CITY OF LYNN

Regular City Council Meeting, July 11, 2017
Council President Darren P. Cyr

Eleven Councillors Present
Moment of Silence.
Pledge of Allegiance.

COMMUNICATIONS:

Motion made by Councilor Lozzi and seconded by Councilor Cahill to suspend the rules to Re-Appoint Christopher Gaeta to the position of Assessor.
Motion carried by the following yea and nay vote:
11 YES 0 NO

Communication from Her Honor the Mayor:
Dear Councilors:
Pursuant to my authority under Section 2-3 and 3-9 of the Lynn City Charter, I hereby re-appoint Andrew J. Hall to the position of DPW Commissioner, subject to Council approval. Said appointment shall take effect upon Council approval.
Sincerely, Judith Flanagan Kennedy, Mayor

Motion made by Councilor Colucci and seconded by Councilor Trahant to Re-Appoint Andrew J. Hall to the position of DPW Commissioner, subject to Council Approval. Said appointment shall take effect upon Council approval.
Motion carried by the following yea and nay vote:
11 YES 0 NO

PUBLIC HEARINGS:

Petition of Cristobal Garcia, Pastor of Iglesia de Dios at 16 Union St for a Sign Permit.
No one appeared in Favor.
No one appeared in Opposition.
Public Hearing Closed.

Motion made by Councilor Colucci and seconded by Councilor Trahant to grant the prayer of the Petitioner.
Motion carried by the following yea and nay vote:
11 YES 0 NO
Petition of Dollar Tree located at 15 Joyce St for a Sign Permit.
No one appeared in Favor.
No one appeared in Opposition.
Public Hearing Closed.
**Motion made by Councilor Colucci and seconded by Councilor Trahant to grant the prayer of the Petitioner.**
**Motion carried by the following yea and nay vote:**
**11 YES  0 NO**

Petition of Joyce St LLC located at 17 Joyce St for a Sign Permit.
No one appeared in Favor.
No one appeared in Opposition.
Public Hearing Closed.
**Motion made by Councilor Colucci and seconded by Councilor Barton to grant the prayer of the Petitioner.**
**Motion carried by the following yea and nay vote:**
**11 YES  0 NO**

Ordered that the MA Patient Foundation Inc. have permission to operate a dispensing only Medical Marijuana Treatment Center at 487-491 Lynnway.
The following appeared in Favor:
Attorney Sam Vitali
Lou Markakas, Lynnway Associates
No one appeared in Opposition.
Public Hearing Closed.
**Motion made by Councilor Capano and seconded by Councilor Walsh to grant the Prayer of the Petitioner with the following stipulations:**
1. **Massachusetts Patient Foundation, Inc. providing a copy of its registration as a Medical Marijuana Treatment Center from the Department of Public Health to operate in the City of Lynn.**
2. **Massachusetts Patient Foundation, Inc. executing a Satisfactory Host Community Agreement with the City of Lynn.**
3. **The conditions included in Section 13 of the Medical Marijuana Zoning Amendment.**
4. **Massachusetts Patient Foundation, Inc. providing a description of the security measures, including employee security policies, approved by the Department of Public Health for the Medical Marijuana Treatment Center.**
5. **Massachusetts Patient Foundation, Inc. providing a copy of the emergency procedures approved by the Department of Public Health for the Medical Marijuana Treatment Center.**
6. Massachusetts Patient Foundation, Inc. providing a copy of the policies and procedures for patient or personal caregiver home delivery approved by the Department of Public Health for the Medical Marijuana Treatment Center.

7. Massachusetts Patient Foundation, Inc. providing a copy of the policies and procedures for the transfer, acquisition, or sale of marijuana between the Medical Marijuana Treatment Center approved by the Department of Public Health.

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

PUBLIC HEARINGS TO BE SET DOWN FOR AUGUST 8 MEETING:

-Request for a Public hearing on 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 and the Emergency Solutions Grant.

