

CITY OF LYNN

**Regular City Council Meeting, July 13, 2010
Council President Timothy Phelan Presiding**

10 Councillors Present (Councillor Cahill absent).
Moment of Silence.
Pledge of Allegiance

COMMUNICATIONS:

Communication from Her Honor the Mayor:

Dear Councilors:

I am hereby appointing the following individual to the Lynn Zoning Board of Appeals: Norman Cole, 30 Coolidge Road, Lynn. His appointment is effective immediately and expires on July 9, 2012. Sincerely, Judith Flanagan Kennedy, Mayor

Motion made by Councillor Colucci and seconded by Councillor Crowley to suspend the rules to appoint Norman Cole to the Lynn Zoning Board of Appeals, effective immediately and will expire on July 9, 2012.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Communication from Her Honor the Mayor:

Dear Councilors:

I am hereby appointing the following individual to the Lynn Zoning Board of Appeals: Jeanne Curley, 273 Ocean Street, Lynn. Her appointment is effective immediately and expires on July 9, 2013. Sincerely, Judith Flanagan Kennedy, Mayor

Motion made by Councillor Colucci and seconded by Councillor Crowley to suspend the rules to appoint Jeanne Curley to the Lynn Zoning Board of Appeals, effective immediately and will expire on July 9, 2013.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Communication from Her Honor the Mayor:

Dear Councilors:

I am hereby appointing the following individual to the Lynn Zoning Board of Appeals: Patrick Calnan, 28 Bulfinch Terrace, Lynn. His appointment is effective immediately and expires on July 9, 2014. Sincerely, Judith Flanagan Kennedy, Mayor

Motion made by Councillor Colucci and seconded by Councillor Crowley to suspend the rules to appoint Patrick Calnan to the Lynn Zoning Board of Appeals, effective immediately and will expire on July 9, 2014.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Communication from Her Honor the Mayor:

Dear Councilors:

I am hereby appointing the following individual to the Lynn Zoning Board of Appeals: Kathryn Brown, 38 Coolidge Road, Lynn. Her appointment is effective immediately and expires on July 9, 2011. Sincerely, Judith Flanagan Kennedy, Mayor

Motion made by Councillor Colucci and seconded by Councillor Crowley to suspend the rules to appoint Kathryn Brown to the Lynn Zoning Board of Appeals, effective immediately and will expire on July 9, 2011.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Council President Phelan abstained)

PUBLIC HEARINGS:

Petition of Mexico Taco, Jeffrey Stevens, for permission for to park mobile food truck at 680 Western Avenue, 12 p.m. – 10:00 p.m. Wednesday through Sunday – Seasonal; and to visit soccer events at Magnolia Park Sundays Only, 9 a.m. to 6 p.m. – Seasonal.

No one appeared in Favor.

The following appeared in Opposition:

Betty Toner, 28 Mall Street

Arthur Toner, 28 Mall Street

Resident, 54 Magnolia Avenue

Resident, 100 Magnolia Avenue

Public Hearing Closed.

Motion made by Councillor Lozzi and seconded by Councillor Cahill to DENY the portion of the permit for Magnolia Park.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Motion made by Councillor Capano and seconded by Councillor Cahill to TABLE the portion of the permit for 680 Western Avenue.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Public Hearing relative to An Ordinance Amending the Ordinance Pertaining to Vicious Dogs and Animal Regulations in the City of Lynn.

The following appeared in Favor:

Margaret Murphy, Mall Street, Lynn

Chief Kevin Coppinger, Lynn Police Department

Tom Sheehan, Lynn

Calvin Anderson, Lynn

Resident, Standish Road, Lynn

Brian Meyer –Letter read into the Records

Show of Twenty Hands in the Audience

The following appeared in Opposition:

Resident, Maple Street, Lynn

Shelly Stampuis, Lynn
 Mr. Persha, 25 Alden Street, Lynn
 Amanda Sanchez, Lynn
 John Wood, 11 LaGrange Terrace
 Charlette Wilker, 149 West Neptune Street, Lynn
 Mr. Sweeney, Robinson Street, Lynn
 Mr. Davis, 18 Shaws Court, Lynn
 Resident, 65 Essex Street, Lynn
 Larry Blaney, Jr., Lynn
 Molly Hatpert, Lynn
 Swane Reye, Dog Trainer
 Karen, 65 Essex Street
 Kelly Lombara, 63 Updham Road, Ipswich
 Holly, Legal Socialist for Responsible Dog Owners
 Resident, 32 Chatham Street
 20 Show of Hands
 Public Hearing Closed.

