

CITY OF LYNN, MASSACHUSETTS
LYNN CITY COUNCIL
2023-2024

Ward One Wayne A. Lozzi
Ward Two Richard B. Starbard
Ward Three Constantino Alinsug
Ward Four Richard C. Colucci
Ward Five Dianna M. Chakoutis, Vice-President
Ward Six Frederick W. Hogan
Ward Seven John M. Walsh, Jr., President



At-Large Brian M. Field
At-Large Brian P. LaPierre
At-Large Nicole D. McClain
At-Large Hong L. Net

LYNN CITY COUNCIL MEETINGS – OCTOBER 10, 2023

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5:30 p.m. City Council Meeting

/tcy



**COUNCIL AGENDA
TUESDAY, OCTOBER 10, 2023
5:30 P.M. - COUNCIL CHAMBERS**

Roll Call
Moment of Silence
Pledge of Allegiance
Accept the Meeting Minutes from September 26, 2023

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COMMUNICATIONS:

PUBLIC HEARINGS:

Public Hearing on a \$4,668,086.00 Bond for Repairs to the Drewicz Elementary School, 34 Hood Street, Lynn, MA

Public Hearing Amending the Ordinance Relative to the Sale of Any Food at Retail in the City of Lynn Between the Hours of 12:00 Midnight and 5:00 a.m. (Video Surveillance System).

Public Hearing for a Proposed Ordinance Establishing the Lynn Food Policy Council.

PUBLIC HEARINGS TO BE SET DOWN: NONE

COMMITTEES: NONE

OLD BUSINESS:

Financial Transfers Laid over from the September 26, 2023 Meeting

\$13,699.26 to Police Dept. to fund invoice received after clean up warrant done
\$220.00 to Personnel to fund invoice received after clean up warrant done

Tabled from the August 8, 2023 Meeting:

Discussion re: Proposed Order of Taking on Broadway

NEW BUSINESS:

Discussion re: Release of Right of Way and Easement Agreement between the City of Lynn, the MBTA, and 50 Silsbee Street for the purpose of constructing a temporary platform for the construction of the Lynn Commuter Rail Station.



CITY OF LYNN

In City Council OCTOBER 10, 2023

Ordered: That \$4,668,086 is appropriated for the purpose of paying costs of designing and replacing the windows and doors at the Drewicz Elementary School located at 34 Hood Street, Lynn, Massachusetts, including the payment of all costs incidental or related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve assets that otherwise are capable of supporting the required educational programs, and for which the City of Lynn may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the City of Lynn Inspectional Services Division; that to meet this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said amount under Chapter 44 or Chapter 70B of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that the City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the City incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the City; and that the amount of borrowing authorized pursuant to this loan order shall be reduced by any grant amount received by the City pursuant to the Project Funding Agreement that may be executed between the City and the MSBA for the Project.

Further Ordered: that the Treasurer is authorized to file an application with the appropriate officials of the Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized to be borrowed pursuant to this loan order and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

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CITY OF LYNN

In City Council OCTOBER 10, 2023

AN ORDINANCE AMENDING THE ORDINANCE RELATIVE TO THE SALE OF ANY FOOD AT RETAIL IN THE CITY OF LYNN BETWEEN THE HOURS OF 12:00 MIDNIGHT AND 5:00 AM.

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Section Five is hereby amended by inserting after the first paragraph the following paragraph: - For any store or place of business to be eligible for this license:

A **Video Surveillance System** must be installed and maintained in proper working order, and it must operate during all hours the store or place of business is open to customers. This video surveillance system must include cameras that capture video of the register counter area from both the front and rear, the entrance doors from within said business, the drive-thru window area, the drive-thru ordering station and any interior or exterior dining area. Said cameras must offer recorded continuous digital images. Store owners shall be responsible to ensure that persons working at the time of any incident that requires a police response be capable of accessing and operating the security system allowing responding officers an opportunity to view the requested video or store owners should make themselves or a representative available within thirty (30) minutes of the time of a police response to provide responding officers the opportunity to view the requested video. Store owners shall ensure that security video systems shall store/save all recorded video for a period of no less than thirty (30) days.

