CITY OF LYNN

Regular City Council Meeting, February 14, 2017
Council President Darren P. Cyr

Eleven Councillors Present
Moment of Silence. Councilor Walsh asked that the Family of Bob Doyle be remembered. Council Vice-President Barton asked that the McCoy Family also be remembered.
Council President Cyr introduced Kyle McCarthy, a student at Lynn Classical High School who is attending the Council Meeting with Councilor Chakoutis for a school project. Council President Cyr asked Mr. McCarthy to lead the audience in the Pledge of Allegiance.
Pledge of Allegiance.

Motion made by Councilor Colucci and seconded by Councilor Capano to accept the Meeting Minutes of January 24, 2017.
Motion carried.

COMMUNICATIONS:

Communications from Her Honor the Mayor:
Dear Councilors:
I am hereby appointing Ms. Roxanne Marshall to the Citizens Advisory Board to replace Gregory Osias. Ms. Marshall's term is effective immediately.
Sincerely, Judith Flanagan Kennedy, Mayor
Motion made by Councilor Colucci and seconded by Councilor Walsh to approve.
Motion carried.

Dear Councilors:
I am hereby reappointing Mr. Robert Stillian as Chairman to the Planning Board, effective immediately and will expire on April 1, 2022.
Sincerely, Judith Flanagan Kennedy, Mayor
Motion made by Councilor Barton and seconded by Councilor Trahant to reappoint Robert Stillian as Chairman to the Planning Board, effective immediately and will expire on April 1, 2022.
Motion carried by the following yea and nay vote:
11 YES  0 NO
Dear Councilors:
I am hereby reappointing the following individuals to the Planning Board: David Angelli, Paul Price and Stephen C. Upton. Mr. Angelli’s term is effective immediately and will expire on April 1, 2019; Mr. Price’s term is effective immediately and will expire on April 1, 2021; and Mr. Upton’s term is effective immediately and will expire on April 1, 2018.

Sincerely,
Judith Flanagan Kennedy, Mayor

Motion made by Councilor Baton and seconded by Councilor Colucci to re-appoint David Angelli, Paul Price and Stephen C. Upton to the Planning Board. Mr. Angelli’s term is effective immediately and will expire on April 1, 2019; Mr. Price’s term is effective immediately and will expire on April 1, 2021; and Mr. Upton’s term is effective immediately and will expire on April 1, 2018.

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

Motion made by Councilor Lozzi and seconded by Councilor Capano to forward a letter to Her Honor the Mayor why their terms lapsed for so long.

Motion carried.

Discussion: Medical Marijuana Treatment Facilities

Motion made by Councilor Capano and seconded by Councilor Walsh to forward a Letter of Non Opposition to the Massachusetts Department of Public Health regarding the Application for a Medical Marijuana Treatment Facility in the City of Lynn on behalf of Olde World Remedies, Inc. for a facility located at 953 Western Avenue, Lynn, MA 01902.

Motion carried by the following yea and nay vote:
10 YES 0 NO (Councilor Cahill ABSTAINED).

Motion made by Councilor Capano and seconded by Councilor Walsh to forward a Letter of Non Opposition to the Massachusetts Department of Public Health regarding the Application for a Medical Marijuana Treatment Facility in the City of Lynn on behalf of Massachusetts Patient Foundation, Inc. for a facility located at 487 – 491 Lynnway, Lynn, MA 01902.

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

Resolution for the Downtown Arts and Culture District Re-Designation. (Cyr, Barton, Chakoutis, Cahill, LaPierre, Net, Lozzi, Trabant, Colucci, Capano and Walsh)

Motion made by Councilor Lozzi and seconded by Councilor Walsh to grant.

Motion carried by the following yea and nay vote:
11 YES 0 NO
PUBLIC HEARINGS:

A Proposed Ordinance Repealing the Ordinance Modernizing and Reorganizing the Office of the City Clerk.
No one appeared in Favor.
No one appeared in Opposition.
Public Hearing Closed.
**Motion made by Councilor Barton and seconded by Councilor Trahant to Grant.**
**Motion carried by the following yea any nay vote:**
11 YES 0 NO

An Act Amending the Act Establishing a Department of Inspectional Services in the City of Lynn.
The following Appeared in Favor:
Joseph Martin, 27 Kings Beach Road, Lyn
The following appeared in Favor.
Public Hearing Closed.
**Motion made by Councilor Capano and seconded by Councilor Walsh to grant with the stipulation that the Custodians and Maintenance go over to the school side and that Collective Bargaining be conducted by the Lynn School Department.**
**Motion carried by the following yea and nay vote:**
11 YES 0 NO