Petition of Kettle Cuisine LLC for a sign permit at 330 Lynnway (Capano)

Petition of Vicky’s Restaurant at 141 Essex St to serve wine and malt beverages in an existing restaurant with hours from 7 am to 10 pm. (Cyr)

Petition of N.S. Holdings LLC for an Apartment House use in a business district at 559, 563, 567, and 571 Summer Street (Walsh)

Petition of National Grid to install 1 JO pole on Boston St beginning at a point approx. 0 feet north of the intersection of Boston and Washington St and continuing approx. 150 feet in a northerly direction. (Chakoutis)

Petitions by Mobilitie to attach, maintain and operate cell communication equipment on existing poles at the following locations:

Eastern Ave and Lambert St (Trahant)
Western Ave and Bellaire St (Trahant)
Commercial St and S. Common (Capano)
Hanson St and Lynnway (Capano)

Motion made by Councilor Capano and seconded by Councilor Colucci to set down for Public Hearings.
Motion carried.
COMMITTEES:

Report of the July 11, 2017 Committee on Ordinance and Rules recommending the following to be accepted:
Discussion re: The Noise Ordinance
Other Business
REPORT ACCEPTED.

Report of the July 11, 2017 Committee on Ways and Means recommending the following to be accepted:

Transfer the sum of FIVE THOUSAND SIX HUNDRED FIFTY TWO DOLLARS AND ZERO CENTS ($5,652.00)
From the Account of 43915-Various Abandoned Veh-Exp $5,652.00
   To the Account of 43925-3000 Parking-Exp $5,652.00
   To fund purchase of new meters.
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 FIVE THOUSAND SIX HUNDRED FIFTY TWO DOLLARS AND ZERO CENTS ($5,652.00)
From the Account of 43915-Various Abandoned Veh-Exp $5,652.00
   To the Account of 43925-3000 Parking-Exp $5,652.00
To fund purchase of new meters.
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 FOUR HUNDRED TWENTY THREE THOUSAND EIGHT HUNDRED SIXTY EIGHT DOLLARS AND ZERO CENTS ($423,868.00)
From the Account of 44105-2905 DPW-Exp $125,000.00
From the Account of 89505-7800 Pension-Exp $150,000.00
From the Account of 91177-9510 Excess WC-Exp $148,868.00
To the Account of 98045-7400 FICA-Exp $423,868.00
To fully fund account through the end of FY, shortfall due to settlement of labor contracts.

