

**CITY OF LYNN**

**Regular City Council Meeting, October 9, 2018  
Council President Darren P. Cyr**

**Ten Councilors Present (Councilor Colucci absent).**

**Moment of Silence. Council Vice-President Barton asked that the Family of Dennis McManus be remembered.**

**Pledge of Allegiance**

**Motion made by Councilor Colucci and seconded by Councilor Capano to accept the Meeting Minutes of September 25, 2018.**

**Motion carried.**

**PUBLIC HEARINGS:**

Petition of Paul Barrasso, 23 Belgrade St, Revere MA, owner of Fast Glass Service Incc. to add a second floor for owner occupied living space to an existing warehouse only building located at 53 Ocean Street.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

**Council President Cyr passed the gavel to Council Vice-President Barton.**

**Motion made by Councilor Cyr and seconded by Councilor Capano to TABLE.**

**Motion carried by the following yea and nay vote:**

**10 YES 0 NO (Councilor Colucci absent).**

**Motion made by Councilor Barton and seconded by Councilor Walsh to suspend the rules and invite CFO Michael Bertino to address the Council.**

**Motion carried**

**CFO Michael Bertino presented two Bond Orders to the Council:**

Notice that the Lynn City Council will consider the following vote to bond \$2,350,000.00 for the purpose of purchasing LED street lights on October 23, 2018 at 8:00 p.m. in the Lynn City Council Chambers. Please note that this will not be a public hearing. The precise language of the proposed bond vote is as follows:

**ORDERED:** That \$2,350,000 is appropriated to pay costs of converting non-ornamental street lights to LED fixtures, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the City Treasurer, with the

approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. Any premium received upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. The Mayor is authorized to accept any and all rebates, grants or other funds that may be available to the City on account of this project. The amount of any borrowing undertaken pursuant to this vote shall be reduced to the extent of an rebates, grants or other *funds* received by the City on account of this project.

ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under M.G.L. c. 44A any and all bonds or notes of the City to be issued pursuant to this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require.

Notice that the Lynn City Council will consider the following vote to bond \$4,500,000.00 as permitted by Chapter 58 of the Acts of 2018 for the purpose of achieving a balanced budget for Fiscal Years 2018 and 2019 on October 23, 2018 at 8:00 p.m. in the Lynn City Council Chambers. Please note that this will not be a public hearing. The precise language of the proposed bond vote is as follows:

ORDERED: That \$4,500,000 is appropriated to assist the City in achieving a balanced budget for fiscal years 2018 and 2019, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 58 of the Acts of 2018, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. Any premium received upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds or notes of the City to be issued pursuant to this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require.

***Motion made by Councilor Barton and seconded by Councilor Chakoutis to request Sean Cronin to appear at the October 23, 2018 Council Meeting.***

***Motion carried by the following yea and nay vote:***

***10 YES 0 NO (Councilor Colucci absent).***

## **COMMITTEES REPORTS:**

### **Report of the October 9, 2018 Committee on Lynn Trash/Litter Sub-Committee recommending the following to be accepted:**

1. General Discussion
2. OTHER BUSINESS

**REPORT ACCEPTED.**

### **Report of the October 9, 2018 Committee on Personnel recommending the following to be accepted:**

1. INTERVIEW / Third Assistant City Solicitor – Appointment lays over to October 23, 2018 Meeting.
2. OTHER BUSINESS

**REPORT ACCEPTED.**

### **Report of the October 9, 2018 Committee on Public Property and Parks recommending the following to be accepted:**

1. Discussion re: Request to redeem city-owned property at 61 Nahant Street  
**Motion made by Councilor Walsh and seconded by Councilor Capano to accept payment in the amount of \$36,307.19 in order to redeem property at 61 Nahant Street including all penalties to date. Owner is to make payment including all fees and fines before October 23, 2018.**
2. Discussion re: Ordered that the City Librarian is hereby authorized to dispose of books no longer useful to the Library that has a resale or salvage value less than the fair market value to a charitable organization which has received a tax exemption from the United States by reason of its charitable nature.  
**Motion made by Councilor Walsh and seconded by Councilor Capano to allow the City Librarian to dispose of books no longer useful to the Library that have a resale or salvage value less than the fair market value, to a charitable organization which has received a tax exemption from the United States by reason of its charitable nature.**
3. Discussion re: Request from Global Embassy of Activist for Peace for permission to use the Johnson Street Parking Lot (near Essex Street) for Blood Drive.  
**Motion made by Councilor Capano and seconded by Councilor Field to allow Global Embassy of Activist for Peace for permission to use the**

