

CITY OF LYNN

**Regular City Council Meeting, May 14, 2013
Council President Timothy Phelan Presiding**

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

**Motion made by Councillor Colucci and seconded by Councillor Cahill to accept the Meeting Minutes of April 9, 2013.
Motion carried.**

COMMUNICATIONS:**Communication from Her Honor the Mayor:**

Dear Councilors:

While I do not question the noble intentions underlying the Homeowners' Bill of Rights Ordinance, I have serious concerns about approving it as law in the City of Lynn and hereby respectfully veto the same. Among these concerns are: Requirements of this type should not be introduced at the local level, but are rather the province of state and federal government. In fact, a 13 member task force established by Section 4 of Chapter 194 of the Acts of 2012 is currently meeting to explore the feasibility of implementing statewide many of the protections and remedies contemplated by the Lynn ordinance. –The proposed ordinance would create classes of tenants not currently recognized under Massachusetts law and would likely lead to lengthy and costly challenges in the courts. – Put quite simply, the loan agreement underlying the mortgage is a legal, binding contract between the borrower and the lender, and I do not believe that it is the right of government to interfere with any such existing contract. Very truly yours, Judith Flanagan Kennedy, Mayor

Motion made by Councillor Capano and seconded by Councillor Trahan to override the Veto.

Motion made by Councillor Capano and seconded by Councillor Trahan to suspend the rules to allow two individuals, one from each side to speak.

Motion carried.

John O'Brien spoke in FAVOR of the Override.

No one came forward to speak in OPPOSITION of Override.

Motion to Override carried by the following yeas and nays vote:

11 YES 0 NO

Communication from Her Honor the Mayor:

Dear Councilors:

I am hereby appointing Mr. Gregory Osias to the Citizen's Advisory Board to replace Roxanna Rumardo. Mr. Osias's term is effective immediately.

Sincerely, Judith Flanagan Kennedy, Mayor

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

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 Mr. Adam Donachie to the Lynn Historical Commission to replace Isabell Van Merlin. Mr. Donachie's term is effective immediately and will expire on February 24, 2016.

Sincerely, Judith Flanagan Kennedy, Mayor

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

Motion carried by the following yea and nay vote:

11 YES 0 NO

Communication from Her Honor the Mayor:

Dear Councilors:

I am hereby reappointing Mr. Carl Greenler to the Lynn Historical Commission. Mr. Greenler's term is effective immediately and will expire on February 24, 2015.

Sincerely, Judith Flanagan Kennedy, Mayor

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

Motion carried by the following yea and nay vote:

11 YES 0 NO

Communication from Her Honor the Mayor:

Dear Councilors:

I am hereby reappointing Philip Brooks and Laura Ippoliti to the Conservation Commission. Their terms are effective immediately and will expire on May 22, 2016.

Sincerely, Judith Flanagan Kennedy, Mayor

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

Motion carried by the following yea and nay vote:

11 YES 0 NO

Communication from Her Honor the Mayor:

Dear Councilors:

I am hereby reappointing Ms. Pam Barry to the Lynn Disability Commission. Ms. Barry's term is effective immediately and will expire on July 12, 2015.

Sincerely, Judith Flanagan Kennedy, Mayor

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

Motion carried by the following ye and nay vote:

11 YES 0 NO

Communication from Her Honor the Mayor:

Dear Councilors:

I am hereby reappointing Calvin Anderson, Aikaterini Pangiotakis Koudanis and Katherine Wrynn to the Lynn Historical Commission. Their terms are effective immediately and will expire on February 24, 2016.

Sincerely, Judith Flanagan Kennedy, Mayor

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

Motion carried by the following ye and nay vote:

11 YES 0 NO

Communication from Richard Fortucci/Treasurer:

Re: \$4M Bond order:

You have a council order before you for your review. The Order is administrative in nature and corrects wording regarding the Mayor's discretionary spending authority. Our Bond Counsel provided the corrective language. The corrective wording neither enhances nor diminishes the Mayor's discretionary spending authority. Sincerely, Richard J. Fortucci, Treasurer.