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 FOUR HUNDRED TWENTY THREE THOUSAND EIGHT HUNDRED SIXTY EIGHT DOLLARS AND ZERO CENTS ($423,868.00)
From the Account of 44105-2905 DPW-Exp $125,000.00
From the Account of 89505-7800 Pension-Exp $150,000.00
From the Account of 91177-9510 Excess WC-Exp $148,868.00
To the Account of 98045-7400 FICA-Exp $423,868.00
To fully fund account through the end of FY, shortfall due to settlement of labor contracts.
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 ONE HUNDRED EIGHTY DOLLARS AND ZERO CENTS ($180.00)
From the Account of 98035-7800 Reserve $180.00
To the Account of 43914-1000 Abandoned Veh-PR $180.00
To fully fund Payroll thru the end of the FY.
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 EIGHTY DOLLARS AND ZERO CENTS ($180.00)
From the Account of 98035-7800 Reserve $180.00
To the Account of 43914-1000 Abandoned Veh-PR $180.00
To fully fund Payroll thru the end of the FY.
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 SIX HUNDRED SEVENTEEN DOLLARS AND ZERO CENTS ($617.00)
From the Account of 98035-7800 Reserve $617.00
To the Account of 22604-1000 Emerg Mgmt-PR $127.00
To the Account of 22604-0900 Emerg Mgmt-PR $490.00
To fully fund Payroll thru the end of the FY.
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 SIX HUNDRED SEVENTEEN DOLLARS AND ZERO CENTS ($617.00)
From the Account of 98035-7800 Reserve $617.00
To the Account of 22604-1000 Emerg Mgmt-PR $127.00
To the Account of 22604-0900 Emerg Mgmt-PR $490.00
To fully fund Payroll thru the end of the FY.
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 SIX HUNDRED DOLLARS AND ZERO CENTS ($600.00)
From the Account of 98035-7800 Reserve $600.00
To the Account of 43924-0900 Parking-PR $592.00
To the Account of 43924-1000 Parking-PR $ 8.00
To fully fund Payroll thru the end of the FY.
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 SIX HUNDRED DOLLARS AND ZERO CENTS ($600.00)
From the Account of 98035-7800 Reserve $600.00
To the Account of 43924-0900 Parking-PR $592.00
To the Account of 43924-1000 Parking-PR $ 8.00
To fully fund Payroll thru the end of the FY.
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 One Hundred Thousand Dollars and Zero Cents ($100,000.00)
From the Account of  98035-7800  Reserve $100,000.00
To the Account of  D8234-1000  School Dept-Exp $100,000.00
To fully fund FY18 School Department allocation.
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 THOUSAND DOLLARS AND ZERO CENTS ($100,000.00)
From the Account of  98035-7800  Reserve $100,000.00
To the Account of  D8234-1000  School Dept-Exp $100,000.00
To fully fund FY18 School Department allocation.
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 ONE HUNDRED SEVENTY TWO THOUSAND NINE HUNDRED SEVENTY THREE DOLLARS AND NINETY ONE CENTS ($172,973.91) as allotted to the City of Lynn Health Department by the Department of Public Health (DPH) for the FY2018 MA Tobacco Cessation & Prevention Program. Grant Period 7/1/17-6/30/18
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 ONE HUNDRED SEVENTY TWO THOUSAND NINE HUNDRED SEVENTY THREE DOLLARS AND NINETY ONE CENTS ($172,973.91) as allotted to the City of Lynn Health Department by the Department of Public Health (DPH) for the FY2018 MA Tobacco Cessation & Prevention Program.
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 SIXTY FIVE THOUSAND ONE HUNDRED ONE DOLLARS AND ZERO CENTS ($65,101.00) as allotted to the City of Lynn Police Department by the Department of Justice (DOJ) for the FY2015 JAG Grant.
Grant Period 10/1/14-09/30/18
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 SIXTY FIVE THOUSAND ONE HUNDRED ONE DOLLARS AND ZERO CENTS ($65,101.00) as allotted to the City of Lynn Police Department by the Department of Justice (DOJ) for the FY2015 JAG Grant.
Grant Period 10/1/14-09/30/18
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 July 11, 2017 Committee on Licensing recommending the following to be accepted:
TAXI OPERATORS – NEW:
Antulano, Alberto – 22 Paleo Logo St, Peabody, MA - Tabled
Elsnrafi, Tarik- 65 Kennedy Dr. Malden, MA - DENIED
Encarnacion, Ruddy-5 Oakwood Ave, Lynn, MA - Granted
Fausto, Pena-22 Paleo Logo St, Peabody, MA- Granted
Reyes, Jonathan- 232 Curwin Circle, Lynn, MA - Tabled
Sanchez, Julio -13 Cleveland St., Gloucester, MA (LIVERY & TAXI) - DENIED

LIVERY OPERATORS (NEW):
Florence, Taylor, 25 Taylor St., Lynn, MA - Tabled
Lopez, Jose- 41 Elliot St. Beverly, MA - Granted
O’Rielly, Jessica- 36 Derby St, Salem, MA - Granted
Rucker, Ty- 2 Williams Pl., Lynn, MA- Tabled
Sanchez, Julio -13 Cleveland St, Gloucester, MA - DENIED

FOOD TRUCK LICENSE-NEW:
3-11 Mt. Vernon Street – Chef Leo’s Kitchen  133 Walnut Street, Malden, MA - Granted with standard stipulations.

AUTO BODY/AUTO REPAIR/FLAMMABLE LICENSE – NEW:
154 South St. – Saugus Auto Craft, Inc. – Granted with standard stipulations.
AUTO REPAIR/FLAMMABLE LICENSE – NEW:
106 Chestnut St. – Bodre Auto Repair - Tabled

COIN OPERATED DEVICES – NEW:
337 Union St. – JB’s Barber Shop – 1 Class II- Granted with 30-60-90 Day Review
47-49 Central Ave.– Eclipse Bar & Grill – 1 Class II- Granted w/ 30-60-90 Day Review

90 DAY REVIEWS:
CLASS II AUTO DEALER/AUTO REPAIR/FLAMMABLE – NEW
350 Chestnut St. – Duran Auto Repair, Inc. - Granted

AUTO REPAIR/FLAMMABLE:
407 Essex St. – Melo’s Tire and Auto Service- Granted w/30-60-90 Day Review
371 Summer St. – Express Auto and Tires Repair - Tabled

EXTENDED HOUR RENEWALS PUBLIC HEARINGS:
The following Extended Hours were Extended for 30-Day Review:
60 Boston St    McDonalds    Drive thru 24 Hours
65 Boston St    CVS Pharmacy 24 Hours
80 Boston St    Dunkin Donuts 24 Hours
108 Boston St  Burger King    Sun-Wed 6:00am - 1:00am/ Thurs-Sat 6am-2am
116 Boston St  Wendys    Drive Thru Till 4am

The following Extended Hours were Granted:
122 Boston St    Boston Shell 24 Hours
124 Broad St    George’s Roast 10:30 AM-2:00 & SUN 12:00 PM-2:00 AM
668 Chestnut St  Cumberland Farms 24 Hours
512 Chestnut St  Ghemwa Inc    5:00am-2:00am Lynn Mobil
264 Essex St    7-11        24 Hours
61 Franklin St  Caribe Restaurant 7:00am-1:00am
120-122 Liberty St.  Speedway 24 Hours
3 Lynnfield St  7-11        24 Hours
377 Lynnway     Wendys    24 Hours
364 Lynnway     Dunkin Donuts 24 Hours
567 Lynnway     McDonalds 24 Hours
535 Lynnway     Lynnway Shell 24 Hours
525 Lynnway     Ese Energy DBA 24 Hours
16 Market Sq    Lynn House Of RB 10:00am-2:00am 7 Days
17 Market Sq    People’s Choice 10:00am-1:30am 7 Days
50 Western Ave  7-11        24 Hours
707 Western Ave Dominos    Sun-Thurs 11am -12am/Fri-Sat 11am-1:30am

CANNING:
Lynn Special Needs (Adults Only) – July 12, 13, 14, 2017 - Granted
Lynn Parks & Recreation (Adults Only) – July 19, 20, 21, 2017 - Granted
Lynn English Varsity Cheerleaders (Adults Only) – July 15, 16, 23, 2016 - Granted

AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL
61 Commercial St. - Perez Service & Repair- Granted
555 Lynnway – Midas- Granted
860 Western Ave. – A & J Auto Repair- Granted
AUTO BODY/AUTO REPAIR/FLAMMABLE LICENSE - RENEWAL
15 Alley St. – Crystal Diamond Auto Body- Granted
46 Bennett St. – Tatiana’s Auto Body- Granted
220 Chestnut St. – Auto Body Rebuilders, Inc. - Granted
443 Lynnway – Toro's Auto Center- Granted

FLAMMABLE LICENSE – RENEWAL
20-24 Boston St. – Lynn Ladder & Scaffolding, Co., Inc. - Granted
122 Boston St. – Boston St. Shell #04037- Granted
172 Boston St. – Arctic Oil Co. - Granted
134 Broadway – St. Joseph Cemetery- Granted
229 Broadway – Fardin Inc./DBA Richdale- Granted
512 Chestnut St. – (Ghenwa Inc.) Lynn Mobil- Granted
31 Collins St. – Delulis Brothers Construction- Granted
225 Commercial St. – Turner Inc. - Granted
101 Harbor St. – All Welding Supplies, Inc. - Granted
122 Liberty St. – Speedway LLC dba Speedway 2502 - Granted
535 Lynnway – Lynnway Shell #04032- Granted
195 Market St. – Eastern Bank- Granted
95 Munroe St. – Beden Hardware- Granted
56 Sanderson Ave. – Leahey Landscaping, Inc. - Granted
638 Summer St. – C.L. Hauthaway- Granted
12 Washington St. – J & S Transport Co., Inc. - Granted
510 Washington St. – Michael Russo Jr. Plumbing & Heating Co., Inc. - Granted
37 Waterhill St. – Demakes Enterprises DBA Old Neighborhood Foods- Granted
1069 Western Ave. – Fisher Auto Parts- Granted