**Johnson Street Parking Lot (near Essex St) for Blood Drive on November 4, 2018, pending no shows in the City Hall Auditorium**

4. Discussion re: Potential Lease/License of city-owned property near General Edwards Bridge during MWRA Construction Project.  
**Motion made by Councilor Walsh and seconded by Councilor Capano to allow R. Zoppo Corp a lease/license of city-owned property near General Edwards Bridge during MWRA Construction project for an estimated \$1562.81 monthly lease for approximately Five months in order to do work. Law Department will draw up the Lease Agreement.**
5. **OTHER BUSINESS.**  
**REPORT ACCEPTED.**

**Report of the October 9, 2018 Committee on Ordinance and Rules recommending the following be accepted:**

**IN THE YEAR TWO THOUSAND EIGHTEEN AN ORDINANCE ESTABLISHING A REVOLVING FUND FOR THE CITY OF LYNN PUBLIC ARTS COMMISSION**

Be it Ordained by the City Council of the City of Lynn and by the authority of the same as follows, to wit:-

**Section 1:00 Establishment**

There shall be a separate fund known as the Public Arts Commission Revolving Fund authorized for use by the Public Arts Commission with the approval of the Director of the Department of Community Development

**Section 2:00 Revenues**

The City Comptroller shall establish the Public Arts Commission Revolving Fund as a separate account and credit to the fund all donations, gifts, bequests and income charged and received by the Public Arts Commission in connection with the powers and duties of the Commission as set forth in its enabling Ordinance.

**Section 3:00 Purpose and Expenditures**

During each fiscal year, the Public Arts Commission with the approval of the Director of the Community Development may incur liabilities and spend monies from the Public Arts Revolving Fund for purposes relating to public art in the City of Lynn in connection with donations, gifts, bequests and income received by the Public Arts Commission.

**Section 4:00 Limitations**

No funds shall expended for the purpose of paying employee wages and/or benefits to any person or individual without the approval of the Mayor and Lynn City Council.

**Section 5:00 Fiscal Years**

The Public Arts revolving Fund shall operate for fiscal years that begin on or after July 1, 2018 and shall expire upon the repeal of this chapter as provided by the Lynn city charter.

**Section 6:00 Inconsistent Ordinances**

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**Section 7:00 Effective Date**

This chapter shall take effect thirty-one (31) days after its final approval as adopted and advertised.

**Motion made by Councilor Capano and seconded by Councilor LaPierre to grant.**

**Motion carried by the following yea and nay vote:  
10 YES 0 NO (Councilor Colucci absent).**

IN THE YEAR TWO THOUSAND EIGHTEEN AN ORDINANCE AMENDING THE  
ORDINANCE REGULATING THE MAINTENANCE OF ABANDONED,  
FORECLOSED RESIDENTIAL AND COMMERCIAL PROPERTIES

*WHEREAS*, Recent events in the housing market have led to a drastic rise in the number of foreclosed houses. In cities all over the nation, homes are being left empty as families are forced to move out These homes are frequently retaken by banks, financial institutions and large real estate conglomerates that have little to no connection with the municipality in which they own property; *and*,

*WHEREAS*, Many of these houses are essentially abandoned Homes sit empty for months or years at a time; often creating an attractive public nuisance. Some homes are in violation of multiple aspects of state and local building codes and sanitary codes. The owner of record is often a large financial institution located out of state, making enforcement of the code very difficult; *and*,

*WHEREAS*, this problem exists from California to Ohio to Massachusetts. Banks and Other financial institutions are refusing to maintain properties, and municipal building inspectors have turned into investigators as they try to find out who the owners are and how to contact them to correct code violations; and,

*WHEREAS*, Many other cities around the nation are facing similar problems and searching for solutions in order to keep up the quality of life for the Residents. Escondido, CA gave its code enforcement department an extra one million dollars to ensure compliance. Chula Vista, CA has passed an ordinance requiring all financial institutions that foreclose on a property to register, to pay an administrative fee of \$70 and to appoint a local property maintenance company to maintain the property once a week. Although only in effect since early October, the program looks promising as it has over thirty voluntarily registered properties and is in the process of collecting Over \$18,000 in fees. Many other municipalities are considering similar laws or regulations to address this issue; *and*,

