

CITY OF LYNN

**City Council Meeting, August 13, 2019
Council President Darren P. Cyr**

Ten Councilors Present (Councilor LaPierre absent).

Moment of Silence: Councilor Field asked that the Family of Barbara Nadworny be remembered.

Pledge of Allegiance.

Motion made by Councilor Lozzi and seconded by Councilor Starbard to accept the Meeting Minutes of July 16, 2019.

Motion carried.

COMMUNICATIONS:

Dear Councilors: I am hereby appointing Mr. Paul Amirault, 11 Campbell Street to serve on the Election Commission. Mr. Amirault's term is effective immediately and will expire on August 30, 2023. Sincerely, Thomas M. McGee, Mayor, City of Lynn

Motion made by Councilor Colucci and seconded by Councilor LaPierre to appoint Paul Amirault serve on the Election Commission, effective immediately and will expire August 30, 2023.

Motion carried.

PUBLIC HEARINGS:

Petition of Fiesta Shows for a Carnival, to be held at the GEAA Field on Summer Street from September 5-8 with set up from Sept 2-4, 2019 to benefit the 4th of July Fireworks fund.

Motion made by Councilor Walsh and seconded by Councilor Field to accept the Letter of Withdrawal Without Prejudice.

Motion carried by the following yea and no vote:

9 YES 0 NO (Councilor Lozzi absent at vote; Councilor LaPierre absent).

Petition of EDIC/Beyond Walls for permission to allow Food Trucks, Catering, and Music located at the premises called "The Launch" on Bubier Street.

The following appeared in Favor:

Calvin Anderson, 12 Concord Street, Lynn

The following appeared in Opposition:

David Zeller, 370 Lynnway

Public Hearing Closed.

Motion made by Councilor Walsh and seconded by Councilor Colucci to TABLE.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor LaPierre absent).

Petition of Kurt Lange for the creation of 24 affordable studio units on 3rd and 4th floor of 57 Munroe Street.

The following appeared in Favor:

Pastor Kurt Lange

No one appeared in Opposition.

Public Hearing Closed.

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

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor LaPierre absent).

Petition of Jabbar Hashim, for permission to open an Eat in and Take out Restaurant at 12 Market Square, 7 days per week 10am -10 pm.

The following appeared in Favor:

Jabbar Hashim

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Hogan and seconded by Councilor Lozzi to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor LaPierre absent).

PUBLIC HEARINGS TO BE SET DOWN:

-Petition of Fiesta Shows for a Carnival, to be held at the Blossom St Extension located on Bubier St September 5-8 with set up from Sept 2-4, 2019 to benefit the 4th of July Fireworks fund. Hours will be Sept 5 & 6 - 5pm to 11pm and Sept 7 & 8 - 1pm to 11pm. (***Walsh***)

-Petition of Heather Hannon owner of Essex Apothecary, 233 Western Ave for an Adult Use Cannabis Permit Store to be located at 233 Western Ave with hours Mon-Thurs 10am-8pm and Fri & Sat 10am-9pm. (***Lozzi***)

-Petition of National Grid to install 4 sole owned poles on Grandview Ave at intersection of Urban St., and install 4 poles at Grandview Ave for 5 new proposed houses. **(Lozzi)**

-Petition of First Light to excavate approximately 85 feet and place conduit in the roadway between two existing poles at 2 Minot St. **(Hogan)**

-Petition of First Light to excavate approximately 290 feet and place conduit in the roadway between two existing utility poles at 776 Western Ave. **(Hogan)**

-Petition of First Light to excavate approximately 90 feet and place conduit in the roadway between two existing utility poles at 87 Bennett Street. **(Hogan)**

-Public Hearing to be set down for the Lynn Waterfront Open Space Master Plan

-Public Hearing to be set down for the City of Lynn 2019 Lynn Municipal Harbor Plan Amendment

-Public Hearing to be set down for the City of Lynn Revised Waterfront Master Plan
Motion made by Councilor Colucci and seconded by Councilor Starbard to set down for Public Hearings.

COMMITTEE REPORTS:

Report of the August 13, 2019 Committee on Utilities recommending the following to be accepted:

Petition of National Grid to install PVC conduit from an existing manhole to the property at 20 Neptune Blvd. **(Hogan) - Granted**

Motion made by Councilor Hogan and seconded by Councilor Chakoutis to remove the following petitions from the Table and grant.

Motion carried.

