CITY OF LYNN

Regular City Council Meeting – May 26, 2015
Council President Daniel F. Cahill, Presiding

Eleven Councillors Present
Moment of Silence – Councillor Barton asked that the family of Althea Flamer be remembered in their prayers.
Pledge of Allegiance

Motion made by Councillor Colucci and seconded by Councillor Lozzi to accept the Meeting Minutes of May 12, 2015.
Motion carried.

COMMUNICATIONS:
Donald Walker, Director of Project Operations
Requesting that the Lynn City Council schedule a Public Hearing on Tuesday, July 14, 2015 to allow public input to the City’s Five-Year Consolidated Plan/Annual Action Plan, including the HUD Community Development Block Grant, HOME Investment Partnership Grant and the Emergency Solutions Grant.
Motion made by Councillor Colucci and seconded by Councillor Trahant to set down for Public Hearing.
Motion carried.

PUBLIC HEARINGS TO BE SET DOWN:

- Set down Public for FY2016 City of Lynn Budget.
  Motion made by Councillor Lozzi and seconded by Councillor Capano to set down for Public Hearing on June 23, 2015.
  Motion carried.

- Petition of Kerri’s Cookies & Candies, Kerri Surette, for permission to install commercial appliances in a space not previously occupied as a kitchen. Hours Monday-Friday 9:30 – 5:30 and Saturday 9:00 – 2:00. (Lozzi)

- Petition of Nina’s Market, Baseem Nsier, for a sign permit at 51 Essex Street. (Cyr)
  Motion made by Councillor Colucci and seconded by Councillor Capano to set down for Public Hearings.
  Motion carried.
COMMITTEE REPORTS

Report of the May 26, 2015 Committee on Personnel recommending the following to be accepted:

Request from Chief of Police:
re: One Full-Time Crime Analyst Position - Granted
Request from Election Chairperson:
re: One Full-Time Election Coordinator - Granted

OTHER BUSINESS
REPORT ACCEPTED.

Report of the May 26, 2015 Committee on Government Administration recommending the following to be accepted:

1. Discussion with Representatives from Melanson Heath Accounts and Auditors re: City of Lynn Audit (Year Ended June 30, 2014).- Motion made by Councilor Net and seconded by Councilor Lozzi to accept for the files. Motion carried.

2. OTHER BUSINESS
REPORT ACCEPTED.

Report of the May 26, 2015 Committee on Ways and Means recommending the following to be accepted:

Ordered that the City Comptroller take the following actions:

Transfer the sum of Sixty Two Thousand Three Hundred Seventy Six Dollars and Zero Cents (62,376.00) from the Reserve Fund to the ISD-Snow Expense 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 Sixty Two Thousand Three Hundred Seventy Six Dollars and Zero Cents (62,376.00) from the Reserve Fund to the ISD-Snow Expense 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 Trahant absent at vote).
Emergency Order was then adopted by the following yea and nay vote: 10 YES 0 NO (Councilor Trahant absent at vote).
Transfer the sum of Two Hundred Forty Five Thousand Dollars and Zero Cents ($245,000.00) from Police Payroll Account to Police Expense 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 Two Hundred Forty Five Thousand Dollars and Zero Cents ($245,000.00) from Police Payroll Account to Police Expense 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 of Lynn accept the provisions of Sections 27 and 28 of Chapter 131 of the Acts of 2010 which increases the annual survivor allowance paid under Section 101 of Chapter 32 from $6,000 to $9,000.

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 an Order that the City of Lynn accept the provisions of Sections 27 and 28 of Chapter 131 of the Acts of 2010 which increases the annual survivor allowance paid under Section 101 of Chapter 32 from $6,000 to $9,000.
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 of Lynn accepts the provisions of Section 29 and 30 of Chapter 176 of the Acts of 2011 which increases the monthly minimum survivor allowance paid under Section 12 of Chapter 32 from $250 to $500.

