

CITY OF LYNN

City Council Meeting, January 25, 2022
Council President John M. Walsh, Jr.

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

9 Councilors Present (Councilors Colucci and Lozzi absent).

Moment of Silence

Pledge of Allegiance

Motion made by Councilor Field and seconded by Councilor Hogan to accept the Meeting Minutes of January 3, 2022 and January 11, 2022.

Motion carried.

COMMUNICATIONS:

Dear Councilors,

Pursuant to Section 6-5 of the City of Lynn Charter, I am hereby re-appointing Michele Desmarais the Public Health Director of the City of Lynn retroactively effective September 28, 2019. Ms. Desmarais' supervisor, Inspectional Services Department Chief Michael Donovan, recommended her for reappointment based upon her job performance in a letter dated September 5, 2019. Former Mayor Thomas M. McGee was prohibited from reappointing Ms. Desmarais as a result of a conflict of interest ruling which he sought from the City of Lynn Law Department and Massachusetts State Ethics Commission. Furthermore, according to the City's Law Department, there was no provision within the Lynn City Charter to address this situation and to provide for her reappointment until this time.

Ms. Desmarais has continued to serve in her capacity, including as you know, stepping up to lead during the ongoing COVID-19 pandemic.

As such, pursuant to Section 3 - 9 of the Lynn City Charter, I am respectfully requesting that the Council confirm Ms. Desmarais' re-appointment at your January 25, 2022 Meeting. Sincerely, Mayor Jared C. Nicholson

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

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilors Colucci and Lozzi absent).

PRESENTATIONS/ARPA CONSULTANTS, CAPITAL STRATEGIC SOLUTIONS

Re: Plans for community outreach/input over next several months in order to get feedback on how ARPA funds should be used.

After the presentation, Council President Walsh thanked everyone for a great presentation.

HEARINGS:

Hearing on the following Proposed Bond Orders:

Proposed Order: City of Lynn, Massachusetts

\$14,150,991 School Remodeling Bonds

Ordered: That \$14,150,991 is appropriated to pay costs of designing and replacing the roof, windows and doors at the Lynn Vocational Technical Institute and field house located at 80 Neptune Boulevard, Lynn, Massachusetts, including the payment of all costs incidental and related thereto (the "Project"), which Project would materially extend the useful life of the school facility and preserve assets that otherwise are capable of supporting the required educational programs, and for which the City may be eligible for a grant from the Massachusetts School Building Authority (the "MSBA"), and said appropriation shall be expended under the direction of the School Building Committee; that to meet this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said amount under Chapter 44 or Chapter 70B of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that the City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City; and the amount of borrowing authorized pursuant to this loan order shall be reduced by any grant amount received by the City pursuant to the Project Funding Agreement that may be executed between the City and the MSBA for the Project.

Further Ordered: That any premium received by the City 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 Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Further 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 of the City authorized to be borrowed pursuant to this loan order and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

Motion made by Councilor Field and seconded by Councilor Starbard to grant.

***Motion carried by the following yea and any vote:
9 YES 0 NO (Councilors Colucci and Lozzi absent).***

Proposed Order: City of Lynn, Massachusetts

And Acquisition Bonds – State Street Property. \$1,500,000.00

Ordered: That the City is hereby authorized to acquire by eminent domain the property located at 2 State Street and identified as Assessor’s Parcel ID 068-731-027 for municipal purposes and to take any other action incidental and related thereto; that \$1,500,000.00 is appropriated to pay the costs of acquiring the real property interests authorized by this order, including the payment of all costs incidental and related thereto; and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount pursuant to Chapter 44, Section

7(1) of the General Laws, or to any other enabling authority, and to issue bonds or notes of the City therefor.

Further 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 of the City authorized to be borrowed pursuant to this loan order and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

Motion made by Councilor Field and seconded by Councilor Net to Grant.

