

CITY OF LYNN

City Council Meeting, April 27, 2021  
Council President Darren P. Cyr

**\*\*\*MEETING WILL BE TELEVISED LIVE ON THE LYNN COMMUNITY TELEVISION (LCTV) GOVERNMENT CHANNEL AND ALSO STREAMED ON THE LCTV'S FACEBOOK PAGE \*\*\***

10 Councilors Present (Councilor Lozzi absent).  
Moment of Silence  
Pledge of Allegiance

**PUBLIC HEARINGS TO BE SET DOWN:**

-41 Sutton Street, Sign Permit for Ciao Restaurant. (*Chakoutis*)

-43 State Street, Sign Permit for Stop and Compare Supermarket (*Chakoutis*)

-877 Western Ave, Juan Parrilla's Bar & Grille to expand seating area into vacant space next door. (*Hogan*)

***Motion made by Councilor Barton and seconded by Councilor Field to set down for Public Hearings.***

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

**COMMITTEE REPORTS:**

**Report of the April 27, 2021 Committee on Public Property and Parks recommending the following to be accepted:**

Discussion re: Powerpoint Presentation by Carlos Prudencio and Dimianny Garrido  
Re: Black Lives Matter Mural

**Motion made by Councilor Starbard and seconded by Councilor Field ordering to all the BLM (Black Lives Matter) Mural to be placed on Essex Street with the following stipulations:**

1. Insurance liability and special event insurance required with a one million dollar bond naming the City of Lynn as additional insured.

2. Coordinate with DPW, Lynn Police and Lynn Fire regarding the mural installation to minimize impact.
3. Sidewalk Bond required.
4. Mural subject to all required permits.
5. Group to return in 180 days for updates.

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

Order that City Council authorize the Mayor to execute the Acceptance of Grant of Easement (REVISED) from the Commonwealth of Massachusetts. Said acceptance will facilitate the following: The Commonwealth of Massachusetts (the "Commonwealth"), acting by and through its Division of Capital Asset Management and Maintenance ("DCAMM"), having an address of One Ashburton Place, Boston, Massachusetts 02108, in consultation with North Shore Community College ("NSCC"), having an address of 1 Femcroft Road, Danvers, Massachusetts 01923, and pursuant to the authority set forth in Chapter 304 of the Acts of 2020, in consideration of Twenty-Five Thousand Dollars (\$25,000.00) and other good and valuable consideration described herein, grants to the City of Lynn, a municipal corporation having an address of 3 City Hall Square, Lynn, Massachusetts 01901 ("Grantee"), without covenants, a non-exclusive easement (REVISED) under, over, in and through the Easement Area, described herein, on a certain parcel of land in the City of Lynn more accurately described in a deed recorded with the Southern Essex District Registry of Deeds at Book 13743, Page 139. Subject to the purposes described in Section 1 of Chapter 304 of the Acts of 2020, the purpose of this Grant of Easement (REVISED) is for roadway and other necessary purposes to carry out the widening and installation of angled parking spaces on Washington Street along with other improvements by the City of Lynn within the Easement Area. This Grant of Easement (REVISED) shall include the right to: (i) create, maintain, repair and replace Washington Street by widening it and including both sidewalk and parking in the Easement Area; (ii) install, maintain, repair, and replace utilities in the Easement Area; and (iii) use the Easement Area for public uses customary to a public way. Further ordered that the Mayor be authorized to execute any and all documents necessary to effectuate the purpose of this Acceptance of Grant of Easement (REVISED) and any other documents required by the Law Department to effectuate the above reference acceptance of said Grant of Easement (REVISED).

***Motion made by Councilor Field and seconded by Councilor LaPierre to grant.  
Motion carried by the following yea and nay vote:  
10 YES 0 NO (Councilor Lozzi absent).***

Order that City Council authorize the Mayor to execute a License Agreement by and between the Commonwealth of Massachusetts, acting by and through its Division of Capital Asset Management and Maintenance ("DCAMM" or "Licensor"), in collaboration with North Shore Community College ("State Agency"), and the City of Lynn ("Licensee") which will facilitate the Acceptance of Grant of Easement from the

Commonwealth of Massachusetts. Said License will facilitate the following:  
 Licensee and/or Licensee's officers, agents, representatives, contractors, subcontractors, employees, invitees, and/or any other person claiming by or through the Licensee may enter upon the Licensed Premises lower Washington Street under this License for the following uses only and for no other purpose or use whatsoever:

