CITY OF LYNN

Regular City Council Meeting, December 18, 2012
Council President Timothy Phelan Presiding

Eleven Councillors Present
Moment of Silence. Council President Phelan asked Father Rossi from St. Pius Church to say a few words in remembrance of the children and adults from the Sandy Hook Elementary School in Newtown, Connecticut.
Pledge of Allegiance.

COMMUNICATIONS:

Communication from Her Honor the Mayor:
Dear Councilors:
I am hereby appointing Mr. Lester McClain to replace Mr. George Meimeteas on the Lynn Council on Aging. Mr. McLain’s term is effective immediately and will expire on August 9, 2018. Sincerely, Judith Flanagan Kennedy, Mayor
Motion made by Councillor Colucci and seconded by Councillor Crighton to suspend the rules to appoint Lester McClain to the Lynn Council on Aging, effective immediately and will expire on August 9, 2018.
Motion carried by the following yea and nay vote:
11 YES 0 NO

PUBLIC HEARINGS:

Abandonment of a Portion of Land Along Saunders Road at 78 and 82 Saunders Road.
No one appeared in Favor.
No one appeared in Opposition.
Public Hearing Closed.
Council President Phelan asked the Clerk to read in the records a letter from the Planning Board.
Motion made by Councillor Lozzi and seconded by Councillor Trahant to grant.
Motion carried by the following yea and nay vote:
11 YES 0 NO

Public Hearing relative to An Ordinance Amending the Zone Ordinance of the City of Lynn (“Medical Marijuana Treatment Center”).
The following appeared in Favor:
Chief Kevin Coppinger, Lynn Police Department
Cassandra Foley, Girls, Inc.
Three girls spoke from Girls, Inc.
Bob Connolly, Lynn  
Jennis Diaz, Lynn  
Stephanie Hardy, Lynn  
The following appeared in Opposition:  
Michael Fortarianno, Lynn  
Public Hearing Closed.  
Council President Phelan asked the Clerk to read in the records a letter from the Planning Board.  
**Motion made by Councillor Cahill and seconded by Councillor Crighton to TABLE.**  
**Motion carried by the following yea and nay vote:**  
8 YES 3 NO (Councillor Cyr, Lozzi and Trahant voting NO).  

Public Hearing for a $4 Million Dollar Bond Order Relative to the Following:

<table>
<thead>
<tr>
<th>Project</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barry Park Field Reconfiguration and Improvements</td>
<td>$75,000</td>
</tr>
<tr>
<td>Breed Park Courts</td>
<td>$150,000</td>
</tr>
<tr>
<td>City Hall Flag Pole</td>
<td>$20,000</td>
</tr>
<tr>
<td>City Hall Servers and Fiber Optics</td>
<td>$350,000</td>
</tr>
<tr>
<td>City Hall Steps</td>
<td>$250,000</td>
</tr>
<tr>
<td>Clark St Playground</td>
<td>$50,000</td>
</tr>
<tr>
<td>Cook St Playground</td>
<td>$60,000</td>
</tr>
<tr>
<td>Frasier Field Roof</td>
<td>$390,000</td>
</tr>
<tr>
<td>Frasier Field Turf</td>
<td>$200,000</td>
</tr>
<tr>
<td>Frey Playground and Courts</td>
<td>$60,000</td>
</tr>
<tr>
<td>Gallagher Playground and Courts</td>
<td>$98,000</td>
</tr>
<tr>
<td>Grand Army of the Republic Museum Façade</td>
<td>$150,000</td>
</tr>
<tr>
<td>Lynn Commons Bandstand Rehabilitation</td>
<td>$225,000</td>
</tr>
<tr>
<td>Lynn Commons Fountain Repairs</td>
<td>$75,000</td>
</tr>
<tr>
<td>Lynn Memorial Auditorium Air Conditioning</td>
<td>$600,000</td>
</tr>
<tr>
<td>Lynn Woods Entrance Rest Rooms</td>
<td>$100,000</td>
</tr>
<tr>
<td>Magnolia Playground and Courts</td>
<td>$50,000</td>
</tr>
<tr>
<td>McManus Field</td>
<td>$400,000</td>
</tr>
<tr>
<td>Misc. School Repairs</td>
<td>50,000</td>
</tr>
<tr>
<td>Protective Office Glass Barriers</td>
<td>$75,000</td>
</tr>
<tr>
<td>Sagamore St Playground</td>
<td>$50,000</td>
</tr>
<tr>
<td>Seaport Marina Repairs and Wave Attenuator</td>
<td>$500,000</td>
</tr>
<tr>
<td>Sheridan St Playground</td>
<td>22,000</td>
</tr>
</tbody>
</table>