*WHEREAS*, These code violations include, among multiple other violations, unoccupied buildings susceptible to vandalism and/or open structures rendering them unsafe and dangerous, yards full of litter and trash, unlocked houses, un shoveled snow that renders sidewalks impassable, overgrown grass and bushes, and unsecured swimming pools that are not only a threat to children but become breeding grounds for infectious insects such as mosquitoes; *NOW*,

#### Regulating the Maintenance of Abandoned and Foreclosing Residential and Commercial Properties.

**SECTION 1: PURPOSE.** It is the intent of this section to protect and preserve public safety, security, and quiet enjoyment of occupants, abutters, and neighborhoods by (i) requiring all residential and commercial property owners, including lenders, -trustees, and service companies, to properly maintain abandoned and/or foreclosing properties (ii) regulating the maintenance of abandoned and/or foreclosing, residential and commercial properties to prevent blighted and unsecure residences.

The Director of the Inspectional Services Department has enforcement authority pursuant to, *Inter alia*, M.G.L. c. 143, s. 3, the State Building Code, and the City of Lynn Zone Ordinance.

**SECTION 2: DEFINITIONS.** When used in this section, unless a contrary intention clearly appears, the following terms shall have the following meanings:

*Abandoned* means any residential and commercial property, residential and commercial that is vacant.

*City* means City of Lynn.

*Commercial Property* means any property that contains one or more buildings, Structures, improvements and/or fixtures used, intended or designed for commercial use.

*Day* means consecutive calendar days.

*Director* means Director of the inspectional Services Department

*"Evidence of vacancy"* means any condition that would lead a reasonable person to believe that the property is vacant.

*Foreclosing* means the process by which a property, placed as security for a real estate loan, is prepared for sale to satisfy the debt if the borrower defaults.

*"Initiation of the foreclosure process"* means taking any of the following actions: (i) taking possession of a residential or commercial property pursuant to M.G.L. c.244, s. 1; (ii) publishing the first foreclosure notice of a residential property pursuant to M.G.L. c. 244, s. 14; or (m) commencing a foreclosure action on a residential property in either the Land Court or Essex Superior Court

*Local* means within twenty (20) driving miles distance of the property in question.

*Mortgagee* means the creditor, including but not limited to, service companies and lenders, in a mortgage agreement.

*Mortgagee in possession* means a mortgagee that has taken over control and/or occupancy of a property upon default of the borrower to collect income from the property and/or prepare for foreclosure.

*Owner* means every person, entity, service company, property manager or realtor, who alone or severally with others:

- (1) has legal or equitable title to any dwelling, dwelling unit, mobile dwelling unit, or parcel of land, vacant or otherwise, including a mobile home park; or
- (2) has care, charge or control of any dwelling, dwelling unit, mobile dwelling unit or parcel of land, vacant or otherwise, including a mobile home park, in any capacity including but not limited to agent, executor; executrix, administrator, administratrix, trustee or guardian of the estate of the holder of legal title; or

- (3) is a mortgagee in possession of any such property; or
- (4) is an agent, trustee or other person appointed by the courts and vested with possession or control of any such property; or
- (5) is an officer or trustee of the association of unit owners of a condominium. Each such person is bound to comply with the provisions of these minimum standards as if he were the owner. Owner also means every person who operates a rooming house; or
- (6) is a trustee who holds, owns or controls mortgage loans for mortgage backed securities transactions and has initiated the foreclosure process.

*Property means* any real property, residential or commercial, or portion thereof, located in the City of Lynn, including building or structures situated on the property.

*Residential Property means* any property that contains one or more dwelling units used, intended, or designed to be occupied for living purposes.

*Securing means* measures that assist in making the property inaccessible to unauthorized persons.

*Vacant means* a structure or building not legally occupied.