***Motion carried by the following yea and any vote:
9 YES 0 NO (Councilors Colucci and Lozzi absent).***

Proposed Order: Land Acquisition Bonds - Friend Street Property

Ordered: That the City is hereby authorized to acquire by eminent domain the property located at 37-41 Friend Street and identified as Assessor’s Parcel ID 082-615-031 for municipal purposes and to take any other action incidental and related thereto; that \$3,100,000.00 is appropriated to pay the costs of acquiring the real property interests authorized by this order, including the payment of all costs incidental and related thereto; and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

Further 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 of the City authorized to be borrowed pursuant to this loan order and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

Motion made by Councilor Chakoutis and seconded by Councilor Hogan to Grant.

***Motion carried by the following yea and any vote:
9 YES 0 NO (Councilors Colucci and Lozzi absent).***

DISCUSSION: SENIOR CENTER

Motion made by Councilor Barton and seconded by Councilor Starbard to reject both bids received for the Senior Center RFP.

***Motion carried by the following yea and any vote:
9 YES 0 NO (Councilors Colucci and Lozzi absent).***

PUBLIC HEARINGS TO BE SET DOWN:

Petition of Boston Gas Co/National Grid to install four concrete footings along the north and south sides of the roadway with a structural steel column and brace to protect the natural gas main mounted on the inactive MBTA railroad bridge on Bennett St. Also, National Grid to install updated warning signage with sidewalk and wheelchair ramp identified in the drawings.

(Hogan)

Proposed Amendments to Residency provisions in the City Charter, Home Rule Petitions, and existing Ordinances. Public Hearing to be held on February 8, 2022.

Petition of Joan Caradonna, owner of Fuzzy Friends for permission to operate a Doggy Daycare, Training and Education business at 161 Eastern Ave, 7 days per week ***(Alinsug)***

Petition of Nilson Rigonatti, owner of Mineirao Market for a Sign Permit at 32 Market Street. (Chakoutis)

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

***Motion carried by the following yea and any vote:
9 YES 0 NO (Councilors Colucci and Lozzi absent).***

COMMITTEES REPORTS:

Report of the January 25, 2022 Committee on Utilities recommending the following to be accepted:

PUBLIC HEARINGS / NATIONAL GRID:

870 Western Ave: Replace underground conduit from Albion St to Western Ave and install new cable to provide service to new apartment building at 870 Western Ave. – **Granted with standard stipulations on file.**

Buffum/Blake St: Install PVC conduit from an existing manhole on Buffum St to 69 Baldwin St and install a UG switch gear MH partially on public property below the sidewalk. – **Tabled**

**OTHER BUSINESS
REPORT ACCEPTED.**

Report of the January 25, 2022 Committee on Licensing recommending the following to be accepted:

TAXI OPERATOR – NEW

Encarnacion Albert., 135 Ocean St. (Tabled 12/14/21) - **Granted**

Escarraman Dominguez, Jesus., 49 Brimblecom St. (Tabled 12/14/21) - **DENIED**

Uzarek, Sigmund., 8 Wilfred St. (Tabled 12/14/21) - **Granted**

LIVERY COMPANY-NEW

Skye Transportation LLC 89 Sheridan St. (Owner Diana Berrido) (Tabled 12/14/21) - **Granted**

Yes and Yes Services LLC 63 River St. (Owner Gordon Sekegor) - **Granted**

LIVERY OPERATOR-NEW

Berrido, Diana., 89 Sheridan St., Lynn, MA (Tabled 12/14/21) - **Granted**

Gordon, Sekegor., 63 River St., Lynn, MA- **Granted**

AUTO REPAIR/FLAMMABLE – NEW

905 Western Ave., Master Auto Repair Inc. – **Granted with stipulations: Monday-Friday, 9-6pm; Saturday 8:30 – 2:00 p.m; Sunday Closed. No stacking of vehicles, no repair and/or parking on street; and general stipulations on file.**

SECOND-HAND ARTICLE LICENSE, NEW

31 Stetson Street, The Loft (East Coast International Church) - **Granted**

SECOND-HAND ARTICLE LICENSE, RENEWAL

51 Central Square, Prendas Inc. d/b/a Omar & Oscar Jewelry- **Granted**

221 Ocean Street, Johanna Manuel- **Granted**

OLD GOLD & SILVER LICENSE, RENEWAL

51 Central Square, Prendas Inc. d/b/a Omar & Oscar Jewelry- **Granted**

PAWN BROKER'S LICENSE, RENEWAL

51 Central Square, Prendas Inc. d/b/a Omar & Oscar Jewelry - **Granted**

OTHER BUSINESS

REPORT ACCEPTED.

Report of the January 25, 2022 Committee on Public Property and Parks recommending the following to be accepted:

Request from the North Shore Juneteenth Association to use the Foyer at City Hall for the Black Excellence Display for the month of February (Black History Month).

Motion made by Councilor Starbard and seconded by Councilor Field to Grant.

Motion carried by the following yea and nay vote:

**9 YES 0 NO (Councilors Colucci and Lozzi absent).
REPORT ACCEPTED.**

Report of the January 25, 2022 Committee on Ways and Means recommending the following to be accepted:

Certify as an "Available Fund" the amount of ELEVEN THOUSAND TWO HUNDRED FIFTY DOLLARS AND ZERO CENTS (\$11,250.00) as allotted to the City of Lynn Public Library by the Emergency Connectivity Fund Administration for the purchase of DELL Computers to be used at home for Library patrons. Grant Period is 07/10/21-06/30/22

Motion made by Councilor Net and seconded by Councilor Net and seconded by Councilor Barton to grant.

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

Pursuant to votes of the Lynn City Council dated July 13, 2021 and September 28, 2021 regarding the American Recovery Plan Act, the Lynn City Council hereby authorizes that the City may appropriate the sum of THREE MILLION DOLLARS AND ZERO CENTS (\$3,000,000.00) to the Small Business Assistance Grant Program

Councilor Starbard stated he has no issues with helping businesses, as the first assistance was provided quickly and it was welcomed by the community. Two years later, ARPA is offering free money again, but it is not free. There is no proof of need in the application form at this point. This time around with the variant, it is not an emergency that these businesses receive funds asap. There should be some request of financial documents to support the need. He stated that this grant program has placed a priority to minority female businesses. When we assess tax fees, etc., we don't do that. COVID doesn't attack on race or gender. Councilor Starbard stated that he would like to see added in the financial application proof of financial records, and to remove minority owned and female business as a priority. EDIC Director James Cowdell stated that EDIC passed out millions of dollars for the COVID. This new variant has had a terrific impact on the businesses. The application is the same as we used prior. Mr. Cowdell stated that he disagrees with Councilor Starbard as applicants must sign under the pains and penalty of perjury. Mr. Cowdell stated that 12% of minority businesses received an application. He stated that 40% of white businesses asked for assistance he stated that inequality exist.

Motion made by Councilor Net and seconded by Councilor Barton to grant.

Motion made by Councilor Starbard to amend motion to remove race and gender, and add financial proof.

No one seconded motion.

Motion made by Councilor Net and seconded by Councilor Barton to authorize that the City may appropriate the sum of THREE MILLION DOLLARS AND ZERO CENTS (\$3,000,000.00) to the Small Business Assistance Grant Program

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilor Colucci and Lozzi absent).

Pursuant to votes of the Lynn City Council dated July 13, 2021 and September 28, 2021 regarding the American Recovery Plan Act, the Lynn City Council hereby authorizes that the City may appropriate the sum of ONE HUNDRED AND FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$150,000.00) for additional COVID-19 testing and supplies.

Motion made by Councilor Net and seconded by Councilor Net and seconded by Councilor Barton to grant.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilor Colucci and Lozzi absent).

