

CITY OF LYNN

**Regular City Council Meeting, July 10, 2012
Council President Timothy Phelan Presiding**

Ten Councillors Present (Councillor Cahill absent)

Moment of Silence. Motion made by Councillor Cyr to remember the former City Electrician, John Duffy, son of ex-Councillor Steven Duffy. Councillor Barton asked that Herb Brenner, father of Gary Brenner of the Retirement Board also be remembered.

Pledge of Allegiance.

Council President stated that there was an administrative vote that needed to be taken at the Finance Committee meeting and before the start of the City Council Meeting, the Finance Committee will reconvene to take this vote. Roll Call of the Finance Committee taken: Council President Phelan, Councillor Colucci, Councillor Trahant, Councillor Cyr, and Councillor Ford present. Motion made by Councillor Trahant and seconded by Councillor Colucci to place emergencies on all the financial transfers. Roll Call: Council President Phelan YES, Councillor Colucci, YES; Councillor Trahant, YES; Councillor Cyr, YES; and Councillor Colucci, YES. Motion carried. Motion made by Councillor Colucci and seconded by Councillor Cyr to adjourn. Motion carried.

COMMUNICATIONS:**Communication from Her Honor the Mayor:**

Dear Councilors:

I am hereby reappointing Charles Gaeta as a member to the Lynn Economic Development Industrial Commission. His appointment will expire June 30, 2013.

Sincerely, Judith Flanagan Kennedy, Mayor

Motion made by Councillor Cyr and seconded by Councillor Ford to suspend the rules to reappoint Charles Gaeta as a member to the Lynn Economic Development Industrial Commission, to expire on June 30, 2013.

Motion carried by the following ye and nay vote:

10 YES 0 NO (Councillor Cahill absent).

Communication from Council President Timothy Phelan:

Re: Ordinance Amending the City of Lynn Zone Ordinance to Include FloodPlain Districts

Please consider this letter a formal request for reconsideration of last evening's vote to grant the above-mentioned Ordinance. The attached amendments (highlighted in blue) need to be incorporated in the Ordinance. Thank you in advance for your assistance in this matter. Sincerely, Timothy Phelan, Council President

Discussion: Council President Phelan stated that the day following the vote, the Solicitor's Office sent a communication to the City Council stating that a portion of the proposed ordinance was omitted.

Motion made by Councillor Lozzi and seconded by Councillor Trahan to reconsider.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councillor Cahill)

Motion made by Councillor Lozzi and seconded by Councillor Trahan to grant with amended language.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councillor Cahill absent).

Councillor Lozzi 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 an Amendment to the city's Ordinance Amending the City of Lynn Zone Ordinance to Include Flood Plain Districts: IN THE YEAR TWO THOUSAND AND TWELVE AN ORDINANCE AMENDING THE CITY OF LYNN ZONE ORDINANCE TO INCLUDE FLOODPLAIN DISTRICTS

WHEREAS, the City of Lynn seeks to ensure public safety through reducing the threats to life and personal injury;

WHEREAS, the City of Lynn seeks to eliminate new hazards to emergency response officials;

WHEREAS, the City of Lynn seeks to prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding;

WHEREAS, the City of Lynn seeks to avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding;

WHEREAS, the City of Lynn seeks to eliminate costs associated with the response and cleanup of flooding conditions;

WHEREAS, the City of Lynn seeks to reduce damage to public and private property resulting from flooding waters.

SECTION 1:00 -- Floodplain/Watershed Protection Provisions.

A. There is hereby established a Floodplain/Watershed Protection District, the purpose of which is to:

- (1) assure the continuation of the natural flow patterns of watercourses within the city;

- (2) provide adequate and safe floodwater storage capacity in order to protect persons and property against increase in the hazards of flood inundation;
- (3) protect and preserve the water table and groundwater recharge areas within the city; and
- (4) allow the city to maintain compliance with the National Flood Insurance Act of 1968 and the Flood Disaster Protection Act of 1973, and the regulations promulgated pursuant thereto.