Store owners shall also be responsible for providing the Lynn police department with a viewable digital copy of the requested video upon request. Current licensee shall have ninety [90] days from the effective date of this ordinance to comply with the video surveillance system installation requirements outlined in this section.



CITY OF LYNN

In City Council OCTOBER 10, 2023

IN THE YEAR TWO THOUSAND TWENTY-THREE AN ORDINANCE ESTABLISHING THE LYNN FOOD POLICY COUNCIL

WHEREAS, Massachusetts households are struggling with food insecurity and food access:

- Food insecurity surged during the COVID-19 pandemic and resulting State of Emergency and affects 17.5% of Massachusetts households as of November 2020, including 1 in 5 households with children.
- Food insecurity in Lynn affects 20% of households.
- Though many food-insecure households are eligible for federal benefits through programs like the Supplemental Nutrition Assistance Program (SNAP) and the Special Supplemental Nutrition Program for Women, Infants, and Children Program (WIC), many of them do not participate for a variety of reasons, including stigma, programmatic barriers, inadequacy of benefits, and fear of immigration consequences or other negative outcomes.
- Many residents in the Commonwealth continue to face barriers in accessing food. 2.8 million people living in low-income areas of the state lack access to grocery stores, including more than 700,000 children and 523,000 seniors.
- Of about 426,000 Massachusetts residents with jobs in our food system, the majority work in stores and restaurants, where they are often paid low wages without healthcare or benefits.
- Food insecurity, experienced differently by race and income, drives disparities by race and income in nutritional deficiencies, oral health, mental health outcomes including depression, obesity and overweight, diabetes, and hypertension.

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WHEREAS, Farms and farmers face unique challenges in the Commonwealth:

- The number of acres in cropland in Massachusetts has fallen from 207,734 acres in 2002 to 160,789 acres in 2012, revealing threats to farm profitability and viability.
- The average age of a farm's principal operator in Massachusetts is 59.1 years old. The pipeline of beginning farmers (nearly 3,000 in the state) are ill-equipped to replace farms' principal operators because beginning farmers often have limited agricultural training, little prior farming experience, and/or face a number of financial and logistical barriers to accessing land and capital.
- In Massachusetts's urban areas, land is scarce for farming. Further, zoning and other municipal policies may pose barriers to urban agricultural operations.
- The long history of discrimination against Black farmers by the U.S. Department of Agriculture—in providing credit, debt relief, and subsidies for farmers—has caused the number of Black farmers in the U.S. to drop nearly 98 percent since 1920.

WHEREAS, Students are facing food insecurity and school meal programs are important to their health and nutrition:

- Schools are a major source of nutrition for K-12 students. As of 2015, more than 40% of K-12 students in Massachusetts were receiving free and reduced-price lunch and many students participate in school breakfast programs as well.

- Childhood food insecurity poor health, school performance, and psychosocial functioning, with children of recent immigrants especially at risk.
- Farm-to-school programs can spur local economic development, increase students' health and wellbeing, and impact academic achievement and other educational outcomes.
- To improve access to safe drinking water, schools may access new sources of state funding to test their drinking water for heavy metals and install water bottle filling stations.
- 58% of students qualify for free/reduced lunch City-wide and children in Lynn suffer from high rates of obesity, asthma/respiratory issues, and a variety of developmental disorders

WHEREAS, Food waste needs to be further reduced at the local level:

- Despite a 60% increase in food rescue since 2010 in Massachusetts, food waste still made up 26% of the municipal waste stream in 2016.
- Increasing food rescue has increased state and local tax revenue by \$5 million.
- Lynn supports the draft statewide goal to reduce the disposal of food and other organic materials by an additional 500,000 tons annually by 2030 (based off of a 2018 baseline of 280,000 tons of food waste reduction).
- To achieve local food waste reduction goals, additional attention is needed at the local level to create and implement community-based solutions in classrooms and residential settings.