The License Premises are licensed to Licensee for the purposes of widening lower Washington Street to permit the permanent addition of 44 angled parking spaces in accordance with the Plan attached to the Acceptance of the Grant of Easement as Exhibit A. Licensee and/or Licensee's Parties may pass, repass, and occupy the Licensed Premises and conduct construction-related activities within the Licensed Premises inasmuch as they further the purpose of this License. Such construction-related activities include but are not limited to: digging excavating, and flattening earth, the installation of temporary plastic or aluminum fencing, pole bases, lighting conduits, manholes, piping and catch basins on or around the Licensed Premises, and the installation of new curbs and sidewalks, in addition to the reinstallation, replacement, or repair of existing fences, landscaping, irrigation and restoration of disturbed areas. All work will be accomplished in compliance with applicable local, state and federal regulations. All work at the Licensed Premises is to support, or otherwise further, the type of work described in Section 1 of Chapter 304 of the Acts of 2020. Further Ordered that the Mayor be authorized to execute any and all documents necessary to effectuate the purpose of this revised License and any other documents required by the Law Department to effectuate the above referenced revised License.

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

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

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

Order that City Council authorize the Mayor to execute a Confirmatory Release Deed for real property known as and located at 9 Oak Street, Lynn, Massachusetts 01905. The purpose of this Confirmatory Release Deed is to correct and confirm a prior release deed for the above-described property dated June 8, 2020 and recorded on June 18, 2020 with the Essex South County Registry of Deeds at Book 38626, Page 057, which incorrectly referred to the grantee as the Estate of Estate of Richard W. and Mary F. Schmeltz. The correct grantee is: Ann Kurth, Personal Representative of the Estate of Richard E. Schmeltz, Essex Probate Docket Number 19P2359. Further Ordered that the Mayor be authorized to execute any and all documents necessary to effectuate the purpose of this Confirmatory Release Deed and any other documents required by the Law Department to effectuate the above referenced License.

***Motion made by Councilor Field and seconded by Councilor Colucci to grant.***

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

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

Discussion re: Proposed RFP / Senior Center

**Motion made by Councilor Colucci and seconded by Councilor LaPierre to send out to Bid.**

**Motion carried.**

**OTHER BUSINESS:**

**Motion made by Councilor Colucci and seconded by Councilor Starbard to place the property at 8 Pinkham Place out to Bid.**

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

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

**REPORT ACCEPTED.**

**Report of the April 27, 2021 Sub-Committee on Lynn Trash/Litter recommending the following to be accepted:**

1. Discussion re: "Keep Lynn Clean" Signage
2. Discussion re: "Keep Lynn Clean" Poster Distribution
3. Presentation by CFO Michael Bertino
4. OTHER BUSINESS

**REPORT ACCEPTED.**

**Report of the April 27, 2021 Committee on Licensing recommending the following to be accepted:**

**AUTO BODY/AUTO REPAIR/FLAMMABLE – RENEWAL**

17C Alley St., Alley Auto Body and Repair- **Granted**

475 Lynnway, Barrera and Son's Auto Body and Repair- **Granted**

**AUTO REPAIR/FLAMMABLE – RENEWAL**

60 Bennett St., Bennett Street Tire- **Granted**

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

503 Chestnut St., AJ's Auto Service- **Granted**

307 Eastern Ave., Top Shop Auto & Marine- **Granted**

12A Ellis St., Mora Auto Repair- **Granted**

10 Heath's Court, RC Atuo Service- **Granted**

232-234 Western Ave., AJ's Auto Service- **Granted**

860 Western Ave., Sonny Auto Repair Inc. - **Granted**

985 Western Ave., Massachusetts Bay Transportation Authority- **Granted**

**FLAMMABLE LICENSE – RENEWAL**

36-38 Alley St., McGinn Bus Co. - **Granted**

77 Alley St., American By Products- **Granted**

134 Broadway, Catholic Cemetery Assoc. - **Granted**

229 Broadway, Fardin Inc. DBA Richdale- **Granted**

91 Commercial St., Hibernia Atlantic, US, LLC- **Granted**

32 Homesite St., National Grid- **Granted**

84-86 Lynnway, Lynn Yacht Club- **Granted**

282 Lynnway, U-Haul Moving & Storage of Lynn- **Granted**  
 535 Lynnway, Nouria 535 Lynnway, Lynnway Shell- **Granted**  
 580 Lynnway, Solomon Metals Corp- **Granted**.  
 149 Walnut St., Richdale Convenience Store- **Granted**  
 240 Western Ave., JVS Auto Service Inc. - **Granted**  
**SIGN LICENSE-RENEWAL**  
 145 Franklin St., Cotui Barber Shop- **Granted**  
 177 Lynnfield St., Knights Of Columbus – **Granted**  
**REPORT ACCEPTED.**

**Report of the April 27, 2021 Committee on Ways and Means recommending the following to be accepted:**

Transfer the sum of ONE THOUSAND THREE HUNDRED FORTY EIGHT DOLLARS AND TWENTY CENTS (\$1,348.20)

From the Account of <u>11125-8504</u>	Council-Exp	1,348.20
To the Account of <u>98025-1125</u>	Council Bill of PY-Exp	1,348.20

To fund invoice received after close of FY.

