

CITY OF LYNN

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

Eleven Councillors Present

Moment of Silence. Council Vice-President Barton asked that the Family of Dorothy Mulcahy be remembered. Councilor Lozzi asked that the Family of Buster Werner be remembered. Councilor Chakoutis asked that the Family of Claire Dunnigan be remembered. Councilor LaPierre asked that the Family of Marge Bishop and the Family of Gerry Nichols also be remembered.

Pledge of Allegiance.

Motion made by Councilor Capano and seconded by Councilor Trahant to accept the Meeting Minutes of March 28, 2017.

Motion carried.

COMMUNICATIONS:**Communications from Her Honor the Mayor:**

Dear Councilors:

I am hereby re-appointing Theodore Smith to the Economic Development Industrial Board effective immediately. His term will expire on June 30, 2020

Sincerely, Judith Flanagan Kennedy, Mayor

Motion made by Councilor Trahant and seconded by Councilor Barton to grant the Re-Appointment of Theodore Smith to the Economic Development Industrial Board, effective immediately and will expire on June 30, 2020.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Dear Councilors:

I am hereby re-appointing Magnolia Contreras to the Economic Development Industrial Board effective immediately. Her term will expire on June 30, 2018

Sincerely, Judith Flanagan Kennedy, Mayor

Motion made by Councilor Trahant and seconded by Councilor Barton to grant the Re-Appointment of Magnolia Contreras to the Economic Development Industrial Board, effective immediately and will expire on June 30, 2018.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Dear Councilors:

I am hereby re-appointing Tyrone Brown to the Economic Development Industrial Board effective immediately. His term will expire on June 30, 2018

Sincerely, Judith Flanagan Kennedy, Mayor

Motion made by Councilor Trahant and seconded by Councilor Barton to grant the Re-Appointment of Tyrone Brown to the Economic Development Industrial Board, effective immediately and will expire on June 30, 2018.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Dear Councilors:

I am hereby re-appointing Charles Gaeta to the Economic Development Industrial Board effective immediately. His term will expire on June 30, 2020

Sincerely, Judith Flanagan Kennedy, Mayor

Motion made by Councilor Trahant and seconded by Councilor Barton to grant the Re-Appointment of Charles Gaeta to the Economic Development Industrial Board, effective immediately and will expire on June 30, 2020.

Motion carried by the following yea and nay vote:

11 YES 0 NO

PUBLIC HEARINGS:

Commercial Street Continued from March 28, 2017 Meeting:

Petition of Alexander and Wilder Rodriguez to open a Bakery with seating at 70 Commercial Street.

Motion made by Councilor Capano and seconded by Councilor Trahant to accept the Letter to Withdraw Without Prejudice.

Motion carried by the following yea and nay vote:

11 YES 0 NO

PUBLIC HEARINGS TO BE SET DOWN:

-Petition of Rachel Bennett for Lightning Coffee Roasters located at 271 Western Ave, Suite 106, to offer retail sale of coffee beans and drinks. **(Lozzi)**

Motion made by Councilor Lozzi and seconded by Councilor Capano to set down for a Public Hearing.

Motion carried.

-Petition of Comcast for the purpose of installing new underground conduit located on Circle Ave and Carolyn Road to provide Comcast services to the business located at 11 Circle Ave. **(Capano)**

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

Motion carried.

COMMITTEE REPORTS:

Report of the April 11, 2017 Committee on Utilities recommending the following to be accepted:

Public Hearing (Continued from March 28, 2017):

Petition of National Grid, Robert Coultor, for permission to propose duct bank installation on Washington Street from the intersection of Boston St to the intersection of Loughton St.

Motion made by Councilor Walsh and seconded by Councilor Chakoutis to approve with the stipulations that National Grid accommodate J&S Transport Co, (John Hamel) 12 Washington Street, work with the businesses, All Requirements from the DPW are met, and no storage of equipment and trucks on the street.

Motion carried.

Report of the April 11, 2017 Committee on Licensing recommending the following to be accepted:

TAXI OPERATOR – NEW

Paradeau, Robert, 88 Loughton St - **Granted**

FOOD TRUCK LICENSE – NEW (to be located at 80 Commercial Bent Water-ok Spec Permit) - **Granted**

Rafid, Ali, (Rafiki Enterprise) - 497 Lowell St. Methuen, MA - **Granted**

SECOND HAND ARTICLE –NEW

540 Broadway, Broadway Discount - **Granted**

800 Lynnway, Guillerbuy All ForAll - **Granted**

SIGN LICENSE

555 Boston Street, Boston Street Tattoo, Owner- Todd Arsenault – **Granted**

AUTO BODY/AUTO REP/FLAM LIC – NEW (tabled from 3/28/17

22 Bennett St. – O & W Bros. Auto Body and E-mechanic, Inc. - **Granted with Standard Stipulations.**

RENEWALS

AUCTION -RENEWAL- **Granted**

276 Lynnway, Concord Hill Auctions

CANNING:

Classical Football Team (Adults Only) – June 30, 2017, July 1, 28, 2017 - **Granted**

Lynn Shore Little League (Adults Only) – April 7,8,9, 2017 - **Granted**
 West Lynn Little League (Adults Only) – May 11, 18 and June 17, 2017- **Granted**
REPORT ACCEPTED.

