

CITY OF LYNN

**Regular City Council Meeting, September 25, 2012
Council President Timothy Phelan Presiding**

Eleven Councillors Present

Moment of Silence. Councillor Ford asked that the McManus twins, Dillion McManus who passed away on Saturday and Riley McManus who was in critical condition be remembered in their prayers. These two boys were hit by a car on September 19, 2012.

Pledge of Allegiance.

Council President Phelan and members of the Council congratulated Councillor Crighton on his recent engagement.

COMMUNICATIONS:**Her Honor the Mayor:**

Dear Councilors:

I am hereby appointing the individuals listed below to the Grand Army Museum Trustees: Jane Crompton, James Gangi, Donald Arthur. Their terms are effective immediately and will expire on April 1, 2015.

Sincerely, Judith Flanagan Kennedy, Mayor

Motion made by Councillor Colucci and seconded by Councillor Trahan to suspend the rules to appoint Jane Crompton, James Gangi, and Donald Arthur to the Grand Army Museum Trustees effective immediately and will expire on April 1, 2015.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Communication from Richard Fortucci, Treasurer:

Dear Councilors:

The City of Lynn has foreclosed on the following properties:

203 Boston Street, owner Donald M. Williams

47 Walnut Street, owner Thomas M. O'Donnell

147 Central Avenue, owner Gillian Banks.

Please adjust your records accordingly. Sincerely, Richard J. Fortucci, City Treasurer

Motion made by Councillor Colucci and seconded by Councillor Lozzi to accept for the files.

Motion carried.

UNFINISHED BUSINESS:

Public Works Committee Meeting of September 11, 2012:

Ordered that any time the DPW or any city agency puts in a traffic island on a roadway or a rod divider known by any name, it must contain green space, including some type of evergreen shrubbery.

Motion made by Councillor Lozzi and seconded by Councillor Trahant to grant.

Motion carried by the following ye and nay vote:

11 YES 0 NO

COMMITTEE REPORTS:

Report of the September 25, 2012 Committee on Minor Licenses Recommending the following to be accepted:

TAXI OPERATORS (NEW)

Bruno, Ramon L. 138 Franklin St. #7
 Bueno, Radhames, 106 LaFayette St Salem MA
 Gilberti, Brian T. 130 Neptune Blvd. #1109
 Jackson, Christopher, 896 Western Ave
 Jimenez Eduardo, 24 Mall St.

TAXI OPERATORS – TABLED

Acevedo, Loyda, 65 Gardiner St.-tabled 9/11

LIVERY OPERATORS-NEW

Reynoso, Yeffi, 34 Broad St.
 Vasquez, Irene 37 Amity St. #3

LIVERY OPERATORS-TABLED

Samianino, Robert B. 20 Neptune Blvd. 90 day Review-tabled 9/11

EXTENDED HOURS-PUBLIC HEARINGS-TABLED

317 Chestnut St-La Casa Chimi-tabled 9/11
 64 Franklin St.-El Colmadon Market-24 hours 7 days-tabled 9/11
 144 Market St.-Dragon Inn-11 AM- 2AM 7 days
 112 Union St.-Paastelitos, 112 Union St.-7 A-M -2 AM- 7days-tabled 9/11

PAY PHONES (RENEWALS)

All payphones owned by Churchill Communications, Andover, MA.

101 Commercial St.-My Sons
 395 Essex St.-Centro Liquors
 78 Henry Ave.-Jenny's Convenience
 780 Washington St.-Dymes Store

SIGN LICENSE- RENEWAL

152 Boston St., Advance Auto Parts

43 Broad St., Jim's Corner
 170 Broad St, Lynnway Lounge
 66 Franklin St., M.J. Beauty Salon
 415 Lynnway, Metro PCS
 57 No. Common St., Desi D'Oleo
 126 Union St., Apollo Hotel, LLC
 659 Western Ave., Desi's Barber Shop
 793 Western Ave., Salvy The Florist
 877 Western Ave., Apsara Angkor Rest.

PAWN BROKER-RENEWAL

4 Freeman Sq., Sherman Loan Company, LLC

OLD GOLD & SILVER- RENEWAL

4 Freeman Sq., Sherman Loan Company, LLC

AUTO REPAIR/FLAMMABLE/AUTO BODY – RENEWAL

475R Lynnway – Barrera & Sons Auto Body & Repair

FLAMMABLE LICENSE – RENEWAL

618R Boston St. – Roberto Landscaping

573 Chestnut St. – Richdale Convenience Store

59-61 Commercial St. – McGrath Realty Trust

71 Linden St. – Harvard Folding Box

453 Lynnway – EZ Landscaping Inc.

266-270 South Common St. – McGrath Enterprises

5 Stetson St. – Atlantic Ambulance Service

985 Western Ave. – Massachusetts Bay Transportation Authority

1073 Western Ave. – Albert Kemperle, Inc.

FLAMMABLE LICENSE RENEWAL – CHANGE OF NAME OF BUSINESS

247A Commercial St. – Covanta 4 Recovery, L.P. (formally Trans River Marketing)

COIN OPERATED DEVICES VENDOR – RENEWAL

A-1 Vending – 287 Nahattan St., Norwood, MA

COIN OPERATED DEVICES – RENEWAL

170 Broad St. – Lynnway Lounge (formally Champion's) 2 Class II

497 Lynnway – Lynnway Sports Center – 4 Class III, 1 Class II

CANNING

Lynn English Basketball Team (Adults Only) – October 1, 9, 26, 2012

OTHER BUSINESS:

REPORT ACCEPTED.

