

CITY OF LYNN

**Regular City Council Meeting, October 25, 2011
Council President Timothy Phelan Presiding**

Ten Councillors Present (Councillor Duffy Absent).

Moment of Silence.

Pledge of Allegiance.

Motion made by Councillor Colucci and seconded by Councillor Cyr to accept the Meeting Minutes of September 27, 2011.

Motion carried.

UNFINISHED BUSINESS:

Finance Meeting of October 11, 2011:

Ordered that the City Comptroller is hereby authorized to make the following transfer:
From the Partners Health Care Community Services:

To the Account of ISD Expense: \$18,537.00

Motion made by Councillor Colucci and seconded by Councillor Trahan to grant.

Motion carried by the following ye and nay vote:

8 YES 0 NO (Councillor Crowley and Councillor Lozzi absent at vote: Councillor Duffy absent).

COMMITTEE REPORTS:

Report of the October 25, 2011 Committee on Ways and Means recommending the following to be accepted:

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 363 Broadway 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.

Motion made by Councillor Cyr and seconded by Councillor Colucci to grant.

Motion carried.

Report of the October 25, 2011 Committee on Minor Licenses recommending the following to be accepted:

TAXI OPERATORS (NEW)

Brady, Chris, 78 Grant St.: re: Incident on Friday 10/14/11-see attached article- **Tabled**

Colby, Earl E., 134 Myrtle St. - **Granted**

Cole, Michael P., 445 Summer St. – **Granted w/30-60-90 Day Review**

DeGracia Polanco, Yenit C., 14 Bloomingdale St. Apt. 523 Chelsea - **DENY**

Vasquez, Miguel, 14 Harrison Ave. Salem - **DENY**

LIVERY OPERATORS (NEW)

Booth, Walter F., 1 Harvard St. Peabody-tabled 9/13/11 - **DENY**

Pojoy, Bertha, 44 Hollingsworth St.-tabled 9/27/11 - **DENY**

TAXI COMPANY -

Union, Taxi, 202 Blossom St. Ext.-tabled 9/13/11, 9/27/11- **Motion made by Councillor Lozzi and seconded by Councillor Cyr to approve with stipulation that they received approval from ISD relative to a variance or approval from the Site Plan Review Committee as stated by the Solicitor and that no further court action be taken until after the November 15, 2011 meeting. Motion made by Councillor Lozzi and seconded by Councillor Cyr to table. Motion carried.**

SIGN LICENSE - RENEW

391 Chatham St., Sugarita's Market- **Granted**

204 Essex St., Continental and Unicom Communications- **Granted**

201-205 No. Common St., Perfect Supermarket- **Granted**

577 Western Ave., Lena's- **Granted**

850 Western Ave., Benjy's- **Granted**

AUTO BODY/AUTO REPAIR/FLAMMABLE – CHANGE OF ADDRESS

1071 Western Ave. - Protech Auto Body & Performance – (Moving to 1117 Western Ave.) - **Granted**

AUTO REPAIR/FLAMMABLE –RENEW

985 Western Ave. – Massachusetts Bay Transportation Authority_- **Granted**

FLAMMABLE LICENSE – RENEW

170 Alley St. – Purity Oil- **Granted**

573 Chestnut St. – Richdale Convenience Store_- **Granted**

56 Sanderson Ave. – Leahy Landscaping- **Granted**

CLASS II – AUTO DEALER, AUTO REPAIR, FLAMMABLE – TRANSFER

100 Ford St. – Performance Auto Brokers- **Tabled**

COIN OPERATED DEVICES – RENEW

105 Federal St. – Hibernian Bldg. Corp. – 1 Class II- **Granted**

858 Western Ave. – Player's Sports Bar - 2 Class II_- **Granted**

CANNING:

Lynn Classical Girls Winter Track (Adults Only) – November 14, 15, 16, 17, 18, 2011 - **Granted**

OTHER BUSINESS:

REPORT ACCEPTED.

Report of the October 25, 2011 Committee on Public Property recommending the following to be accepted:

Request from City Clerk's Office requesting the use of the Lobby for an exercise class one hour a week on Friday afternoons. **(Granted)**

Request from Information Technology Department to Dispose of Equipment. **(Granted).**
OTHER BUSINESS.
REPORT ACCEPTED.

Report of the October 25, 2011 Committee on Finance recommending the following to be accepted:

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

From the Account of Fire Department Expense:
 To the Account of Unpaid Bills of Prior Years: \$ 400.49
(Lays over to November 15, 2011).

From the Account of Treasurers Expense:
 To the Account of Unpaid Bills of Prior Years: \$10,030.68
(Lays over to November 15, 2011).

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

From the Account of FEMA-January Snowstorm:
 To the Account of DPW Snow & Ice Expense: \$305,059.00

Councillor Colucci 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 from the Account of FEMA-January Snowstorm to the Account of the DPW Snow and Ice Expense in the amount of \$305,059.00.

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 (Councillor Duffy absent).

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

10 YES 0 NO (Councillor Duffy absent).

Ordered that the City Comptroller is hereby authorized to take the following action:
Establish a Petty Cash Account in Fund 29 (Revolving Fund) in the amount of Three Hundred Dollars and Zero Cents (\$300.00) in order for the Health Director to administer required tasks under the current Massachusetts Tobacco Control Program (MTCP).

Councillor Colucci 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 Ordering that the City Comptroller is hereby authorized to take the following action: Establish a Petty Cash Account in Fund 29 (Revolving Fund) in the amount of Three Hundred Dollars and Zero Cents (\$300.00) in order for the Health Director to administer required tasks under the current Massachusetts Tobacco Control Program (MTCP).

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 (Councillor Duffy absent).

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

10 YES 0 NO (Councillor Duffy absent).

NEW BUSINESS:

Motion made by Councillor Colucci and seconded by Councillor Capano to set down a public hearing relative to a burnt, dilapidated or dangerous building or other structure located at 87-89 Broad Street 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.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councillor Duffy absent).

Motion made by Councillor Capano and seconded by Councillor Colucci to accept the Provisions of Massachusetts General Laws, Chapter 41, Section 100G1/4 which is: Payment of Funeral and Burial expenses of firefighters and police officers killed in the performance of duties. The section covers reasonable expenses not to exceed \$15,000.00.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councillor Duffy absent).

Motion made by Councillor Colucci and seconded by Councillor Trahan 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