

**CITY OF LYNN**

**Regular City Council Meeting, January 8, 2019**

**Dean of Council, Councilor Richard C. Colucci / Council President Darren P. Cyr**

**Ten Councilors Present (Ward Six Seat Vacant).**

**Moment of Silence. Council President Cyr asked that the Family of James Clancy be remembered.**

**Pledge of Allegiance.**

**The Dean of the Council, Councilor Richard C. Colucci moved to proceed to the Election of a President for the ensuing year 2019:**

**Motion made by Councilor Barton and seconded by Councilor LaPierre to elect Darren P. Cyr**

BARTON	Cyr	LOZZI	Cyr
CHAKOUTIS	Cyr	NET	Cyr
COLUCCI	Cyr	STARBARD	Cyr
FIELD	Cyr	WALSH	Cyr
LAPIERRE	Cyr	CYR	Cyr

**10 Votes = Darren P. Cyr**

**Ward Three Councilor Darren P. Cyr was re-elected Council President.**

**Council President Cyr thanked his colleagues.**

**The Dean of the Council, Councilor Richard C. Colucci moved to proceed to the Election of a Vice-President for the ensuing year 2019:**

**Motion made by Councilor Starbard and seconded by Councilor Chakoutis to elect Buzzy Barton:**

BARTON	Barton	LOZZI	Barton
CHAKOUTIS	Barton	NET	Barton
COLUCCI	Barton	STARBARD	Barton
FIELD	Barton	WALSH	Barton
LAPIERRE	Barton	CYR	Bartpm

**10 Votes = Buzzy Barton**

**Councilor-At-Large Buzzy Barton was re-elected Council Vice-President.**

**Council Vice-President Barton thanked his colleagues.**

**The Dean of the Council, Councilor Richard C. Colucci moved to proceed to the Election of a Council Appointment to the Lynn Water and Sewer Commission: Motion made by Council President Cyr and seconded by Councilor LaPierre to elect Richard C. Colucci:**

BARTON	Colucci	LOZZI	Colucci
CHAKOUTIS	Colucci	NET	Colucci
COLUCCI	Colucci	STARBARD	Colucci
FIELD	Colucci	WALSH	Colucci
LAPIERRE	Colucci	CYR	Colucci

**10 Votes = Richard C. Colucci**

**Ward Four Councilor Richard C. Colucci was re-elected Council Representative to the Lynn Water and Sewer Commission.**

**Councilor Colucci thanked his colleagues.**

**Motion made by Councilor Lozzi and seconded by Councilor Field to accept the Meeting Minutes of December 18, 2019.**

**Motion carried.**

***Motion made by Council Vice-President Barton and seconded by Councilor Lozzi to suspend the rules and move to and accept the Report of the Committee of the Whole.***

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

***10 YES 0 NO***

**REPORT OF THE JANUARY 8, 2019 COMMITTEE OF THE WHOLE recommending the following to be accepted:**

1. Discussion re: The Appointment of the Ward Six Councilor.

**Motion made by Council Vice-President Barton and seconded by Councilor Colucci to appoint Frederick W. Hogan the Ward Six Councilor.**

BARTON	Yes	LOZZI	Yes
CHAKOUTIS	No	NET	No
COLUCCI	Yes	STARBARD	Yes
FIELD	Yes	WALSH	Yes
LAPIERRE	Yes	CYR	Yes

**Motion made by Councilor Chakoutis and seconded by Council Vice-President Barton to reconsider vote.**

**Motion carried.**

**Motion made by Councilor Chakoutis and seconded by Councilor Hong to nominate Frederick W. Hogan:**

BARTON	Hogan	LOZZI	Hogan
CHAKOUTIS	Hogan	NET	Hogan
COLUCCI	Hogan	STARBARD	Hogan
FIELD	Hogan	WALSH	Hogan
LAPIERRE	Hogan	CYR	Hogan

Councilor Hogan thanked his colleagues and was sworn in as the Ward Six Councilor.

**REPORT ACCEPTED.**

**PUBLIC HEARINGS:**

Petition of Attorney Jose Lopez for Yohannes Teferi of Boston, to convert the fire damaged third floor of 330-334 Chatham St into two residential units.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

***Motion made by Council President Cyr and seconded by Councilor Colucci to TABLE.***

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

***11 YES 0 NO***

Petition of Jill Laura of Revere, for permission to have a Dog Boarding and Kennel at 212 Broad Street.

The following appeared in Favor:

Jill Laura, 99 Lambert Street, Revere

Miss Talua, Revere

No one appeared in Opposition.

Public Hearing Closed.

