CITY OF LYNN

City Council Meeting, June 28, 2022
Council Vice-President Buzzy Barton

9 Councilors Present (Councilor LaPierre and Council President Walsh absent).
Moment of Silence
Pledge of Allegiance

Council Vice-President Barton stated that Council President Walsh could not attend this evening's meeting as his Wife had pre-scheduled surgery today. Our Prayers are with Jay and his wife Jill.

PUBLIC HEARINGS:
Public Hearing – The City of Lynn hereby accepts the provisions of Massachusetts General Laws Chapter 44, §55C permitting the creation of a City of Lynn Affordable Housing Trust Fund.
No one appeared in Favor.
No one appeared in Opposition.
Public Hearing Closed.
Motion made by Councilor Hogan and seconded by Councilor Colucci ordering that the City of Lynn hereby accepts the provisions of Massachusetts General Laws Chapter 44, §55C permitting the creation of a City of Lynn Affordable Housing Trust Fund.
9 YES 0 NO (Councilors LaPierre and Walsh absent).

Proposed Ordinance - IN THE YEAR TWO THOUSAND AND TWENTY TWO, AN ORDINANCE ESTABLISHING AN AFFORDABLE HOUSING TRUST FUND IN THE CITY OF LYNN
Section 1:00 Name of Trust.
The Trust shall be called the "City of Lynn Affordable Housing Trust Fund."
Section 2:00 Purpose.
The purpose of the trust shall be to provide for the creation and preservation of affordable housing within the City of Lynn for the benefit of low-to-moderate-income households and for the funding of community housing, as defined in and in accordance with the provisions of M.G.L. c. 44B. To this end, the trust is established to address the goals and objectives of the City of Lynn's housing production plan as may be amended from time to time, and its funds shall be used to implement the objectives including affordable housing that meets the needs of households earning at

or below 60 percent of the area median income or at risk of displacement, as defined by the U.S. Department of Housing and Urban Development.

Section 3:00 **Board of Trustees: established; appointment; term; filling of vacancies; removal.**

The city of Lynn shall establish an Affordable Housing Trust Fund Board of Trustees consisting of seven members appointed by the Mayor, and who shall serve without compensation. The Mayor shall ensure, to the extent feasible, that the composition of the board reflects the geographic and racial/ethnic diversity that exists in the city. All board members should have some working interest in the City. Members shall be appointed as follows:

(1) The Mayor, or a designee, who shall serve as chair;

(2) A. One representative of the City of Lynn Planning Department as appointed by the Mayor.

B. At least three residents of the City of Lynn who possess experience in the fields of real estate, affordable housing, tenant organizing, banking, finance, law, architecture, social services or other areas of expertise applicable to advancing the purpose and goals of the trust.

C. At least two individuals who are residential tenants in the City of Lynn.

(3) All members, excluding the Mayor or his/her designee, are subject to confirmation by the City Council.

(4) Trustees shall be appointed for two-year terms.

(5) Members shall be eligible for reappointment in the same manner as the original appointment. If a vacancy occurs, it shall be filled for the balance of the unexpired term in the same manner as the initial appointment was made.

(6) Trustees may be removed by the Mayor as provided for by Sections 2-4, 3-7 and 6-6 of the Lynn City Charter.

(7) The board shall appoint a vice chair, treasurer and clerk.

(8) The board is authorized to execute a Declaration of Trust and Certificate of Trust for the City of Lynn Affordable Housing Trust Fund, to be recorded with the Southern Essex County Registry of Deeds following approval by the Mayor and City Council.

Section 4:00 Powers and Duties.

The Trustees shall administer an Affordable Housing Trust Fund to provide for the creation and preservation of affordable housing within the city of Lynn for the benefit of low- to moderate-income households, as defined by income limits published from time to time by the U.S. Department of Housing and Urban Development, and to pursue other strategies to support the City's affordable housing goals.

