

CITY OF LYNN**Regular City Council Meeting, September 27, 2011
Council President Timothy Phelan Presiding****Eleven Councillors Present**

Moment of Silence. Councillor Lozzi asked that Thomas Angelucci and his family be remembered in their prayers.

Pledge of Allegiance.

Motion made by Councillor Colucci and seconded by Councillor Capano to accept the Meeting Minutes of September 13, 2011.

Motion carried.

Motion made by Councillor Lozzi and seconded by Councillor Trahan to suspend the rules to present Citations to the “2011 Wyoma Girls Softball State Champions”.

Motion carried.

UNFINISHED BUSINESS:**Public Property Meeting of September 13, 2011:**

Ordered to put out to bid for abutters only, with restriction in deed for parking or landscape only, the city owned parcel # 71-256-095 Granite Street.

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

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councillor Duffy voting PRESENT).

COMMITTEE REPORTS:**Report of the September 27, 2011 Committee on Communications recommending the following to be accepted:**

1. Presentation by Myriam Zuber and Derrek Schulman, Regional Director of the Anti Defamation League re: “No Place for Hate Initiative”.
2. General Discussion and Update from the CFO/Treasurer.
3. **OTHER BUSINESS**

REPORT ACCEPTED.

Report of the September 27, 2011 Committee on Ordinance recommending the following to be accepted:

Ordinance Establishing Permit Fees in the Inspectional Services Department, Building Division of the City of Lynn. **(Lays over to October 11, 2011).**

REPORT ACCEPTED.

Report of the September 27, 2011 Committee on Public Property recommending the following to be accepted:

Discussion re: Cahill/Crighton: Use of On-Line Marketing to Auction of Public Property. **(Motion to have the Purchasing Agent provide the Public Property Committee with the total amount of funds received by the City of Lynn through the discarding of all forms of public property for the past year.**

Motion carried.

Discussion re: Liabilities regarding the Rail Trail Lease Agreement with the MBTA. **(Motion made to TABLE to allow more time to discuss the liabilities regarding the Rail Trail Lease Agreement with the MBTA and to request that the Council President set up a Committee to review the proposed lease for a Bike Trail and the impact on the City of Lynn.**

Motion carried.

Discussion re: Bid Public Property Parcel located on Liberty Street, Parcel # 069 – 621 – 001. **(Motion made to put Parcel #069 – 621 – 001 out to Bid).** **Motion carried.**

REPORT ACCEPTED.

Report of the September 27, 2011 Committee on Minor Licenses recommending the following to be accepted:

TAXI OPERATORS (NEW)

Doucette, Robert, 10 Tilton Pl. - **Granted**

Fowler, Thomas, 6 Bulfinch St. – **Granted w/30-60-90**

LIVERY OPERATORS (NEW)

Booth, Walter F., 1 Harvard St. Peabody - **Tabled**

Castro, Cesar, 227 Kings Hill Dr. - **Granted**

Lorenzo-Martinez, Jose M., 303 Broadway, #A4- **Granted**

Ortega, Juan L., 159 Lawton Ave. - **Granted**

Pojoy, Bertha, 44 Hollingsworth St. - **Tabled**

TAXI COMPANY – NEW

Union, Taxi, 202 Blossom St. Ext. – **Tabled 9/13/11 (leave on table)**

DOOR TO DOOR SALES

99 4th Street Suite 203, Danvers, MA, Just Energy - **Granted with stipulations: Will expire in Fall when dark; No Sundays; Not before 10:00 a.m. or after 3:00 p.m. on Saturdays, No entrance into households UNDER any circumstances; and Wear ID.**

SIGN – RENEW

43 Broad St., Jim’s Corner Market- **Granted**

391 Chatham St – Sugarita’s Market - **Granted**

22 Market St., La Mexicana- **Granted**

884 Western Ave., D’Classico Barber Shop- **Granted**

COIN OPERATED DEVICE VENDOR AND ARCADE LICENSE-RENEWAL

Action Jackson Amusements – 83 Broadway, Malden, MA- **Granted**

(Arcade license for 6 machines @ 800 Lynnway) - **Granted**

COIN OPERATED DEVICES – NEW

408 Summer St. – Paradise Restaurant – 1 Class II- **Granted**

COIN OPERATED DEVICES – RENEWAL

160 Franklin St. – Hogans II – 1 Class II, 1 Class III- **Granted**

20-36 Union St. – Rinse Cycle Laundromat – 4 Class III- **Granted**

AUTO BODY/AUTO REPAIR/FLAMMABLE – RENEWAL

220 Chestnut St. – Auto Body Rebuilders, Inc. - **Granted**

154 South St. – Bill & Son Auto Body- **Granted**

AUTO REPAIR/FLAMMABLE – RENEWAL

122 Boston St. – S & H Auto Service- **Granted**

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

76 Oakville St. – Mennino Construction- **Granted**

125 Pleasant St. – Caruso’s Auto Repair- **Granted**

125 Pleasant St. – American Repair & Service- **Granted**

FLAMMABLE LICENSE – NEW

5 Stetson St. – Atlantic Ambulance Service- **Granted**

FLAMMABLE LICENSE – RENEWAL

20 Boston St. – Lynn Ladder & Scaffolding Co. - **Granted**

30 Boston St. – Home Décor Group- **Granted**

45 Boston St. – North Shore Metals dba Automotive Parts- **Granted**

419-423 Boston St. – A.L. Prime Energy- **Granted**

618R Boston St. – Roberto Landscaping- **Granted**

282 Lynnway – U-Haul Co. of Boston- **Granted**

FLAMMABLE LICENSE – RENEWAL (CONTINUED)

