

**City Council Meeting, March 14, 2023
Council President John M. Walsh, Jr.**

10 Councilors Present (Councilor Colucci absent).

Moment of Silence. Councilor Field asked that the Family of Joanna Markopoulos and the Family of Nancy Marks be remembered.

Pledge of Allegiance

Motion made by Councilor Colucci and seconded by Councilor Field to accept the Meeting Minutes of February 28, 2023.

Motion carried.

COMMUNICATIONS:

Dear Councilors:

Effective March 14, 2023, I re-appoint Dan Small 77 Lake Ave as the Tree Warden for the City of Lynn. I certify that he is competent to perform the duties which will be required and I make this designation solely in the interests of the City of Lynn.

Sincerely, Mayor Jared C. Nicholson

Motion made by Councilor Barton and seconded by Councilor Field to grant.

Motion carried by the following ye and nay vote:

10 YES 0 NO (Councilor Colucci absent).

I am also hereby re-appointing Mr. Steve Martin, 9 Harmon Street, as my designee to serve on the Lynn Housing Authority and Neighborhood Development Board of Commissioners. His term is effective immediately and will expire on May 25, 2027.

Sincerely, Mayor Jared C. Nicholson

Motion made by Councilor Barton and seconded by Councilor Field to grant.

Motion carried by the following ye and nay vote:

10 YES 0 NO (Councilor Colucci absent).

PUBLIC HEARING:

Petition of Jeffrey Carrol owner of Performance Auto to allow an existing Class II Auto Sales to be located at 96 Ford Street. (*Chakoutis*)

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

The City Clerk read into the record a letter from the Petitioner to Withdraw Without Prejudice.

Motion made by Councilor Chakoutis and seconded by Councilor Field to accept the Letter to Withdraw Without Prejudice.

**Motion carried by the following yea and nay vote;
10 YES 0 NO (Councilor Colucci absent).**

Petition of Fiesta Shows to operate a Carnival Fundraiser for the Lynn Fireworks Fund at the Keaney Park June 8-11, 2023. Hours will be Thursday and Friday from 5:00 pm-10:30 pm and Saturday and Sunday 1:00 pm to 10:30 pm.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Starbard and seconded by Councilor LaPierre to grant.

**Motion carried by the following yea and nay vote:
10 YES 0 NO (Councilor Colucci absent).**

Petition of Fiesta Shows to operate a Carnival Fundraiser for the Lynn Fireworks Fund at the open lot between Federal St. and Centre St. from August 10-13, 2023. Hours will be Thursday and Friday from 5:00 pm-10:30 pm and Saturday and Sunday 1:00 pm to 10:30 pm.

Council President Walsh passed the Gavel to Council Vice-President Barton.

Motion made by Councilor Walsh and seconded by Councilor Hogan to grant.

**Motion carried by the following yea and nay vote:
10 YES 0 NO (Councilor Colucci absent).**

PUBLIC HEARINGS TO BE SET DOWN:

-Petition of Verizon to relocate 6 (4 inch) conduits at 148 Commercial St at Bennett St. This petition is to relocate the existing conduit which is now conflicting with a new sewer line.(Hogan)

-Petition of Verizon to place 2 new (4 inch) conduits from existing pole P.27 and 2 new (4inch) conduits from existing pole P.17 both located on the northerly side of Hanson St at 780 Lynnway. (Hogan)

Motion made by Councilor Field and seconded by Councilor Hogan to set down for Public Hearings.

**Motion carried by the following yea and nay vote:
10 YES 0 NO (Councilor Colucci absent).**

COMMITTEES REPORTS:

Report of the March 14, 2023 Committee on Public Safety recommending the following to be accepted:

Constable Re-Appointment

Melvin Lark, 313 Essex St – **Granted**

OTHER BUSINESS

REPORT ACCEPTED.

Report of the March 14, 2023 Committee on Licensing recommending the following to be accepted:

AUTO BODY/AUTO REPAIR/FLAMMABLE – RENEWAL

250 Commercial St., City of Lynn DPW- **Granted**

AUTO REPAIR/FLAMMABLE – RENEWAL

182 Alley St., TG's Taxi Garage- **Granted**

182 Alley St., Transmission Reis- **Granted**

50 Bennett St., Landry Automotive- **Granted**

87 Bennett St., West Lynn Auto Service- **Granted**

411 Broad St., Automotive Exchange Inc./Meineke- **Granted**

503R Chestnut St., AJ's Auto Service- **Granted**

180 Commercial St., Lou's Custom Exhaust- **Granted**

99R Cottage St., Mark A King LLC- **Granted**

637 Lynnway, Sullivan Tire- **Granted**

FLAMMABLE LICENSE – RENEWAL

47 Alley St., Jim Appleyard Bonded Storage, Inc. - **Granted**

50 Bennett St., Landry Hire A Tool & Supply Co. Inc. - **Granted**

229 Broadway, Richdale- **Granted**

2 Circle Ave., Lynn Water & Sewer Commission- **Granted**

10 Heath's Ct, Unit 11, Northeast Oil Delivery Inc. - **Granted**

32 Homesite St., National Grid- **Granted**

154 Lynnway, Seaport Landing- **Granted**

228 Lynnway, U-Haul at Lynnway- **Granted**

453 Lynnway Rear, Healey Bus Inc. - **Granted**

580 Lynnway, Solomon Metals Corp. - **Granted**

390 Parkland Ave., Lynn Water & Sewer Commission- **Granted**

400 Parkland Ave., Lynn Water & Sewer Commission- **Granted**

56 Sanderson Ave., Leahy Landscaping Inc. - **Granted**

325 Walnut St., Lynn Water & Sewer Commission- **Granted**

425 Walnut St., Lynn Water & Sewer Commission- **Granted**

12 Washington St., J & S Transport Co. - **Granted**

JUNK DEALER-LICENSE RENEWAL225 Commercial St., Turner Trucking - **Granted**580 Lynnway, Solomon Metals Corp- - **Granted****CANNING**Lynn English Baseball (Adults Only) – March 3, April 7, April 8, 2023 - **Granted****OTHER BUSINESS****REPORT ACCEPTED.****Report of the March 14, 2023 Committee on Public Property and Parks recommending the following be accepted:**

Ordered to allow the Juneteenth Association to use the Broadway Parking Lot as a staging area for their Annual Road Race on April 30, 2023.

Motion made by Councilor Starbard and seconded by Councilor Field to grant.

Motion carried by the following yea and nay vote;

10 YES 0 NO (Councilor Colucci absent).

Ordered to allow the GAR to use the City Hall Foyer for tabling of Community Groups prior to the 6 pm event in the Auditorium “Defending Democracy” on October 4, 2023.

Motion made by Councilor Starbard and seconded by Councilor Field to grant.

Motion carried by the following yea and nay vote;

10 YES 0 NO (Councilor Colucci absent).

Ordered to grant a request from the Fire Department to donate a surplus of Fire Equipment including the Jaws of Life to Ukraine.

Motion made by Councilor Starbard and seconded by Councilor Field to grant.

Motion carried by the following yea and nay vote;

10 YES 0 NO (Councilor Colucci absent).

REPORT ACCEPTED.

Report of the March 14, 2023 Committee on Recreational Cannabis Site Plan Review Committee recommending the following:

Discussion re: Pluto Cannabis Company (formerly Ethos Cannabis) 193 Oxford St.

Order to allow Pluto Cannabis Company to take over the location formerly used by Ethos Cannabis at 193 Oxford St.

Motion made by Councilor Starbard and seconded by Councilor Alinsug to grant.

Motion carried by the following yea and nay vote;

**10 YES 0 NO (Councilor Colucci absent).
REPORT ACCEPTED.**

Report of the March 14, 2023 Committee on Ways and Means recommending the following to be accepted:

Transfer the sum of NINE THOUSAND TWO HUNDRED TWENTY EIGHT DOLLARS AND ZERO CENTS (\$9,228.00)

From the Account of <u>98035-7800</u>	Reserve-Exp	\$9,228.00
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To the Account of <u>0E34121-6920</u>	Asst to FF Grant Match	\$9,228.00
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To fund City portion of Grant previously awarded.

Councilor Net 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.

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 (Councilor Colucci absent)

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

10 YES 0 NO (Councilor Colucci absent).

Transfer the sum of FIFTY FOUR THOUSAND ONE HUNDRED TWENTY FIVE DOLLARS AND FORTY SIX CENTS (\$54,125.46)

From the Account of <u>98035-7800</u>	Reserve-Exp	\$54,125.46
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To the Account of <u>0E34421-6920</u>	Asst to FF Grant Match	\$54,125.46
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To fund City portion of Grant previously awarded.

Councilor Net 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.

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 (Councilor Colucci absent)

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

10 YES 0 NO (Councilor Colucci absent).

Transfer the sum of ONE THOUSAND ONE HUNDRED THIRTY FIVE DOLLARS AND TWENTY FIVE CENTS (\$1,135.23)

From the Account of <u>22405-2400</u>	Fire-Exp	\$1,135.23
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To the Account of <u>98025-2240</u>	Fire-Bill of PY	\$1,135.23
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To fund invoice received after clean up warrant done and FY end close process began.

Councilor Net 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.

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 (Councilor Colucci absent)

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

10 YES 0 NO (Councilor Colucci absent).

Transfer the sum of SEVENTY THOUSAND FOUR HUNDRED SIXTY FIVE DOLLARS AND NINETY SIX CENTS (\$70,465.96)

From the Account of <u>98035-7800</u>	Reserve-Exp	\$70,465.96
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To the Account of <u>98025-1193</u>	ISD-Bill of PY	\$70,465.96
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To fund invoices that had been held up to do litigation and execution of new contract terms for Tower Rental.

Councilor Net 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.

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 (Councilor Colucci absent)

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

10 YES 0 NO (Councilor Colucci absent).

Certify as an "Available Fund" the amount of TWO HUNDRED FORTY NINE THOUSAND THREE HUNDRED DOLLARS AND ZERO CENTS (\$249,300.00) as allotted to the City of Lynn Office of Economic Community Development by the Mass Cultural Council (MCC) to mitigate a direct threat to the sustainability of Lynn Memorial Auditorium to preserve the ability to compete with resort style casinos.
Grant Period 03/15/23 to 06/30/23

Councilor Net 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.

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 (Councilor Colucci absent)

**Emergency Order was then adopted by the following yea and nay vote:
10 YES 0 NO (Councilor Colucci absent).**

Certify as an "Available Fund" the amount of FIVE THOUSAND DOLLARS AND ZERO CENTS (\$5,000.00) as allotted to the City of Lynn Health Department by the National Environmental Health Association for the Retail Flexible Funding Model Grant Program. Self-Assessment of all 9 Standards. Grant Period is 02/01/22 to 10/30/22 CFDA 93.103

Councilor Net 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.

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 (Councilor Colucci absent)

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

10 YES 0 NO (Councilor Colucci absent).

Certify as an "Available Fund" the amount of FOUR THOUSAND NINE HUNDRED NINETY FIVE DOLLARS AND ZERO CENTS (\$4,995.00) as allotted to the City of Lynn Health Department by the National Environmental Health Association for the Work on Stands 2 & 5, Complete Standard 3 Grant Program. Grant Period 01/15/23-12/15/23 CFDA 93.103

Councilor Net 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.

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 (Councilor Colucci absent)

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

10 YES 0 NO (Councilor Colucci absent).

Certify as an "Available Fund" the amount of TEN THOUSAND DOLLARS AND ZERO CENTS (\$10,000.00) as allotted to the City of Lynn Planning Department by the New England Foundation of the Arts for Making it Public with Art campaign. Grant Period is 03/15/23 to 12/31/23

Councilor Net 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.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

10 YES 0 NO (Councilor Colucci absent)

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

10 YES 0 NO (Councilor Colucci absent).

Certify as an "Available Fund" the amount of SEVEN THOUSAND FOUR HUNDRED NINETY SEVEN DOLLARS AND ZERO CENTS (\$7,497.00) as allotted to the City of Lynn Health Department by the National Environmental Health Association for the Standard Inspector Training Grant Program. Grant Period is 01/15/23 to 12/15/23 CFDA 93.103

Councilor Net 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.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

10 YES 0 NO (Councilor Colucci absent)

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

10 YES 0 NO (Councilor Colucci absent).

Certify as an "Available Fund" the amount of FORTY NINE THOUSAND EIGHTY EIGHT DOLLARS AND ZERO CENTS (\$49,088.00) as allotted to the City of Lynn Police Department by the Department of Justice (DOJ) for the JAG Program. Grant Period is 10/01/21-09/30/25

Councilor Net 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.

THEREFORE BE IT VOTED BY THE LYNN CITY COUNCIL THAT THE FOREGOING CONSTITUTES AN EMERGENCY.

Emergency Preamble was adopted by the following ye and nay vote:

10 YES 0 NO (Councilor Colucci absent)

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

10 YES 0 NO (Councilor Colucci absent).

Ordered that his Honor the Mayor hereby be authorized to execute Memorandums of Understanding and all other necessary documents to disperse ARPA Funds to the previously approved recipients.

Councilor Net 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.

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 (Councilor Colucci absent)

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

10 YES 0 NO (Councilor Colucci absent).

Ordered that his Honor the Mayor hereby be authorized to execute a Five (5) Year Contract with Axon Enterprises, Inc. for technological upgrades to the Lynn Police Department Interview Rooms.

Councilor Net 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.

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 (Councilor Colucci absent)

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

10 YES 0 NO (Councilor Colucci absent).

REPORT ACCEPTED.

Motion made by Councilor Lozzi and seconded by Councilor Alinsug 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:

Janet L. Rowe

CITY CLERK