B. The Floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:

- (1) Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR).
- (2) Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
- (3) Inland Wetland Restriction, DEP (currently 310 CMR 13.00);
- (4) Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP currently 310 CMR 15, Title 5);
- (5) Coastal Wetlands Restriction, DEP (currently 310 CMR 12.00);

C. Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

D. The Flood Plain District includes all special flood hazard areas within the City of Lynn designated as Zones A, AE, AO and, VE on the Essex County Flood Insurance Rate Map (FIRM), on file with the Department of Inspectional Services. The FIRM maps have an effective date of July 3, 2012 and the following map numbers apply to the City of Lynn Panel Nos: 0528F, 0394F, 0413F, 0414F, 0507F, 0526F, 0527F, 0529F, 0531F, 0533F and Flood Insurance Study Numbers 25009CV001A, 25009CV002A, 25009CV003A, and 25009CV004A.

E. The provisions of this section shall take precedence over any conflicting city ordinance. Any uses in the Floodplain/Watershed Protection District, whether permitted by right or by special permit or variance, shall be subject to the following:

- (1) Except as provided in subsections (b)(2) and (e) of this section, no building or other structure shall be erected, constructed, altered, enlarged or otherwise created for any residence or other purpose; no dumping of trash, rubbish, garbage or junk or other waste materials shall be permitted; no filling, dumping, excavation, removal or transfer of gravel, sand, loam or other materials which will restrict floodwater flow or reduce floodwater storage capacity shall be permitted.

- (2) Subsection (e)(1) notwithstanding, after a public hearing the conservation commission may issue an order of conditions for the following uses in the Floodplain/Watershed Protection District.
- a) Any building or structure for which compensatory storage is provided and for which certification is submitted by a registered professional engineer demonstrating that such building or structure shall not result in any increase in flood levels during the 100-year flood. Compensatory storage shall mean a volume not previously used for flood storage, and shall be incrementally equal to the theoretical volume of flood water at each elevation which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or wetland being affected by the proposed project. Further, with respect to waterways, such compensatory volume shall be provided within the same reach of the waterway.
 - b) Construction, operation, and maintenance of dams and other water-control devices including temporary alteration of the water level for emergency purposes.
 - c) Bridges and like structures permitting passage between lands of the same owner, except that such bridges and structures shall be constructed, maintained, and used at the expense and risk of such owner, and shall be designed and constructed so as to minimize the effect of such structures on water storage and water flow.
 - d) Parking lots, driveways, and walkways ancillary to permitted or existing uses within the district.
 - e) Recreation, including golf courses, municipal, county or state parks (but not an amusement park), boating, fishing, and any other noncommercial open-air recreation uses and structures ancillary to these uses.
 - f) Ancillary structures for farms, stock farms, truck gardens, nurseries, orchards, and tree farms.

(3) No order of conditions shall be issued under paragraphs (2)(b)-(2)(f) of this subsection unless it is demonstrated to the satisfaction of the conservation commission that the cumulative effect of the proposed project, when combined with all other existing and anticipated development, will not increase the water surface elevation of the 100-year flood at any point within the city.

F. The construction, reconstruction or enlargement of any building or structure in the Floodplain/Watershed Protection District shall also be subject to the following provisions:

(1) All construction of residential structures shall have the lowest floor (including the

basement) at or above the pertinent flood elevation established within the City of Lynn on the Essex County Flood Insurance Rate Map (FIRM), on file with the Department of Inspectional Services, and all construction of non-residential structures shall have either the lowest floor (including the basement) at or above the pertinent flood elevation of said by the Essex County Flood Insurance Rate Map (FIRM) or along the attendant utility and sanitary facilities shall be floodproofed, i.e. designed so that below the established flood elevation the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

- (2) Where watertight floodproofing of a structure is permitted, a registered professional engineer or architect shall certify that the methods used are adequate to withstand the flood depths, pressures and velocities, impact and uplift forces and other factors associated with the pertinent flood levels.

G. In its discretion, the conservation commission may accept a single notice of intent, conduct a single hearing, and issue a single order of conditions pursuant to its jurisdiction under this section and its jurisdiction under the Wetlands Protection Act, G.L. c. 131, sec. 40; provided, however, that in the event that the provisions of this section are more restrictive than those of the said Wetlands Protection Act and the regulations promulgated pursuant thereto, the provisions of this section shall control.

H. Nothing in this section shall be deemed to prohibit the reconstruction (but not enlargement) of any building or structure destroyed by fire or natural disaster; provided, however, that such a reconstruction shall be pursuant to an order of conditions issued by the conservation commission.

I. The boundaries of the Floodplain/Watershed Protection District are intended to correspond with the maximum lateral extent of floodwater which will result from the one-percent chance flood (100-year flood). The district includes all special flood hazard areas within the City of Lynn designated as Zone A and AE on the by the Essex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM. Said boundaries have been determined by reference to data prepared for the city pursuant to the National Flood Insurance Program, as currently administered by the Federal Emergency Management Agency. Said boundaries, so determined, shall be presumed accurate. This presumption may be overcome only by credible evidence from a registered professional engineer or other professional competent in such matters.

J. Within Zones AO as depicted on the FIRM, adequate drainage paths must be provided around structures and slopes, to guide floodwaters around and away from proposed structures.

K. In Zones AE, along watercourses within the City of Lynn that have regulatory floodway designed on the Essex County FIRM, encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

L. All subdivision proposals must be designed to assure that: (a) such proposals minimize flood damage; (b) all public utilities and facilities are located and constructed to minimize and eliminate flood damage; and (c) adequate drainage is provided to reduce exposure to flood hazards.

M. Existing contour intervals of site and elevations of existing structures must be included on plan proposal.

N. The Director of the Inspectional Services Department shall establish "routing procedure" which will circulate or transmit one copy of the development plan to the Conservation Commission, Planning Board, Board of Health, Zoning Board of Appeals and the Building Commissioner for comments which will be considered by the appropriate board prior to issuing applicable permits.

O. In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

P. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.

Q. Man-made alteration of sand dunes within Zones VE which would increase potential flood damage are prohibited.

R. All new construction within Zone VE must be located landward of the reach of mean high tide.

S. In a riverine situation, the Building Commissioner shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104
- NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

SECTION 2:00 INCONSISTENT ORDINANCES

All Ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3:00. TIME OF TAKING EFFECT

This Ordinance shall take effect Thirty-One (31) days after its final approval as adopted and advertised.

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 Cahill absent).

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

10 YES 0 NO (Councillor Cahill absent).

PUBLIC HEARINGS:

Petition of Lynn Donut's Inc., (Dunkin' Donuts), John Mello, for permission for a sign permit at 333 Lynnway.

The following appeared in Favor:

John Mello, Owner

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councillor Cyr and seconded by Councillor Barton to TABLE.

Motion carried.

Motion made by Councillor Capano and seconded by Councillor Cyr to remove from the Table.

Motion carried.

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

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councillor Cahill absent).

Petition of Lynn Cricket Realty Holdings, LLC, Victor Grillo, for permission to allow apartment house use of both Parcels at 74-118 Brookline Street, Parcel 094-535-87 and 095-535-011 in a Light Industrial Zoned District.

Motion made by Councillor Cyr and seconded by Councillor Barton to accept the Letter of Withdrawal Without Prejudice.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councillor Cahill absent).

Petition of Holy Family Church "Festa Italiana", Rev. Gregory J. Mercurio, for permission for a Festival-Annual Carnival at 26 Bessom Street

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

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

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councillor Cahill absent).

PUBLIC HEARINGS TO BE SET DOWN:

-Petition of Community Minority Cultural Center, Steven Godfrey, for permission for a Carnival on Lynn Commons August 30-September 1, 1 p.m. to 8 p.m. and September 2, 1 p.m. to 6 p.m.

-Petition of Comcast, Timothy Broderick, for permission to intercept existing conduit in street in front of 35 Lynnway and place manhole/vault, place (1) 3" pvc conduit from manhole/vault, 40'+/- in a northeasterly direction to property of 35 Lynnway.

Motion made by Councillor Colucci and seconded by Councillor Capano to set down for Public Hearings.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councillor Cahill absent; Councillor Lozzi absent at vote).

COMMITTEE REPORTS:

Report of the July 10, 2012 Committee on Ways and Means recommending the following to be accepted:

Ordered that the City Clerk be directed to cause notice to be advertised that meetings of the qualified voters of the City of Lynn will be held in the several polling places heretofore designated: Warrant for STATE PRIMARY ELECTION on Thursday, the Sixth Day of September, 2012.