COIN OPERATED VENDORS – RENEWAL
A-1 Vending – 287 Nahattan St., Norwood, MA- Granted
C & R Vending Co. – 21 Gates Rd., Middleton, MA - Granted

COIN OPERATED DEVICES – RENEWAL
421 Essex St. – Essex Laundromat – 4 Class III- Granted
497 Lynnway – Lynnway Sports Center – 3 Class II, 1 Class III- Granted
595 Summer St. – 595 Café – 1 Class II- Granted
612 Summer St. – White Eagle – 1 Class III- Granted
535 Western Ave. – Franco-Amvets – 1 Class III- Granted

SIGN LICENSE-RENEWALS
11 Agganis Square, Barcelona Barbershop- Granted
15 Alley Street, Crystal Diamond- Granted
22 Bennett Street, O -N- W Auto Body- Granted
26 Bennett Street, REM Auto Body- Granted
511 Boston Street, Top Of The Line Haircuts- Granted
524 Boston Street, Loomos Bros. - Granted
9 Broad Street, Tropical Nails- Granted
174 Broad Street, Olympic Auto Body & Sales, LLC- Granted
314 Broadway, Wyoma Square- Granted
116 Central Ave., Taqueiria Montecristo- Granted
159 Central Ave., C.M. Bistro- Granted
256 Chatham Street, Crown Fried Chicken, II- Granted
105 Essex Street, TC Nails Spa- Granted
161 Essex Street, Alnour Market- Granted
163 Essex Street, Swampscott Refrigeration- Granted
395 Essex Street, Centro Liquors- Granted
411 Essex Street, Mi Provencia Market- Granted
585 Essex Street, Richdale Conven. - Granted
137 Euclid Ave., Connor Real Estate- Granted
65 Exchange Street, Junction Deli- Granted
143 Franklin Street, New England Laundromat- Granted
162 Franklin Street, Chapin Express- Granted
2 Lafayette Park, Professional Beauty Salon- Granted
2-4 Lafayette Park, San Francisco Market- Granted
15 Lewis Street, Giovanni’s House of Pizza- Granted
161 Lewis Street, Harriet Beauty Salon- Granted
183 Lewis St, Casa Amalia Restaurant- Granted
204 Lewis Street, Beachside Roastbeef- Granted
234 Lynnfield Street, Salon 234 Salon & Spa- Granted
16 Market Street, Taqueria Mexico Lindo Corp. - Granted
30 Market Street, North Shore Vacuum- Granted
144 Market Street, Dragon Inn- Granted
95 Munroe Street, Beden Hardware- Granted
201 No Common Street, America Food Basket- Granted
15 Sutton Street, Thomas D. Haggard Attorney- Granted
19 Sutton Street, Nike Africa Food Market- Granted
116 Union Street, Envios de Valores La Nacional Corp. - Granted
201 Union Street, My Guatemala Bakery- Granted
333 Union Street, Ministerios Vision Cristiana- Granted
12 Washington Street, J & S Transport Co. Inc. - Granted
341 Washington Street, Dr. Joseph Dowling, Md- Granted
32 Western Ave., W. Proodian & Sons, Inc. - Granted
836 Western Ave., Alvin Barbershop- Granted
858 Western Ave., Bruno’s Bar & Burger- Granted
860 Western Ave., A & J Auto Repair- Granted
1069 Western Ave., Fisher Auto Parts- Granted

OTHER BUSINESS:
Motion made by Councilor Lozzi to request ISD to go out daily to enforce the Nuisance and Trash violations at and in the vicinity of Carroll’s Boston Street Car Wash, 75 Boston, Lynn.
REPORT ACCEPTED.
Report of the July 11, 2017 Committee on Utilities recommending the following to be accepted:

1. **PUBLIC HEARINGS:**

   Petition of Verizon for a Grant of Location to provide service at 104 Ocean Street. (Colucci) *(Tabled 6/13/2017) – Tabled (Councilor Cyr would like to meet with Verizon and neighbors).*

   Petition of Mobilitie for permission to attach, maintain and operate small cell communications equipment on an existing pole located within the city right-of-way – Near 22 Tracey Avenue and Wass Street. *(Tabled 6/13/2017) - Tabled*

