

CITY OF LYNN, MASSACHUSETTS

LYNN CITY COUNCIL
2014-2015

Ward One Wayne A. Lozzi
Ward Two William R. Trahant, Jr.
Ward Three Darren P. Cyr
Ward Four Richard C. Colucci
Ward Five Dianna M. Chakoutis
Ward Six Peter L. Capano
Ward Seven Richard J. Ford, Vice-President



At-Large Buzzy Barton
At-Large Daniel F. Cahill, President
At-Large Brendan P. Crighton
At-Large Hong L. Net

City Clerk Mary F. Audley

MEETINGS SCHEDULED FOR THE WEEK BEGINNING JUNE 22, 2014:

Tuesday, June 24, 2014:

Waterfront Zone Site Plan Review Committee, 5:30 P.M., Room 402
Discussion re: Proposal – 180 Commercial Street,
and Other Business.

Ways and Means Committee, 6:00 P.M., Room 402
Discussion re: Financial Transfers, Order/Resolution re: Time Energy
Services for School Buildings, and Other Business.

Public Safety & Public Health Committee, 6:15 P.M., Room 402
Discussion re: Constable Appointments, and Other Business.

Licensing Committee, 6:30 P.M., Room 402
Discussion re: Minor Licenses, and Other Business.

Public Property and Parks Committee, 6:45 P.M., Room 402
Discussion re: Order of Abandonment/Conveyance for a Portion of
Garfield Terrace, Discussion re: Request from Neighborhood
Development Associates, Inc. (NDA) to convey back to the city a portion
of land located on Aborn Place and a portion of land on Mt. Pleasant
Street; Discussion re: Bid / 147-153 Central Avenue, Discussion re:
City-owned property at 113-119 Broad Street (Parcel No 082-598-109;
and Other Business.

Committee of the Whole, 7:00 P.M., Council Chambers
Discussion re: Budget Hearings, and Other Business.

CITY COUNCIL MEETING, 8:00 P.M., COUNCIL CHAMBERS
City Council Agenda

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WATERFRONT ZONE SITE PLAN REVIEW AGENDA
TUESDAY, JUNE 24, 2014
5:30 P.M. - ROOM 402

1. Discussion re: Proposal - 180 Commercial Street

2. **OTHER BUSINESS**

/tcy

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WAYS AND MEANS AGENDA
TUESDAY, JUNE 24, 2014
6:00 P.M. - ROOM 402

1. Financial Transfers

2. Order/Resolution /Time Energy Services for School Buildings:

ORDER/RESOLUTION OF THE GOVERNING BODY OF THE CITY OF LYNN AUTHORIZING THE EXECUTION AND DELIVERY OF AN EQUIPMENT LEASE/PURCHASE AGREEMENT WITH RESPECT TO THE ACQUISITION, PURCHASE, FINANCING AND LEASING OF CERTAIN EQUIPMENT FOR THE PUBLIC BENEFIT; AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS ORDER/RESOLUTION.

WHEREAS, City of Lynn (the "*Lessee*"), a body politic and corporate duly organized and existing as a political subdivision, municipal corporation or similar public entity of the State of Massachusetts, is authorized by the laws of the State of Massachusetts to purchase, acquire and lease personal property for the benefit of the Lessee and its inhabitants and to enter into contracts with respect thereto; and

WHEREAS, the Lessee desires to purchase, acquire and lease certain equipment with a cost not to exceed \$3,998,014.68 constituting personal property necessary for the Lessee to perform essential governmental functions (the "*Equipment*"); and

WHEREAS, in order to acquire such equipment, the Lessee proposes to enter into that certain Equipment Lease/Purchase Agreement (the "*Agreement*") with Banc of America Leasing & Capital, LLC (or one of its affiliates)(the "*Lessor*"), the form of which has been presented to the governing body of the Lessee at this meeting; and

WHEREAS, the governing body of the Lessee deems it for the benefit of the Lessee and for the efficient and effective administration thereof to enter into the Agreement and the documentation relate to the financing of the Equipment for the purchase, acquisition and leasing of the equipment to be therein described on the terms and conditions therein provided;

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDERED/RESOLVED by the governing body of Lessee as follows:

Section 1. Approval of Documents. The form, terms and provisions of the Agreement are hereby approved in substantially the forms presented at this meeting, with such insertions, omissions and changes as shall be approved by the Mayor of the Lessee or other members of the governing body of the Lessee executing the same, the execution of such documents being conclusive evidence of such approval; and the Mayor of the Lessee is hereby authorized and directed to execute, and the Mayor of the Lessee is hereby authorized and directed to attest and countersign, the Agreement and any related Exhibits attached thereto and to deliver the Agreement (including such Exhibits) to the respective parties thereto, and the City Clerk of the Lessee is hereby authorized to affix the seal of the Lessee to such documents.