Motion made by Councillor Cahill and seconded by Councillor Trahan to amend the Council Order as requested.

Motion carried by the following ye and nay vote:

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

PUBLIC HEARINGS:

Petition of JB Auto Center, Jorge Benites, for permission for a sign permit at 100A Central Avenue. (Crighton)

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councillor Crighton and seconded by Councillor Cahill to TABLE.

Motion carried by the following ye and nay vote:

11 YES 0 NO

Public Hearing to allow public input to 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, Emergency Solutions Grant and Housing Opportunities for Persons with Aids Grant.

The following appeared in Favor:

Don Walker, Office of Economic and Community Development

Delanee Valdez, Friday Family Support Group.

David Gass

Melissa from Lynn

Dawn Duncan, Grant Writer for Building Bridges

Pam Burton, Lynn

Public Hearing Closed.

Motion made by Councillor Cahill and seconded by Councillor Capano to approve as presented.

Motion carried by the following yea and nay vote:

11 YES 0 NO

PUBLIC HEARINGS TO BE SET DOWN:

-Petition of 26 Auto Body, Inc., Edward Guitierrez, for permission for an Auto Body Shop at 52 Oakville Street with hours of operation 8:00 a.m. until 5:30 p.m. (Capano)

-Petition of National Grid, Jason Dwyer, for permission to install approximately 30' of 6 (six) 4" PVC Conduit encased in concrete from an existing MH at the intersection of Liberty Street and Sutton Street in the southerly direction. Also installing 45' of PVC conduit encased in concrete from #41 Sutton Street in the east-south direction across from Liberty Street. (Crighton)

-Petition of Comcast, Timothy Broderick, for permission to intercept existing conduit on King Street and place manhole/vault. Place (1) 3" pvc conduit 15' +/- in a Northeasterly direction to property of 74 Ocean Street. (Cyr)

-Petition of National Grid, Paul McGrath, for permission to install approximately 1200' of gas main beginning at the intersection of Blossom Street and Summer Street, heading northeast on Summer Street to Tremont Street, northeast on Tremont Street to Pleasant Street and northwest on Pleasant Street to #35 Pleasant Street to service St. Mary's High School. (Crighton)* (Set down for May 28, 2013)

-Petition of National Grid, Jason Dwyer, to install 2-4' conduits encased in concrete approximately 120' in a NW direction from existing P27 Sagamore Street to existing MH#2 Sagamore Street in order to remove faulty UG switches in MH #2 Suffolk Street

feeding Harbor Lofts Apartments at 678 Washington Street and reefered them from new overhead fuses at P 27 Sagamore Street. (Crighton)

-Petition of Right Spice Caribbean, Noyan Edmond, for permission for a sign permit at 532 Western Avenue. (Crighton)

-Petition of "Festa Italiana" Carnival at Holy Family, Rev. Gregory J. Mercurio, for permission for a Festival-Annual Carnival at 26 Bessom Street on August 8, 9 & 10, 2013, Thurs. & Fri. 6-10 p.m. and Saturday, 2 -11 p.m.

-Petition of Caribe Restaurant, Celso Acosto, for a sign permit at 61 Franklin Street. (Crighton)

-Petition of Ernie's Harvest Time, Ernie Fratangelo, for permission to operate a retail food store selling meat produce and dairy at 597 Essex Street with hours of operation Monday through Saturday 7:00 am to 7:00 pm, closed Sunday. (Crighton)

-Petition of Sweet D's Food Cart, Desiree DeVirgilio, for permission to operate a food cart on the sidewalks of Magnolia Avenue and Flax Pond Playgrounds, for fundraising for Northshore Community College's Wellness & Healing Arts Program, Thursday-Sunday, Noon-Dusk, Summer vacation June 20 to September 1, weather permitting. (Lozzi)
Motion made by Councillor Colucci and seconded by Councillor Trahan to set down for Public Hearings.
Motion carried.