**Section 3: REGISTRATION:** All owners including banks and mortgage companies must register abandoned and/or foreclosing residential and commercial properties with the Director of the Inspectional Services Department on forms provided by the Director. All registrations must state the individual owner's or agent's phone number and mailing address located within the Commonwealth as required by M.G.L. c.59, s57D, M.G.L. c. 156D, s. 5.02, and 950 CMR 113.20. The mailing address may not be a P.O. Box. This registration must also certify that the property was inspected and identify whether the property is abandoned. If the property is abandoned, the registration must designate a local individual or local property management company responsible for the security and maintenance of the property. This designation must state the individual or company's name, phone number, and local mailing address. The mailing address may not be a P.O. Box. This registration must be received within seven days of abandonment or within seven days of the initiation of the foreclosure process as defined in Section 2.

All property registrations are valid for one year. An annual registration fee of five hundred dollars and no cents (\$500.00) must accompany the registration form. The fee and registration are valid for the calendar year, or remaining portion of the calendar year, in which the registration was initially required. Subsequent registrations and fees are due January 1st of each year and must certify whether the foreclosing and/or foreclosed property remains abandoned or not.

Once the property is no longer abandoned or is sold, the owner must provide proof of sale or written notice of occupancy to the Director of the Inspectional Services Department.

**SECTION 4: MAINTENANCE REQUIREMENTS.** Properties subject to this section must be maintained in accordance with all applicable Sanitary Codes, Building Codes, and local regulations. The local owner or local property Management Company must inspect and maintain the property on a monthly basis for the duration of the abandonment.

The property must contain a posting with the name and 24-hour contact phone number of the local individual or property Management Company responsible for the maintenance. This sign must be posted on the front of the property so it is clearly visible from the street.

Adherence to this section does not relieve the property owner of any applicable obligations set forth in Code regulations, Covenant Conditions and Restrictions and/or Home Owners Association rules and regulations.

**SECTION 5: INSPECTIONS.** The Inspectional Services Department shall have the authority and the duty to inspect properties subject to this section for compliance and to issue citations for any violations. The Inspectional Services Department shall have the discretion to determine when and how such inspections are to be made, provided that their policies are reasonably calculated to ensure that this section is enforced.

**The Owner, or the Owner's agent or designee, shall cooperate with city code inspection and/or enforcement personnel and shall permit access to the property to such personnel upon reasonable notice to the Owner or the Owner's agent.**

**SECTION 6: ENFORCEMENT AND PENALTIES.** Failure to initially register with the Director is punishable by a fine of three hundred dollars and no cents (\$300.00) each day being a separate offense.

If applicable, failure to properly identify the name of the local individual or property Management Company is punishable by a fine of three hundred dollars and no cents (\$300.00).

Failure to maintain the property is punishable by a fine up to three hundred dollars and no cents (\$300.00) for each month the property is not maintained.

Violations of this chapter shall be treated as a strict liability offense regardless of intent

**SECTION 7: APPEAL:** Any person aggrieved by the requirements of this section or by a decision issued under this section by the Inspectional Services Department, may seek relief pursuant to M.G.L. c. 40, S. 21D.

**SECTION 8: APPLICABILITY.** If any provision of this section imposes greater restrictions, or obligations than those imposed by any other general law, special

law, regulation, rule, ordinance, by-law, order, or policy then the provisions of this section control.

**SECTION 9: REGULATORY AUTHORITY.** The Director of the Inspectional Services Department has the authority to promulgate rules and regulations necessary to implement and enforce this section.

**SECTION 10: SEVERABILITY:** if any provision of this section is held to be invalid by a court of competent jurisdiction then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect

**SECTION 11: REVOLVING ACCOUNT.** Pursuant to MGL, Chapter 44 § 53 E the Lynn City Council will establish a revolving account to utilize the registration funds for the securing and monitoring of vacant properties in disrepair.

The Inspectional Services Department will be trustee of said revolving account.

**Motion made by Councilor Starbard and seconded by Councilor Capano to grant.**

**Motion carried by the following yea and nay vote:**

**10 YES 0 NO (Councilor Colucci absent).**

**Report of the October 9, 2018 Committee on Ways and Means recommending the following to be accepted:**

Ordered that the City Clerk be directed to cause notice that Early Voting for the November 6, 2018 State Election will begin on Monday, October 22, 2018 during regular City Hall business hours and will end on Friday, November 2, 2018. Early voting will take place outside the Election Office, Room 203 and into the rear of the Auditorium. The meeting of all qualified voters of the City of Lynn will be held in several polling places designated for the State Election on November 6, 2018. The polls will open at 7:00 am and close at 8:00 pm.