**Motion made by Councillor Lozzi and seconded by Councillor Trahan to approve the typographical changes in the ordinance as advertised.
 Motion carried.**

Motion made by Councillor Crowley and seconded by Councillor Colucci to add the following:

l. Any owner or keeper having the ownership, custody, or control of a Pit Bull as defined in Section 1, must submit a copy of his CORI annually to the Animal Control Officer. The Animal Control Officer or his designee, may, after an investigation in the criminal history of the applicant, to determine eligibility for a license under this section, grant a license to any person except a minor, a person who has been adjudicated a youthful offender, as defined in section fifty-two of chapter one hundred and nineteen, including those who have not received an adult sentence or any person who has been convicted of (a) a felony; (b) a violent crime as defined in section 121; (c) a violation of any law regulating the use, possession, ownership, transfer, purchase, sale, lease, rental, receipt or transportation of weapons or ammunition for which a term of imprisonment may be imposed; or (d) a violation of any criminal law regulating the use, possession or sale of controlled substances, as defined in section 1 of chapter 94C including, but not limited to, a violation under said chapter 94C, to own a Pit Bull. Any person refused a license under this section or once issued a license under this section has had said license suspended or revoked may obtain a judicial review of such refusal, suspension or revocation a petition for review thereof in the Lynn District Court having jurisdiction, and a justice of said court, after a hearing, may direct that a license be issued the applicant if satisfied there was no reasonable ground for refusing such license and that the applicant was not prohibited by law from holding the same.

m. Upon the birth of any pit bull litter, the owner of the maternal pit bull shall notify the City of Lynn Animal Control Officer of the name and address

of the new owner of any member of the litter prior to the transfer of said pit bull. Pursuant to Section 3:00, no person shall own more than two (2) pit bull puppies for more than nine (9) weeks following the birth of said puppies.

Motion FAILED by the following yea and nay vote:

4 YES 7 NO (Councillors Cahill, Crighton, Cyr, Duffy, Ford, Lozzi and Trahant voting NO).

Motion made by Councillor Crighton and seconded by Councillor Trahant to amend subsection “I” of “Section 3:00” by removing the words “fifty dollars and no cents (\$50.00)” and inserting the words: “four dollars for a male dog and seven dollars for a female dog, unless a certificate of a registered veterinarian who performed the operation that said female dog has been spayed and has thereby been deprived of the power of propagation has been shown to the city clerk, in which case the fee shall be four dollars. If the city clerk is satisfied that the certificate of the veterinarian who spayed the dog cannot be obtained, he/she may accept in lieu thereof a statement signed under the penalties of perjury by a veterinarian registered and practicing in the commonwealth, describing the dog and stating that he has examined such dog and that it appears to have been, and in his opinion has been spayed and thereby deprived of the power of propagation or a receipt of a bill from the veterinarian who performed the operation that spayed such female dog.”

Motion carried by the following yea and nay vote:

10 YES 1 NO (Councillor Cyr voting NO).

Motion made by Councillor Crighton and seconded by Councillor Colucci to amend subsection “a” of “Section 9:00” by striking the words: “The Animal Control Officer is authorized to house and/or dispose of any impounded pit bull at his/her sole professional discretion.

Motion carried.

Motion by Crighton to withdraw motion to amend and motion to file the following amendment: amend subsection “a” of “Section 9:00” by striking the words: “and/or dispose of”

Motion carried by the following yea and nay vote:

11 YES 0 NO

Motion made by Councillor Cahill and seconded by Councillor Motion by Cahill to amend to include the following: Section 8:00 Exceptions Training Certification. No pit bull that has successfully completed a dog or K-9 training program, from a facility or instructor possessing a nationally accredited certification in dog training, shall be subject to this ordinance, unless said dog is otherwise deemed a danger. The Owner or keeper must produce evidence of the dog’s successful completion of said program at the time of registration, or upon completion of the program, to the City Clerk, Animal Control Officer, and the Lynn Police Department, which shall retain

said information in its records. For the purposes of this section, accrediting agencies for dog training programs may include, but not be limited to, the following: Certified Professional Dog Trainer- Knowledge Assessed (CPD-KA) Certification from the Certification Council for Professional Dog Trainers, and the National Association of Dog Obedience Instructors.