Motion made by Councillor Cyr and seconded by Councillor Trahan to suspend the rules and present the following:

Ordered that the City of Lynn take, via eminent domain, the property located at 92 & 118-120 Brookline Street, Lynn Massachusetts for the purpose of construction a new Thurgood Marshall Middle School as permitted by MGL, C. 79A.

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 Emergency relative to an Order that the City of Lynn take, via eminent domain, the property located at 92 & 118-120 Brookline Street, Lynn Massachusetts for the purpose of construction a new Thurgood Marshall Middle School as permitted by MGL, C. 79A.

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

COMMITTEE REPORTS:**Report of the May 14, 2013 Committee on Ordinance recommending the following to be accepted:****Public Hearing:**

An Ordinance Amending the Ordinance Establishing a Dog Park in the City of Lynn and Regulating the Use of the Dog Park. – **Granted (Lays over to May 28, 2013).**

REPORT ACCEPTED.

Report of the May 14, 2013 Committee on Ways and Means recommending the following to be accepted:

Ordered that the City of Lynn hereby adopts and accepts the provisions of MGL, C.6, §172B ½ to require all applicants for certain licensed occupations to submit fingerprints for the purpose of conducting a state and national criminal history records check. **Motion made by Councillor Cyr and seconded by Councillor Barton to refer to the Public Safety Committee.**

Motion carried

REPORT ACCEPTED.

Report of the May 14, 2013 Committee on Public Safety recommending the following to be accepted:**The following individual was appointed Constable:**

Westley Santa Cruz, 481 S. Broadway, Lawrence. – **Granted**

Motion made by Councillor Lozzi and seconded by Councillor Barton to make a recommendation to the Ordinance Committee for approval of an Ordinance Establishing Ice-Cream Truck Vendor Regulations.

Motion carried.

REPORT ACCEPTED.

Report of the May 14, 2013 Committee on Minor Licenses recommending the following to be accepted:

TAXI OPERATORS (NEW)

Adeyimi, Babatunde. 95 Neptune St # 1 – **Granted with 30-60-90 Review**

Ehiabhi, Moses. 10 Safford Rd. April 23, 2013 Previous License for All City Taxi was denied because did not show up for the 2nd time - - **Granted**

Mejica, Amado. 16 Cleveland Place # 12. Gloucester, MA- **Granted**

Perez, Angel. 279 Chesnut St- **Granted**

TAXI OPERATORS – TABLED

Phillips, Undreea. 103 Broad St # 507 - **DENIED**

TAXI OPERATORS- 30 DAY REVIEW.

Chick, George. 195 Union St- **Granted**

Kabir, ABM Lutful. 126 Eastern Ave. # 9- **Granted**

Sanon, Jonel. 20 Lyman St # 1- **Granted**

TAXI OPERATORS-60 DAY REVIEW

Causey, Ray. 16 Glenwood Rd - **Tabled**

Dorcely, Guyboyson R. 37 Kirtland St- **Granted**

Lewis, Jamie. 75 Lyman St # 5. - **Tabled**

LIVERY OPERATORS-NEW

Batrouss, Moussa. 16 Reed St. (owner of new business)- **Granted**

Linares-Abreu, Sebastian. 7 Lemon St # 1- **Granted**

Mejica, Amado. 16 Cleveland Place. # 12. Gloucester, MA- **Granted**

Thomas, Barbara. 57 Bulfinch St- **Granted**

LIVERY OPERATORS -30 DAY REVIEW

Chick, George. 195 Union St - **Tabled**

LIVERY SERVICE & OPERATOR (NEW)

