

CITY OF LYNN

**Regular City Council Meeting, March 9, 2010
Council President Timothy Phelan Presiding**

**Ten Councillors Present. (Councillor Capano absent)
Moment of Silence
Pledge of Allegiance**

**Motion made by Councillor Cyr and seconded by Councillor Duffy to
accept the Meeting Minutes of January 26, 2009, February 9, 2010,
and February 23, 2010.
Motion carried.**

COMMUNICATIONS:**Communication from City Treasurer:**

Dear Councilors:

The following property has been conveyed to Neighborhood Development Associates from the City of Lynn: 160 Essex Street. Please adjust your records accordingly. Sincerely, Richard Fortucci, City Treasurer

**Motion made by Councillor Cyr and seconded by Councillor Colucci
to accept for the files.**

Motion carried.

PUBLIC HEARINGS:

Public Hearing relative to a burnt, dilapidated or dangerous building or other structure located at 66 Jackson Street.

The following appeared in Favor:

Calvin Anderson, Sagamore Street

No one appeared in Opposition.

Public Hearing Closed.

Councillor 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 Order of Demolition of the property located at 66 Jackson Street, Lynn, Massachusetts.

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 (Councillor Capano absent).

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

10 YES 0 NO (Councillor Capano absent).

Public Hearing relative to a burnt, dilapidated or dangerous building or other structure located at 418-420 Boston Street.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councillor Ford and seconded by Councillor Crowley to grant.

Motion carried by the following ye and nay vote:

10 YES 0 NO (Councillor Capano absent).

Petition of Cocktail League Associates, Inc. for permission to provide a safe and comfortable place for retired gentlemen and working men to congregate peacefully at 602 Summer Street.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councillor Ford and seconded by Councillor Colucci to grant the prayer of the Petitioner.

Motion carried by the following ye and nay vote:

10 YES 0 NO (Councillor Capano absent).

PUBLIC HEARINGS TO BE SET DOWN FOR APRIL 13, 2010:

-Petition of All Care VNA, Shawn Potter, Pres. & CEO, for permission to construct a general office building on a light industrial zoned parcel at Market & Broad Streets.

-Petition of Omar Fernandez, Santo Domingo Liquors for permission to transfer an existing all alcoholic beverages License from 86-88 Newhall Street to 224-226 Union Street.

-Petition of David Addario, Patriot Recycling for permission for a contractor's yard with parking for 1 truck at 20 Cooper Street.

Motion made by Councillor Colucci and seconded by Councillor Crowley to set down for Public Hearings on April 13, 2010.

Motion carried.

UNFINISHED BUSINESS:

Laid over from the February 23,2010 Public Property Committee:

Motion that the City owned property at 176 Franklin Street (O'Keefe School) be placed out to bid with adjacent lot, with stipulation that adjacent lot be used for parking only and that RFP include proposed use with a minimum acceptable bid of \$75,000.00.

Motion made by Councillor Colucci and seconded by Councillor Cahill to grant.

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

COMMITTEE REPORTS:

Report of the March 9, 2010 Committee on Ordinance recommending the following to be accepted:

A Proposed Ordinance Amending the Ordinance Requiring Door-To-Door Solicitors to Obtain a Permit from the City Council of the City of Lynn.

(Set Down for Public Hearing on April 13, 2010).

REPORT ACCEPTED.

Report of the March 9, 2010 Committee on Minor Licenses recommending the following to be accepted:

TAXI COMPANY COMPLAINT

BOYD, CHANNELL – COMPLAINT FROM FEB 8, 2010- **No Action Taken**

TAXI OPERATORS (NEW)

AUGUSTINE, NYANDWI, 178 CENTRAL AVE. CHELSEA-30 DAY REVIEW- **Granted**

BEDOYA, FABIO H., 219 CRESCENT AVE. #2 REVERE- **Granted**

BIATINI, PELAGRO, 22 MORRIS ST.-60 DAY REVIEW- **Granted**

BUENO, RADHAMES, 106 LAFAYETTE ST. (previously denied twice for no show) - **DENIED**

COOMBS, MICHAEL ALAN, 7 BERRY ST. DANVERS-90 DAY REVIEW- **Granted**

DITROIA, EDWARD A. 23 GLEN AVE.-90 DAY REVIEW- **Granted**

DOUCETTE, DANIEL, 64 LOWELL ST.-90 DAY REVIEW- **Granted**

FRIAS, YSIDRA, 160 NEPTUNE BLVD #208W-(previously denied twice for no show) – **Granted with 30-60-90 Review**