The specific powers and duties of the trustees, all of which shall be carried on in furtherance of the purposes set forth in this ordinance, are as follows:

(l) To accept and receive real property, personal property or money, by gift, grant, contribution, devise or transfer from any person, firm, corporation or other public or private entity, including without limitation grants of funds or other property tendered to the trust in connection with provisions of any zoning ordinance or any other ordinance;

(2) To purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income;

(3) To sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to trust property as the board deems advisable notwithstanding the length of any such lease or contract;

(4) To execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases, grant agreements and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the board engages for the accomplishment of the purposes of the trust;

(5) To employ advisors and agents, such as accountants, appraisers and lawyers as the board deems necessary;

(6) To pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the board deems advisable;

(7) To apportion receipts and charges between incomes and principal as the board deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;

(8) To participate in any reorganization, recapitalization, merger or similar transactions; and to give Proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to

any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;

(9) To deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the board may deem proper and to pay, out of trust property, such portion of expenses and compensation of such committee as the board may deem necessary and appropriate;

(10) To carry property for accounting purposes other than acquisition date values;

(11) To borrow money on such terms and conditions and from such sources as the board deems advisable, to mortgage and pledge trust assets as collateral;

(12) To make distributions or divisions of principal in kind;

(13) To comprise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of this act, to continue to hold the same for such period of time as the board may deem appropriate;

(14) To manage or improve real property; and to abandon any property which the board determines not to be worth retaining;

(15) To hold all or part of the trust property uninvested for such purposes and for such time as the board may deem appropriate; and

(16) To extend the time for payment of any obligation to the trust.

The powers and duties enumerated above are intended to encompass all powers and duties of the trustees. Any action, power or duty not enumerated above shall require prior approval of the Mayor and City Council.

Section 5:00 Acts of Trustees.

(1) A majority of board may exercise any of the powers of the board hereunder and may execute on behalf of the board, any and all instruments with the same effect as though executed by all the of the trustees, with the exception that any purchase, sale, lease, exchange, transfer or conveyance of any interest in real property, borrowing, and mortgaging and pledging of assets must be approved by at least two-thirds of the appointed board.

(2) No trustee shall be required to post bond.

(3) No license of court shall be required to confirm the validity of any transaction entered into by the board with respect to the trust estate.

Section 6:00 Records; Annual Report.
The trustees shall keep a record of its doings and at the close of every fiscal year make a report thereof to the City Council. The report shall include a description and source of funds received and expended and the type of affordable housing programs or properties assisted with the funding. The trustees shall also provide the city council with a copy of the trust's annual audit.

Section 7:00 Affordable Housing Trust Fund.
There is hereby created, pursuant to M.G.L. c. 44, 55C, an affordable housing trust fund. The fund shall be utilized to provide for the creation and preservation of affordable housing in Lynn for the benefit of low and moderate-income households and for the funding of community housing. Notwithstanding any general or special law to the contrary, all moneys paid to the trust in accordance with any zoning bylaw, exaction fee, or private contribution shall be paid directly into the trust and need not be appropriated or accepted and approved into the trust. General revenues appropriated into the trust become trust property and these funds need not be further appropriated to be expended. All moneys remaining in the trust at the end of any fiscal year, whether or not expended by the board within one year of the date they were appropriated into the trust, remain trust property set forth in G. L. c. 44, 55C. The Lynn treasurer/collector shall be the custodian of trust's funds and shall maintain separate accounts and records for such funds. Any income or proceeds received from the investment of funds shall be credited to and become part of the trust fund in accordance with G.L. c. 44, 5 55C. The books and records of the trust shall be audited annually by an independent auditor in accordance with accepted accounting practices. Upon receipt of the audit by the trustees, a copy shall be provided forthwith to the Mayor and City Council. The trustee designated as treasurer shall also liaise with the custodian of the funds on a monthly basis.