Report of the April 11, 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:

Certify as an "Available Fund" the amount of TWENTY TWO THOUSAND FOUR HUNDRED SIXTY DOLLARS AND ZERO CENTS (\$22,460.00) as allotted to the City of Lynn Fire Department by the Massachusetts Emergency Management Agency (CDA) for the FFY16 Emergency Management Grant.

Grant Period 02/24/17-06/30/17

*Emergency Preamble in order for the Fire Department to start spending these funds.

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 TWENTY TWO THOUSAND FOUR HUNDRED SIXTY DOLLARS AND ZERO CENTS (\$22,460.00) as allotted to the City of Lynn Fire Department by the Massachusetts Emergency Management Agency (CDA) for the FFY16 Emergency Management Grant.

Grant Period 02/24/17-06/30/17

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 FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$50,000.00) From the Account of 98035-7800 Reserve, to the Account of 11915-3003 Legal Exp-Prof Srvs - To fund unanticipated expense for Case Number 1:16-cv-11118. Angel Echavarria v. City of Lynn.

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 DOLLARS AND ZERO CENTS (\$50,000.00) From the Account of 98035-7800 Reserve, to the Account of 11915-3003 Legal Exp-Prof Srvs 50,000.00 To fund unanticipated expense for Case Number 1:16-cv-11118.

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:

11 YES 0 NO

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

11 YES 0 NO

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

Certify as an "Available Fund" the amount of FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$50,000.00) as allotted to the City of Lynn Police Department by North Shore Medical Center (NSMC) for the FY17 NSMC Factor 9 Grant.

Grant Period 01/01/17-06/30/17

*Emergency Preamble in order for the Police Department to start spending these funds.

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 FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$50,000.00) as allotted to the City of Lynn Police Department by North Shore Medical Center (NSMC) for the FY17 NSMC Factor 9 Grant.

Grant Period 01/01/17-06/30/17 *Emergency Preamble in order for the Police Department to start spending these funds.

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:

11 YES 0 NO

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

11 YES 0 NO

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

Establish an account for the purposes of identifying and tracking the city's increase in revenue generated from membership rate increases of Gannon Golf Course. This account (Revolving Fund) will have restrictions and spending is only for the purpose to address improvements to the course.

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 that the City Comptroller be and is hereby authorized to take the following action: Establish an account for the purposes of identifying and tracking the city's increase in revenue generated from membership rate increases of Gannon Golf Course. This account (Revolving Fund) will have restrictions and spending is only for the purpose to address improvements to the course.

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 FIVE HUNDRED FORTY SEVEN THOUSAND TWENTY NINE DOLLARS AND ZERO CENTS (\$547,029)

From the Account of <u>98035-7825</u>	Reserve for Raises-Exp	547,029
To the Account of <u>11124-1000</u>	Council-PR	14,165
To the Account of <u>11304-1000</u>	Comptroller-PR	16,721
To the Account of <u>11404-1000</u>	Treasurer-PR	17,138
To the Account of <u>11454-1000</u>	Collector-PR	15,992
To the Account of <u>11504-1000</u>	Assessor-PR	11,432
To the Account of <u>11604-1000</u>	City Clerk-PR	24,787
To the Account of <u>11724-1000</u>	IT-PR	10,559
To the Account of <u>11904-1000</u>	Personnel-PR	6,981
To the Account of <u>11914-1000</u>	Law-PR	27,521
To the Account of <u>11934-1000</u>	ISD-PR	320,000
To the Account of <u>22604-1000</u>	Emerg Mgmt-PR	3,411
To the Account of <u>44004-1000</u>	DPW-PR	61,001
To the Account of <u>65824-1000</u>	Veterans-PR	14,178
To the Account of <u>76424-1000</u>	GAR-PR	3,143

To fund City Departments Retro Pay Raises thru FY17.

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 Transfer the sum of FIVE HUNDRED FORTY SEVEN THOUSAND TWENTY NINE DOLLARS AND ZERO CENTS (\$547,029) From the Account of 98035-7825 Reserve for Raises-Exp to fund City Departments Retro Pay Raises thru FY17.

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 THREE HUNDRED THIRTY THREE THOUSAND TWO HUNDRED NINETY THREE DOLLARS AND ZERO CENTS (\$333,293.00) as allotted to the City of Lynn School Department-LVTI by the Executive Office of Education (EDU) to fund FY17 Skills Capital Equipment Grant Program.

Grant Period 03/28/17 - 06/30/17*Emergency Preamble in order for the School Department to start spending these funds.

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 THIRTY THREE THOUSAND TWO HUNDRED NINETY THREE DOLLARS AND ZERO CENTS (\$333,293.00) as allotted to the City of Lynn School Department-LVTI by the Executive Office of Education (EDU) to fund FY17 Skills Capital Equipment Grant Program.

Grant Period 03/28/17 - 06/30/17*Emergency Preamble in order for the School Department to start spending these funds.

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 of the April 11, 2017 Committee of the Whole recommending the following to be accepted:

Presentation and Discussion with Representatives from PFM Group Consulting LLC regarding City Finances.

REPORT ACCEPTED.

NEW BUSINESS:

Discussion with representatives from National Grid, Verizon, and Comcast regarding "Double Poles" in the City of Lynn

Motion made by Councilor Lozzi and seconded by Councilor LaPierre to request the three Utility Companies come back in June.

Motion carried.

Motion made by Councilor Colucci and seconded by Councilor Colucci 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:

Janet L. Rowe

CITY CLERK