

CITY OF LYNN
Regular City Council Meeting, May 23, 2017
Council President Darren P. Cyr

Ten Councilors Present (Councilor Barton absent).

Moment of Silence. Council President Cyr asked that the Council remember Lorenzo Dabney who is Council Vice-President Barton's sister's fiancé. Councilor LaPierre asked that the Family of Alice Kirby be remembered. Councilor Colucci asked that the Family of Geri Cronin be remembered. Councilor Lozzi asked that the Family of Robert Dawe be remembered, and Councilor Walsh asked that the victims of the London concert be remembered.
Pledge of Allegiance.

Motion made by Councilor Colucci and seconded by Councilor Walsh to accept the Meeting Minutes of April 25, 2017.

Motion carried.

PUBLIC HEARINGS:

PETITION OF Fiesta Shows to hold a Carnival at Keaney Park from June 1, through June 4 with set up beginning on May 29, 2017. Hours will be: Thurs and Fri 5 pm to 11 pm and Sat and Sunday 1 pm to 11 pm.

The following appeared in Favor:

John Flynn, VP of Fiesta Shows

The following appeared in Opposition:

Tony Hill, 83 Memorial Park Avenue, Lynn

Public Hearing Closed.

Motion made by Councilor Trahant and seconded by Councilor Colucci to grant the prayer of the Petitioner with the stipulation that the Carnival be moved to the other side of the Park.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Barton absent).

Petition of Market Basket for a Sign Permit at 40 Federal Street

The following appeared in Favor:

Craig Warner, Hudson, N.H.

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Walsh and seconded by Councilor Trahan to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilor Barton absent; Councilor Cahill ABSTAINED)

Petition of All Day Convenience Store at 548 Summer Street for a Beer and Wine License.

The following appeared in Favor:

Arthur Kroman

Mark Adrien, Lynn

John Lorrao, Lynn

Herbert French, 46 Rand Street, Lynn

Mr. Joseph, 53 Atlantic Terrace, Lynn

Joe Ciota, Jr., Nahant

The following appeared in Opposition:

Owner of Jimmy's Liquor Store, Lynn

Linda Thorton, 82 Myrtle Street, Lynn

Sheila Ford, 89 Woodman Street, Lynn

Owner, Jimmy's Liquor Store, Lynn

Public Hearing Closed

Motion made by Councilor Capano and seconded by Councilor Colucci to DENY.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Barton absent).

PUBLIC HEARINGS TO BE SET DOWN:

-Petition of Scott Finlay to convert a single family to a two family with 2nd unit in the basement at 26 Washington St **(CHAKOUTIS)**

-Petition of Mobilitie to attach, maintain and operate cell communication equipment on existing poles at:

Western Ave and Barrett St

(Capano)

16 Tremont St and Market St

(Chakoutis)

22 Tracy Ave and Wass St

(Trahan)

-Petitions by Comcast for a grant of location to provide service at the following locations:

150 Market St (**Chakoutis**)

64 Baldwin St (**Colucci**)

415 Lynnway (**Capano**)

Motion made by Councilor Colucci and seconded by Councilor Trahan to set down for Public Hearings.

Motion carried.

OLD BUSINESS:

Motion made by Councilor Chakoutis and seconded by Councilor Trahan to remove from the Table the Petition of Jose Bracamontes, owner of Taqueria Dona Julia at 80 Central Ave for an All Alcohol license for an existing restaurant. Motion carried.

Motion made by Councilor Chakoutis and seconded by Councilor Trahan to grant the prayer of the Petitioner with the stipulation that the Hours of Operation are from 9:00 AM to 10:00 PM Monday through Sunday.

Motion carried by the following ye and nay vote:

10 YES 0 NO (Councilor Barton absent).

COMMITTEE REPORTS:

Report of the May 23, 2017 Committee on Budget recommending the following to be accepted:

1. Discussion re: City Finances

**2. OTHER BUSINESS
REPORT ACCEPTED.**

Report of the May 23, 2017 Committee on Ways and Means recommending the following to be accepted:

Ordered that the City Comptroller be and is hereby authorized to take the following action:

Transfer the sum of \$18,354.00 from the Reserve to the Police payroll and longevity to fund unanticipated Police Dept. Staff retirement payout.

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 \$18,354.00 from the Reserve to the Police payroll and longevity to fund unanticipated Police Dept. Staff retirement payout.

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 Barton absent)

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

10 YES 0 NO (Councilor Barton absent)

Transfer the sum of \$3,250.00 from the Reserve to fund miscellaneous expense items not funded properly during the FY17 Budget process as well to cover unexpected Overtime payroll costs due to staff retirement and unexpected long term absence.

Councilor Barton attached the following Emergency Preamble:

WHEREAS, An Emergency relative to a financial order transferring the sum of \$3,250.00 from the Reserve to fund miscellaneous expense items not funded properly during the FY17 Budget process as well to cover unexpected Overtime payroll costs due to staff retirement and unexpected long term absence.

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 (Council Barton absent)

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

10 YES 0 NO (Councilor Barton absent)

Certify as an "Available Fund" the amount of \$15,000.00 as allotted to the City of Lynn by the Massachusetts Department of Environmental Protection (DEP) for the Recycling IQ Kit for Curbside Communities, another SMRP initiative.