Section 8:00 Meetings of Board.
The board shall meet at least quarterly at such time and at such place the trustees shall determine. Notice of all meetings of the trust shall be given in accordance with the provisions of the Open Meeting Law, G.L. c. 39, 55 23A, 23B and 23C.

Section 9:00 Legal Status.
(1) The board is public employer and the trustees are public employees for the purposes of Massachusetts General Laws c. 258.

(2) The board shall be deemed a municipal agency and the trustees special municipal employees for the purposes of G.L. c. 268A.

(3) The board is exempt from G.L.. c. 59 and 62, and from any other provisions concerning payment of taxes based upon or measured by property or income imposed by the Commonwealth or any subdivision thereto

(4) The board is a governmental body for purposes of Sections 23A, 23B and 23C of G.L. c. 39.

(5) The trust is a board of the city for purposes of M.G.L. c. 30B and M.G.L. c. 40, § 15A, provided that M.G.L. c. 30B procedures need not be followed in the making of grants and loans to nonprofit organizations for the purposes of providing affordable housing, but only in the procurement of goods and services on behalf of the trust.

Section 10:00 **Transfer of Property**.
Notwithstanding any general or special law to the contrary, not later than one year following the entry of an order of foreclosure of tax title, the City of Lynn may dispose of property taken for non-payment of property taxes under M.G.L. c. 60 by transferring such property at no cost to the city's affordable housing trust fund board. The board shall dispose of all such property solely for the purpose of expanding the stock of affordable housing within the city by using the procedures specified in M.G.L. c. 30B, §16.

Section 12:00 **Relationship With Other Municipal Departments.**
The City of Lynn Planning Department, Mayor's Office, Lynn Housing and Neighborhood Development Authority and the Lynn Economic Development and Industrial Corporation shall provide administrative and technical expertise and support to the board.
The following appeared in Favor:
Honorable Jared C. Nicholson, Mayor
Aaron Clausen, City Planner
No one spoke in Opposition.
Public Hearing Closed.
Motion made by Councilor Hogan and seconded by Councilor Colucci to grant with the following stipulations:
Section 2: "To this end, the trust is established to address the goals and objectives of the City of Lynn's housing production plan as may be amended from time to time, and its funds shall be used to implement the objectives including affordable housing that meets the needs of households earning at or below 60 percent of the area median income or at risk of displacement, as defined by the U.S. Department of Housing and Urban Development."

Section 3, #2B: "At least three residents of the City of Lynn who possess experience in the fields of real estate, affordable housing, tenant organizing, banking, finance, law, architecture, social services or other areas of expertise applicable to advancing the purpose and goals of the trust."
Motion carried by the following yea and nay vote:
9 YES 0 NO (Councilors LaPierre and Walsh absent).

Public Hearing on the City's Annual Action Plan, including the use of the Department of Housing and Urban Development appropriations for the Community Development Block Grant, the HOME Investment Partnership Grant and the Emergency Solutions Grant.
No one appeared in Favor.
No one appeared in Opposition.
Public Hearing Closed.
Council Vice-President Barton asked the City Clerk to read a correspondence from James Marsh, Director of OECD.
Motion made by Councilor Colucci and seconded by Councilor Hogan to Grant.
Motion carried by the following yea and nay vote:
9 YES 0 NO (Councilors LaPierre and Walsh absent).