**Motion carried by the following ye and nay vote:
7 YES 4 NO (Councillors Cyr, Ford, Lozzi, and Phelan voting NO).**

Motion made by Councillor Crowley and seconded by Councillor Colucci to forward a letter to the Mayor stating that the City Council requests that the Mayor appropriate additional funds to hire another dog officer, at least on a temporary basis.

Motion carried.

Motion made by Councillor Cahill and seconded by Councillor Colucci to amend as follows:

Section 8:00: Exceptions

- c. Service Dogs. No dog that is trained and relied upon as a service dog or assistance dog by a person with a disability shall be subject to this ordinance.**

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

Motion made by Councillor Crighton and seconded by Councillor Colucci to amend subsection “c” of “Section 10:00” by removing the words “three hundred dollars and no cents (\$300.00)” and inserting the words: “fifty dollars.”

**Motion carried by the following ye and nay vote:
6 YES 5 NO (Councillors Cyr, Ford, Lozzi, Phelan and Trahant voting NO).**

Motion made by Councillor Lozzi and seconded by Councillor Colucci to clean up the language in Section 13:00 to amend the first sentence to read as follows: “When a dog has been determined potentially dangerous by the Animal Control Officer, he/she may order, with written verification from the Owner, any or all of the following:”

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

Motion made by Councillor Lozzi and seconded by Councillor Colucci to approve the ordinance as amended.

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

Public Hearing on City’s Five Year Consolidated Plan/Annual Action Plan, including the use of the Department of Housing and Urban Development’s appropriations for the Community Development Block Grant (\$2,756,317), Emergency Shelter Grant

(\$111,328), HOME (\$1,084,120) and Housing Opportunities for persons with Aids Programs (\$355,028)

The following appeared in Favor:

Donald Walker, OECD

The Following appeared in Opposition:

Arthur Akers, Lynn

Public Hearing Closed.

Motion made by Councillor Colucci and seconded by Councillor Trahan to Grant.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councillor Lozzi absent at vote).

Public Hearing relative to a burnt, dilapidated or dangerous building or other structure located at 38 Rockaway Street.

Wendy Joseph, Lynn

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councillor Colucci and seconded by Councillor Crowley to Grant.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councillor Lozzi and Council President Phelan absent at vote).

Petition of Fiesta Shows, Eugene J. Dean, for permission for a Carnival Fundraiser for 4th of July Fireworks Fund at Lynn Tech Field, July 21-25, 2010, Wed-Sun.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councillor Capano and seconded by Councillor Cahill to Grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councillor Lozzi and Council President Phelan absent at vote).

Petition of US Stone, Inc., Joan B. Bonia, for permission to add "Retail Use" to existing Special permit granted 2/13/96 for Contractor's Yard & Storage Facility at 1071 Western Avenue.

The following appeared in Favor:

Joan Bonia

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councillor Capano and seconded by Councillor Trahan to TABLE.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councillor Lozzi and Council President Phelan absent at vote).

Petition of Holy Family Church, Rev. Gregory Mercurio, for permission for a Carnival at 26 Bessom Street, August 5-7, 2010.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councillor Cyr and seconded by Councillor Cahill to Grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councillor Lozzi and Council President Phelan absent at vote).

Petition of Light Tower Fiber LLC (dba) Lighttower for permission to install a 2" conduit approximately 10' between a National Grid Maintenance hole to the basement of 85 Exchange Street.

The following appeared in Favor:

Chris McGrane

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councillor Crighton and seconded by Councillor Cahill to grant the prayer of the Petitioner with the stipulation that work be done during the hours of

9 a.m. to 5 p.m., Monday through Friday.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councillor Lozzi and Council President Phelan absent at vote).

Petition of Verizon, E. Everett Bryan, for permission to place on Nells Pond Road, from the intersection with Split Rock Road, approximately 275 feet of underground conduit on the Northerly side and approximately 80 feet of underground conduit at two road crossings; thence approximately 1100 feet of underground conduit Easterly and Westerly on Southerly side and approximately 90 feet of underground conduit northerly to intersection of Crooker Drive for a total of approximately 1545 feet.

The following appeared in Favor:

Clarence D. Golden

No one appeared in Opposition.