GREETING:

In the name of the Commonwealth you are hereby required to notify and warn the inhabitants of the City of Lynn who are qualified to vote in the STATE PRIMARY, to vote at:

- 1-1 Shoemaker School – 26 Regina Road
- 1-2 Briarcliff Lodge – 112 Kernwood Drive
- 1-3 Sisson School – 56 Conomo Avenue
- 1-4 Sisson School – 56 Conomo Avenue
- 2-1 St. Pius Lower Church Hall – 215 Maple Street
- 2-2 St. Pius Lower Church Hall – 215 Maple Street
- 2-3 St. Pius Lower Church Hall – 215 Maple Street
- 2-4 St. Pius Lower Church Hall – 215 Maple Street
- 3-1 English High School – 50 Goodridge Street
- 3-2 English High School – 50 Goodridge Street
- 3-3 English High School – 50 Goodridge Street
- 3-4 English High School – 50 Goodridge Street
- 4-1 North Shore Community College – 300 Broad Street
- 4-2 North Shore Community College – 300 Broad Street
- 4-3 North Shore Community College – 300 Broad Street
- 4-4 North Shore Community College – 300 Broad Street
- 5-1 Lynn Vocational Technical Institute Annex – 90 Commercial Street
- 5-2 Lynn Vocational Technical Institute Annex – 90 Commercial Street

- 5-3 Lynn Vocational Technical Institute Annex – 90 Commercial Street
- 5-4 Community Hall – 10 Church Street
- 6-1 Lynn Tech Fieldhouse – 80 Neptune Boulevard
- 6-2 Lynn Tech Fieldhouse – 80 Neptune Boulevard
- 6-3 Lynn Tech Fieldhouse – 80 Neptune Boulevard
- 6-4 Lynn Tech Fieldhouse – 80 Neptune Boulevard
- 7-1 Breed Jr. High School – 90 O’Callaghan Way
- 7-2 Breed Jr. High School – 90 O’Callaghan Way
- 7-3 Breed Jr. High School – 90 O’Callaghan Way
- 7-4 Breed Jr. High School – 90 O’Callaghan Way

The polls will be opened at 7:00 a.m. and closed at 8:00 p.m. and all citizens will, in the several precincts in which they are entitled to vote, between said hours, give in their votes on one ballot for:

- Councillor for the Sixth District
- Register of Deeds for the Essex Southern District
- Clerk of Courts for Essex County
- Rep. in General Court for 8th District, which covers Ward 3, Precinct 4 and Ward 4, Precinct 4
- Rep. in General Court for 9th District which covers Ward 1, Precincts 1 and 2
- Rep. in General Court for 10th District which covers Ward 1, Precincts 3 and 4, Ward 2 and Ward 3 Precincts 1, 2, and 3, Ward 4, Precincts 1, 2 and Ward 5 Precincts 2 and 3
- Rep. in General Court for the 11th District which covers Ward 4, Precinct 3, Ward 5, Precincts 1 and 4, Ward 6 and Ward 7
- Representative in Congress for the Sixth District
- Senator in General Court for the Third Essex District
- Senator in Congress

Per order of: Lynn City Council, Mary F. Audley, Chairperson, Election Commission
(Lays over to August 14, 2012).

REPORT ACCEPTED.

Report of the July 10, 2012 Committee on Minor Licenses recommending the following to be accepted:

TAXI OPERATORS (NEW)

Abu Khadra, Rami, 164 Essex St. - **Granted**

Alvarez, Abiezer J., 130 Neptune Blvd- **Granted**

Bingham, Joseph T. Sr., 58 Broad St.- 60 day review- **Granted to 90 Day Review**

Cabezas, Henry, 145 Euclid Ave. - **Granted**

Casey, Sheila, 35 Kingswood Lane- **Granted**

Cordova, Raymond, 11 Hutchinson Ct. – **Granted w/30-60-90 Day Review**

Doumbauya, Daouda, 42 Symes St. Roslindale Ma- **Granted**

Erikson, John, 7 Central St. Nahant- **Granted to 60 Day Review**
 Frias, Ysidra, 160 Neptune Blvd- **Granted**
 Garuti, Donna, 34 Nahant St. – **Granted w/30-60-90 Day Review**
 German, Grey L. 291 Summer St- **Granted**
 Guy, Katherine, 31 Jefferson St - **Tabled**
 Leon, William, 49 Beacon Hill Ave- **Granted**
 Martinez Gomez, Yohanny, 8 Carnes St. - **Granted**
 Mencia, Israel, 206 Western Ave.- **DENIED**
 Menard, Steven, 14 Minot St. - **Tabled**
 Pina-Lantigua, Wilson, 14 Bloomingdale St. Chelsea- **Granted w/ 30-60-90 Day Review**
 Puello, Melvin L. 6 Anderson Lane- **Granted w/30 Day Review Only**
 Rodriguez, Jose J. , 102 Walnut Ave. Revere-90 day review - **Tabled**
 Salomon, Pierre J. T. 16 Shepard St. - **Granted**
 Sanon, Samuel, 199 Allen Ave. – **Granted w/30-60-90 Day Review**
 Severino, Karel, 40 Cottage St. tabled 6/5/12- **Granted**
 Singh, Bahadar, 47 Highland Ave. - **Granted**
 Teah, Reginald, 52 New Park St. - **Granted**