An Act Authorizing the City of Lynn to Use Certain Park Land for School Purposes.
No one appeared in Favor.
No one appeared in Opposition.
Public Hearing Closed.
**Motion made by Councilor Barton and seconded by Councilor Walsh to grant.**
**Motion carried by the following yea and nay vote:**
11 YES 0 NO

PUBLIC HEARINGS TO BE SET DOWN:

- Petition of Jose Bracamontes owner of Taqueria Dona Julia, 80 Central Ave for permission to add an “All Alcohol” license in an existing restaurant open on Monday through Sunday 9:00 AM to 12:00 AM (Chakoutis)

- Petition of Alexander and Wilder Rodriguez to open a Bakery with seating at 70 Commercial Street (Capano)
- Petition of National Grid, Robert Coultor, for permission to propose duct bank installation on Washington St from the intersection of Boston St to the intersection of Laighton St. (Chakoutis)
  Motion made by Councilor Colucci and seconded by Councilor Cahill to set down for Public Hearings.
  Motion carried.

COMMITTEE REPORTS:

Report of the February 14, 2017 Committee on Ways and Means recommending the following to be accepted:

Ordered that the City Comptroller take the following action:

Transfer the sum of (106,100.00)
ONE HUNDRED SIX THOUSAND ONE HUNDRED DOLLARS AND ZERO CENTS (106,100.00) from the Reserve to Police Dept for Retirement payouts

Councilor Barton 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 transferring the sum of ONE HUNDRED SIX THOUSAND ONE HUNDRED DOLLARS AND ZERO CENTS (106,100.00) from the Reserve to Police Dept for Retirement payouts 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

Transfer the sum of (58,446.49)
FIFTY EIGHT THOUSAND FOUR HUNDRED FORTY SIX DOLLARS AND FORTY NINE CENTS from the Reserve to various departments to fund Sick buy back per Collective Bargaining terms.

Councilor Barton 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 transferring the sum of FIFTY EIGHT THOUSAND FOUR HUNDRED FORTY SIX DOLLARS AND FORTY NINE CENTS ($58,446.49) from the Reserve to various departments to fund Sick buy back per Collective Bargaining terms.
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

Appropriate the sum of (355,000.00)
THREE HUNDRED FIFTY FIVE THOUSAND DOLLARS AND ZERO CENTS from
Revolving accounts to the Pickering Middle School Feasibility Study for 2 new Middle
schools
Councilor Barton 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 appropriating the sum of
THREE HUNDRED FIFTY FIVE THOUSAND DOLLARS AND ZERO CENTS
($355,000.00) from Revolving accounts to the Pickering Middle School Feasibility
Study for 2 new Middle schools
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

Transfer the sum of (2,271.54)
TWO THOUSAND TWO HUNDRED SEVENTY ONE DOLLARS FIFTY FOUR
CENTS from the State Election Funds to the Election payroll to fund
Workers for the Special Elections.
Councilor Barton 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 transferring the sum of TWO
THOUSAND TWO HUNDRED SEVENTY ONE DOLLARS FIFTY FOUR CENT
($2,271.54) from the State Election Funds to the Election payroll to fund
Workers for the Special Elections.
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
Transfer the sum of (50,600.00) FIFTY THOUSAND SIX HUNDRED DOLLARS ZERO CENTS from the State Election funds to the accounts of Election and City Clerk to fund the Special Election in March 2017

Councilor Barton 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 transferring the sum of FIFTY THOUSAND SIX HUNDRED DOLLARS ZERO CENTS ($50,600.00) from the State Election funds to the accounts of Election and City Clerk to fund the Special Election in March 2017

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

Transfer the sum of (55.06) FIFTY FIVE DOLLARS AND SIX CENTS from the Lynn Fire expense to the Fire Dept for prior year bills

Councilor Barton 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 transferring the sum of FIFTY FIVE DOLLARS AND SIX CENTS ($55.06) from the Lynn Fire expense to the Fire Dept for prior year bills

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

Certify as an “Available Fund” in the amount of (399,288.00) THREE HUNDRED NINETY NINE THOUSAND, TWO HUNDRED EIGHTY EIGHT DOLLARS AND ZERO CENTS (399,288.00) to the DPW by the DOT for the Complete Streets Program Grant.

Councilor Barton 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 certify as an “Available Fund” the amount of THREE HUNDRED NINETY NINE THOUSAND, TWO HUNDRED EIGHTY EIGHT DOLLARS AND ZERO CENTS (399,288.00) to the DPW by the DOT for the Complete Streets Program Grant.
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

Certify as an “Available Fund” the amount of (8,800.00) EIGHT THOUSAND EIGHT HUNDRED DOLLARS AND ZERO CENTS to the School Department by the MASS Life Sciences Center to fund the Professional Development Program at LEHS.