The following appeared in Favor:  
Mayor Judith Flanagan Kennedy
(Mayor Kennedy asked that a friendly amendment be added that if there were monies left over from any under-budget project and/or projects paid by funds elsewhere, to allow for excess allocations be used for other projects necessary throughout the city.)

Steve Babbit, 31 Manson Street, Lynn
Ralph Sevinor, Lynn Chambers
Jeff Crosby, Lynn
Ron Mendez, Lynn
Representative from Lynn Youth Organization Network (LYON)
Michael Fontariano, Lynn
Sheldon Pastor, Highlands Coalition
Resident of Lynn (did not state name)
Chief Kevin Coppinger, Lynn Police Department
Dan Small, Park Ranger
Bill Devin, Lynn Classical Athletic Director
Charlie Gallo, Lynn School Committee
Brant Duncan, Commonwealth Road, Lynn / Teacher
Dexter Bishop, GAR
Karen Thompson, Lynn Park Woman’s Softball Association
Colt Mallet, Lynn Park Men’s Softball Association
Seth Albaum, Lynn
Dan Richards, Lynn
Bob Mathius, GAR
Jim Gangi, GAR Trustee
Bill Terlecky, North Shore Navigators
Katrina Panagiotakis, Lynn Historical Commission
Corey Jackson, Lynn
Jack Suslak, Lynn
David Gass, Highlands Coalition
Jeff Bryd, Lynn
Joel Henderson, East Lynn Pop Warner
David Dorgan, Lynn Shore Little League
Tony Luciano, Wyoma Little League
Resident, Cook Street

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

**Discussion:**

Councillor Crighton stated that he also received letters of support from Catherine Lyons, GE-Aviation Customer Support Manager; Rolf Flor, Lynn; Tim Ferrari, Jr., Director of Project Y.E.S; Domenic Finelli, Cross Country Coach at St. Mary’s of Lynn; Mike Toomey, Friends of Lynn Woods Board of Directors; Kristina Racek Pechulis, Esq., Director of Lynn Food and Fitness/Mass in Motion Coordinator; Stephen Hirsch, Lynn; Kaoeu Hirsch, Lynn; Doris Hirsch, Lynn; and Ryan O’Neil, Lynn.
Motion made by Councillor Cyr and seconded by Councillor Trahant to amend the Bond Order to include an additional $350,000 for: Williams Avenue Park ($75,000); increase $50,000 to the Clark Street Playground (for a total of $150,000); Kiley Park ($150,000); and Goldfish Pond ($25,000).
Motion FAILED by the following yea and nay vote:
7 NO 4 YES  (Councillors Cyr, Lozzi, Phelan and Trahant voting YES).

Motion made by Councillor Trahant and seconded by Councillor Cyr to amend the Bond Order to include $171,000 to remove the asbestos from the various Lynn Firehouse.
Motion FAILED by the following yea and nay vote:
7 NO 4 YES  (Councillors Cyr, Lozzi, Phelan and Trahant voting YES).