Public Hearing - Repeal Chapter 75, Acts of 1994 and to designate a Port Area for the City of Lynn for all Purposes.
Petition repealing Chapter 75 of the acts of 1994 relative to the Designated Port Area in the City of Lynn, the text of which reads as follows:
Voted to petition the General Court to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the City Council and the Mayor approve amendments to the bill before enactment by the General Court. The City Council and the Mayor are hereby authorized to approve amendments, which shall be within the scope of the general public objectives of this petition in the event that any changes are not clerical or editorial in nature.
SECTION 1:00 Chapter 75 of the acts of 1994 is hereby repealed.
SECTION 2:00 Notwithstanding any general or special law to the contrary, and unless modified pursuant to section 4A of chapter 21A of the General Laws or regulations issued pursuant thereto, a certain area of land and waters on the northwesterly side of Lynn harbor as shown as "Designated Port Area Boundary" in the "Designation Decision for the Lynn Designated Port Area" issued by the coastal zone management office dated April 26, 2022 shall be the designated port area for the city of Lynn for all purposes.
SECTION 3:00. This act shall take effect upon its passage.
The following appeared in Favor:
The following spoke in Favor:

Aaron Clausen, City Planner
No one spoke in Opposition.
Public Hearing Closed.
Motion made by Councilor Field and seconded by Councilor Net to Grant.
Motion carried by the following yea and nay vote:
9 YES 0 NO (Councilors LaPierre and Walsh absent).

COMMITTEE REPORTS:
Report of the June 28, 2022 Committee on Public Property and Parks recommending the following to be accepted:

Request to allow MASSHIRE – North Shore Career Center to use the City Hall Foyer on September 14, 2022 from 10:00 am to 2:00 pm. – **Granted**

NEW BUSINESS:
Motion made by Councilor Field and seconded by Councilor Colucci to remove from the table "Former Thurgood Marshall School.
Motion carried.

Motion made by Councilor Starbard and seconded by Councilor Field ordering that the City of Lynn hereby rejects and rescinds the bid award of East Boston Community Development Corporation for the purchase of the City of Lynn owned property at 19 Porter Street as the EBCDC was unable and/or unwilling to execute a Development Agreement which incorporated all representations and warranties contained in EBCDC's Response to Request for Proposals. Ordered further that EBCDC be declared a non-responsible and a nonresponsive bidder.
Further ordered that the Purchasing Department shall return the bid deposit and return of said bid deposit shall not be construed as an acknowledgement that EBCDC did not violate the terms of the Request for Proposals and the Council Order dated September 28, 2021 awarding EBCDC the bid.
Motion carried by the following yea and nay vote:
9 YES 0 NO (Councilors LaPierre and Walsh absent).
REPORT ACCEPTED.

Report of the June 28, 2022 Committee on Licensing recommending the following to be accepted:

EXTENDED HOUR/24 HOUR LICENSE - PUBLIC HEARINGS:
Public Hearing on the following new and renewal requests for Extended Hours and 24 Hour Licenses:

The following has been Granted:

60	*Boston St*	*McDonalds*	*Drive Thru 24 Hours*
65	*Boston St*	*CVS Pharmacy*	*24/7 Days a week*
80	*Boston St*	*Dunkin Donuts*	*24/7 Days a week*
108	*Boston St*	*Burger King*	*Sun-Wed 6am-1am/Thurs-Sat 6am-2am*
116	*Boston St*	*Wendy's*	*Drive Thru till 4am*
122	*Boston St*	*Boston Shell*	*Gas Station & Kiosk till 12am*
124	*Boston St*	*Taco Bell*	*7am-1am (with stipulations)*
124	*Broad St*	*George's Roast Beef*	*Mon-Sat 10:30am-2am/Sun 12pm-2am*
512	*Chestnut St*	*Lynn Mobile*	*5am-2am (7 Days a week)*
668	*Chestnut St*	*Cumberland Farms*	*24 Hours (7 Days a week)*
15-2/3	*Joyce St*	*Gopuff*	*24 Hours (7 Days a week) **(NEW)***
120-122	*Liberty St*	*Speedway*	*24/7 Days a week*
3	*Lynnfield St*	*7-11*	*24/7 Days a week*
364	*Lynnway*	*Dunkin Donuts*	*24/7 Days a week*
377	*Lynnway*	*Wendy's*	*9am-2am (Fast food drive thru service)*
525	*Lynnway*	*Gulf*	*24/7 Days a week*
535	*Lynnway*	*Lynnway Shell 24 /7 Days a week*	
567	*Lynnway*	*McDonald's*	*5am-12am Dining Rm/ Drive Thru 24/7*
16	*Market Sq*	*Guatemala Restaurant*	*5am-2am (7 Days a week)*
17	*Market Sq*	*People's Choice*	*6am-1:30am (7 Days a week)*
50	*Western Ave*	*7-11*	*24/7 Days a week*
707	*Western Ave*	*Domino's Pizza*	*10am-3am (7 Days a week)*
969	*Western Ave*	*AL Prime Energy*	*24/7 Days a week*
341	*Union St*	*Domino's Pizza*	*10am-3am (7 Days a week)*