Councilor Barton 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 certify as an “Available Fund” the amount of EIGHT THOUSAND EIGHT HUNDRED DOLLARS AND ZERO CENTS ($8,800.00) to the School Department by the MASS Life Sciences Center to fund the Professional Development Program at LEHS.

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 February 14, 2017 Committee on Licensing recommending the following to be accepted:

**TAXI OPERATORS (NEW)**
Garcia, Marcos, 7 Fortesque Terr #2- - Granted
Lopez, Alex, 420 Boston St. #2- Granted
Moore, Jared, 20 Waverly St.- Tabled
Munoz, Elbis F.  50 S. Common St. #111- Granted
Ragusa, Lisa, 42 Baker St. – Granted 2/30-60-90 Day Review
Vargas Jaquez, Alberto, 465 Essex St. - Granted

**LIVERY OPERATOR (NEW)**
Green, James, 21 Wave St. #4- Tabled
Dalton, Richard, 550 Eastern Ave.- Tabled
Soucier, Catherine, 124 Green St. #301- Granted

**TAXI MEDALLION AGREEMENT**
DCBA vs. Steve Rosario Arias- Granted

**TAXI OPERATOR (90 DAY REVIEW)**
Garcia, Jelame, 33 Circuit Ave. - Granted
Robertson, Corey D., 469 Western Ave. #3- Granted
LIVERY OPERATOR (60 DAY REVIEW)
Garcia, Jelame, 33 Circuit Ave. - Granted
EXTENDED HOURS (NEW) – TO BE SET DOWN FOR PUBLIC HEARING
Domino’s Pizza, 341-347 Union St. - Granted
OLD GOLD SILVER -RENEWAL
506 Lynnway, Lynnway Tools & Collectibles- Granted
810 Lynnway, Universal Jewelers- Granted
SECOND HAND-NEW
306 Essex Street, Ultra Cliff Wireless- Granted
SECOND HAND ARTICLE –RENEWAL
157 Broad Street, Union Discount- Granted
506 Lynnway, Lynnway Tools & Collectibles- Granted
810 Lynnway, Lynn Wireless- Granted
800-810 Lynnway, Variedas Ada- Granted
810 Lynnway, Andres Tools- Granted
21 Munroe Street, Yours and Mine Consignment- Granted
46 Ocean Street, The Yard Sale- Granted
39 Savory Street, Quality Quest- Granted
41 State Street, Game Stop 6006- Granted
381A Summer Street, JMP Wireless (Review) - Granted
AUTO REPAIR/FLAMMABLE LICENSE – NEW
350 Chestnut St. – Duran Auto Repair, Inc. - Granted
COIN OPERATED DEVICE VENDOR – NEW
Eastern Candy Co. – 45 Beacon St., Reading, MA 01986- Granted Temporary
COIN OPERATED DEVICES – NEW
1 Market St. Suite 1D – The Vault Lifestyle Boutique – 1 Class III- Granted
408 Summer St. – El Pulgarsito Restaurant II – 2 Class II- Granted Temporary
AUTO REPAIR/FLAMMABLE LICENSE – 60 DAY REVIEW
(FYI - Both Owners were out of the country in Dec and Jan)
131 Commercial St. – North Shore Car Rental- Granted
371 Summer St. – Express Auto and Tires Repair - Tabled
CANNING
Knights of Columbus (Adults Only) – October 6, 7, 8, 9, 2017- Granted
Santa’s Island (Adults Only) – Month of December, 2017- Granted
East Lynn Little League (Adults Only) – June 1, 2, 3, 2017- Granted
English High School Baseball (Adults Only) – March 23, 24, 25, 2017- Granted
English High School Football (Adults Only) – July 7, 8, 9, 2017- Granted
Greater Lynn Babe Ruth (Adults Only) – April 14, 15, 16, 2017- Granted
COMMUNICATION FROM THE LYNN POLICE DEPARTMENT
Re: Complaint / Luli’s Café, 312 Union Street- Accepted for the File
OTHER BUSINESS
REPORT ACCEPTED.
Report of the February 14, 2017 Committee on Public Property recommending the following to be accepted:

1. Request from the Department of Public Works to Dispose of Surplus Equipment. - Granted

2. Discussion re: Cemetery Land – Motion to request the Solicitor’s Office to draft language and prepare documents for the transfer of unneeded land to Cemetery. Motion carried.

3. OTHER BUSINESS

REPORT ACCEPTED.

NEW BUSINESS:

Motion made by Councilor LaPierre and seconded by Councilor Chakoutis to request the City Council forward a letter to the Secretary of Transportation requesting the contact information for a representative at the MBTA regarding snow removal under and around the MBTA Bridges in the City of Lynn. Motion carried.

Motion made by Councilor Barton and seconded by Councilor Trahant 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