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WHEREAS, Local food policy councils are growing in capacity and impact:

- Many municipalities, including in Massachusetts, have created local food policy councils to create policy, systems, and environmental changes within the food system.
- Evaluations have found that local food policy councils have created new opportunities for collaboration, with impacts on policy outcomes and achievements that span food procurement, environmental resilience, and economic development.

NOW, therefore, the City of Lynn hereby establishes the Lynn Food Policy Council to safeguard the City's food security by policy recommendations, programming, and initiatives in collaboration with municipal, state, and federal partners.

SECTION 1:00 **CORE COMMITMENT**

The City of Lynn recognizes that the built environment is a determinant of food access and that every site plan related to food production, distribution, or sale is an opportunity to improve food access and reduce health disparities related to food access. The City of Lynn will, to the extent practicable, consider food access in the design, construction, and review of site plans related to food production, distribution, or sale, as well as in decisions related to roadways and infrastructure planning. The City of Lynn will consult with the Lynn Food Policy Council on these planning and program decisions and solicit recommendations from the Lynn Food Policy Council as needed.

SECTION 2:00 **COMPOSITION, AND TERM OF OFFICE**

The Lynn Food Policy Council shall consist of 15 total members. Members shall serve three-year terms (3). The Council shall be composed of members appointed by the Mayor and approved by the City Council as provided in Section 2-3 and may be removed under Section 2-4 of the Lynn Home Rule Charter. Membership shall include representative-designates comprises the City of

Lynn's for and non-profit entities, as well as regional/state partners who have stake in seeing a resilient, equitable food system thrive in Lynn: To the extent possible, membership shall be selected to include diversity of gender, age, race, ethnicity, country of origin, language, and socioeconomic background, with a focus on including historically underserved populations. All members shall serve without compensation.

SECTION 3:00 **POWERS AND DUTIES**

(A) The Lynn Food Policy Council shall create a strategic plan with goals and objectives related to the local food system and develop a strategy and deadlines for implementing them.

(B) Once published and approved, the Lynn Food Policy Council shall on a yearly basis review progress toward implementing the plan described in Section 3(A) above. The Lynn Food Policy Council shall publish progress updates to a public forum or website in English and Spanish, and additional languages as necessary based on the population demographic of Lynn.

(C) The Lynn Food Policy Council shall prepare an annual report for the Mayor's Office and City Council who will utilize its contents in setting food security related priorities and programming in conjunction with the departments of planning and health as well as the boards of planning and health on the progress and successes related to the purpose, duties, and responsibilities of the Lynn Food Policy Council.

(D) The Lynn Food Policy Council shall coordinate with City departments including the Department of Health, the Department of Public Works, and the Department of Planning & Development to include food systems goals and recommendations in other planning documents, where applicable.

(E) Meetings of the Lynn Food Policy Council shall be held no less than once every one (1) month. Meeting agendas will be made publicly available 48 hours in advance and minutes shall be recorded and made publicly available in accordance with the Massachusetts Open Meeting Law.

SECTION 4:00 **FUNDING**

The Lynn Food Policy Council may work with the Mayor's Office, the Department of Public Health and the Department of Planning to apply for, seek, or accept grants, gifts or bequests to help finance its services.

SECTION 5:00 **SEVERABILITY.**

If any provision(s) or portion(s) of this article or the application of any provision(s) or portion(s) thereof to any person or circumstance is/are held to be invalid, such invalidity shall not affect the validity of the remainder of said provision or other provisions of this Ordinance.

SECTION 6:00 **EFFECTIVE DATE.**

This chapter shall take effect as provided in the Lynn City Charter.

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