LIVERY OPERATORS (NEW)

Garuti, Donna, 34 Nahant St- **Granted**
 Samianino, Robert B. 20 Neptune Blvd,- 30 day review- **Granted to 60 Day Review**
EXTENDED HOURS-P.H. TO BE SET DOWN FOR AUGUST 14, 2012
 El Colmadon, 64 Franklin St.-24 hours (New) – **Tabled***
 Vista Market, 391 Essex St.-7 AM-2 AM 7 days– **Tabled***
 Lynn House of Roast Beef, 16 Market Sq.-10:00 AM-2:00 AM-7 days– **Tabled***
 George’s Roast Beef, 124 Broad St.-10:30 AM-2:00 AM 7 days– **Tabled***
 A L Prime Energy, 969 Wesetern Ave.-24 hours– **Tabled***
 Subway, 709 Western Ave.-6:00AM-2:00 AM 7 days– **Tabled***
 Dominos Pizza, 707 Western Ave.- 10:00 AM-2:00 AM 7 days– **Tabled***
 Hess Corp #21510, 120-122 Liberty St.-24 hours– **Tabled***
 Wendys, 116 Boston St.-see application– **Tabled***
 Dunkin Donuts, 364 Lynnway-24 hours– **Tabled***
 McDonalds 60 Boston St.-Dining Room-5AM-10PM Drive Thru 24 hours– **Tabled***

***All Extended Hours’ applications tabled until Committee receives recommendations from the Police Chief.**

PUBLIC HEARING EXTENDED HOURS

317 Chestnut St. La Casa Del Chimi -Mon-thurs 11 AM-11 PM SUN 11 AM-2AM–
Tabled
 7-11 Essex St 24 Hours (Renewal) – **Granted with the stipulation the attorney speaks to Councillor Lozzi regarding landscaping issues.**
 7-11 50 Western Ave – 24 Hours (Renewal) – **Granted with the stipulation the attorney speaks to Councillor Lozzi regarding landscaping issues.**
 7-11 3 Lynnfield St – 24 Hours (Renewal) – **Granted with the stipulation the attorney speaks to Councillor Lozzi regarding landscaping issues.**