**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.**

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

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

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

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

Certify as an "Available Fund" the amount of EIGHTEEN MILLION SEVEN HUNDRED FORTY FIVE THOUSAND THREE HUNDRED THIRTY DOLLARS AND ZERO CENTS (18,745,330.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY21 FC 115 ESSER II Lynn Grant.

Grant Period 04/30/21-06/30/22

**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.**

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

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

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

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

Certify as an "Available Fund" the amount of ONE MILLION FOUR HUNDRED NINETY FIVE THOUSAND ONE HUNDRED DOLLARS AND ZERO CENTS (1,495,100.00) as allotted to the City of Lynn by Transportation Bond Bill Chapter 90 for FY22.

**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.**

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

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

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

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

Certify as an "Available Fund" an amount of TWO HUNDRED TWENTY FIVE THOUSAND THREE HUNDRED SIXTY TWO DOLLARS AND ZERO CENTS (\$225,362.00) as allotted to the City of Lynn Health Division by the Department of Public Health (DPH) for COVID -19 Vaccination Support in Priority Communities. Grant Period is 03/31/21 to 06/30/22

**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.**

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

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

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

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

Certify as an "Available Fund" an amount of TWENTY FIVE THOUSAND NINE HUNDRED NINETY FIVE DOLLARS AND ZERO CENTS (\$25,995.00) as allotted to the City of Lynn Fire Department by the Department of Fire Services (DFS) for the FY21 Firefighter Safety Equipment Grant. Grant Period is 05/01/21 to 06/30/21

**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.**

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

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

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

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

Certify as an "Available Fund" the amount of SEVENTY THOUSAND SIX HUNDRED FORTY FOUR DOLLARS AND ZERO CENTS (70,644.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY21 FC 181 Gateway City School Year Grant. Grant Period 03/09/21-06/30/21

**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.**

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

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

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

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

**Laid over Financials from April 13, 2021:**

Appropriate the sum of TWO HUNDRED THOUSAND DOLLARS AND ZERO CENTS (200,000.00)

From the Account of <u>FREE CASH</u>	\$200,000.00
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To the Account of <u>44065-8405</u> DPW-Roadway Const Exp	\$200,000.00
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Earmarked for Lower Washington Street Massworks Project

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

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

**10 YES 0 NO (Councilor Lozzi absent)**

Appropriate the sum of ONE HUNDRED TWENTY FOUR THOUSAND DOLLARS AND ZERO CENTS (124,000.00)

From the Account of <u>FREE CASH</u>	\$124,000.00
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To the Account of <u>22105-8709</u> LPD-Exp Vehicles	\$124,000.00
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To fund purchase of police vehicles.

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

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

**10 YES 0 NO (Councilor Lozzi absent)**

Transfer the sum of SEVENTY FIVE THOUSAND DOLLARS AND ZERO CENTS (75,000.00)

From the Account of <u>98035-7800</u> Reserve	\$75,000.00
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To the Account of <u>17104-1000</u> Planning Dept-PR	\$75,000.00
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To fund Arts and Cultural Planner.

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

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

**10 YES 0 NO (Councilor Lozzi absent)**

Transfer the sum of SEVENTY THOUSAND DOLLARS AND ZERO CENTS (70,000.00)

From the Account of <u>98035-7800</u> Reserve	\$70,000.00
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To the Account of <u>11925-7600</u> Awards and Judgements-Exp	\$70,000.00
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To fund awards and judgements settlement pending per Law Department.

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

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

Transfer the sum of SIXTY THOUSAND DOLLARS AND ZERO CENTS (\$60,000.00)  
From the Account of 22104-1000 LPD-PR 60,000.00  
To the Account of 22105-1904 LPD -Tuition Exp 50,000.00  
To the Account of 22105-3003 LPD -Legal Serv 10,000.00

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

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

Transfer the sum of THIRTY THOUSAND DOLLARS AND ZERO CENTS  
(\$30,000.00)

From the Account of 22104-1000 LPD-PR 30,000.00  
To the Account of 71012210-3103 LPD -Stat Dr. Serv 15,000.00  
To the Account of 71012210-3104 LPD -Stat Hosp 15,000.00

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

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

Transfer the sum of SIX THOUSAND DOLLARS AND ZERO CENTS (6,000.00)  
From the Account of 98035-7800 Reserve \$6,000.00  
To the Account of 22105-8504 LPD-Exp Replacement Equip \$6,000.00  
To fund Tele-forum regarding Body Camera round table discussion.

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

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

Transfer the sum of TWENTY THOUSAND DOLLARS AND ZERO CENTS  
(\$20,000.00)

From the Account of 65325-3890 Council of Aged-Exp 20,000.00  
To the Account of 65324-1000 Council of Aged-PR 20,000.00  
To fund COA Executive Director Salary for the remainder of FY21.