Motion made by Councillor Cahill and seconded by Councillor Trahan to grant with the stipulation that neighbors be notified of working schedule and time table.

Motion made by Councillor Cyr and seconded by Councillor Crowley to TABLE. Motion carried.

Petition of Verizon, E. Everett Bryan, for permission to place on Crooker Drive from jointly owned pole no 182/13 on Westerly side, approximately 100 feet of underground conduit southerly to intersection with Nells Pond Road and for permission to place on Split Rock Road, from intersection with Nells Pond Road, approximately 318 feet of underground conduit Northerly on Easterly side and approximately 80 feet of underground conduit at two road crossings for a total of 398 feet.

Motion made by Councillor Cahill and seconded by Councillor Trahan to grant with the stipulation that neighbors be notified of working schedule and time table.

Motion made by Councillor Cyr and seconded by Councillor Crowley to TABLE. Motion carried.

PUBLIC HEARINGS TO BE SET DOWN:

-Petition of Wendy's, Paul Kudarauskas, for permission for a sign permit at 116 Boston Street. (Crighton)

-Home Rule Petition – LeBlanc

-Petition of Apollo Restaurant, Dionisios Linardos, for permission to allow the sale of beer and wine for consumption on premises in accordance with Section 12 of the City of Lynn Zoning Ordinance at 21 Neptune Boulevard. (Crighton)

-Petition of Clear Wireless, LLC, Tower Resource Management, James George, for permission to install a wireless antenna and related equipment on the roof of a building at 145 Washington Street. (Crighton)

-Petition of Clear Wireless, LLC, Tower Resource Management, James George, for permission to install a wireless antenna and related equipment on the roof of a building at 285 Lynn Shore Drive. (Colucci)

-Petition of Ernie's Harvest Time, Ernie Fratangelo, Jr., for permission for a sign permit at 65 Boston Street.

-Petition of Turbine Wine Bar, Inc., Stephen Hanley, for permission to change to All Alcohol License at 56 Central Square, with hours of operation to be 5:00 p.m. to 1:00 a.m. Tuesday through Saturday. (Crighton)

Motion made by Councillor Colucci and seconded by Councillor Trahan to set down for Public Hearings on August 10, 2010.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councillor Lozzi and Council President Phelan absent at vote).

COMMITTEE REPORTS:

Report of the July 13, 2010 Committee on Public Safety recommending the following to be accepted:

The following individuals were appointed Constables:

Risolvo Besigna, 238 Essex Street, Lynn - **Granted**

Kenneth Grady, 271 Walnut Street, Lynn - **Granted**

John Massa, 96 Woodland South, Lynn – **Granted**

REPORT ACCEPTED.

Report of the Committee on Minor Licenses recommending the following to be accepted:

TAXI OPERATORS (NEW)

Brenegan, Kevin, 15 Amity St.-60 day review - **DENY**

Flaherty, Frank, 188 Washington St. – **Granted 2/30-60-90 Review**

Garcia, Leovigildo, 144 Williams Ave. tabled 6/22/10- **Granted with 30-60-90 Review**

Hodgdon, Christopher A.-8 Summer St. Pl. #2 60 day review- **TABLED**

Hunter, James E.-56 River St. - **TABLED**

Ibrahim, Issaq, 97 Washington St.-60 day review- **Granted**

Lanteri, Ann-177A Pleasant St.-Melrose- **Granted**

Livingston, David-42 W. Baltimore St.-90 day review- **Granted**

Rizzo, Paul, 30 Prospect St. Gloucester-60 day review - **TABLED**

Rosa, Randy, 4 Acorn St. #2-90 day review - **TABLED**

Ruiz, Melvin, 12 Border St. #B1-60 day review- **Granted**

Sandler, Mark, 30 Sculpin Way, Swampscott-30 day review- **Granted**

LIVERY OPERATORS (NEW)

Santiago, Anthony, 33 Harwood St.-90 day review- **Granted**

Santiago, Luis, 16 Vine Ave. Winthrop-90 day review- **Granted**

LIVERY SERVICE (NEW)