**Councilor 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 Clerk be directed to cause notice that Early Voting for the November 6, 2018 State Election will begin on Monday, October 22, 2018 during regular City Hall business hours and will end on Friday, November 2, 2018. Early voting will take place outside the Election Office, Room 203 and into the rear of the Auditorium. The meeting of all qualified voters of the City of Lynn will be held in several polling places designated for the State Election on November 6, 2018. The polls will open at 7:00 am and close at 8:00 pm.**

**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 Colucci absent)**

**Emergency Order was then adopted by the following yea and nay vote:  
10 YES 0 NO (Councilor Colucci absent).**

Transfer the sum of TWO THOUSAND TWO HUNDRED FIFTY DOLLARS AND ZERO CENTS (2,250.00)

From the Account of 98035-7800 Reserve-Exp 2,250.00

To the Account of 11305-3006 Compt-Exp 2,250.00

To fund unpaid bill of prior year for FY17 Audit.

**Councilor 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 sum of TWO THOUSAND TWO HUNDRED FIFTY DOLLARS AND ZERO CENTS (2,250.00)**

**From the Account of 98035-7800 Reserve-Exp 2,250.00**

**To the Account of 11305-3006 Compt-Exp 2,250.00**

**To fund unpaid bill of prior year for FY17 Audit.**

**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 Colucci absent)**

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

**10 YES 0 NO (Councilor Colucci absent).**

Transfer the sum of TWENTY EIGHT THOUSAND ONE HUNDRED TWENTY ONE DOLLARS AND EIGHTY ONE CENTS (\$28,121.81)

From the Account of 22525-2412/2607 Street Lights -Exp 28,121.81

To the Account of 98025-2252 Street Light –Bill of PY 28,121.81

Unpaid invoices FY18 various work performed on Street light boxes being damaged by uninsured vehicles.

**Councilor 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 sum of ONE HUNDRED TWENTY ONE DOLLARS AND EIGHTY ONE CENTS (\$28,121.81)**

**From the Account of 22525-2412/2607 Street Lights -Exp 28,121.81**

**To the Account of 98025-2252 Street Light –Bill of PY 28,121.81**

**Unpaid invoices FY18 various work performed on Street light boxes being damaged by uninsured vehicles.**

**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 Colucci absent).**

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

**10 YES 0 NO (Councilor Colucci absent).**

Transfer the sum of ELEVEN THOUSAND SEVEN HUNDRED SEVEN DOLLARS AND FOURTY EIGHT CENTS (\$11,707.48)

From the Account of 11935-3401/2412/2412S/4103 ISD-Exp 11,707.48

To the Account of 98025-1193 ISD –Bill of PY 11,707.48

Unpaid invoices FY18 various work performed, invoices not received timely.

**Councilor 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 sum of ELEVEN THOUSAND SEVEN HUNDRED SEVEN DOLLARS AND FOURTY EIGHT CENTS (\$11,707.48)**

From the Account of 11935-3401/2412/2412S/4103 ISD-Exp 11,707.48

To the Account of 98025-1193 ISD –Bill of PY 11,707.48

Unpaid invoices FY18 various work performed, invoices not received timely.

**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:**

**1 YES 0 NO (Councilor Colucci absent)**

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

**10 YES 0 NO (Councilor Colucci absent).**

Transfer the sum of ONE THOUSAND ONE HUNDRED FOURTY FIVE DOLLARS AND ZERO CENTS (\$1,145.00)

From the Account of 43905-3100 Care of Dogs -Exp 1,145.00

To the Account of 98025-4390 Care of Dogs –Bill of PY 1,145.00

Unpaid invoices FY18, invoices not received timely.

**Councilor 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 sum of ONE THOUSAND ONE HUNDRED FOURTY FIVE DOLLARS AND ZERO CENTS (\$1,145.00)**

From the Account of 43905-3100 Care of Dogs -Exp 1,145.00

To the Account of 98025-4390 Care of Dogs –Bill of PY 1,145.00

Unpaid invoices FY18, invoices not received timely.

