayment of the Disbursed Funds, (ii) the expiration of 30 years from the date on which the first Economic Benefit to the Municipality is realized, or (iii) if no redevelopment on the Site commences, the expiration of 30 years from the date of the Recoverable Grant.

For the purposes of this vote, "Economic Benefit to the Municipality" means any increase in the annual property tax and/or other municipal revenues for the Site (including but not limited to nonprofit PILOT revenue, local hotel- or restaurant-tax revenue, and new local revenues derived from municipally-owned redevelopment projects) attributable to development of the Site above the Baseline Value of the property (as hereinafter defined). The "Baseline Value" means the amount of property

tax and related tax revenue assessed by the City of Lynn on the Site in the fiscal year of the execution of the agreement governing the Recoverable Grant, such amount having been calculated by the municipality and determined to be \$68,300.00.

Motion made by Councilor Walsh and seconded by Councilor Cahill to grant.

Motion carried by the following ye and nay vote:

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

Motion made by Councilor Colucci and seconded by Councilor 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