Green Passages Transportation, 33 Harwood St.-90 day review- **Granted**

PUBLIC HEARINGS-EXTENDED HOURS

102 Boston St.-CVS Pharmacy- 24 hours- **Granted**

264 Essex St. -7-11, 24 hours- **Granted**

64 Franklin St.-Los Hermanos Market-24 hours- **Granted**

3 Lynnfield St.-7-11= 24 hours- **Granted**

17 Market Sq-People's Choice-10:00 AM-2 AM 7 days a week- **Granted**

144 Market St.-Dragon Inn-11 AM-2 AM 7 days a week- **Granted**

5 Western Ave.-7-11- 24 hours- **Granted**

EXTENDED HOURS TO BE SET DOWN FOR PH ON AUG. 10, 2010

969 Western Ave.- A L Prime Energy- 24 hours- **Granted**

SIGN LICENSE-RENEWAL

175 Alley Street, Atlantic Coast Seafood- **Granted**

65 Boston Street, Ernie's Market- **Granted**

337 Boston Street, Boston St Variety- **Granted**

541 Boston Street, Flowers By Lorraine- **Granted**

9 Broad St, DNT Nails- **Granted**

174 Broad St, Olympic Auto Body- **Granted**

338 Broadway, Rolly's Tavern- **Granted**

73 Buffum St, Lucky Strike Bowling- **Granted**

155 Chestnut Street, Neighbor Cleaners- **Granted**

163 Essex Street, Swampscott Refrigeration- **Granted**

306 Essex Street, Barrett's Pet Food (taxes-payment plan set up by owner) - **Granted**

495 Eastern Ave, Tangles- **Granted**

500 Eastern Ave, D'Amici Bakery - **Granted**

37 Essex Street, Dee's Corner II- **Granted**

274 Essex Street, Couture Nails- **Granted**

306 Essex St, Barretts Pet Food - **Granted**

602 Essex St, Tropical Enterprises- **Granted**

65 Exchange Street, Junction Deli- **Granted**

23 Farrar Street, Sterling Machine Co. - **Granted**
 13 Lewis Street, C & L Convenience Co. - **Granted**
 17 Lewis Street, Show Of Hands- **Granted**
 45 Lewis Street, LeMasquerade- **Granted**
 234 Lynnfield St., A Touch Of Color Salon & Spa- **Granted**
 315 Lynnway, Ron Costa - **Granted**
 83 Marion Street, Giovanni's House Of Pizza II- **Granted**
 30 Market Street, North Shore Vacuum Cleaner Co. - **Granted**
 10 Munroe Street, The Salvation Army- **Granted**
 191 Oxford Street, The Blue Ox- **Granted**
 419 Summer Street, Walrus Cleaners- **Granted**
 624 Summer St, Roberts Cleaners- **Granted**
 19 Sutton Street, Tati's Beauty Salon (taxes not owner)-**Send Owner & Tenant Letter**
 180 Union St, Topacio Restaurant - **Granted**
 235 Union Street, Carusso's Pizza- **Granted**
 276 Union Street, Willow Pharmacy- **Granted**
 57 Western Ave., Salon 495- **Granted**
 111 Western Ave, Johns Roast Beef - **Granted**
 444 Western Ave, C & C Machinery- **Granted**
 472 Western Ave CC's Impressions - **Granted**
 707 Western Ave., Blue Moon Rest- **Granted**
 752 Western Ave, McCarthy Glass - **Granted**
 840 Western Ave, Deny Tailor Shop - **Granted**
 850 Western Ave, New England Grocery- **Granted**
 884 Western Ave., D'Classico Barber Shop- **Granted**
AUTO REPAIR/FLAMMABLE –NEW
 100 Ford St, San Marcos Auto Repair (*check cori and court papers attached*)- **TABLED**
AUTO REPAIR/FLAMMABLE –RENEWAL
 35-37 Sutton St. City Transportation (*check cori and court papers attached*) - **Granted**
COIN OPERATED DEVICES VENDOR – RENEWAL
 John Fiore Inc, 49 Union St Everett, MA- **Granted**
 Peerlees Music, 33 Welland Rd, Brookline, MA- **Granted**
COIN OPERATED DEVICES – RENEWAL
 338 Broadway, Rollys- 2 Class III- **Granted**
 235 Union St, Caruso Pizza 1 Class III- **Granted**
 111-113 Sagamore St, Blue Note 1 Class II - **Granted**
DOOR TO DOOR SALES - REVIEW
 4931 N 300 W. Provo, UT, APX Alarm (new list of worker's do Cori's) (add on existing license) Wants to solicit from June 30, 2010 – August 31, 2010- **Suspend IMMEDIATELY and LICENSE SUSPENDED INDEFINITELY.**
CANNING:
 Lynn Classical Football Cheerleaders (Adults Only) – August 2, 4, 8, and September 5, 2010. - **Granted**
 Lynn Youth Hockey Association (Adults Only) - October 22-24, 2010- **Granted**
 North Shore Rugby Football (Adults Only) – August 24, 25, 2010- **Granted**
REPORT ACCEPTED.