Batrouss, Moussa, 16 Reed St. Moses Limousine Service LLC- **Granted**

SECOND HAND ARTICLE-NEW

155 Chestnut St., USA Furniture- **Granted**

SIGNS-RENEWAL

122 Boston St., S & H Auto Repair, Inc. - **Granted**

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

549 Boston St., N/S Market- **Granted**

9 Broad St., Tropical Nails & Tanning Salon- **Granted**

132 Central Ave, Baghdad Convenience Store- **Granted**

159 Central Ave., C M Bistro Inc. - **Granted**

136 Cottage St., Bay State Auto Service & Sales, LLC- **Granted**

141-143 Eastern Ave., Montes Restaurant- **Granted**

495 Eastern Ave., Nails By Tina- **Granted**

50 Essex St., Bei Jing Restaurant- **Granted**

121 Essex St., Welch Florist- **Granted**

391 Essex St., Vista Market- **Granted**

61 Franklin St., Caribe Restaurant- **Granted**

66 Franklin St., M.J. Beauty Salon- **Granted**

13 Lewis St., Lily Convenience Store- **Granted**
 3 Market Sq., Market Square Beverage Co. Inc. - **Granted**
 408 Summer St., El Pulgarsito Restaurant- **Granted**
 57 No Common St., Desi D'Oleo Friends Of Project- **Granted**
 49 Union St., Cali Sandwich- **Granted**
 207 Washington St., VN Market, Inc. - **Granted**
 596 Western Ave., Lily's Beauty Salon- **Granted**

AUTO BODY/AUTO REPAIR/FLAMMABLE – RENEWAL

18B Alley St. – Caribbean Auto Body & Mechanic, Inc. - **Granted**
 47 Bennett St. – VEO Auto Body Solutions & Repair- **Granted**
 10 Camden St. – Iacor Corp. dba Thibedeau Auto Body- **Granted**
 220 Chestnut – Auto Body Rebuilders, Inc. - **Granted**
 165 Commercial St. – Igor's Auto Body- **Granted**
 9 Green St. – Legere Auto Body- **Granted**
 88-92 Harbor St. – Urban Auto Body- **Granted**
 892 Washington St. – Giovanni's Auto Body- **Granted**
 1117 Western Ave. – Pro-Tech Auto Body & Performance- **Granted**

AUTO REPAIR/FLAMMABLE-RENEWAL

15R Alley St. – K & M Transmission- **Granted**
 17 Alley St. – Italmondo Auto Body- **Granted**
 17A Alley St. – ARM Garage- **Granted**
 17B Alley St. – Magic Auto Repair- **Granted**
 50 Bennett St. – Landry Automotive- **Granted**
 68R Bennett St. – E & J Auto Repair- **Granted**
 106 Chestnut St. – Duran Auto Repair- **Granted**
 503R Chestnut St. – AJ's Auto Service- **Granted**
 131 Commercial St. – North Shore Car Rental, Corp. - **Granted**
 99R Cottage St. – Mark A. King, LLC- **Granted**
 12A Ellis St. – Mora Auto Repair **(requesting hours of operation to be Mon. thru Sat. 8AM TO 7PM) – Granted with Hours to 5PM ONLY.**
 148 Fayette St. – Auto Repair of Fayette St. - **Granted**
 555 Lynnway – Kentco South, Inc. dba Midas- **Granted**
 637 Lynnway – Sullivan Tire- **Granted**
 811 Lynnway – Lou's Custom Exhaust- **Granted**
 843 Lynnway – EZ Auto Care Centers- **Granted**
 371 Summer St. – Concepcion Auto Services **(requesting to be open Mon. thru Sat. 8AM to 7PM and Sundays "by appointment only") – Granted to 5PM ONLY.**
 1071 Western Ave. – Ana Auto Repair- **Granted**

FLAMMABLE – NEW

172-176 Boston St. – Arctic Oil- **Granted**

FLAMMABLE/RENEWAL

20-24 Boston St. – Lynn Ladder & Scaffolding Co., Inc. - **Granted**
 45 Boston St. – Mahan's North Shore Metals- **Granted**
 180 Boston St. – Global- **Granted**

423 Boston St. – A.L. Prime Energy Consultant, Inc. - **Granted**
 512 Chestnut St. – Global #2450- **Granted**
 668 Chestnut St. – Cumberland Farms- **Granted**
 21 City Hall Sq. – Verizon New England- **Granted**
 31 Collins St. – Delulis Brothers Construction- **Granted**
 225 Commercial St. – Turner Inc. - **Granted**
 653 Eastern Ave. – Global- **Granted**
 101 Harbor St. – All Welding Supplies, Inc. - **Granted**
 120 Liberty St. – Hess 21510- **Granted**
 71 Linden St. – Harvard Folding Box- **Granted**
 500 Lynnfield St. – NSMC Union Hospital- **Granted**
 84-86 Lynnway – Lynn Yacht Club, Inc. (L.Y.C.) - **Granted**
 330 Lynnway – Garelick Farms- **Granted**
 525 Lynnway – Spiro's- **Granted**
 680 Lynnway – Garelick Farms- **Granted**
 700 Lynnway – Sonny's Car Wash- **Granted**
 700 Lynnway – Mobil- **Granted**
 780 Lynnway – Walmart Store #2139- **Granted**
 195 Market St. – Eastern Bank- **Granted**
 56 Sanderson Ave. – Leahy Landscaping- **Granted**
 969 Western Ave. – A.L. Prime Energy Consultant, Inc. - **Granted**
 1000 Western Ave. – General Electric Company- **Granted**
 1069 Western Ave. – Fisher Auto Parts, Inc. - **Granted**

AUTO REPAIR/FLAMMABLE/NEW

860 Western Ave. – Armando's Car Care (**tabled from 4/23/13**)

CANNING:

Team Baghdad Breast Defense (Susan G. Komen 3-Day) (Adults Only) - June 20, 2013 and July 2, 2013- **Granted**

LVTI 2016 (Adults Only) – May 1, May 8, and June 6, 2013- **Granted**

OTHER BUSINESS:

REPORT ACCEPTED.

Report of the May 14, 2013 Committee on Public Property recommending the following to be accepted.

Discussion re: 38 Rockaway Street (Correct Previous Vote / Should read: Landscaping and/or Parking:

Ordered that the following Council Order approved on March 12, 2013 be corrected:

Ordered to accept the bid and convey the property at 38 Rockaway Street, Parcel 083-663-086 to Wendy Joseph, 36 Rockaway Street for consideration of \$100.00 and that no building be erected on said property and that it be used for yard and/or landscaping only. Said Order should read as follows, “no building be erected on said property and that it be used for Landscaping and/or Parking Only”.

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 an Order to accept the bid and convey the property at 38 Rockaway Street, Parcel 083-663-086 to Wendy Joseph, 36 Rockaway Street for consideration of \$100.00 and that no building be erected on said property and that it be used for yard and/or landscaping only.

Said Order should read as follows, “no building be erected on said property and that it be used for Landscaping and/or Parking Only”.

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

Ordered that the City Council deems it necessary for municipal purposes to take temporary easement interests in parcels of land on Broadway, located in said City of Lynn, to facilitate the Massachusetts Department of Transportation Roadway Reconstruction of Route 129, pursuant to Chapter 40, Section 79 and Chapter 82 of the Massachusetts General Laws. The City of Lynn has awarded damages in the sum of Fifty (\$50.00) Dollars for each said temporary easement, based upon an appraisal received by the City of Lynn.

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 an Order that the City Council deems it necessary for municipal purposes to take temporary easement interests in parcels of land on Broadway, located in said City of Lynn, to facilitate the Massachusetts Department of Transportation Roadway Reconstruction of Route 129, pursuant to Chapter 40, Section 79 and Chapter 82 of the Massachusetts General Laws. The City of Lynn has awarded damages in the sum of Fifty (\$50.00) Dollars for each said temporary easement, based upon an appraisal received by 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:

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 May 14, 2013 Committee on Finance recommending the following to be accepted:

Ordered that the City Comptroller be and is hereby authorized to appropriate from FREE CASH the sum of ONE MILLION THREE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$1,300,000.00) to the Account of the Marshall Middle School Project (9J120-7800) for the purpose of acquiring the land designated for the MSBA approved location of the new Marshall Middle School on Brookline Street.