**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 Colucci absent)**

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

**10 YES 0 NO (Councilor Colucci absent).**

Certify as an "Available Fund" the amount of ONE HUNDRED FORTY NINE THOUSAND SEVEN HUNDRED SIXTY FOUR DOLLARS AND ZERO CENTS (149,764.00) as allotted to the City of Lynn School Department by the Department of Public Health (DPH) for the Essential School Health Grant. Grant Period 10/02/18-06/30/19

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

**Councilor 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 certifying as an "Available Fund" the amount of ONE HUNDRED FORTY NINE THOUSAND SEVEN HUNDRED SIXTY FOUR DOLLARS AND ZERO CENTS (149,764.00) as allotted to the City of Lynn School Department by the Department of Public Health (DPH) for the Essential School Health Grant. Grant Period 10/02/18-06/30/19**

**\*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:**

**10 YES 0 NO (Councilor Colucci absent).**

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

**10 YES 0 NO (Councilor Colucci absent).**

Transfer the sum of THIRTY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$35,000.00)

From the Account of <u>11904-1000</u>	Personnel -PR	35,000.00
To the Account of <u>11905-3000</u>	Personnel-Exp	35,000.00

Transfer of funds to cover cost of interim Personnel Director vacated due to retirement.

**Motion made by Council President Cyr and seconded by Councilor Barton to DENY.**

**Motion carried by the following yea and nay:**

**10 YES 0 NO (Councilor Colucci absent).**

**REPORT ACCEPTED.**

**Report of the October 9, 2018 Committee on Utilities recommending the following to be accepted:**

Petition of National Grid to install a 2-4 inch conduit approximately 10 feet on the sidewalk from a new pole towards 386 Walnut St.

***Motion made by Councilor Capano and seconded by Councilor Walsh to grant.  
Motion carried.***

Petition of National Grid to install 50 inch +/- of 2-4 inch primary duct across Smith St between 158-170 and 138-144 Union St.

***Motion made by Councilor Capano and seconded by Councilor Walsh to TABLE.  
Motion carried.  
REPORT ACCEPTED.***

**Report of the October 9, 2018 Committee on Licensing recommending the following to be accepted:**

**TAXI OPERATORS NEW:**

Espinal, Rafael: 43 Childs St #2- **Granted**

Gutierrez, Victor: 185 N. Common St # 7- **Granted**

Moholland, John: 550 Eastern Avenue - **Tabled**

Patricio, Pedro: 11 Olney Place #1- **Granted**

Santos, Carlos: 44 Empire St # 3 - **Granted**

**LIVERY OPERATORS NEW:**

Bingham, Joseph: 12 Baker St. (30 day review) - **Tabled**

**AUTO BODY/AUTO REPAIR/FLAMMABLE LICENSE - NEW**

35 Alley St. – Global Auto Body and Repair, Inc. – **Granted with Standard Stipulations.**

52 Oakville St. – 26 Auto Body, Inc. - **Tabled**

**Christmas Tree & Wreath Renewal**

800 Lynnway, Tree Brothers- **Granted**

**SIGN LICENSE RENEWAL**

159 Central Ave., C.M. Bistro – **Granted**

**REPORT ACCEPTED.**

**Report of the October 9, 2018 Committee of the Whole recommending the following to be accepted:**

1. Presentation by Metropolitan Area Planning Council  
re: Planning Services Review / City of Lynn

**2. OTHER BUSINESS.**

**REPORT ACCEPTED.**

**OLD BUSINESS:**

Councilor Chakoutis requested a review of amended hours for Ironbound Food Truck Emporium on Mount Vernon St in Lynn which was granted a 30 day trial period on August 7, 2018. The Marketplace days were allow to extend to 7 days a week with the same hours 7am – 9pm and the Food Truck hours were extended to 11pm on Thursday, Friday and Saturdays. The Petitioner is Justin Morley, Administrative Coordinator for Ironbound

***Motion made by Councilor Chakoutis and seconded by Councilor Lozzi to grant.***

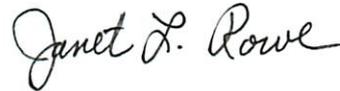
***Motion carried by the following yea and nay vote:***

***10 YES 0 NO (Councilor Colucci absent).***

**Motion made by Councilor Capano and seconded by Councilor Walsh 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**