Motion made by Councillor Trahant and seconded by Councillor Cyr to amend the bond Order to include $175,000 for interior locks at the various schools.
Motion FAILED by the following yea and nay vote:
6 NO 5 YES  (Councillors Colucci, Cyr, Lozzi, Phelan and Trahant voting YES).

Motion made by Councillor Trahant and seconded by Councillor Cyr to amend the Bond Order to include $43,000 for the Babe Ruth Complex (Bowser Field).
Motion FAILED by the following yea and nay vote:
7 NO 4 YES  (Councillors Cyr, Lozzi, Phelan and Trahant voting YES).

Motion made by Councillor Trahant and seconded by Councillor Cyr to amend the Bond Order to include $120,000 for Keaney Park Field Improvements.
Motion FAILED by the following yea and nay vote:
7 NO 4 YES  (Councillors Cyr, Lozzi, Phelan and Trahant voting YES).

Motion made by Councillor Lozzi and seconded by Councillor Trahant to amend the bond Order to include $350,000 for Gowdy Park, Magnolia Park, Lynn Woods Park and Wyoma Little League /Major Field.
Motion FAILED by the following yea and nay vote:
7 NO 4 YES  (Councillors Cyr, Lozzi, Phelan and Trahant voting YES).
Motion made by Councillor Cahill to add an amendment to the Bond Order that if the City of Lynn receives additional funding or grants for any of the projects, the Mayor can utilize unexpended bond funds on capital improvements throughout the City at her discretion. Friendly amendment added by Councillor Cyr to include “with a strong recommendation that the Mayor consider funding the proposed amendments for projects made at the December 18, 2012 meeting.
Motion carried by the following yea and nay vote:
11 YES 0 NO
ROLL CALL ON THE BOND ORDER AS AMENDED.
11 YES 0 NO

PUBLIC HEARINGS TO BE SET DOWN:

-Petition of Arthur Argeros, Argeros Realty Trust, for a food establishment with Roast Beef and Sub Sandwiches at 50 Western Avenue, Unit 5. Hours of operation 11 a.m. to 11 p.m. Sunday – Saturday. (Trahant)
Motion made by Councillor Colucci and seconded by Councillor Lozzi to set down for Public Hearing.
Motion carried by the following yea and nay vote:
11 YES 0 NO

UNFINISHED BUSINESS:

Renewable Energy Committee Report of December 11, 2012:
ORDERED that her Honor the Mayor is hereby authorized to execute a twenty (20) year contract with Trane USA to perform energy efficient projects pursuant to M.G.L. c. 25A.
Motion made by Councillor Lozzi and seconded by Councillor Cahill to grant.
Motion carried by the following yea and nay vote:
11 YES 0 NO

COMMITTEE REPORTS:

Report of the December 18, 2012 Committee on Finance recommending the folloiwng to be accepted:

Ordered that the following Transfers be made:
From the Account of Fire Department Expense: $3,770.47
And From Reserve Account: $4,221.75

To the Account of Fire Dept. Prior Year: $7,992.22

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 from the Account of Fire Department Expense $3,770.47 and from the Reserve in the amount of $4,221.75 to the Account of Fire Department Prior Years in the amount of $7,992.22.
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

From the Account of Aide to Councilors – Unclassified:
To the Account of Aide to Councilors – HR Comm. Clerk: $5,000.00

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 from the Account of Aide – Unclassified to Councilors to the Account of Aide to Councilors – HR Commission Clerk in the amount of $5,000.00.
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

From the Reserve Account:
To the IT Department Rent & Lease Expense: $75,000.00

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 from the Reserve Account of the IT Department Rent and Lease Expense in the amount of $75,000.00.
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:
From the Account of Commissions Expense:
To the Account of Aide to Councilors – HR Comm. Clerk: $600.00
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 from the Account of Commission Expense to the Account of Aide to Councilors – HR Commission Clerk in the amount of $600.00.
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

Motion made by Councillor Ford and seconded by Councillor Cahill to adjourn.
Motion carried.

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