Report of the September 25, 2012 Committee on Public Property recommending the following to be accepted:

Motion to authorize the Fire Department to dispose of a 1988 fire gene and miscellaneous obsolete fire equipment. - **granted**

Motion to allow the North Shore Christian School to hang banners across several streets in the City of Lynn during the current school year, 2012-2013. - **granted**

OTHER BUSINESS:

Walnut Way, (William & Linda Richardson, 29 Walnut Park)

Motion made by Councillor Trahant and seconded by Councillor Cyr to amend the Council Order to include “with the stipulation land to be used for parking and/or landscaping only and that no building be erected on said property. Motion carried.

Motion made by Councillor Cyr and seconded by Councillor Trahant to TABLE for additional information from the Solicitor’s Office.

Motion carried.

REPORT ACCEPTED.

Report of the September 25, 2012 Committee on Finance recommending the following to be accepted:

Ordered that the City Comptroller is hereby authorized to transfer the sum of Thirty Two Thousand Five Hundred Dollars and Zero Cents (\$32,500.00) from the Reserve Fund to the DPW/Legal 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 City Comptroller be and is hereby authorized to transfer the sum of Thirty Two Thousand Five Hundred Dollars and Zero Cents (\$32,500.00) from the Reserve Fund to the DPW/Legal Account.

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 hereby authorized to transfer the sum of Thirty Thousand (\$30,000.00) from the State Funds/Transfer Account to the Account of City Clerk/Census 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 City Comptroller be and is hereby authorized to transfer the sum of Thirty Thousand (\$30,000.00) from the State Funds/Transfer Account to the Account of City Clerk/Census Account.

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 hereby authorized to certify as an "Available Fund" the amount of One Hundred Forty Two Thousand Four Hundred Dollars and Zero Cents (\$142,400.00) as allotted to the City of Lynn by Department of Education to fund a grant initiative from the Fund Code 632 Account. Grant Period is 9/1/12 to 6/30/13.

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 City Comptroller be and is hereby authorized to certify as an "Available Fund" the amount of One Hundred Forty Two Thousand Four Hundred Dollars and Zero Cents (\$142,400.00) as allotted to the City of Lynn by Department of Education to fund a grant initiative from the Fund Code 632 Account. Grant Period is 9/1/12 to 6/30/13.

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 hereby authorized to certify as an "Available Fund" the amount of Sixty Five Thousand Nine Hundred Ninety One Dollars and Zero Cents (\$65,991.00) as allotted to the City of Lynn Police Department by the Executive Office of Public Safety and Security 911 EMD Training Grant. Grant Period is 7/13/12 to 6/30/13.

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 City Comptroller be and is hereby authorized to certify as an "Available Fund" the amount of Sixty Five Thousand Nine Hundred Ninety One Dollars and Zero Cents (\$65,991.00) as allotted to the City of Lynn Police Department by the Executive Office of Public Safety and Security 911 EMD Training Grant. Grant Period is 7/13/12 to 6/30/13.

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 is hereby authorized to transfer the sum of Twelve Thousand Seven Hundred Eighteen Dollars and Sixty Five Cents (\$12,718.65) Police Expenses to Unpaid Bills Prior Years Police.

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 City Comptroller be and is hereby authorized to transfer the sum of Twelve Thousand Seven Hundred Eighteen Dollars and Sixty Five Cents (\$12,718.65) Police Expenses to Unpaid Bills Prior Years Police.

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 is hereby authorized to transfer the sum of Six Thousand Six Hundred Ninety Five Dollars and Zero Cents (\$6,695.00) from the General Fund/Revenue Rebate Account to the ISD/Maintenance Service Contracts Account. **(Lays over to October 16, 2012).**

Ordered that the City Comptroller is hereby authorized to transfer the sum of Nine Thousand Seven Hundred Fifty One Dollars and Eighty One Cents (\$9,751.81) from the various DPW Accounts to the Account of Unpaid Bills of Prior Years DPW. **(Lays over to October 16, 2012).**

Ordered that the City Comptroller be hereby authorized to transfer the sum of Three Thousand Five Hundred Eighty Dollars (\$3,580.00) from Law Department Legal Services Account to Unpaid Bills of Prior Years Law. **(Lays over to October 16, 2012).**
REPORT ACCEPTED.

NEW BUSINESS:

Local Adoption of Chapter 43D Relative to Expedited Permitting

CRIGHTON/CAHILL/PHELAN/CAPANO/BARTON/NET Ordered that the City of Lynn accepts the provisions of Chapter 43D of the Massachusetts General Laws as amended pursuant to Section 11 of Chapter 205 of the Acts of 2006, and to approve the filing of an application with the Interagency Permitting Board for the designation of land at 254 Lynnway (Assessor's Parcel 067-749-124); 210-226 Blossom Street (Assessor's Parcel 067-751-007); 810 Lynnway (Assessor's Parcel 034-760-005); and Blossom Street (Assessor's Parcel 066-751-015 and 066-751-020) as a Priority Development Site, or take any other action in relation thereto.

Motion made by Councillor Crighton and seconded by Councillor Capano to amend to include 276 Lynnway, (Assessor's Parcel 067-749-044),

Motion carried by the following yea and nay vote:

11 YES 0 NO

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

Motion carried by the following yea and nay vote:

11 YES 0 NO

Motion made by Councillor Crighton and seconded by Councillor Colucci to suspend the rules to allow Ralph Sevinor from the Chambers to speak in favor of Chapter 43D.

Motion carried.

Letters of Support were submitted by EDIC Director James Cowdell and Office of Economic and Community Development Director James Marsh.

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

Motion carried.

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