

## Agenda



June 21, 2011

Roll Call  
Moment of Silence  
Pledge of Allegiance

Accept minutes of May 10, 24 and June 7, 2011.

### **COMMUNICATIONS:**

Her Honor the Mayor – Veto of Order Regarding City Owned Lot on Cedar Street.

Her Honor the Mayor:

*Dear Councilors:*

*I am hereby reappointing the following member to the Economic Development Industrial Board: Dominic Ferarri, 30 Michael Road, Lynn, MA. His appointment will expire June 30, 2014.*

*Sincerely, Judith Flanagan Kennedy, Mayor*

### **PUBLIC HEARINGS:**

FY12 Budge Hearing.

Petition of Omar Fernandez for H & T Tax Multiservice for permission for a LED overhang sign at 140 Union Street. (Colucci)

Petition of Eugene J. Dean of Fiesta Shows, Salisbury MA to operate a Carnival at Keaney Park located at Lynn English High School from June 22 through June 25, 2011 with set up beginning on June 19, 2011. (Ford/Trahant)

Petition of Rory's Corporation, Paul Foglia, for permission to operate a Hot Dog/Sausage Cart on Lynn Commons, Thurs.-Sun, 10:00 a.m. – 9:00 p.m. (Crighton)

### **PUBLIC HEARINGS TO BE SET DOWN:**

Petition of Happy Pups Playhouse, Katherine Reyes, for permission for a Pet Sitting/Doggy Daycare business at 37 Parrott Street. (Trahant)

Petition of Casa Fiesta and Bridal Shop, Inc., Angela Cabrera, for permission for a retail store in a the Light Industrial District, Section 4.4.1 of the Zone Ordinance at 461 Broad Street. (Capano)

Petition of Greek-American Croatian Social Club, for permission for a Non-Profit social, fraternal civic organization, Sec. 5.3.8 of the Zone Ordinance and MGL c. 138, Sec. 12 with the sale of alcoholic beverages to members and guests at 39-41 Buffum Street, Second Floor. (Colucci)

Petition of Holy Family Church "Festa Italiana", Rev. Gregory J. Mercurio, for permission for a Festival-Carnival, July 28-29-30, 2011 at 26 Bessom Street. (Cyr)

Petition of Papa's Italian Foods, Nichole DiModica, for permission for Cookie Manufacturing on premises for retail sale only at 20 Cooper Street. (Capano)

Petition of El Rincon Latino, Celso N. Acosta, for permission for a Food Truck at 29 Bennett Street. (Capano)

Petition of National Grid, Mike Parent, for permission to install beginning at handhold 4-30 in front of 580 Essex Street and continuing approximately 10 feet in a SW direction, installing 10' of 2-2" PVC conduit for new street light. (Crighton)

Petition of NextG Networks Inc., for permission to install and maintain fiber and conduit with all associated connections, wires and cables and also to attach equipment to existing utility and/or streetlight poles in on or the public way for purposes of operating its telecommunication nextwork.

## **UNFINISHED BUSINESS:**

### **From the Council Meeting of May 24, 2010, to be adopted permanently:**

Pursuant to MGL, Chapter 139, Section 1, Ordered that the building located at 226 Western Avenue is hereby adjudged to be a nuisance to the neighborhood or dangerous building and be it further ordered to demolish the building as it is in the best interest, health, safety and welfare of the people of Lynn. (Trahan)

### **Ways and Means Committee Report of May 24.**

Ordered that Her Honor the Mayor be hereby authorized to execute a Memorandum of Understanding with the University of Massachusetts Extension Nutrition Education Program to provide nutrition education to children, youth and families participating in the Supplement Nutrition Assistance Program. (Ford)

Ordered that the City of Lynn hereby establishes a Youth Advisory Board comprised of four high school students who will assist to improve teen outreach and programs sponsored by the Lynn Parks and Recreation Department. Members of the Youth Advisory Board will be appointed by the Director of the Parks and Recreation and shall work in conjunction with North Shore Community College Public Policy Institute. (Phelan)

### **Veteran's Youth and Elderly Committee Report of June 14.**

Ordered that the Lynn City Council accept the provisions of MGL, Chapter 59, Section 5, Paragraph 5 (22E), amended by Section 110 of Chapter 110 the Acts of 1993, allowing the assessors to grant statutory exemptions to disabled veterans who have resided in Massachusetts at least one year.