The following were TABLED

124 Boston Street – Taco Bell – 7am to 1am (with stipulations)
512 Chestnut Street – Lynn Mobile – 5am to 2am (7 Days a Week)

The following was DENIED

3 Lynnfield Street – 7-11 – 24/7 Days a week – Motionmade by Councilor Lozzi and seconded by Councilor Alinsug to DENY extended hours and restrict hours to 5am to Midnight, 7 ddays a week, and no deliveries prior to 7am.
Motion carried.

CANNING:

West Lynn Little League (Adults Only) – June 24, 25, 26, 2022 - **Granted**

OTHER BUSINESS

REPORT ACCEPTED.

Report of the June 28, 2022 Committee on Ways and Means recommending the following to be accepted:

Appropriate the sum of SEVEN HUNDRED THIRTY THREE THOUSAND SIX

HUNDRED EIGHTEEN DOLLARS AND TWENTY SEVEN CENTS ($733,618.27)

From the Account of FREE CASH		$733,618.27
To the Account of 0M316- Various	Various Projects	$733,618.2

To clear deficit in account.

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:

9 YES 0 NO (Councilors LaPierre and Walsh).

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

9 YES 0 NO (Councilors LaPierre and Walsh).

Raise and Appropriate the sum of TWO HUNDRED NINETY NINE THOUSAND ONE HUNDRED TWENTY FIVE DOLLARS AND ZERO CENTS ($299,125.00)

From the Account of Gannon Enterprise Rev Fund		$299,000.00
From the Account of Gannon Enterprise Rev Fund		125.00

$299,125.00

To the Account of TBD	Gannon Exp Debt Service	$177,522.00
To the Account of TBD	Gannon Exp Repairs	$120,000.00
		$297,522.00

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:

9 YES 0 NO (Councilors LaPierre and Walsh).

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

9 YES 0 NO (Councilors LaPierre and Walsh).

SURPLUS $1,603.00

To Establish Gannon Enterprise Fund for FY23

This is the first year of the Gannon Enterprise Fund. An Enterprise Fund is designed to operate as a business within the City. It's main purpose is to keep the revenues it generates invested into the Golf Course. Revenue will be generated from Lease payments which are to be used to cover expenditures within the fund.

The first expenditure is debt service to cover annual payment due to bondholders and the other maintenance expense line covers item to maintain the property and other expenditures above a certain dollar amount. The Leasee covers everything else.

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:
9 YES 0 NO (Councilors LaPierre and Walsh).
Emergency Order was then adopted by the following yea and nay vote:
9 YES 0 NO (Councilors LaPierre and Walsh).

Appropriate the sum of ONE HUNDRED TEN THOUSAND DOLLARS AND ZERO CENTS ($110,000.00)

From the Account of FREE CASH		$110,000.00
To the Account of 9N172-3000	Munis-Cap Acct	$110,000.00

To Fund MUNIS Chart of Account Project
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:
9 YES 0 NO (Councilors LaPierre and Walsh).
Emergency Order was then adopted by the following yea and nay vote:
9 YES 0 NO (Councilors LaPierre and Walsh).