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" in the amount of \$15,000.00 as allotted to the City of Lynn by the Massachusetts Department of Environmental Protection (DEP) for the Recycling IQ Kit for Curbside Communities, another SMRP initiative.

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 Barton absent)

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

10 YES 0 NO (Councilor Barton absent)

Ordered that the Statutory demand fee for delinquent tax payments be set at \$30.00 pursuant to Section 15 of Chapter 60 of the General Laws.

Councilor Barton attached the following 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 Statutory demand fee for delinquent tax payments be set at \$30.00 pursuant to Section 15 of Chapter 60 of the General Laws.

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 Barton absent)

REPORT ACCEPTED.

Report of the May 23, 2017 Committee on Licensing recommending the following be accepted:

TAXI OPERATORS (NEW)

CAMPUZANO, JACGP-222 ESSEX ST. #2 –**Granted**

DORREJO, JUAN -22 -2 ESSEX ST. #3 –**Granted**

LUCAS, FERERIC -85 CHILDS ST. – **Granted**

NOYOGIERE, ANDILA – 172A WASHINGTON ST. – **Granted**

PICHARDO, JOSE – 3 EASTON ST. #2, LAWRENCE, MA (Temp issued 5/16/17) – **Granted**

TEJADA, STIVENSON -8 BENNET CIR –**Granted**

CLASS II AUTO DEALER/AUTO REPAIR/FLAMMABLE – 30 DAY REVIEW

350 Chestnut St. –Duran Auto Repair – **Granted**

AUTO REPAIR/FLAMMABLE -30 DAY REVIEW

407 Essex St. – Melo’s Tire and Auto Service- **Granted**

AUTO REPAIR/FLAMMABLE – 60 DAY REVIEW

371 Summer St. – Express Auto and Tires Repair – **Granted**

SIGN LICENSE – RENEWAL

73 Bessom St., Linda Critter Corral. – **Granted**

325 Broadway, Primerica – **Granted**

1 Central Sq., Dunkin Donuts. – **Granted**

326 Chatham St., Automotive Service. – **Granted**

348 Chestnut St., Chestnut St. Liquors. – **Granted**

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

141-143 Eastern Ave., Monte's Restaurant. – **Granted**
 50 Essex St., Bei Jing Restaurant. – **Granted**
 268 Essex St. Tony Tipico. – **Granted**
 415 Lynnway, Metro PCS. – **Granted**
 142 Market St., Dunkin Donuts. – **Granted**
 125 Oxford St., Mama Blanca. – **Granted**
 490 Washington St. Leland M. Hussey Contracting. – **Granted**
 117 Western Ave., Hermes Quezada. – **Granted**
 850 Western Ave., Benjy's Market. – **Granted**

AUTO BODY/AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL

18B Alley St. – Caribbean Auto Body & Mechanic – **Granted**
 19 Alley St. – Spina's Auto Body co., Inc. – **Granted**
 35 Alley St. – Global Auto Body. – **Granted**
 178 Alley St. – Collision Auto Craft and Repair. – **Granted**
 10 Camden St. - Iacor Corp. DBA Thibedeau Auto Body. – **Granted**
 92 Harbor St. – Urban Auto Body. – **Granted**
 1075R Western Ave. – Guate Auto body & Repair, Inc. – **Granted**
 1127 Western Ave. – Bridge Auto Body & Services, Inc. – **Granted**

AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL

17A Alley St. – ARM Garage – **Granted**
 17B Alley St. – Magic Auto Repair. – **Granted**
 36-38 alley St. – McGinn Bus Company, Inc. – **Granted**
 15 Avon St. – John's Fuel Service, Inc. - **Granted**
 122 Boston St. – S & H Auto Repair. - **Granted**
 326 Chatham St. – Automotive Service. – **Granted**
 99R Cottage St. – Mark A. King, LLC. – **Granted**
 205 Market St. – Goodyear Tire Co. – **Granted**
 76 Oakville St. – Meninno Construction. - **Granted**
 725 Summer St. – RD Auto – **Granted**
 760 Summer St. – A.L. Prime Energy – **Granted**
 240 Western Ave. – JVS Auto Service. – **Granted**

FLAMMABLE LICENSE – RENEWAL

300 Broad St. – North Shore Community College. – **Granted**
 41 Carolyn Rd. – Petruccelli Construction Co., Inc. – **Granted**

**OTHER BUSINESS:
 REPORT ACCEPTED.**

**Report of the May 23, 2017 Committee on Public Property and Public Health
 recommending the following to be accepted:**

1. Request from the 2017 Juneteenth Committee to hand a banner for the Lynn Juneteen Celebration on June 17, 2017, on the Lynn Commons. – **Granted**

**2. OTHER BUSINESS
 REPORT ACCEPTED.**

NEW BUSINESS:

Councilor Chakoutis thanked the GE Aviation for their volunteers and also the staff at the DPW for cleaning up various parks and playgrounds

Councilor Trahan announce to Council Members that he would not be seeking re-election due to a health issue. He thanked his colleagues for their friendship and assistance over the years.

Motion made by Councilor Colucci and seconded by Councilor Cahill 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