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 an Order that the City of Lynn accepts the provisions of Section 29 and 30 of Chapter 176 of the Acts of 2011 which increases the monthly minimum survivor allowance paid under Section 12 of Chapter 32 from $250 to $500.
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 26, 2015 Committee on Licensing recommending the following to be accepted:
TAXI OPERATORS (NEW)
Arias, Leo, 3 Henry Avenue - Tabled
Blair, Samuel, 141 Sea St. Apt. #302, Quincy, MA- Granted
Brown, Stephen, 8 Gordon Road- Granted
Espinal, Carlos, 7 Read St. Apt #1, Salem, MA- Granted
Peguero, Omar, 21 Barrett Ct. #2- Granted
Ramirez, Ernesto, 50 Baldwin St. Apt. - Granted

GRANTED TO SET DOWN FOR PUBLIC HEARINGS - EXTENDED HOURS (RENEWALS) SET DOWN PUBLIC HEARING FOR JUNE 9, 2015:
60 BOSTON ST MCDONALDS DRIVE THRU 24 HOURS
80 BOSTON ST DUNKIN DONUTS 24 HOURS
102 BOSTON ST CVS PHARMACY 24 HOURS
108 BOSTON ST BURGER KING SUN-WED 6AM-12AM TH-SAT 6AM-2 AM
116 BOSTON ST WENDY'S DRIVE THRU TILL 4 A.M.
122 BOSTON ST BOSTON SHELL 24 HOURS
124 BROAD ST GEORGE'S ROAST BEEF 10:30 A.M.-2:00 A.M 7 DAYS
512 CHESTNUT ST. GHEMWA LYNN MOBIL 5:00 AM-2:00 AM
668 CHESTNUT ST. CUMBERLAND FARMS 24 HOURS
264 ESSEX ST 7-11 24 HOURS
61 FRANKLIN ST. ARIBE RESTAURANT 7:00 A.M.-1:00 A.M.
120-122 LIBERTY ST HESS OIL 24 HOURS
3 LYNNFIELD ST 7-11 24 HOURS
364 LYNNWAY DUNKIN DONUTS 24 HOURS
377 LYNNWAY WENDY'S 24 HOURS
525 LYNNWAY SPIROS ENERGY 24 HOURS
535 LYNNWAY LYNNWAY SHELL 24 HOURS
567 LYNNWAY MCDONALDS 24 HOURS
16 MARKET SQ. LYNN HOUSE OF RB 10:00 A.M.-2:00 A.M. 7 DAYS
17 MARKET SQ PEOPLE'S CHOICE 10:00 A.M.-1:00 A.M. 7 DAYS
50 WESTERN AVE 7-11 24 HOURS
707 WESTERN AVE DOMINOS SUN-THURS 11 A.M.-12 A.M. FRI-SAT 11AM 1:30 AM
709 WESTERN AVE SUBWAY 7:00 AM - 2 AM 7 DAYS
969 WESTERN AVE A L PRIME ENERGY 24 HOURS
SIGN LICENSE-RENEWAL
244 Broadway, Mino’s RoastBeef- Granted
328a Broadway, Lazy Dog- Granted
156 Chestnut St., E.T. Communication- Granted
546 Chestnut St., Kim’s Barber Shop- Granted
105 Commercial St., Commercial Market- Granted
50 Essex St., Bei Jing Restaurant- Granted
59 Essex St., Osborne Pharmacy- Granted
121 Essex St., Welch Florist - Granted
135 Essex St. Neves Karate Academy- Granted
161 Essex St., AlNour Market- Granted
163 Essex St., Swampscott Refrigeration, Inc. - Granted
188 Essex St., Charlie’s Seafood- Granted
204 Essex St., Continental and Unicom Communication- Granted
268 Essex St., Tony Tipico Inc- Granted
333 Essex St., New Angkor Thom Market- Granted
391 Essex St., Vista Market- Granted
420 Essex St., Nunez Barber Shop- Granted
103 Federal St., Hibernian Bldg. Corp. - Granted
159 Lewis St., JD Sports Bar- Granted
175 Lewis St., Liberty Tax Service- Granted
315 Lynnway, Lynn Motor Sales- Granted
3 Market Sq., Market Square Beverage Co. Inc. - Granted
17 Market Sq., People’s Choice- Granted
9 Minot St., Western Ave Auto Body of Lynn- Granted
333 Union St., Ministerios Vision Cristiana- Granted
57 Washington St., Angelina’s Subs Shop, Inc. - Granted
616 Washington St., Dito’s Corner Store- Granted
877 Western Ave., Apsara Angkor Restaurant- Granted
882 Western Ave., Western Ave Auto Body Lynn, Inc. - Granted

AUTO BODY LICENSE – NEW
8 Burrus Sq. – Meadow Park Auto Sales- Granted with a 30-60-90 Day Review and stipulations on file.

AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL
8 Burrus Sq. – Jesus Auto Repair Corp. - Granted
61 Commercial St. – Perez Auto Service & Repair- Granted
129 Commercial St. – Ernesto Auto Repair Corp. - Granted
41 Stewart St. – NRT Bus, Inc.- Granted
800 Western Ave. – Henley Enterprises Inc. d/b/a Valvoline Instant Oil Change - Granted

FLAMMABLE LICENSE – RENEWAL
77 Alley St. – American By Products- Granted
21 City Hall Sq. – Verizon- Granted

COIN OPERATED MACHINES – RENEWAL
138 Boston St. – Imperial Buffet – 2 Class III - Granted

CLASS II AUTO DEAL/AUTO REP/FLAM – 30 DAY REVIEW FROM 4/21/2015
119 Essex St. – Jerry’s Auto Sales & Repair- Granted with 30 Day Review and stipulations on file.
OTHER BUSINESS
CANNING
LVTI (Adults Only) – July 25, 2015 and August 23, 2015 – Granted
REPORT ACCEPTED.

Report of the May 26, 2015 Committee on Public Property and Parks recommending the following to be accepted:

Ordered that Her Honor the Mayor and the Lynn City Council are hereby authorized to execute a Grant of Easement to the Massachusetts Electric Company to maintain and operate for the transmission of high and low voltage current to the new Thurgood Marshall Middle School on the southerly side of Brookline Street and the westerly side of Empire Street. Said Grant of Easement shall permit an overhead system and an underground electric distribution system. The location of said Easement is more particularly shown on a Plan of Land recorded with the Essex South District Registry of Deeds in Plan Book 111, Plan No. 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 an Order that Her Honor the Mayor and the Lynn City Council are hereby authorized to execute a Grant of Easement to the Massachusetts Electric Company to maintain and operate for the transmission of high and low voltage current to the new Thurgood Marshall Middle School on the southerly side of Brookline Street and the westerly side of Empire Street. Said Grant of Easement shall permit an overhead system and an underground electric distribution system. The location of said Easement is more particularly shown on a Plan of Land recorded with the Essex South District Registry of Deeds in Plan Book 111, Plan No. 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

Ordered that the Lynn City Council set down a public hearing to determine whether to abandon a portion of Day Street pursuant to M.G.L., C. 82, Section 32A.

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 an Order that the Lynn City Council set down a public hearing to determine whether to abandon a portion of Day Street pursuant to M.G.L., C. 82, Section 32A.
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 after having determined that the granting of the Stone Cottage
Preservation Restriction is in the public interest, it is ordered that the Mayor be
authorized to execute the Preservation Restriction and any other document(s) required
by the Massachusetts Historical Commission related to the same and to execute any
other document(s) required by the City of Lynn Law Department to effectuate this
matter.

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 an Order that after having determined that
the granting of the Stone Cottage Preservation Restriction is in the public
interest, it is ordered that the Mayor be authorized to execute the Preservation
Restriction and any other document(s) required by the Massachusetts Historical
Commission related to the same and to execute any other document(s) required
by the City of Lynn Law Department to effectuate this matter.
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.

NEW BUSINESS:

Motion made by Councilor Chakoutis and seconded by Councilor Crighton that
the City Council request the Inspectional Services Department to determine
whether the 2006 BETA recommendations to widen Boston Street are still sound
based on the 2014 traffic study results.
Motion carried by the following yea and nay vote:
11 YES 0 NO

Colucci/Ordered that the City Treasurer notify any occupants of the City of Lynn
foreclosed properties from 2010 and 2011 of imminent sale of public properties.
Motion made by Councilor Cyr and seconded by Councilor Ford to TABLE.
Motion carried by the following yea and nay vote:
11 YES 0 NO
Motion made by Councillor Colucci and seconded by Councillor Capano 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