Read the following into the Record:

Communication from Michael J. Donovan, Director ISD/Building Commissioner:

Dear Councilor Phelan and Members of the Lynn City Council:

As you are aware, the Lynn City Council will be considering whether to take via eminent domain, the above identified parcels of land for the purpose of construction a new Marshall Middle School. The Department of Inspectional Services will be overseeing the construction of the new middle school. Please be advised that I have reviewed two appraisals for the subject property. I have also reviewed the existing special permit with conditions that apartment buildings be constructed with a staggered construction schedule. I have also reviewed documentation from the Assessor's Office. At this time, it is uncertain as to the soil conditions at the subject property and the remediation costs, if any, to remove hazardous materials. The ground stability is further unknown at this time. Immediately following the eminent domain taking, the City will conduct soil, boring tests to determine the stability of the ground/soil for the intended construction of a four story middle school as well as the necessity for any remediation costs.

As a result of my review of the foregoing, it is my recommendation that a pro tanto award of one million three hundred thousand (\$1,300,000) dollars be awarded to the property owner(s).

Thank you for your attention to this matter.

Sincerely, Michael J. Donovan, PE, Inspectional Services Director/Building Commissioner
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 an Order that the City Comptroller be and is hereby authorized to appropriate from FREE CASH the sum of ONE MILLION THREE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$1,300,000.00) to the Account of the Marshall

Middle School Project (9J120-7800) for the purpose of acquiring the land designated for the MSBA approved location of the new Marshall Middle School on Brookline Street.

Read the following into the Record:

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Dear Councilor Phelan and Members of the Lynn City Council:

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As a result of my review of the foregoing, it is my recommendation that a pro tanto award of one million three hundred thousand (\$1,300,000) dollars be awarded to the property owner(s).

Thank you for your attention to this matter.

Sincerely, Michael J. Donovan, PE, Inspectional Services Director/Building Commissioner

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

Ordered that the sum of ONE HUNDRED TWENTY EIGHT THOUSAND TWO HUNDRED SEENTY EIGHT DOLLARS AND ZERO CENTS (\$128,278.00) from the Reserve Account to the Various Payroll Accounts to fund Local 193 Collective Bargaining Agreement effective July 1, 2012.

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 an Order that the sum of ONE HUNDRED TWENTY EIGHT THOUSAND TWO HUNDRED SEENTY EIGHT DOLLARS AND ZERO CENTS (\$128,278.00) from the Reserve Account to the Various Payroll Accounts to fund Local 193 Collective Bargaining Agreement effective July 1, 2012.

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

Ordered that the City Comptroller be and is hereby authorized to Certify as an "Available Fund" the amount of Twenty Five Thousand Dollars and zero cents (\$25,000.00) as allotted to the City of Lynn Community Development by the Massachusetts Department of Travel and Tourism (MMP) to fund a grant initiative to refurbish the GAR Museum. Grant period is 5/2/13 to 6/30/13.

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 an Order that the City Comptroller be and is hereby authorized to Certify as an "Available Fund" the amount of Twenty Five Thousand Dollars and zero cents (\$25,000.00) as allotted to the City of Lynn Community Development by the Massachusetts Department of Travel and Tourism (MMP) to fund a grant initiative to refurbish the GAR Museum. Grant period is 5/2/13 to 6/30/13.

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

Ordered that the City Comptroller be and is hereby authorized to appropriate from FREE CASH the sum of FOUR HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$400,000.00) to the Account of ISD Maintenance Service Contracts Account (11935-2412S) for the renovation of 100 Bennett Street to relocate all School Administrative Staff to that location.