Section 2. Other Actions Authorized. The officers and employees of the Lessee shall take all action necessary or reasonably required by the parties to the Agreement to carry out, give effect to and consummate the transactions contemplated thereby (including the execution and delivery of Acceptance Certificates and any tax certificate and agreement, as contemplated in the Agreement) and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Agreement.

Section 3. No General Liability. Nothing contained in this Order/Resolution, the Agreement nor any other instrument shall be construed with respect to the Lessee as incurring a pecuniary liability or charge upon the general credit of the Lessee or against its taxing power, nor shall the breach of any agreement contained in this Order/Resolution, the Agreement or any other instrument or document executed in connection therewith impose any pecuniary liability upon the Lessee or any charge upon its general credit or against its taxing power, except to the extent that the Rental Payments payable under the Agreement are special limited obligations of the Lessee as provided in the Agreement.

Section 4. Appointment of Authorized Lessee Representatives. The Mayor and Inspectional Services Director of the Lessee are each hereby designated to act as authorized representatives of the Lessee for purposes of the Agreement until

such time as the governing body of the Lessee shall designate any other or different authorized representative for purposes of the Agreement.

Sections. Severability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 6. Repealer. All bylaws, orders and resolutions or parts thereof, inconsistent herewith, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any bylaw, order, resolution or ordinance or part thereof.

Section 7. Effective Date. This Order/Resolution shall be effective immediately upon its approval and adoption.

3. OTHER BUSINESS

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**PUBLIC SAFETY AND PUBLIC HEALTH COMMITTEE AGENDA
TUESDAY, JUNE 24, 2014
6:15 P.M. - ROOM 402**

- 1. CONSTABLE APPOINTMENT:**
Lauren D'Avella, 5 Rockingham Street, Lynn
- 2. OTHER BUSINESS**

/tcy

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LICENSING COMMITTEE AGENDA
TUESDAY, JUNE 24, 2014
6:30 P.M. – ROOM 402

TAXI OPERATORS (NEW)

Iovanne, Robert John. 34 Nahant St.
Llano, Fabian. 36 laighton St.# 2. (*See Court Letter*)
Umanzor, Emis. 105 Light St # 1

TAXI OPERATORS – TABLED

Reynoso, Juan A. 64 Palmer St # 2. Salem (No show on 6/10/14)
Zuniga, Hector. 15 Ridgeway St. (lic for Garcia on May 13, 2014 - No show on 6/10/14)

TAXI OPERATORS-60 DAY REVIEW

McKenna, James. 36 Western Ave.

TAXI OPERATOR-* RENEWAL* - 90 DAY REVIEW

Lopez-Silvestre, Jorge. 211 Washington St. # 2A (also renewal for another company)

LIVERY OPERATOR – * RENEWAL*

Curtis, Sharon. 72 Oakwood Ave # 3. (*See Court Letter*)

AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL

68 Bennett St. – Car Works Plus
41 Stewart St. – NRT Bus, Inc.

FLAMMABLE LICENSE – RENEWAL

6 Bennett St. – L-A-C Steel Fabrication & Erection
22 Bennett St. – Perrotti's Welding Fabrication

Licensing Committee Agenda

June 24, 2014

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COIN OPERATED VENDOR – RENEWAL

Action Jackson Amusements, 83 Broadway, Malden, MA

COIN OPERATED DEVICES – NEW

822 Western Ave. – Monster Wash – 2 Class III

COIN OPERATED DEVICES – RENEWAL

163 Blossom St. – Brickyard – 1 Class II

820 Boston St. – O’Briens – 2 Class III

47 Central Ave. – 47 Central – 1 Class II, 1 Class III

119 Fayette St. – Spin City – 2 Class III

800 Lynnway – Lynnway Mart – 4 Class III

16 Market Sq. – Lynn House of Roast Beef – 2 Class III

17 Market Sq. – People’s Choice – 2 Class III

37 Market St. – Brandy Barrell – 1 Class III

70 Market St. – Tatianna’s – 1 Class II, 1 Class III

408 Summer St. – El Pulgarsita – 2 Class II

20-36 Union St. – Rinse Cycle – 2 Class III

130 Union St. – Brava – 2 Class II

170 Union St. – China Bowl – 1 Class III

714 Washington St. – Sandbar – 1 Class II, 1 Class III

776 Washington St. – Fran’s – 2 Class II, 2 Class III

Junk Dealer-New

1069R Western Ave., Mattuchio Metals LLC (tabled prev. meeting)