   Petition of Mobilitie for permission to attach, maintain and operate small cell communications equipment on an existing pole located within the city right-of-way – Near 16 Tremont Street – Market Street. *(Tabled 6/13/2017) - Tabled*

   Petition of Mobilitie for permission to attach, maintain and operate small cell communications equipment on an existing pole located within the city right-of-way – Location – Route 107-Western Avenue and Barrett Street. *(Tabled 6/13/2017) - Tabled*

   Petition of National Grid for permission to install +/- 5’ of 2-4” PVC conduit (to the southwesterly direction) from an existing pole #51, in the sidewalk, to the property line of #176 Franklin Street. - **Granted**

2. **OTHER BUSINESS**

   **REPORT ACCEPTED.**

**NEW BUSINESS:**
Ordered that her Honor the Mayor is hereby authorized to all necessary agreements between the Massachusetts Bay Transportation Authority and North Shore Community College to provide eligible Lynn residents and residents of the North Shore with a discounted Youth Pass.

*Motion made by Councilor Barton and seconded by Councilor Cahill to suspend the rules to allow Ms. Patricia A. Gentile, ED.D, President, North Shore Community College to speak.*

*Motion carried.*

*Motion made by Councilor Barton and seconded by Councilor Cahill to grant.*

*Motion carried by the following yea and nay vote: 10 YES  0 NO  (Councilor Trahant absent at vote).*
RESOLUTION
IN SUPPORT OF SITE ASSESSMENT OF
83 WILLOW STREET, LYNN MASSACHUSETTS

WHEREAS, the land located at 83 Willow Street, Lynn, Massachusetts has become a
public safety danger due to the real or perceived presence of oil or hazardous
materials, and performance of a site assessment will facilitate redevelopment of the
“Site”;

WHEREAS, the City of Lynn has been awarded a Brownfields recoverable grant in
the amount of $99,500.00 from Mass Development (the “Recoverable Grant”) for the
assessment of the Site (the “Project”);

WHEREAS, the City of Lynn has agreed to repay the Recoverable Grant pursuant to
the terms of the grant agreement;

NOW, THEREFORE, the Lynn City Council votes as follows:
If the Site or any portion thereof is sold, conveyed, gifted, demised, ground leased, or
otherwise transferred, and as a result of said transfer, City of Lynn receives funds that
exceed the aggregate amount necessary for repayment of existing monetary liens,
mortgage loans, and other debt on the Project and all of the costs incurred by them in
the acquisition, development, ownership, and sale of the Site or of the portion of the
Site transferred (the “Net Proceeds”), then Sponsor shall reimburse Mass
Development the full amount of the Net Proceeds up to the amount of the
Recoverable Grant that has been disbursed and has not already been repaid to Mass
Development (the “Disbursed Funds”).

Beginning in the fiscal year when any Economic Benefit to the Municipality (as
hereinafter defined) is realized, the City of Lynn shall include in its annual budget a
line item requiring payment to Mass Development of an amount equal to 15% of any
Economic Benefit to the Municipality, until the earlier of: (i) full repayment of the
Disbursed Funds, (ii) the expiration of 30 years from the date on which the first
Economic Benefit to the Municipality is realized, or (iii) if no redevelopment on the Site
commences, the expiration of 30 years from the date of the Recoverable Grant.

For the purposes of this vote, “Economic Benefit to the Municipality” means any
increase in the annual property tax and/or other municipal revenues for the Site
(including but not limited to nonprofit PILOT revenue, local hotel- or restaurant-tax
revenue, and new local revenues derived from municipally-owned redevelopment
projects) attributable to development of the Site above the Baseline Value of the
property (as hereinafter defined). The “Baseline Value” means the amount of property
tax and related tax revenue assessed by the City of Lynn on the Site in the fiscal year of the execution of the agreement governing the Recoverable Grant, such amount having been calculated by the municipality and determined to be $68,300.00. **Motion made by Councilor Walsh and seconded by Councilor Cahill to grant. Motion carried by the following yea and nay vote:**

**10 YES  0 NO** (Councilor Trahant absent at vote).

Motion made by Councilor Colucci and seconded by Councilor 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