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

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

Certify as an "Available Fund" the amount of THREE HUNDRED TWENTY THOUSAND DOLLARS AND ZERO CENTS (320,000.00) as allotted to the City of Lynn Community Development Department by the Massachusetts Development Finance Agency (Mass Development) for the Cultural Facilities Fund, Capital Grant Agreement for repairs to the Memorial Auditorium.



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

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

**10 YES 0 NO (Councilor Lozzi absent)**

Certify as an "Available Fund" an amount of TWENTY ONE THOUSAND FOUR HUNDRED DOLLARS AND ZERO CENTS (\$21,400.00) as allotted to the City of Lynn Health Division by the Share Our Strength Foundation for the No Kid Hungry Grant Initiative. Grant Period is 03/18/21 to 03/17/22 Further authorized that His Honor the Mayor is hereby authorized to sign and execute all documents required to effectuate this Healthy babies Grant.

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

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

**10 YES 0 NO (Councilor Lozzi absent)**

Certify as an "Available Fund" the amount of THIRTY NINE THOUSAND SIX HUNDRED DOLLARS AND ZERO CENTS (\$39,600.00) as allotted to the City of Lynn Fire Department by the Massachusetts Emergency Management Agency (CDA) FFY20 Emergency Management Performance Grant which requires the City to match dollar for dollar.

Grant Period is 03/02/21 to 6/30/21

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

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

**10 YES 0 NO (Councilor Lozzi absent)**

Certify as an "Available Fund" the amount of SEVEN THOUSAND FIVE HUNDRED DOLLARS AND ZERO CENTS (7,500.00) as allotted to the City of Lynn by the Mass Cultural Council (ART) for the Downtown Lynn Cultural District.

Further ordered that His Honor the Mayor is hereby authorized to execute all documents necessary to enter into and to effectuate this MCC Grant. Grant Dates 04/13/21-06/30/21

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

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

**10 YES 0 NO (Councilor Lozzi absent)**

Certify as an "Available Fund" the amount of SEVEN THOUSAND NINE HUNDRED FORTY DOLLARS AND ZERO CENTS (7,940.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY21 FC 507 GLEAM Grant. Grant Period 03/05/21-06/30/21

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

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

**10 YES 0 NO (Councilor Lozzi absent)**

Certify as an "Available Fund" the amount of ONE HUNDRED FIFTY NINE THOUSAND SIX HUNDRED FIFTY EIGHT DOLLARS AND ZERO CENTS (159,658.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY21 FC 186 Title IIIA Grant. Grant Period 03/16/21-06/30/21

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

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

**10 YES 0 NO (Councilor Lozzi absent)**

Ordered that Dr. Patrick A Tutwiler, PhD. is hereby authorized to execute a Memorandum of Understanding – Every Student Succeeds Act Transportation Claiming Under Title IV-E of the Social Security Act and all other associated required documentation for purposes to obtain reimbursement for transportation costs for children eligible under Title IV-E foster care to and from their foster placement and their school of origin.

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

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

**10 YES 0 NO (Councilor Lozzi absent)**

ORDERED that His honor the Mayor is hereby authorized to execute a five year contract and all other necessary documents with SAFEbuilt, LLC (the successful bidder) to undertake inspections of residential units within the City of Lynn as required by an Ordinance Requiring All Rental Units in the City of Lynn to be Inspected to Ensure Compliance with the State Building and Sanitary Codes at a Minimum of Every Five Years.

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

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

**10 YES 0 NO (Councilor Lozzi absent)**

**NEW BUSINESS:**

ORDERED that His Honor the Mayor is hereby authorized to execute an extension to the Memorandum of Understanding between the City of Lynn and the Lynn Housing Authority to authorize the Lynn Housing Authority to administer certain housing and community development programs as a grant sub-recipient on behalf of the City of Lynn for a period of ten years through June 30, 2030.

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

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

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

**Council President Cyr stated that he received a copy of the Housing Plan. He stated that he would like to forward a copy to the various city departments that were not contacted for information for the Plan. He stated that the following Departments would be forwarded a copy of the Housing Plan asking for their input and recommendations. Further, Council President Cyr stated that they will be given 60 days to furnish their report and recommendations:**

**Solicitor's Office**

**Assessor's Office**

**City Clerk**

**EDIC**

**Parking Department**

**ISD**

**DPW**

**Lynn Police Department**

**Lynn Fire Department**

**Lynn Water and Sewer Commission**

**Lynn School Department**

**Planning Department**

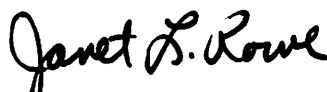
**CFO**

**Office of Economic and Community Development**

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