Report of the July 13, 2010 Committee on Ways and Means recommending the following to be accepted:

1.

A RESOLUTION THAT THE CITY OF LYNN FILE AND ACCEPT GRANTS WITH AND FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS FOR THE PARKLAND ACQUISITIONS AND RENOVATIONS FOR COMMUNITIES PROGRAM FOR IMPROVEMENTS TO KEANEY PARK, HIGH ROCK RESERVATION, MCMANUS FIELD-LYNN TECH PARK AND FOR MULTI-PARK COURT RESTORATION AT THE FOLLOWING SIX PARKS: BREED PARK, CLARK ST. PLAYGROUND, GALLAGHER PARK, HOOD PARK, HENRY AVE. PLAYGROUND AND KILEY PARK.

Whereas: Keaney Park, High Rock Reservation, McManus Field-Lynn Tech Park and the Multi-Parks (Breed, Clark St., Gallagher, Hood, Henry Av. and Kiley Parks) are treasured community wide assets and the preservation to these Facilities are a City priority as evidenced by the most recent Open Space plan; and Whereas:

Keaney Park, High Rock Reservation, McManus Field-Lynn Tech Park and the Multi-Parks (Breed, Clark St., Gallagher, Hood, Henry Av. and Kiley Parks) are or will be dedicated to park and recreation purposes under M.G.L. Chapter 45, Section 14; and

Whereas: Keaney Park, High Rock Reservation, McManus Field-Lynn Tech Park and the Multi-Parks (Breed, Clark St., Gallagher, Hood, Henry Av. and Kiley Parks) ultimate restoration, guided in principal by both the park's Master Plans and/or the Open Space & Recreation Plan, will greatly enhance these facilities with improved infrastructure, walkways, lighting, universal access, parking, fencing, ballfields, etc.; and

Whereas: The overall cost and fiscal budget constraints prevented the City from proceeding forward with implementation of these projects; and

Whereas: These projects were viewed as a series of phases to be implemented over time, by priority as fiscal resources become available, with the intention of securing grant funding, when and if available, to assist in this effort; and

Whereas: The Executive Office of Energy and Environmental Affairs (EOEEA) is offering reimbursable grants to cities and towns to support the preservation and restoration of urban parks through the Parkland Acquisitions and Renovations for

Communities grant program (301 CMR 5.00); and

Whereas: The next phase of the Keaney Park project is \$6400 and the City has allowed \$19,000 in Community Development Block Grant funds, and the next phase of the High Rock Reservation project is \$745,000 and the City has allowed \$245,000 in Community Development Block Grant funds and the next phase of the McManus Field-Lynn Tech Park project is \$600,000 and the City has allowed \$180,000 in Community Development Block Grant funds and the next phase of the Multi-Park Court Restoration project is \$505,000 and the City has allowed \$151,500 in Community Development Block Grant funds;

NOW, THEREFORE, BE IT

1. That the mayor be and is hereby authorized to file and accept grants from the Executive Office of Energy and Environmental Affairs.

2. That the mayor be and is hereby authorized to take such actions as are necessary to carry out the terms, purposes and conditions of these grants to be administered by the Office of Economic and Community Development.
3. That this resolution shall take effect upon passage.

Councillor Crowley 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 RESOLUTION THAT THE CITY OF LYNN FILE AND ACCEPT GRANTS WITH AND FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS FOR THE PARKLAND ACQUISITIONS AND RENOVATIONS FOR COMMUNITIES PROGRAM FOR IMPROVEMENTS TO KEANEY PARK, HIGH ROCK RESERVATION, MCMANUS FIELD-LYNN TECH PARK AND FOR MULTI-PARK COURT RESTORATION AT THE FOLLOWING SIX PARKS: BREED PARK, CLARK ST. PLAYGROUND, GALLAGHER PARK, HOOD PARK, HENRY AVE. PLAYGROUND AND KILEY PARK.

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:

9 YES 0 NO (Councillor Lozzi and Council President Phelan absent at vote).

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

9 YES 0 NO (Councillor Lozzi and Council President Phelan absent at vote).

2. 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 heretofore designated:
Warrant for STATE PRIMARY ELECTION on Tuesday, the Fourteenth Day of September, 2010 and the STATE FINAL ELECTION on Tuesday, the Second Day of November, 2010.

GREETING: In the name of the Commonwealth you are hereby required to notify and warn the inhabitants of the City of Lynn who are qualified to vote in the STATE PRIMARY and STATE FINAL ELECTION, to vote at:

- 1-1 Shoemaker School – Clearview Avenue
- 1-2 Briarcliff Lodge – 112 Kernwood Drive
- 1-3 Sisson School – 56 Conomo Avenue
- 1-4 Sisson School – 56 Conomo Avenue
- 2-1 St. Pius Lower Church Hall – Maple Street
- 2-2 St. Pius Lower Church Hall – Maple Street
- 2-3 St. Pius Lower Church Hall – Maple Street
- 2-4 St. Pius Lower Church Hall – Maple Street
- 3-1 English High School – Goodridge Street
- 3-2 English High School – Goodridge Street
- 3-3 English High School – Goodridge Street
- 3-4 English High School – Goodridge Street

- 4-1 North Shore Community College – Broad Street
- 4-2 North Shore Community College – Broad Street
- 4-3 North Shore Community College – Broad Street
- 4-4 North Shore Community College – Broad Street
- 5-1 Lynn Vocational Technical Institute Annex – Commercial Street
- 5-2 Lynn Vocational Technical Institute Annex – Commercial Street
- 5-3 Lynn Vocational Technical Institute Annex – Commercial Street
- 5-4 Community Hall – 10 Church Street
- 6-1 Lynn Tech Fieldhouse – Neptune Boulevard
- 6-2 Lynn Tech Fieldhouse – Neptune Boulevard
- 6-3 Lynn Tech Fieldhouse – Neptune Boulevard
- 6-4 Lynn Tech Fieldhouse – Neptune Boulevard
- 7-1 Breed Jr. High School – 90 O’Callaghan Way
- 7-2 Breed Jr. High School – 90 O’Callaghan Way
- 7-3 Breed Jr. High School – 90 O’Callaghan Way
- 7-4 Breed Jr. High School – 90 O’Callaghan Way

The polls will be opened at 7:00 a.m. and closed at 8:00 p.m. and all citizens will, in the several precincts in which they are entitled to vote, between said hours, give in their votes on one ballot for Governor, Lt. Governor, Senator in Congress, Representative in Congress (6th Congressional district), State Senator, (3rd Essex District), Governor’s Council, Attorney General, Secretary of State, Treasurer, Auditor, District Attorney, and Representative in General Court for 8th Essex District, which consists of Ward 3, Precinct 4 and Ward 4, Precinct 4; Representative in General Court for 9th Essex District, which consists of Ward 1, Precincts 1 & 2; Representative in General Court for 10th Essex District, which consists of Ward 1, Precinct 3 & 4, Ward 2, Precinct 1, 2, 3 & 4, Ward 3, Precinct 1, 2 & 3, Ward 4, Precinct 1, 2 & 3, Ward 5, Precinct 3; Representative in General Court for 11th District, which consists of Ward 5, Precincts 1, 2 & 4, Ward 6, Precinct 1, 2, 3 & 4, Ward 7, Precinct 1, 2, 3 & 4. Per order of: City Council Mary Audley, Election Commission
(Lays over to August 10, 2010).

NEW BUSINESS:

Ordered that the sum of \$109,862.00 derived from a contract between the Commonwealth Corporation and the North Shore Workforce Investment Board be designated as an available fund for the Youth Works Jobs Program in the City of Lynn. Motion by Cyr to approve with an emergency, 2nd and carried 9 yes on the order, 9 yes on the emergency, Lozzi and Phelan absent at vote.

Councillor Crowley 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 that the sum of \$109,862.00 derived from a contract between the Commonwealth Corporation and the

North Shore Workforce Investment Board be designated as an available fund for the Youth Works Jobs Program in the City of Lynn.

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:

9 YES 0 NO (Councillor Lozzi and Council President Phelan absent at vote).

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

9 YES 0 NO (Councillor Lozzi and Council President Phelan absent at vote).

Motion made by Councillor Cahill 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