Appropriate the sum of FOUR MILLION DOLLARS AND ZERO CENTS ($4,000,000.00)

From the Account of FREE CASH		$4,000,000.00
To the Account of TBD	School Op Stab Fund	$4,000,000.00

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:
9 YES 0 NO (Councilors LaPierre and Walsh).
Emergency Order was then adopted by the following yea and nay vote:
9 YES 0 NO (Councilors LaPierre and Walsh).

Transfer the sum of ONE MILLION EIGHT HUNDRED NINETY SEVEN THOUSAND FIVE HUNDRED EIGHTY DOLLARS AND ZERO CENTS ($1,897,580.00)

From the Account of 98015-9959	Health Ins-Exp	$1,897,580.00
To the Account of TBD	School Op Stab Fund	$1,897,580.00

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:
9 YES 0 NO (Councilors LaPierre and Walsh).
Emergency Order was then adopted by the following yea and nay vote:
9 YES 0 NO (Councilors LaPierre and Walsh).

Appropriate the sum of FIVE HUNDRED THOUSAND DOLLARS AND ZERO CENTS ($500,000.00)

From the Account of	FREE CASH		$500,000.00
To the Account of	TBD	OPEB Trust Fund	$500,000.00

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:
9 YES 0 NO (Councilors LaPierre and Walsh).
Emergency Order was then adopted by the following yea and nay vote:
9 YES 0 NO (Councilors LaPierre and Walsh).

Transfer the sum of FOURTEEN THOUSAND SIX HUNDRED NINETY THREE DOLLARS AND ZERO CENTS ($14,693.00)

From the Account of	98035-7800	Reserve	14,693.00
To the Account of	11124-1000	Council	471.00
To the Account of	11124-0900	Council	1,183.00
To the Account of	11224-1000	Mayors Office	6,162.00
To the Account of	11404-1000	Treasurer	2,100.00
To the Account of	11704-1000	Purchasing	1,113.00
To the Account of	11904-1000	Personnel	696.00
To the Account of	43904-0900	Care of Dogs	1,500.00
To the Account of	65824-1000	Veterans	1,457.00
To the Account of	76424-1000	GAR	11.00

To fund departmental deficits due to step increases and onboarding.
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:

9 YES 0 NO (Councilors LaPierre and Walsh).
Emergency Order was then adopted by the following yea and nay vote:
9 YES 0 NO (Councilors LaPierre and Walsh).

Transfer the sum of SIX THOUSAND EIGHT HUNDRED ONE DOLLARS AND FIFTY THREE CENTS ($6,801.53)

From the Account of	11605-Various	City Clerk-Exp	$6,801.53
To the Account of	11604-Various	City Clerk-PR	$6,801.53

To fund Payroll shortfalls due to OT needed for staff out extended COVID absences etc.
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:
9 YES 0 NO (Councilors LaPierre and Walsh).
Emergency Order was then adopted by the following yea and nay vote:
9 YES 0 NO (Councilors LaPierre and Walsh).

Transfer the sum of ONE HUNDRED THOUSAND DOLLARS AND ZERO CENTS ($100,000.00)

From the Account of	11915-3003	Law-Exp	$100,000.00
To the Account of	91191-7800	Law-Revolving	$100,000.00

To fund pending litigation in the Echavarria matter.
Transfer the sum of TWO HUNDRED EIGHTY FIVE DOLLARS AND ZERO CENTS ($285.00)

From the Account of	22105-3899	LPD-Exp	$ 285.00
To the Account of	98025-2210	LPD-Bill of PY	$ 285.00

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:
9 YES 0 NO (Councilors LaPierre and Walsh).
Emergency Order was then adopted by the following yea and nay vote:
9 YES 0 NO (Councilors LaPierre and Walsh).