MENCIA, ISRAEL, 2 ROGERS ST. - **Granted**

MEZANSKY, KARL, 36 ARBOR ST. - **Granted**

SPILLANE, JOHN, 34 NAHANT ST.-30 DAY REVIEW- **Granted**
 WILLIAMS, NACIN J., 9 DEER PARK-60 DAY REVIEW- **Granted**

LIVERY OPERATORS – NEW

PAGAN, ANDY, 11 NICHOLS ST.-90 DAY REVIEW- **Granted**
 SANTIAGO, ANTHONY, 33 HARWOOD ST.- **Tabled**
 SANTIAGO, 16 VINE AVE. WINTHROP- **Tabled**

LIVERY SERVICE NEW

33 HARWOOD ST. GREEN PASSAGE TRANSPORTATION LLC, Anthony & Luis Santiago owners-(*in process of a loan with EDIC for vehicles*) - **Tabled**

SECOND HAND ARTICLE LICENSE – NEW

810 LYNNWAY, #1, LYNN WIRELESS- **Granted**

SIGN LICENSE – RENEW

319 LYNNWAY #310, 315 LYNNWAY, LLC- **Granted**
 451 LYNNWAY, LANCELOT JANITORIAL - **Granted**
 50 OCEAN STREET (James Mazeras, owner of bld) Formerly French's Flowers) - **Granted**

AUTO REPAIR/FLAMMABLE LICENSE

811 Lynnway – Lou's Custom Exhaust (NEW) - **Granted**
 371 SUMMER ST - B & J Auto Center (RENEWAL)
 (*see CORI and Criminal Docket attached*) - **Granted**

COIN OPERATED DEVICES - RENEWAL

*829 BOSTON ST – O'Brien's – 3 Class III - **Granted**
 *408 SUMMER ST. – Raffi's – 1 Class II & 1 Class III - **Granted**
 **Both have overdue taxes see attached letters from F. Cronin.*

CLASS II – AUTO DEALER, AUTO REPAIR, FLAMMABLE – RENEWAL

604 LYNNWAY – Island Auto Sales- **Granted**
 (*approved 12/15/09 with 90 review for issues with CORI*)

CANNING

Friendship Club (Adults Only) – June 24-25, 2010- **Granted**
 Knights of Columbus (Adults Only) – October 9-11, 2010- **Granted**
 Lynn English Softball (Adults Only) – April 1-3, 2010- **Granted**
 Lynn Classical Boys Soccer (Adults Only) – October 1-3, 2010- **Granted**
 Pine Hill Little League (Adults Only) – May 20-22, 2010- **Granted**
 Lynn High School Band (Adults Only) – April 22, 2010 & April 24, 2010- **Granted**
 Wyoma Little League (Adults Only) – May 6-8, 2010- **Granted**

OTHER BUSINESS:

REPORT ACCEPTED.

Report of the March 9, 2010 Committee on Finance recommending the following to be accepted:

Ordered that the City Comptroller be and s hereby authorized to make the following appropriation transfer:

From the Account of Reserve Fund:
 From the Account of the Veterans Dept. Expense \$6,000.00
 To the Account of Unpaid Bills of Prior Years (Veterans) \$6,000.00
(Lays over to the March 23, 2010 Meeting)

From the Account of License Comm. Expense \$ 435.75
 To the Account of Unpaid Bills of Prior Years (License Comm.) \$ 435.75
(Lays over to the March 23, 2010 Meeting)

From the Account of the Reserve Account \$8,671.83
 To the Account of DPW Overtime \$8,671.83
(Lays over to the March 23, 2010 Meeting)

From the Account of the Police Department Expense \$27,137.02
 To the Account of Unpaid Bills of Prior Years (Police) \$27,137.02
(Lays over to the March 23, 2010 Meeting)

From the Account of Health Insurance Trust Fund \$74,000.00
 To the Account of:
 Unpaid Bills of Prior Years (Police) and \$31,040.26
 Police Expense Account \$42,959.74
(Lays over to the March 23, 2010 Meeting)

To the Account of ISD Expense: \$20,800.00
 (Demo of 16 Shorey Street)

Councillor Colucci 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 transfer in the amount of \$20,800.00 for the demolition of 16 Shorey Street.

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:

10 YES 0 NO (Councillor Capano absent)

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

10 YES 0 NO (Councillor Capano absent).

REPORT ACCEPTED.

NEW BUSINESS:

Motion made by Councillor Cahill and seconded by Councillor Trahant to request the Solicitor's Office to send a communication to City of Salem requesting that they notify the City of Lynn of any Public Hearings scheduled relative to a proposed project on Highland Avenue in Salem. Motion carried.

Motion made by Councillor Cahill and seconded by Councillor Trahant requesting the Lynn Parking Department and the Lynn Towing Association no longer tow vehicles to the Harding Street lot and further that all vehicles currently parked there be removed and stored at the individual lots of the Towing Association members as stipulated in the current agreement.

Motion carried by the following yea and nay vote:

9 YES 1 NO (Councillor Duffy voting NO; Councillor Capano absent).

Motion made by Councillor Colucci and seconded by Councillor Crowley 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