DOOR TO DOOR SALES –NEW

24 Norwood Rd., Vivint Solar - **Denied**

1253 New Market Ave., Suite F South Plainfield, NJ, 1st Light Energy (tabled on June 5, 2012) - **Denied**

OLD GOLD SILVER-NEW

431 Lynnway, Empire Loan of Lynn– **Tabled until Committee receives recommendations from the Police Chief.**

224 Union St., Golden Treasures – **Tabled until Committee receives recommendations from the Police Chief.**

PAWN BROKER-NEW

431 Lynnway, Empire Loan of Lynn– **Tabled until Committee receives recommendations from the Police Chief.**

SEC OND HAND ARTICLE – NEW

627 Boston St., Merrybots - **Granted**

431 Lynnway, Empire Loan of Lynn– **Tabled until Committee receives recommendations from the Police Chief.**

239 Maple St, Talula Resale & Consignment - **Tabled**

224 Union St., Golden Treasures - **Tabled**

SIGN LICENSE- RENEWAL

96 Adams St., Highland Variety - **Granted**

18B Alley St., Carribean Auto Repair- **Granted**

22 Bennett St., Perrotti Welding- **Granted**

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

55 Boston St., Over Easy- **Granted**

65 Boston St., Ernie's Harvest Time- **Granted**

361 Boston St., Lynn Neighborhood Mart- **Granted**

369 Boston St., Lucky Seven Market- **Granted**

511 Boston St., Tony's Shop- **Granted**

524 Boston St., Loomos Brothers, Inc. - **Granted**

541 Boston St., Flowers By Lorraine- **Granted**

617 Boston St., Tony's Lena's- **Granted**

620 Boston St., D'Class Beauty Salon- **Granted**

624 Boston St., Family Corner Grocery- **Granted**

126 Broad St., D & M Mart- **Granted**

174 Broad St., Olympic Auto Body & Sales, LLC- **Granted**

237 Broadway, Wyoma Dairy Twirl- **Granted**

319 Broadway, Century 21 Hughes- **Granted**

336 Broadway, Newhall's Liquor- **Granted**

338 Broadway, Rolly's Tavern- **Granted**

73 Buffum St., Lucky Strike- **Granted**

101 Central Ave., Century Tire Co., Inc. - **Granted**

102 Central Ave., The Sign Store- **Granted**

116 Central Ave., Taqueira Y Pupuseria Montecristo- **Granted**

1 Central Sq., Dunkin Donuts- **Granted**

326 Chatham St., Automotive Service- **Granted**
441 Chatham St., Chatham Food Mart- **Granted**
170 Chestnut St., Daniel P. McIntire Elec. Contr. - **Granted**
156 Chestnut St., E.T. Communications- **Granted**
348 Chestnut St., Chestnut St Liquors- **Granted**
518 Chestnut St., Mr. Specs Optician- **Granted**
520 Chestnut St., Sam's Barbershop- **Granted**
97-99 Commercial St. D & M Variety- **Granted**
16 Cottage St., Lolly's Bakery- **Granted**
136 Cottage St., West Lynn Service, Inc- **Granted**
141-143 Eastern Ave., Monte's Inc- **Granted**
495 Eastern Ave., Tangles Hair Salon, Inc. - **Granted**
495 Eastern Ave., Nails By Tina- **Granted**
500 Eastern Ave., D'Amici's Bakery, Inc. - **Granted**
50 Essex St., Beijing Chinese Food- **Granted**
59-59b Essex St., Osborne Pharmacy- **Granted**
61A Essex St, Pizza Lovers - **Tabled**
105 Essex St., TC Nail Salon, Inc- **Granted**
121 Essex St., Welch Florist- **Granted**
135 Essex St., Neves Karate- **Granted**
161 Essex St., Alnour Market- **Granted**
188 Essex St., Charlie's Seafood- **Granted**
200 Essex St., Lincoln Market- **Granted**
215 Essex St., A tu Estilo Iris Beauty- **Granted**
306 Essex St., Barretts Pet Food- **Granted**
395 Essex St., Centro Liquors- **Granted**
602 Essex St., Tropical Enterprise, Inc- **Granted**
65 Exchange St., Junction Deli- **Granted**
143 Franklin St., New England Laundromat- **Granted**
196 Franklin St., T.N. d/b/a Tony's Pub- **Granted**
15 Lewis St., Giovanni's House Of Pizza- **Granted**
17 Lewis St., Show of Hands Nails- **Granted**
89 Lewis St., Bayview Realty Corp. International Realty Corp- **Granted**
161 Lewis St., Harriet's Beauty Salon- **Granted**
163 Lewis St., Shoreline Grill- **Granted**
175 Lewis St., Liberty Tax Service- **Granted**
183 Lewis St., Casa Molina- **Granted**
207 Lewis St., Beachside Roastbeef- **Granted**
64 Lynnfield St., Nickey's Pizza- **Granted**
125 Lynnfield St., Haywards Rest- **Granted**
177 Lynnfield St., Knights of Columbus- **Granted**
263 Lynnfield St., Lynnfield St Market- **Granted**
33 Lynnway, Johnny's Market- **Granted**
451 Lynnway, Lancelot Janitorial- **Granted**