Petition of National Grid to install a JO pole on Barrett Court and install one wooden pole, downguy, anchor and a pole to a pole guy in in front of 17 Barrett Court.
(Hogan) - Granted

Petition of National Grid to begin on River St. to install conduit to sweep up pole 28 for primary 3HP riser to feed the new apartment building at 6 Needham's Landing Road.
(Hogan)- Granted

Petition of National Grid to install 1 JO pole on River St and a pole to be used as a primary 3PH riser to feed new apartment building at 6 Needham's Landing Road.
(Hogan) - Granted

Petition of National Grid to begin on Commercial St. installing 6 new manholes and 2700 feet conduits and trenching to Circle Ave., Carolyn St, Day St. and Harding St. Conduits will continue north crossing the Lynnway towards the proposed new 19th St. – Lynnway Associates. **(Hogan) - Granted**
REPORT ACCEPTED.

Report of the August 13, 2019 Committee on Ordinance and Rules recommending the following to be accepted:

DISCUSSION AND/OR TO SET DOWN FOR PUBLIC HEARINGS:

1. A Proposed Ordinance Adopting the Stretch Energy Code in the City of Lynn
Motion made by Councilor Starbard and seconded by Councilor Lozzi to Set down for Public Hearing.
Motion carried.

2. An Act Authorizing the City of Lynn to Use Certain Park Land for Combined Sewer Overflow Control.
Motion made by Councilor Starbard and seconded by Councilor Field to set down for Public Hearing.
Motion carried.

3. OTHER BUSINESS:

REPORT ACCEPTED.

Report of the August 13, 2019 Committee on Ways and Means recommending the following to be accepted:

Transfer the sum of NINE HUNDRED EIGHTY DOLLARS AND EIGHTY NINE CENTS (\$980.89)

From the Account of 22105-4200 LPD-EXP 780.99

From the Account of **22015-5812** LPD-EXP 200.00

To the Account of 98025-2210 LPD-EXP 980.89

Unexpected prior year bills

Councilor Cyr 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

NINE HUNDRED EIGHTY DOLLARS AND EIGHTY NINE CENTS (\$980.89)

From the Account of 22105-4200 LPD-EXP 780.99

From the Account of 22015-5812 LPD-EXP 200.00

To the Account of 98025-2210 LPD-EXP 980.89

Unexpected 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:

10 YES 0 NO (Councilor LaPierre absent).

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

10 YES 0 NO (Councilor LaPierre absent).

Certify as an "Available Fund" the amount of FORTY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$45,000.00) as allotted to the City of Lynn Police Department by the Department of Mental Health (DMH) for a Jail Diversion grant. Grant Period is 07/01/19-06/30/20

Councilor Cyr 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 FORTY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$45,000.00) as allotted to the City of Lynn Police Department by the Department of Mental Health (DMH) for a Jail Diversion grant. Grant Period is 07/01/19-06/30/20

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 LaPierre absent).

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

10 YES 0 NO (Councilor LaPierre absent)

Certify as an "Available Fund" the amount of SEVEN HUNDRED SIXTY THOUSAND DOLLARS AND ZERO CENTS (760,000.00) as allotted to the City of Lynn Police Department by the Executive Office of Health and Human Services (EHS) to fund a grant initiative for the FY20-21 Safe and Successful Youth Initiative Grant. Grant Period is 07/01/19 to 06/30/21

Emergency Preamble in order for the Police Department to start spending this funding.

Councilor Cyr 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 SEVEN HUNDRED SIXTY THOUSAND DOLLARS AND ZERO CENTS

(760,000.00) as allotted to the City of Lynn Police Department by the Executive Office of Health and Human Services (EHS) to fund a grant initiative for the FY20-21 Safe and Successful Youth Initiative Grant. Grant Period is 07/01/19 to 06/30/21

Emergency Preamble in order for the Police Department to start spending this funding.

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 LaPierre absent).

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

10 YES 0 NO (Councilor LaPierre absent)

Certify as an "Available Fund" the amount of ONE HUNDRED SIXTY SEVEN THOUSAND TWO HUNDRED EIGHTY SEVEN DOLLARS AND ZERO CENTS (\$167,287.00) as allotted to the City of Lynn Fire Department by the Executive Office of Public Safety & Security (EPS) State 911 Department Support and Incentive Grant. Grant Period is 8/01/19 to 6/30/20

Councilor Cyr 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 SIXTY SEVEN THOUSAND TWO HUNDRED EIGHTY SEVEN DOLLARS AND ZERO CENTS (\$167,287.00) as allotted to the City of Lynn Fire Department by the Executive Office of Public Safety & Security (EPS) State 911 Department Support and Incentive Grant. Grant Period is 8/01/19 to 6/30/20

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 LaPierre absent).

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

10 YES 0 NO (Councilor LaPierre absent)

Certify as an "Available Fund" the amount of TWENTY THOUSAND NINE HUNDRED EIGHTY SIX DOLLARS AND TWENTY FOUR CENTS (\$20,986.24) as allotted to the City of Lynn Fire Department by the Executive Office of Public Safety & Security (EPS) State 911 Department Training Grant. Grant Period is 7/26/19 to 6/30/20

Councilor Cyr 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 TWENTY THOUSAND NINE HUNDRED EIGHTY SIX DOLLARS AND TWENTY FOUR CENTS (\$20,986.24) as allotted to the City of Lynn Fire Department by the Executive Office of Public Safety & Security (EPS) State 911 Department Training Grant. Grant Period is 7/26/19 to 6/30/20 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 LaPierre absent).

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

10 YES 0 NO (Councilor LaPierre absent)

Establish one revolving account under section Chapter 44 Section 53E ½ for the purposes of accepting a \$2,500 grant from the Solomon Foundation to conduct a Market St. parking study in relation to phase two of the Northern Strand project. The balance of the cost of this study will be paid from the Mayor’s Office budget. The Solomon Foundation works with public and private partners to identify projects which will significantly improve Greater Boston's public parks and greenways. They cultivate these initiatives by providing up-front design, technical, and planning assistance, and work to build coalitions to implement them. The Solomon Foundation has partnered with the City for phase one of the Northern Strand project, which is a bike and pedestrian path that primarily runs along the former MBTA rail. The path will connect from the Saugus border in our West Lynn neighborhood through the downtown to our waterfront and will lead into neighboring communities as far as Everett and future expansion into Somerville. This account (Revolving Funds) will be used at the Mayors discretion and can be closed once all funds are utilized for this given purpose.

Councilor Cyr 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 Establishing one revolving account under section Chapter 44 Section 53E ½ for the purposes of accepting a \$2,500 grant from the Solomon Foundation to conduct a Market St. parking study in relation to phase two of the Northern Strand project. The balance of the cost of this study will be paid from the Mayor’s Office budget. The Solomon Foundation works with public and private partners to identify projects which will significantly improve Greater Boston's public parks and greenways. They cultivate these initiatives by providing up-front design, technical, and planning assistance, and work to build coalitions to implement them. The Solomon Foundation has partnered with the City for phase one of the Northern Strand project, which is a bike and pedestrian path that primarily runs along the former MBTA rail. The path will connect from the Saugus border in our West Lynn neighborhood through the downtown to our waterfront and will lead into neighboring communities as far as Everett and future expansion into

Somerville. This account (Revolving Funds) will be used at the Mayors discretion and can be closed once all funds are utilized for this given purpose. 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 LaPierre absent).

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

10 YES 0 NO (Councilor LaPierre absent)

Ordered that the City Clerk be directed to cause notice, to be advertised, that meetings of the qualified voters of the City of Lynn will be held in the several polling places designated for the Local Elections. Both elections will be held, the Primary on September 3, 2019 and the Final on November 5, 2019. The polls will be opened at 7:00 a.m. and close at 8:00 p.m. All citizens will in the several precincts in which they are entitled to vote, between said hours, give their votes on one ballot for: Councilors At Large, Ward Councilors and School Committee.

The Ward and Precinct Locations are:

- 1-1 Shoemaker School
- 1-2 Pondview Lodge
- 1-3&4 Sisson School
- 2-All St. Pius Lower Church Hall
- 3-All Marshall Middle School
- 4-All Harrington School
- 5-All Lynn Vocational Technical Institute Annex
- 6-All Lynn Tech Fieldhouse
- 7-All Breed Jr. High School

Councilor Cyr 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 an Order that the City Clerk be directed to cause notice, to be advertised, that meetings of the qualified voters of the City of Lynn will be held in the several polling places designated for the Local Elections. Both elections will be held, the Primary on September 3, 2019 and the Final on November 5, 2019. The polls will be opened at 7:00 a.m. and close at 8:00 p.m. All citizens will in the several precincts in which they are entitled to vote, between said hours, give their votes on one ballot for:

Councilors At Large, Ward Councilors and School Committee.

The Ward and Precinct Locations are:

- 1-3 Shoemaker School**
- 1-4 Pondview Lodge**
- 1-3&4 Sisson School**
- 2-All St. Pius Lower Church Hall**

- 3-All **Marshall Middle School**
 4-All **Harrington School**
 5-All **Lynn Vocational Technical Institute Annex**
 6-All **Lynn Tech Fieldhouse**
 7-All **Breed Jr. High School**

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 LaPierre absent).

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

10 YES 0 NO (Councilor LaPierre absent)

Report of the August 13, 2019 Committee on Public Property and Parks recommending the following to be accepted:

1. Discussion: Request from Ernie's Harvest Time to use the City Hall Parking Lot for parking only from 4:00 p.m. to 8:00 p.m. for their Block Party. - **Granted.**
Attorney Lamanna to follow-up with MOU.
Motion carried.

2. Request from Better Days Church to perform acoustic music (3 instruments and 1 singer) under the Bridge in Central Square on August 17, 24, 31, 2019 from 1:00 p.m. to 3:00 p.m. - **Granted**
Motion carried.

3. OTHER BUSINESS
REPORT ACCEPTED.

Report of the August 13, 2019 Committee on Licensing recommending the following to be accepted:

TAXI OPERATORS NEW:

Canela-Mora, Luis Jose: 68 Hillside Ave. #1- **Granted**

Cristobal Jr., Rafael: 7 Ward St. - **Granted**

Lopez, Milton: 33 Dearborn Ave. - **Tabled**

Martinez Guillen, Moises: 48 Ashland St. (Tabled 7/16 No Show) - **DENIED**

LIVERY BUSINESS NEW:

Lynn Safety Trans.Inc.: 16 Sagamore St. (Owner Mariluz Regalado) - **Granted**

LIVERY OPERATORS NEW:

Cristobal Jr., Rafael: 7 Ward St. - **Granted**

Gomez-Medina, Samuel: 678 Washington St. #807- **Granted**

Regalado, Mariluz: 16 Sagamore St. - **Granted**

Reyes, Jonathan: 239 Curwin Circle- **Granted**

Soriano, Francisco: 30 Caldwell Crescent- **Granted**

Villalona Gonzalez, Collin: 1 Rockaway St. #1- **Granted**

EXTENDED HOUR RENEWALS – 30-60-90 DAY REVIEWS

60 Boston St. McDonalds Drive thru 24/7 days **6/18 Review on 8/13 - Granted**

65 Boston St. CVS Pharmacy 24/7 hours **6/18-Denied, 7/16 -Tabled for review - Granted**

122 Boston St. Boston Shell Gas Station and Kiosk till 1:00 am - **30 day review - Granted and waive 60/90 Review**

124 Boston St. Taco Bell 7:00 am – 1:00 am (with stip) - **30 day review - Granted and waive 60/90 Review**

525 Lynnway Gulf 24/7 days - **30 day review – Granted and waive 60/90 Review**

AUTO REPAIR/FLAMMABLE LICENSE – 30-60-90 REVIEW

371 Summer St., Xpress Auto and Tire Repair 30 day review – **Granted to 60 Day Review**

10 Heath's Court, Unit 4, Wallys Auto – 60 day review **Granted to 90 Day Review**

MOBILE FOOD VEHICLE LIC.-NEW

1404 RIVER ST., BOSTON, MA STREET 55 – **Granted with Stipulation that fines are paid and appeal is complete by September 10, 2019.**

SIGN LICENSES-RENEWAL

9 Broad St., Tropical Nails & Spa- **Granted**

325 Broadway, Primerica- **Granted**

546 Chestnut St., Kim's Barbershop- **Granted**

16 Cottage St., Lolly's Bakery- **Granted**

197 Essex St., Merengue Market- **Granted**

592 Essex St., Jas Nutri Fruit- **Granted**

145 Franklin St., Cotui Barbershop- **Granted**

160 Franklin Street, Hogan's II- **Granted**

52 Oakville St., Meninno Constr- **Granted.**

19 Sutton St., Nike Africa Food Market- **Granted**

1a-3a Union St., Santa Beauty Salon- **Granted**

333 Union St., Ministerios Vision Church- **Granted**

335 Union St., Vecina Beauty Supply- **Granted**

110 Washington St., Showcase Laundromat- **Granted**

144 Washington St, Del Patio- **Granted**

209 Washington St., El Patio Market Inc, II- **Granted**

108 Western Ave., Western Ave. Market- **Granted**

CANNING

Lynn Classical Girls Soccer Team (Adults Only) – September 12, October 19, 20, 2019- **Granted**

Lynn English Football Team (Adults Only) – August 3,4,9, 2019 - **Granted**

OTHER BUSINESS

REPORT ACCEPTED.

Report of the August 13, 2019 Committee on Public Safety and Public Health recommending the following to be accepted:

Constable Appointment:

Adriano J. Dolci, 76 Neptune Street, Lynn - **Granted**

Discussion re: Request for city to look into the feasibility of notifying residents when helicopters are dispatched to the Lynn area. – **Request Withdrawn**
REPORT ACCEPTED.

OLD BUSINESS:

Motion made by Councilor Hogan and seconded by Councilor Lozzi to remove from the Table the Petition of Roxana Villanueva, owner of Milan Towing Corp, for a Towing Business with three trucks on fenced in property at 37 Bennett St. and Grant the prayer of the Petitioner.

***Motion carried by the following yea and nay vote:
10 YES 0 NO (Councilor LaPierre absent).***

Motion made by Councilor Colucci 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