Laid over from January 11, 2022:

Transfer the sum of ONE MILLION THREE HUNDRED TWO THOUSAND DOLLARS AND ZERO CENTS (\$1,302,000.00)

From the Account of <u>98035-7825</u>	Reserve for Raises	1,302,000.00
To the Account of <u>11124-1000</u>	Council	3,369.00
To the Account of <u>11224-1000</u>	Mayors Office	24,924.00
To the Account of <u>11254-1000</u>	CFO	8,280.00
To the Account of <u>11304-1000</u>	Comptrollers	9,904.00
To the Account of <u>11404-1000</u>	Treasurers	9,050.00
To the Account of <u>11454-1000</u>	Collectors	5,362.00
To the Account of <u>11504-1000</u>	Assessors	13,765.00
To the Account of <u>11604-1000</u>	City Clerk	13,768.00
To the Account of <u>11704-1000</u>	Purchasing	8,682.00
To the Account of <u>11724-1000</u>	IT	11,117.00
To the Account of <u>11904-1000</u>	Personnel	7,262.00
To the Account of <u>11914-1000</u>	Law Dept	13,940.00
To the Account of <u>11934-1000</u>	ISD	34,296.00
To the Account of <u>11934-1000S</u>	ISD-Schools	100,129.00
To the Account of <u>17104-1000</u>	Planning	1,875.00
To the Account of <u>22104-0900</u>	LPD-OT	47,017.00
To the Account of <u>22104-1000</u>	LPD-Salary	423,665.00
To the Account of <u>22104-1000S</u>	LPD-Schools	8,022.00
To the Account of <u>22404-0900</u>	LFD-OT	27,044.00
To the Account of <u>22404-1000</u>	LFD-Salary	395,184.00
To the Account of <u>43904-1000</u>	COD	1,583.00
To the Account of <u>43924-1000</u>	Parking	19,821.00
To the Account of <u>44004-0900</u>	DPW-OT	3,074.00
To the Account of <u>44004-1000</u>	DPW	77,076.00
To the Account of <u>65324-1000</u>	COA	2,000.00
To the Account of <u>65824-1000</u>	Veterans	5,618.00

To the Account of 76104-1000 Library 24,641.00
 To the Account of 76424-1000 GAR 1,532.00
 To fund FY22 CBA rate increase for retro and to finish out FY22 Salary increases related to rate increase.

Motion made by Councilor Net and seconded by Councilor Net and seconded by Councilor Barton to grant.

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

Transfer the sum of THREE HUNDRED FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$350,000.00)

From the Account of 98035-7800 Reserve \$350,000.00
 To the Account of 22404-0900 LFD-OT,PR \$350,000.00

To partially fund FY22 projected shortfall in LFD-OT account.

Motion made by Councilor Net and seconded by Councilor Net and seconded by Councilor Barton to grant.

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

Transfer the sum of TWO HUNDRED TWENTY ONE THOUSAND SEVENTY SIX DOLLARS AND FIVE CENTS (\$221,076.05)

From the Account of 91980-9510 Ins Proceeds \$221,076.05
 To the Account of 11935-8200S ISD-Exp \$221,076.05

Motion made by Councilor Net and seconded by Councilor Net and seconded by Councilor Barton to grant.

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

To partially fund Roof Replacement for Callahan School, Insurance payment made and additional funds to follow.

Appropriate the sum of ONE HUNDRED TWENTY THOUSAND DOLLARS AND ZERO CENTS (120,000.00)

From the Account of FREE CASH \$120,000.00
 To the Account of 11935-3000S Outside Prof Exp \$120,000.00

To Fund Feasibility Study for MSBA Accelerated Repair Project for Shoemaker School Roof Replacement.

Motion made by Councilor Net and seconded by Councilor Net and seconded by Councilor Barton to grant.

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

Motion made by Councilor Barton and seconded by Councilor Chakoutis 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