Old Gold and Silver License-New

800-810 Lynnway, Eric Jeweler

433 Washington St., A & S Pawn & Used Jewelry

Pawn Broker-New

433 Washington St., A & S Pawn & Used Jewelry

Second Hand-New

433 Washington St, A & S Pawn & Used Jewelry

Licensing Committee Agenda

June 24, 2014

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SIGNS-RENEWAL

22 Bennett St., Perrotti's Welding Fabrication
541-543 Boston St., Flowers By Lorraine
9 Broad St., Tropical Nails & Tanning Salon
602 Essex St., Tropical Entp. Inc.
137 Euclid Ave, Connor Real Estate
65 Exchange St., Junction Deli
143 Franklin St., New England Laundry
76 Lewis St., Arnold Bakery Outlet
161 Lewis St., Harriets Styling Booth
173 Lewis St., Lucky's Liquor
207 Lewis St. Beachside Roast beef
451 Lynnway, Lancelot
500 Lynnway, Italmarble Company, Inc.
525 Lynnway, Spiros Energy
83 Marion St. Giovanni's
8 Market St. Asian Garden
10 Munroe St. The Salvation Army
50 Ocean St., Breeze Hair Studio
358 Summer St., Commercial Auto Sales LLC
595 Summer St., 595 Café
340 Washington St., Express Check Out-Khodiyar Corp.
32 Western Ave., Proodian & Sons Rugs
57 Western Ave., Salon 495
341 Western "Ave., Dr. Joseph Dowling
437 Western Ave., N & N Construction
873 Western Ave Jimmy's Discount Liquor

OTHER BUSINESS

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**PUBLIC PROPERTY AND PARKS AGENDA
TUESDAY, JUNE 24, 2014
6:45 P.M. - ROOM 402**

1. Order of Abandonment/Conveyance for a Portion of Garfield Terrace
2. Discussion re: Request from Neighborhood Development Associates, Inc. (NDA) to convey back to the city a portion of land located on Aborn Place and a portion of land on Mt. Pleasant Street.
3. Discussion re: Bid /147-153 Central Avenue
4. Discussion re: City-owned property at 113-119 Broad Street Parcel No. 082-598-109
5. **OTHER BUSINESS**

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COMMITTEE OF THE WHOLE
TUESDAY, JUNE 24, 2014
7:00 P.M. - COUNCIL CHAMBERS

1. Budget Hearings

2. OTHER BUSINESS

/tcy

Agenda



**June 24, 2014
Twelfth Regular Meeting**

Roll Call
Moment of Silence
Pledge of Allegiance

COMMUNICATIONS:

Her Honor the Mayor:

Dear Councilors:

I hereby appoint Andrew J. Hall, 24 Ferris Road, Lynn, Massachusetts as Commissioner of the Department of Public Works. With the Lynn City Council's approval, I would request that his appointment become effective on July 1, 2014.

Sincerely, Judith Flanagan Kennedy, Mayor

(Personnel Committee of May 20 unanimously voted to send out to the full council.)

Dear Councilors:

I am hereby appointing Mr. Kenneth Nugent, 261 Lynnfield Street, to the Conservation Commission to replace expired member, Michael Fisher. Mr. Nugent's term is effective immediately and will expire on May 22, 2017.

Sincerely, Judith Flanagan Kennedy, Mayor

Dear Councilors:

I am hereby appointing Ms. Annieratha Saing to the Parks Commission to replace expired member Ralph Cameron. Ms. Saing's term is effective immediately and will expire on May 7, 2019. Sincerely, Judith Flanagan Kennedy, Mayor

PUBLIC HEARINGS:

Public Hearing on Home Rule for An Act Amending the Act Establishing A Department of Inspectional Services in the City of Lynn.

Public Hearing on FY15 Budget

PUBLIC HEARINGS TO BE SET DOWN:

Petition of Holy Family Church – East Coast Midway Amusements, Reverend Gregory Mercurio, for permission for a “Festa Italiana” at 26 Bessom Street on August 7, 8 & 9, 2014. Thursday and Friday, 6-10 pm and Saturday 12-10 pm.

An Ordinance Amending the City of Lynn Zone Ordinance to Include Floodplain Districts.

UNFINISHED BUSINESS:

Public Property Report of June 10, 2014.

Ordered that the city owned property parcel ID 087-128-006 Sylvia Street be conveyed to Luke Frye, as the only bidder for consideration of \$4,200.00 with stipulation that parcel be used for landscaping or parking only.

Motion to refer bid received for city owned property at 147-153 Central Avenue, ID 068-636-002 from R.F. Sullivan Lynn Realty Trust, Trustee and Individually in the sum of \$150,000.00 to the Review Committee.

COMMITTEE REPORTS:

Waterfront Zone Site Plan Review

Ways and Means

Public Safety & Public Health

Licensing

Public Property and Parks

Committee of the Whole

NEW BUSINESS: