

CITY OF LYNN

**Regular City Council Meeting –October 27, 2015
Council President Daniel F. Cahill, Presiding**

Ten Councillors Present (Councilor Cyr absent).

Moment of Silence. Council President Cahill asked that the Family of Pamela Burton be remembered. Councillor Barton asked that the family of Robert J. Caldwell be remembered. Councilor Ford asked that the Family of James Sweeney also be remembered.

Pledge of Allegiance

Motion made by Councillor Colucci and seconded by Councillor Lozzi to accept the Meeting Minutes of October 13, 2015.

Motion carried.

Council President Cahill stated that Councilor Cyr could not be at this evening's meeting as he had minor surgery last Thursday.

Council President Cahill welcomed Lynn Community Television who will be televising the Lynn City Council Meetings.

PUBLIC HEARINGS:

Proposed Ordinance Amending the Zone Ordinance of the City of Lynn and the Zone Map of the City of Lynn.

Council President Cahill stated that the Council received a Recommendation from the Planning Board with several amendments. Council President Cahill read the amendments into the record.

The following appeared in Favor:

Leslie Gould, LACC (also read LACC letter into the records)

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Crighton and seconded by Councilor Colucci to approve Ordinance with the amendments from the Planning Board.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Cyr absent).

COMMITTEE REPORTS:**Report of the October 27, 2015 Committee on Economic and Workforce Development recommending the following to be accepted:**

Ordered that the Lynn City Council approve the TIF Application being submitted to the Lynn City Council by the Lynn Economic Development Industrial Corporation (EDIC) for the purpose of the development of a Market Basket Store at 40 Federal Street.

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 an Order that the Lynn City Council approve the TIF Application being submitted to the Lynn City Council by the Lynn Economic Development Industrial Corporation (EDIC) for the purpose of the development of a Market Basket Store at 40 Federal Street.

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 Cyr absent).

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

10 YES 0 NO (Councilor Cyr absent).

Update from EDIC Director re: The Lynnway

EDIC Director James Cowdell gave an Update on the Lynnway and the Waterfront.

**OTHER BUSINESS:
REPORT ACCEPTED.**

Report of the October 27, 2015 Committee on Ways and Means recommending the following to be accepted:

Disclosure – Shawn Hogan - **Granted**

Ordered that the City Comptroller be authorized to take the following actions:

Transfer the sum of Seven Thousand Six Hundred Thirty Two Dollars and Zero Cents (\$7,632.00) from the Reserve Account to the Assessors Payroll Account.

Councillor Net 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 Seven Thousand Six Hundred Thirty Two Dollars and Zero Cents (\$7,632.00) from the Reserve Account to the Assessors Payroll 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:

10 YES 0 NO (Councilor Cyr absent).

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

10 YES 0 NO (Councilor Cyr absent).

Transfer the sum of Six Thousand Four Hundred Thirty Three Dollars and Ninety Four Cents (\$6,433.94) from the Fire Department Expense to the Fire Department Unpaid Bills of Prior Year.

Councillor Net 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 Six Thousand Four Hundred Thirty Three Dollars and Ninety Four Cents (\$6,433.94) from the Fire Department Expense to the Fire Department Unpaid 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:

10 YES 0 NO (Councilor Cyr absent).

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

10 YES 0 NO (Councilor Cyr absent).

Transfer the sum of One Hundred Thirty Two Thousand Three Hundred Sixty One Dollars and Twenty Four Cents (\$132,361.24) from the Insurance over 20K expense to the ISD School Expense.

Councillor Net 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 One Hundred Thirty Two Thousand Three Hundred Sixty One Dollars and Twenty Four Cents (\$132,361.24) from the Insurance over 20K expense to the ISD School Expense.

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 Cyr absent).

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

10 YES 0 NO (Councilor Cyr absent).

Transfer the sum of Forty Thousand Dollars and Zero Cents (\$40,000.00) from Legal Expense to Legal Payroll.

Councillor Net 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 Forty Thousand Dollars and Zero Cents (\$40,000.00) from Legal Expense to Legal Payroll. 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 (Councilor Cyr absent).

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

10 YES 0 NO (Councilor Cyr absent).

Certify as an Available Fund, the FY'16 262 Early Childhood SPED Entitlement Grant from the Department of Early Education. Grant Period 9/1/15 to 8/31/16.

Councillor Net 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 certifying as an "Available Fund" the amount of the FY'16 262 Early Childhood SPED Entitlement Grant from the Department of Early Education. Grant Period 9/1/15 to 8/31/16.

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 (Councilor Cyr absent).

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

10 YES 0 NO (Councilor Cyr absent).

Establish two capital accounts for the purpose of tracking the City's costs for the rehabilitation of the Johnson Street Municipal Parking Lot and City Hall Parking Lot. These accounts (Capital Funds) will be used by ISD. The funding for these accounts are funds available from the Construction of the Municipal Parking Lot in Wyoma Square.

Councillor Net 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 establishing two capital accounts for the purpose of tracking the City's costs for the rehabilitation of the Johnson Street Municipal Parking Lot and City Hall Parking Lot. These accounts (Capital Funds) will be used by ISD. The funding for these accounts are funds available from the Construction of the Municipal Parking Lot in Wyoma 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:

10 YES 0 NO (Councilor Cyr absent).

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

10 YES 0 NO (Councilor Cyr absent).

REPORT ACCEPTED.

Report of the October 27, 2015 Committee on Licensing recommending the following to be accepted:

TAXI OPERATORS (NEW)

Bello Mendez, Cespedes, 14 Dearborn Avenue #3 - **Granted**

Benedetto, William, 10 Farrar St. - **Tabled**

Garcia, Kelvin, 40 Broad St. Apt. 10- **Granted**

Hahnen, Katie, 47 Home St. Apt. #2, Peabody, MA- **Granted**

Primpas, Paul R., 7 Debra Lane- **Granted**

Spencer, Joseph P., 24 Burrill Avenue- **Granted**

Tavarez, Jose A., 20 Park St. #17- **Granted**

TAXI OPERATOR (RENEWAL)

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

TAXI OPERATOR-TABLED

Fernandez, Rafael, 57A Memorial Park Ave. - **Granted**

TAXI OPERATOR- LICENSE SUSPENSION

Ago, Michael, 33 High St. Apt. #311- **Tabled**

LIVERY OPERATOR-(NEW)

Spencer, Joseph P., 24 Burrill Avenue- **Granted**

CHRISTMAS TREE SALES - RENEWAL

60 Boston St., Bonifacio Perez- **Granted**

CLASS II AUTO DEALER, AUTO BODY/REPAIR, FLAMMABLE – TRANSFER

443 Lynnway – Lynn Auto Service and Sales, LLC dba Kyle Holmes Auto Sales- **Granted**

TABLED FROM OCTOBER 13, 2015 MEETING

AUTO BODY/AUTO REPAIR/FLAMMABLE LICENSE - NEW

52 Oakville St. – 26 Auto Body (New Owner) - **Granted with same Stipulations as prior owner.**

CANNING:

Lynn Youth Soccer (Adults Only) – November 13, 14, 15, 2015- **Granted**

OTHER BUSINESS:

REPORT ACCEPTED.

Report of the October 27, 2015 Committee on Public Property and Parks recommending the following is accepted:

Ordered that the City of Lynn convey the property at 29 Parrott Street to the Lynn Housing Authority and Neighborhood Development. Further Ordered that Her Honor the Mayor is hereby authorized to execute all necessary documents to effectuate said

transfer. Further Ordered that the City Solicitor draft all necessary documents and deeds to effectuate said transfer.

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 of Lynn convey the property at 29 Parrott Street to the Lynn Housing Authority and Neighborhood Development. Further Ordered that Her Honor the Mayor is hereby authorized to execute all necessary documents to effectuate said transfer. Further Ordered that the City Solicitor draft all necessary documents and deeds to effectuate said transfer.

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 Cyr absent).

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

10 YES 0 NO (Councilor Cyr absent).

Ordered that the Mayor be authorized to execute a Deed to Franklin Terrero and Minera Betancourt Rodriguez, Husband and wife, for land shown in a Subdivision Plan of land prepared and drawn by Paul D. Evans of the City Engineer's Office dated December 12, 1986, for consideration of \$500.00 containing approximately 1,635 s.f. and described therein as Lot B, 1 Breed Court. No building shall be erected on the property which shall be used only as a yard.

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 Mayor be authorized to execute a Deed to Franklin Terrero and Minera Betancourt Rodriguez, Husband and wife, for land shown in a Subdivision Plan of land prepared and drawn by Paul D. Evans of the City Engineer's Office dated December 12, 1986, for consideration of \$500.00 containing approximately 1,635 s.f. and described therein as Lot B, 1 Breed Court. No building shall be erected on the property which shall be used only as a yard.

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 Cyr absent).

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

10 YES 0 NO (Councilor Cyr absent).

Ordered that the City of Lynn enter into a License Agreement with Lynn Community Television, Inc., for the use of Room 302 at Lynn City Hall. Further ordered that Her Honor the Mayor is hereby authorized to execute any and all necessary documents to

effectuate said License. Further ordered that the City Solicitor draft all necessary documents to effectuate said License.

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 of Lynn enter into a License Agreement with Lynn Community Television, Inc., for the use of Room 302 at Lynn City Hall. Further ordered that Her Honor the Mayor is hereby authorized to execute any and all necessary documents to effectuate said License. Further ordered that the City Solicitor draft all necessary documents to effectuate said License.

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 Cyr absent).

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

10 YES 0 NO (Councilor Cyr absent).

REPORT ACCEPTED.

Motion made by Councillor Colucci and seconded by Councillor Barton 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