525 Lynnway – Spiro’s- **Granted**

Raddin St. Lot 22 – Walsh Oil Co. - **Granted**

149 Walnut St. – Richdale Convenience Store- **Granted**

510 Washington St. – Michael Russo Jr. Plumbing & Heating Co. - **Granted**

969 Western Ave. – A.L. Prime Energy- **Granted**

1069 Western Ave. – Fisher Auto Parts, Inc. - **Granted**

CANNING:

Lynn Classical Boys Soccer (Adults Only) – September 27 and
October 2, 2011- **Granted**

OTHER BUSINESS:

REPORT ACCEPTED.

Report of the September 27, 2011 Committee on Personnel recommending the following to be accepted:

1. Discussion re: Police Department:
Head Clerk to Head Administrative
Data Entry Operator to Senior Stenographer

Motion to approve request of Chief Coppinger to upgrade the position of Head Clerk to Head Administrative and Data Entry Operator to Senior Stenographer.

Motion carried.

REPORT ACCEPTED.

Report of the September 27, 2011 Committee on Finance recommending the following to be accepted:

Appropriate as an “Available Fund” the amount of One Million Four Hundred Forty Two Thousand Two Hundred Eighty Two Dollars (\$1,442,282.00) as awarded to the City of Lynn Fire Department by the US Department of Homeland Security for the FY 2010 Staffing for Adequate Fire and Emergency Response (SAFER) grants.

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 as “Available Fund” the amount of One Million Four Hundred Forty Two Thousand Two Hundred Eighty Two Dollars (\$1,442,282.00) as awarded to the City of Lynn Fire Department by the US Department of Homeland Security for the FY 2010 Staffing for Adequate Fire and Emergency Response (SAFER) grants.

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

Ordered that the City Comptroller be and is hereby authorized to make the following appropriation transfers:

From the Account of Collector's Expense:

To the Account of Unpaid Bills of Prior Year: \$15,098.79

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 Collector's Expense to the Account of Unpaid Bills of Prior Year in the amount of \$15,098.79.

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

From the Account of Reserve Fund:

To the Account of Fire Department Overtime: \$35,000.00

(Lays over to October 11, 2011).

Appropriate as an "Available Fund" the amount of One Hundred Sixty Seven Thousand Two Hundred Eighty Seven Dollars (\$167,287.00) as awarded to the City of Lynn Fire Department by the commonwealth of Massachusetts State 911 Department for enhanced 911 services.

(Lays over to October 11, 2011).

From the Account of Fire Department Expense:

To the Account of Fire Department Unpaid bills of prior year: \$ 60.16

(Lays over to October 11, 2011).

From the Account of Reserve Fund:

To the Account of Law Department Unpaid bills of prior year: \$ 2,126.05

(Lays over to October 11, 2011).

From the Account of Reserve Fund:
 To the Account of Personnel Buyback: \$2,044.00
(Lays over to October 11, 2011).

From Insurances Losses >\$20,000 Fifty Thousand Dollars and zero cents (\$50,000.00) to
 the Account of Inspectional Services Expense.
(Lays over to October 11, 2011).

From the Account of Fire Department Expense:
 To the Account of Unpaid Bills of Prior Year: \$ 30.00
(Lays over to October 11, 2011).

From the Account of Fire Department Expense:
 To the Account of Unpaid Bills of Prior Year: \$ 49.99
(Lays over to October 11, 2011).

From the Account of Elections the sum of Twenty Thousand Dollars (\$20,000.00) to the
 Account of City Clerk expenses.
(Lays over to October 11, 2011).

From the Account of Reserve Fund:
 To the Account of City Clerk Payroll: \$31,072.28
(Lays over to October 11, 2011).
REPORT ACCEPTED.

NEW BUSINESS:

Motion by Capano to remove the following petition from the table:

Motion made by Councillor Capano and seconded by Councillor Trahan to remove from the Table the Petition of NextG Networks, Inc. for conduit and Fiber Location and to attach equipment to existing utility and street light Pole #10 on Church Street to Neptune Boulevard, Blossom Street to Shepard Street.
Motion carried.

Motion made by Councillor Capano and seconded by Councillor Trahant to grant the Prayer of the Petitioner with the stipulation from Councillor Cahill that Next G make the necessary repairs to the equipment located at the corner of Bloomfield and Chatham Streets that was damaged.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Motion made by Councillor Capano and seconded by Councillor Crowley to remove from the Table the Petition of El Monumento Cafeteria, Miguel Angel Minier, for permission for an open cafeteria with 4 tables for eat in and take out from 8:00 a.m. to 11:00 p.m. 7 days a week at 28 Market Square.

Motion carried.

Motion made by Councillor Capano and seconded by Councillor Trahant to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Motion made by Councillor Colucci and seconded by Councillor Trahant 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