500 Lynnway, Ital Marble Co. - **Granted**
522 Lynnway, Kelly Honda- **Granted**
525 Lynnway, Spiros- **Granted**
540 Lynnway, Kelly Honda- **Granted**
83 Marion St., Giovanni's House of Pizza- **Granted**
23 Market Sq., Del Pueblo Market- **Granted**
8 Market St., China Lion Rest. - **Granted**
16 Market St., Taqueria Mexico Lindo- **Granted**
18 Market St., California Nails- **Granted**
30 Market St., North Shore Vacuum- **Granted**
42 Market St., Center Donuts- **Granted**
98 Market St., USA Super 99 Cents- **Granted**
144 Market St., Super King Wok, Inc. - **Granted**
95 Munroe St., Beden Hardware- **Granted**
38 Oakville St., P & B Welding Fabricaton- **Granted**
52 Oakville St., Meninno Construction Co. - **Granted**
76 Oakville St., Meninno Construction, Co. - **Granted**
125 Oxford St., Something Irresistible - **Granted**
129 Oxford St., Casa Antigua Rest. - **Granted**
191 Oxford St., "The Blue Ox- **Granted**
358 Summer St., Commercial St. Auto LLC- **Granted**
727 Summer St., Stop & Go Market- **Granted**
3a Union St., Santa Beauty Salon- **Granted**
53 Union St., Enjoy Liquor & Food Market- **Granted**
100 Union St., Inner Convenience Store- **Granted**
170 Union St., Charlie Chan's- **Granted**
276-280 Union St., Willow Pharmacy- **Granted**
335 Union St., Vecina Beauty Salon- **Granted**
546 Walnut St., T Stop Superette- **Granted**
110 Washington St., Showcase Laundromat- **Granted**
207 Washington St., V N Market, Inc- **Granted**
209 Washington St., Family Market- **Granted**
340 Washington St., Khodiyar Corp. - **Granted**
350 Washington St., Rincon Macorisano- **Granted**
465 Washington St., Pankio Adjusters- **Granted**
108 Western Ave., Western Ave. Market, Inc. - **Granted**
111 Western Ave., John's Roastbeef & Seafood- **Granted**
471 Western Ave., Friendly Insurance- **Granted**
518 Western Ave., Hines Liquor- **Granted**
524 Western Ave., Duran Market- **Granted**
569 Western Ave, West Lynn Seventh Day Adventist- **Granted**
596 Western Ave., Lily Beauty Salon- **Granted**
674 Western Ave., House of Andrea- **Granted**
707 Western Ave., Domino's Pizza- **Granted**

734 Western Ave., Star Wireless, LLC- **Granted**
 742 Western Ave., Celley's Pub & Grub- **Granted**
 813 Western Ave., D x T Conv - **Granted**
 883 Western Ave., Supreme Subs- **Granted**
 885 Western Ave., Bass Insurance- **Granted**
 889 Western Ave., Super Seven Subs & Pizza- **Granted**
 898 Western Ave., Dea's Diner - **Granted**

AUTO REPAIR/FLAMMABLE/AUTO BODY – NEW

47 Bennett St. – Auto Works Collision Center - **Tabled**

AUTO REPAIR/FLAMMABLE – NEW

371 Summer St. – Concepcion Auto Services- **Granted**

AUTO BODY/AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL

1075R Western Ave. – Guate Auto Body & Repair- **Granted**

AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL

68R Bennett St. – E and J Auto Repair- **Granted**

122 Boston St. – S and H Auto Service (90 day review) - **Granted**

471A Western Ave. – Luxury Auto Services- **Granted**

CLASS II AUTO DEALER/AUTO REPAIR/FLAMMABLE – TRANSFER

100 Central Ave. – Action Auto Sales - **Granted**

119 Essex St. – A & S Auto Repair to Jerry's Auto Repair- **Granted with stipulations that (1) No vehicles stored on Essex Street, Jackson Street or on premises of 9 Jackson Street. Owners' vehicle and tow truck can be parked on 9 Jackson Street; (2) No trucks on street at all, particularly nights; (3) No junk cars or cars for parts to be left outside building; (4) no tires outside building; (5) Trash to be picked up and if necessary, obtain a dumpster; (6) Hours are Monday to Friday 8am to 6pm, Saturday 8am to 5pm, CLOSED SUNDAY and nobody on premises; (7) Must be maintained in a clean condition; and (8) There will be no second chance on this license. If violations, license will be revoked effective immediately.**

CLASS II AUTO DEALER/AUTO REPAIR/FLAMMABLE (6 MONTH REVIEW FOR TAXES)

613 Lynnway – Lynnway Grand Prix Inc. DBA Lynnway Cycles- **(F.Y.I. – Taxes paid) - Granted**

FLAMMABLE LICENSE – RENEWAL

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

500 Lynnfield St.- NSMC Union Hospital- **Granted**

95 Munroe St. – Beden Hardware- **Granted**

COIN OPERATED DEVICES VENDOR – RENEWAL

Action Jackson Amusements, Inc. – 87 Broadway Rte. 99, Malden, MA- **Granted**

A.P. Vending & Amusement Co., Inc. – 244 Newburyport Turnpike, Rowley, MA- **Granted**