***Motion made by Councilor Chakoutis and seconded by Council Vice-President Barton to Grant the prayer of the Petitioner.***

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

***11 YES***

**PUBLIC HEARINGS TO BE SET DOWN:**

-Petition of Fiesta Shows for a Carnival for the 4<sup>th</sup> of July Fireworks Fund to be held at Keaney Park June 20-23 with set up from June 17-19 (***Starbard***)

-Petition of Patrick Assioun Dental Clinic to allow the location of a Clinic in a WF1 Zone (Medical Marijuana) in accordance with 4.4.11 of the Zone Ordinance as an owner under option at 497 Lynnway. (***Councilor Ward 6***)

-Request of Comcast to install new underground conduits on 148 Pleasant Street  
**(Capano)**

-Request of Comcast to install new underground conduits on 77 Alley Street **(Capano)**  
**Motion made by Councilor Colucci and seconded by Council Vice-President Barton to set down for Public Hearings.**  
**Motion carried.**

## **COMMITTEES REPORTS:**

### **Report of the January 8, 2019 Committee on Utilities recommending the following to be accepted:**

Petition of National Grid to install 50' of 12-5" conduits crossing Marine Blvd, between 2 new manholes on private property of National Grid. Also, install 25' of 4-5" conduits to existing manholes #5 and #6. **(Capano) - Tabled**

Petition of National Grid to install one joint owned pole on Marine Blvd midspan to pole 20 and pole 19. **(Capano) - Tabled**

Petition of National Grid to install new 500KVA Pad-Mount transformer for proposed building at 500 Lynnfield St. Will need to trench 5' in sidewalk to sweep up pole.  
**(Lozzi) - Tabled**

Petition of National Grid to install +/- 10' of PVC conduit from an existing handhole @ the corner of #3 and #11 Lewis St to #3 Lewis St. **(Cyr) - Tabled**

Petition of National Grid to install one JO Pole on Broadway and remove 1 SO Pole on Broadway. The State requests the anchor attached to pole 80 be removed currently anchored into Sluice Pond Dam. New stub pole 80-1 and sidewalk anchor guy to be installed ~5' from existing pole. **(Lozzi) - Tabled**

Petition of National Grid to install 1 SO wooden pole with an anchor 90' from an existing pole 9 on Estes St. New location will be in front of 19 Broad St to feed service @ 26 Broad St. **(Colucci) - Tabled**

Petition of National Grid to install conduit encased in concrete from Pole #10 Estes St to 26 Broad St. **(Colucci) - Tabled**

**OTHER BUSINESS:**  
**REPORT ACCEPTED.**

**Report of the January 8, 2019 Committee on Ordinance recommending the following to be accepted:**

**PUBLIC HEARINGS:**

1.A Proposed Ordinance Establishing the Salary of the Personnel Director.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

2.A Proposed Ordinance Amending the Ordinance Relating to Unnecessary and Excessive Noises in the City of Lynn.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

**Motion made by Councilor Lozzi and seconded by Councilor Starbard to grant and accept Report.**

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

**9 NO 2 YES (Councilor Lozzi and Councilor Starbard voting YES).**

**Motion made by Councilor Barton and seconded by Councilor Colucci to grant the Proposed Ordinance Establishing the Salary of the Personnel Director as a Level I Department Head with Level I Department Head Salary.**

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

**9 YES 2 NO (Councilor Lozzi and Starbard voting NO).**

**Motion made by Councilor Lozzi and seconded by Councilor Starbard to grant the Proposed Ordinance Amending the Ordinance Relating to Unnecessary and Excessive Noises in the City of Lynn.**

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

**11 YES 0 NO**

(\*NOTE: On January 9, 2019, Council President Cyr filed for reconsideration on the vote relative to the Proposed Ordinance Establishing the Salary of the Personnel Director).

**REPORT ACCEPTED.**

**Report of the January 8, 2019 Committee on Ways and Means recommending the following to be accepted:**

Transfer the sum of FIVE HUNDRED DOLLARS AND ZERO CENTS (500.00)	
From the Account of <u>98035-7800</u> Reserve-Exp	500.00
To the Account of <u>11905-4200</u> Personnel-Exp	500.00
To fund Office Expenses not in FY19 Expense Budget as submitted.	

**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 order of in the amount of**

**FIVE HUNDRED DOLLARS AND ZERO CENTS (500.00)**

From the Account of <u>98035-7800</u> Reserve-Exp	500.00
---	--------

To the Account of <u>11905-4200</u> Personnel-Exp	500.00
---	--------

To fund Office Expenses not in FY19 Expense Budget as submitted.