Ordered that the Lynn City Council accept the provisions of MGL, Chapter 60A, Section 1, Paragraphs 8 and 9, amended by Section 16 of Chapter 182 of the Acts of 2008, allowing the assessors to exempt the motor vehicle excise tax of any active serviceman, reservist, or national guardsman for any calendar year where the individual is deployed overseas for at least 45 days.

Ordered that the Lynn City Council accept the provisions of MGL, Chapter 60A, Section 9, added by Chapter 182, Section 17 of the Acts of 2008, allowing the deferment of payment, as well as the imposition of any penalties and interest, of any excise taxes incurred by a reservist or national guardsman while on active duty

(or incurred by their dependents), until 180 days after the termination of their active duty status.

Ordered that the Lynn City Council accept the provisions of MGL, Chapter 59, Section 5, Clause 56, added by Section 42 of Chapter 188 of the Acts of 2010, allowing the assessors to exempt up to 100% of the real property taxes of any reservist or national guardsman for any fiscal year during which the individual serves on Active duty in a foreign country, subject to eligibility guidelines and criteria to be established by the assessors.

Ordered that the Lynn City Council accept the provisions of MGL, Chapter 59, Section 5, Clause 18A, Paragraph 3, amended by Section 39 of Chapter 188 of the Acts of 2010, allowing the rate of interest for hardship tax deferrals granted under the clause 18A to be reduced by the Council from the statutory 8” amount to any amount down to 0%.

Ordered that the Lynn City Council accept the provisions of MGL, Chapter 59, Section 5L, added by section 12 of Chapter 260 of the Acts of 2006, allowing Massachusetts national guardsman and reservists deployed outside the state, or their dependents, up to 180 days after that service, to pay their property taxes without interest or penalties. At the end of the 180 days, interest is imposed on any remaining balance at the statutory rate unless the returning service member qualifies for the 6% rate under the federal statute.

## **COMMITTEE REPORTS:**

Audit Committee:

Ways & Means Committee:

Ordinance Committee:

Public Safety Committee

License Committee:

Public Property Committee:

Finance Committee:

## **NEW BUSINESS:**

## **TABLED ITEMS**

Recommends that the Lynn City Council be requested to set down a Public Hearing relative to a burnt, dilapidated or dangerous building or other structure located at 33 Central Square and, after hearing, may make record an order adjudging it to be a nuisance to the neighborhood or dangerous and prescribing to its disposition, alteration, or regulation all as authorized by Massachusetts General Laws, Chapter 139, Section 1. **(Crighton) Tabled 1/11/11**

Petition of Market Square Convenience, Sanchita Bellal, for permission for wine and malt beverages licenses at retail food convenience store at 2 Market Square **(Capano) tabled 5/10/11**

Public hearing to allow public input to the City's Annual Action Plan, including the use of the Department of Housing and Urban Development appropriations for the Community Development Block Grant, Emergency Shelter Grant, HOME and Housing Opportunities for Persons with AIDS programs. (Tabled 5/24/11)

### **ORDERS:**

3/22 /11

Ordered that the City Comptroller be and is hereby authorized to make the following Appropriation Transfer:

From the Account of the Reserve	\$21,000.
To the Account of Comptroller Payroll	\$21,000.

5/10/11

Ordered that the City Comptroller be and is hereby authorized to make the following Appropriation Transfer:

From the Account of the Reserve	\$15,300.
To the Account of Comptroller Payroll	\$15,300.