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 an Order that the City Comptroller be and is hereby authorized to appropriate from FREE CASH the sum of FOUR HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$400,000.00) to the Account of ISD Maintenance Service

Contracts Account (11935-2412S) for the renovation of 100 Bennett Street to relocate all School Administrative Staff to that location.

FREE CASH the sum of **FOUR HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$400,000.00)** to the Account of **ISD Maintenance Service Contracts Account (11935-2412S)** for the renovation of 100 Bennett Street to relocate all School Administrative Staff.

to transfer the sum of 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

Ordered that the City Comptroller be authorized to transfer the sum of **EIGHTY FIVE THOUSAND EIGHT HUNDRED FIFTY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$85,855.00)** from the Reserve Account to the Veterans Benefits Account.

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 an Order that the City Comptroller be authorized to transfer the sum of EIGHTY FIVE THOUSAND EIGHT HUNDRED FIFTY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$85,855.00) from the Reserve Account to the Veterans Benefits Account.

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

Ordered that the City Comptroller be authorized to transfer the sum of **FIVE THOUSAND TWO HUNDRED FORTY THREE DOLLARS AND SEVENTY CENTS (\$5,243.70)** from the Account of Veterans Benefits to the Account of Bills of Prior Year.

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 Order to transfer the amount of 5,243.70 from the Account of Veterans Benefits to the Account of Bills of Prior Year.

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

Ordered that the City Comptroller be authorized to transfer the sum of TWO THOUSAND DOLLARS AND ZERO CENTS (\$2,000.00) from the Reserve Account to the Care of Dogs Account.

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 Order to transfer in the amount of \$2,000 from the Reserve Account of the Care of Dogs Account.

THEREFORE BE IT VOTED BY THE 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

NEW BUSINESS:

PHELAN, CRIGHTON, BARTIN, CAHILL, NET/Recommends that the EDIC, in cooperation with Community Development fund a study of the traffic configuration in Downtown Lynn, which includes the designated Central Business District and Arts & Culture District. The scope of said study shall include, but not be limited to, an examination of one way streets, traffic signals and signs, intersections, sidewalks, driveways, and any opportunity to increase safe access for pedestrians, motorists, and cyclists on our streets and sidewalks, along with improving commercial opportunities.

Motion made by Councillor Crighton and seconded by Councillor Cyr to grant.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Motion made by Councillor Crighton and seconded by Councillor Trahan to request a letter be sent to the Inspectional Services Department requesting ISD to apply for a grant application from the Attorney General's Office relative to the one million dollar grant program to help cities and towns identify and return bank-owned properties to productive residential use. The Attorney General's Office is offering this initiative to help

Massachusetts' cities and town with high rates of distressed properties with foreclosure crisis.

Motion carried.

Resolution – Councillor Capano

Veterans Square Naming - Landsburg Square

Whereas; William J. Landsburg was born on October 17th 1924 to parents James and Anna Landsburg; and

Whereas; During World War II, William J. Landsburg served as a Seaman Second Class on the U.S.S. Ellittott and according to the US Navy, on August 8, 1942, “an enemy plane crashed into that ship during an air raid north of Lunga Point, Guadalcanal, Solomon Islands” on August 8th 1942; and

Whereas; As a result of this attack, in September 1942 William J. Landsburg was declared Missing in Action by the US Navy; and

Whereas; William J. Landsburg was declared Killed In Action on September 7th 1943; and

Whereas; As we approach Memorial Day, the City of Lynn wishes to recognize the sacrifice of the Landsburg family and all other Gold Star Families; and

NOW, THEREFORE the Lynn City Council proclaims the corner of New Park and Forest Streets, “Seaman Second Class William J. Landsburg Square.

Motion by Crighton to send letter to Michael J. Donovan, ISD Director to request that he apply for a grant relative to distressed properties in municipalities, currently being offered through the Office of the Attorney General, 2nd and carried.

Councillor Capano 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 – Veterans Square Naming – Landsburg Square.

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 Colucci and seconded by Councillor Capano 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