**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 NINETEEN DOLLARS AND FIFTY CENTS (619.50)

From the Account of <u>43905-3400</u> Care of Dogs-Exp	619.50
--	--------

To the Account of <u>43904-0900</u> Care of Dogs-Pers	619.50
---	--------

To fund OT not budgeted in FY19 Budget as submitted.

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 order in the amount of SIX HUNDRED NINETEEN DOLLARS AND FIFTY CENTS (619.50)**

From the Account of <u>43905-3400</u> Care of Dogs-Exp	619.50
--	--------

To the Account of <u>43904-0900</u> Care of Dogs-Pers	619.50
---	--------

To fund OT not budgeted in FY19 Budget as submitted.

**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 SEVENTEEN THOUSAND NINETY SIX DOLLARS AND SEVENTY FIVE CENTS (17,096.75)

From the Account of <u>9F163-9510</u> State Elections-Exp	17,096.75
---	-----------

To the Account of <u>11604-0900</u> City Clerk-PR	7096.75
---	---------

To the Account of <u>11605-4200</u> City Clerk- Exp	10,000.00
---	-----------

To fund various election related line items related to City Election

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 order in the amount of SEVENTEEN THOUSAND NINETY SIX DOLLARS AND SEVENTY FIVE CENTS (17,096.75)**

From the Account of <u>9F163-9510</u> State Elections-Exp	17,096.75
---	-----------

To the Account of	11604-0900	City Clerk-PR	7096.75
To the Account of	<u>11605-4200</u>	City Clerk- Exp	10,000.00

To fund various election related line items related to City Election

**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 FOUR HUNDRED FIFTY THOUSAND TWO HUNDRED DOLLARS AND ZERO CENTS (450,200.00) as allotted to the City of Lynn Police Department by Executive Office of Public Safety and Security (EPS) for the SFY19 Massachusetts Municipal Police Staffing Grant.

Grant Period 01/01/19-12/31/19

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 order certify as an "Available Fund" the amount of FOUR HUNDRED FIFTY THOUSAND TWO HUNDRED DOLLARS AND ZERO CENTS (450,200.00) as allotted to the City of Lynn Police Department by Executive Office of Public Safety and Security (EPS) for the SFY19 Massachusetts Municipal Police Staffing Grant.**

Grant Period 01/01/19-12/31/19

\*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 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 SEVENTY FIVE THOUSAND DOLLARS AND ZERO CENTS (75,000.00) as allotted to the City of Lynn School Department by the United Way via LHAND for the Project CY19 RISE/SIEMER Grant.

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 order Certify as an "Available Fund" the amount of SEVENTY FIVE THOUSAND DOLLARS AND ZERO CENTS (75,000.00) as allotted to the City of Lynn School Department by the United Way via LHAND for the Project CY19 RISE/SIEMER Grant.**

**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**

Certify as an "Available Fund" the amount of FORTY THOUSAND DOLLARS AND ZERO CENTS (40,000.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY19 Mass Grad Promising Practices Grant.

Grant Period 11/01/18-08/31/19

**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 order Certify as an "Available Fund" the amount of FORTY THOUSAND DOLLARS AND ZERO CENTS (40,000.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY19 Mass Grad Promising Practices Grant.**

**Grant Period 11/01/18-08/31/19**

**\*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 ye and nay vote:**

**11 YES 0 NO**

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

**11 YES 0 NO**

Certify as an "Available Fund" the amount of THIRTY FIVE THOUSAND DOLLARS AND ZERO CENTS (35,000.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY19 Turnaround Assistance Grant.

Grant Period 12/04/18-08/31/19

**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 order Certify as an "Available Fund" the amount of THIRTY FIVE THOUSAND DOLLARS AND ZERO CENTS (35,000.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY19 Turnaround Assistance Grant.**

**Grant Period 12/04/18-08/31/19**



**\*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 ye and nay vote:**

**11 YES 0 NO**

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

**11 YES 0 NO**

**REPORT ACCEPTED.**

**Report of the January 8, 2019 Committee on Licensing recommending the following to be accepted:**

**TAXI OPERATORS NEW:**

Carrasco, Rafael: 11 Boston St. Salem Ma - Granted

**LIVERY OPERATORS NEW:**

McCarthy, Kenneth: 195 Hamilton Ave - Granted

Morel, Cristina: 47 Collins St #7 - Tabled

Pagan, Wilfredo: 140 Union St. Ste. 104 - Granted

**OLD GOLD & SILVER LICENSE-RENEWAL**

51 Central Sq., Prendas Inc. Omar & Oscar Jewelry- Granted

800 Lynnway, Marcelino Inc. - Granted

810 Lynnway, We Buy Gold 24- Granted

32 Market Sq., The Pawn Shop at Market Sq. (Change Of Name Market Square Emporium) - Granted

62 Market Sq., All Checks Cashed- Granted

2-4 Market St., Linda's Jewelers- Granted

800-810 Lynnway, Universal Jewelers (not reporting to L.P.D) - Granted

857 Western Ave., Lynn Phnom Penh Jewelry- Granted

**PAWN BROKER LICENSE-RENEWAL**

51 Central Sq., Prendas Inc. Omar & Oscar Jewelry- Granted

810 Lynnway, Marcelino Inc. - Granted

32 Market Sq., The Pawn Shop at Market Square (Change Of Name Market Square Emporium) - Granted

2-4 Market St., Linda's Jewelers- Granted

**SECOND HAND ARTICLE LICENSE-RENEWAL**

51 Central Sq., Prendas Inc. Omar & Oscar Jewelry- Granted

58 Exchange St., Pick Up Modern & More- Granted

800 Lynnway, Marcelino Inc. - Granted

800 Lynnway, We Buy Gold 24- Granted

810 Lynnway, Galactronica Electronic Store- Granted

32 Market Sq., The Pawn Shop at Market Square (Change Of Name Market Square Emporium) - Granted

2-4 Market St., Linda's Jewelers- Granted

857 Western Ave., Lynn Phnom Penh Jewelry- Granted

**SIGN LICENSE RENEWAL**

168-170 Broad St., Conga Lounge & Restaurant- Granted

595 Summer Street, La Fonda Don Juan- Granted

**CLASS I AUTO DEALER/AUTO BODY/AUTO REPAIR/FLAMMABLE – RENEWAL**

715 Lynnway – Pride Chevrolet, Inc. - Granted

**CLASS I AUTO DEALER/AUTO REPAIR/FLAMMABLE - RENEWAL**

777-795 Lynnway – Pride Hyundai of Lynn dba Pride Kia- Granted

**CLASS II AUTO DEALER- AUTO BODY/AUTO REPAIR/FLAMMABLE/RENEWAL**

174 Broad St. – Olympic Auto Body & Sales, LLC- Granted

71-79 Bennett St. – Saugus Auto Craft, Inc. dba Len’s Auto Sales- Granted

8 Burrus Sq. – Meadow Park Auto Sales, Inc. - Granted

171 Commercial St. – Col-Craft, Inc. - Granted

44 Marion St. – Mark A. King, Inc. dba Marion St. Auto Body- Granted

**CLASS II AUTO DEALER/AUTO REPAIR/FLAMMABLE – RENEWAL**

75 Boston St. – Boston St. Auto Sales, LLC- Granted

100 Central Ave. – Action Auto Sales, Inc. - Granted

106 Chestnut St. – Lynn Auto Center & Repair (previous name of business Kevin Auto Sales & Repair – same owner) - Granted

234 Chestnut St. – D & D Auto Sales, LLC- Granted

350 Chestnut St. – Duran Auto Repair, Inc. - Granted

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

100 Ford St. – Lynn Auto Performance, Inc. dba Performance Auto Brokers- Granted

315 Lynnway – Three Fifteen Lynnway Lynn Motor Sales, LLC- Granted

361 Lynnway – Ron Costa’s Auto World Inc. - Granted

475 Lynnway – LAS Inc. - Granted

592-596 Lynnway – The Hertz Corporation dba Hertz Car Sales- Granted

811 Lynnway – North Shore Auto Mall dba Far East Exports, Inc. - Granted

837 Lynnway – Sunrise Auto, Inc. - Granted

847-853 Lynnway – North Shore Group, LLC- Granted

232-234 Western Ave. – A.J.’s Auto Sales, Inc. - Granted

1071 Western Ave. – Bonia Motors- Granted

1147 Western Ave. – Osaka Auto Sales- Granted

**CLASS III AUTO DEALER/AUTO BODY/AUTO REPAIR/FLAMMABLE – RENEWAL**

480 Lynnway – Harbor Auto Sales, Co., Inc. - Granted

**REPORT ACCEPTED.**

**Report of the January 8, 2019 Committee on RFP Sub-Committee recommending the following to be accepted:**

1. Discussion re: RFP for the former Marshall Middle School on Porter Street. – **Motion made by Councilor Starbard and seconded by Council Vice-President Barton to request the Solicitor’s Office to look into whether or not the Lynn School Committee has any jurisdiction on the property since the school has been closed for over three years. Motion carried.**

**2. OTHER BUSINESS  
REPORT ACCEPTED.**

**Motion made by Councilor Colucci and seconded by Councilor Starbard 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**