C & R Vending Co. – 21 Gates Rd., Middleton, MA- **Granted**

COIN OPERATED DEVICES – RENEWAL

163 Blossom St. – Brickyard – 1 Class II, 1 Class III- **Granted**

829 Boston St. – O'Briens – 3 Class III- **Granted**
 265 Broadway – Four Winds – 1 Class III- **Granted**
 338 Broadway – Rolly's – 2 Class III- **Granted**
 47 Central Ave. – 47 Central – 1 Class II, 1 Class III- **Granted**
 119 Fayette St. – Spin City – 1 Class III- **Granted**
 68 Lynnway – Volunteer Yacht Club – 1 Class III- **Granted**
 800 Lynnway – Lynnway Mart – 4 Class III- **Granted**
 37 Market St. – Brandy Barrell – 1 Class III- **Granted**
 70 Market St. – Tatiana's Restaurant & Lounge – 1 Class II- **Granted**
 16 Market Sq. – Lynn House of Roast Beef – 2 Class III- **Granted**
 17 Market Sq. – People's Choice – 2 Class III- **Granted**
 595 Summer St. – 595 Lounge – 1 Class II- **Granted**
 612 Summer St. – White Eagle – 1 Class III- **Granted**
 32 Union St. – Rinse Cycle Coin Op – 4 Class III- **Granted**
 130 Union St. – Brava Night Club – 2 Class II- **Granted**
 170 Union St. – Charlie Chan's – 2 Class III- **Granted**
 714 Washington St. – Sand Bar – 1 Class II, 1 Class III- **Granted**
 776 Washington St. – Fran's Place – 2 Class II, 2 Class III- **Granted**
 535 Western Ave. – Franco Amvets – 2 Class III - **Granted**
REPORT ACCEPTED.

Report of the July 10, 2012 Committee on Public Property recommending the following to be accepted:

Discussion re: Request from St. George Greek Orthodox Church to hang banners throughout the City for the Annual Grecian Festival to be held on August 31, 2012 and September 1, 2, 2012. **(Granted).**

Discussion re: Request from Fall Fest 2012 to hang banners the week of August 27, 2012 to September 24, 2012 for the Annual Fall Fest on the Waterfront. **(Granted).**
REPORT ACCEPTED.

Report of the July 10, 2012 Committee on Finance recommending the following to be accepted:

Ordered that the sum of One Million Four Hundred Eighty Seven Thousand Seven Hundred Twenty Nine Dollars and Zero cents (\$1,487,729.00) be certified as an "Available Fund" as allotted to the City of Lynn by Transportation Bond Bill Chapter 291D of the Acts of 2012.

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 an Order that the sum of One Million Four Hundred Eighty Seven Thousand Seven Hundred Twenty Nine Dollars and Zero cents (\$1,487,729.00) be certified as an "Available Fund" as allotted to the City of Lynn by Transportation Bond Bill Chapter 291D of the Acts of 2012.

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 Cahill absent).

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

10 YES 0 NO (Councillor Cahill absent).

REPORT ACCEPTED.

Motion carried.

Ordered that the sum of One Thousand Three Hundred Forty Two Dollars and Zero Cents (\$1,342.00) be transferred from the Reserve Fund to the Council on Aging.

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 an Order that the sum of One Thousand Three Hundred Forty Two Dollars and Zero Cents (\$1,342.00) be transferred from the Reserve Fund to the Council on Aging.

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 Cahill absent).

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

10 YES 0 NO (Councillor Cahill absent).

REPORT ACCEPTED.

Ordered that the sum of Thirty Thousand Dollars and Zero cents from the Revolving Account/State Election Account to the Election Payroll Account.

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 an Order that the sum of Thirty Thousand Dollars and Zero cents from the Revolving Account/State Election Account to the Election Payroll Account.

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 Cahill absent).

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

10 YES 0 NO (Councillor Cahill absent).

REPORT ACCEPTED.

Ordered that the sum of Twenty Two Thousand Dollars and Zero Cents be certified as an Available Fund as allotted to the City of Lynn by the Commonwealth of Massachusetts Emergency Management Performance Grant to enhance Emergency Management Department of the Lynn Fire Department.

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 an Order that the sum of Twenty Two Thousand Dollars and Zero Cents be certified as an Available Fund as allotted to the City of Lynn by the Commonwealth of Massachusetts Emergency Management Performance Grant to enhance Emergency Management Department of the Lynn Fire Department.

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 Cahill absent).

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

10 YES 0 NO (Councillor Cahill absent).

REPORT ACCEPTED.

NEW BUSINESS:

Motion made by Councillor Cyr and seconded by Councillor Barton to request a representative from National Grid to attend the next City Council Meeting to give an update on projects throughout the city.

Motion carried.

Motion made by Councillor Crighton and seconded by Councillor Barton 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