Certify as an "Available Fund" the amount of TWENTY EIGHT MILLION FOUR

HUNDRED NINE THOUSAND TWO HUNDRED TWENTY DOLLARS AND ZERO CENTS ($28,409,220.00) as allotted to the City of Lynn by the Federal Government for the City of Lynn's second installment of Federal ARPA funds.
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:
9 YES 0 NO (Councilors LaPierre and Walsh).
Emergency Order was then adopted by the following yea and nay vote:
9 YES 0 NO (Councilors LaPierre and Walsh).

Certify as an "Available Fund" the amount of SEVENTY THOUSAND DOLLARS AND ZERO CENTS ($70,000.00) as allotted to the City of Lynn School Department by the Department of Early and Secondary Education (DESE) for FC525 Dev & Exp HQ Summer Grant.
Grant Period 07/01/22-08/30/22
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:
9 YES 0 NO (Councilors LaPierre and Walsh).
Emergency Order was then adopted by the following yea and nay vote:
9 YES 0 NO (Councilors LaPierre and Walsh).

Certify as an "Available Fund" the amount of TWENTY THOUSAND DOLLARS AND ZERO CENTS ($20,000.00) as allotted to the City of Lynn School Department by the Department of Early and Secondary Education (DESE) for FC644 21ST CCLC Summer Grant.
Grant Period 06/16/22-08/31/22
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:
9 YES 0 NO (Councilors LaPierre and Walsh).
Emergency Order was then adopted by the following yea and nay vote:
9 YES 0 NO (Councilors LaPierre and Walsh).

Certify as an "Available Fund" the amount of THREE HUNDRED THOUSAND TWO HUNDRED SIXTY ONE DOLLARS AND SEVENTY FIVE CENTS ($300,261.75) as allotted to the City of Lynn Office of Economic & Community Development by North Shore Workforce Investment Board for 2022 (FY23) Summer YouthWorks Jobs. Grant Period 07/01/2022 – 09/30/2022

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:
9 YES 0 NO (Councilors LaPierre and Walsh).
Emergency Order was then adopted by the following yea and nay vote:
9 YES 0 NO (Councilors LaPierre and Walsh).

ORDERED that pursuant to Massachusetts General Laws Chapter 44, Section 53A½ the City of Lynn hereby accepts a gift of a baby grand piano from Mr. John Oladayiye. Further ordered that the Comptroller's Office is hereby authorized to take any actions necessary to effectuate the purpose of said gift.

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:
9 YES 0 NO (Councilors LaPierre and Walsh).
Emergency Order was then adopted by the following yea and nay vote:
9 YES 0 NO (Councilors LaPierre and Walsh).

NEW BUSINESS:
WALSH / Resolution / Barry Park

RESOLUTION

A RESOLUTION THAT THE CITY OF LYNN FILE AND ACCEPT GRANTS WITH AND FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS FOR THE PARKLAND ACQUISITIONS AND RENOVATIONS FOR COMMUNITIES PROGRAM FOR IMPROVEMENTS TO BARRY PARK.

Whereas: Barry Park is a treasured community wide asset and the improvements to this recreational area are a City priority as evidenced by the most recent Open Space and Recreation Plan; and

Whereas: Barry Park is dedicated to park and recreation purposes under M.G.L. Chapter 45, Section 14; and

Whereas: Barry Park's ultimate restoration, guided in principle by both user and neighborhood requests and/or the City's Open Space and Recreation Plan, will greatly enhance this facility by replacing the dilapidated and hazardous existing playground at the north end of the park. The playground surfacing does not comply with the Americans with Disabilities Act and does not offer adequate fall protection. The City would like to remove the existing deteriorated play structures, benches, paths and playground surfacing replace them with new, accessible features that highlight Universal Design.

Whereas: The overall costs and fiscal budget constraints prevented the City from proceeding forward with the implementation of this project; and

Whereas: The project was viewed as a series of phases to be implemented over time, by priority, as fiscal resources become available, with intention of securing grant funding, when and if available, to assist in this effort; and

Whereas: The Executive Office of Energy and Environmental Affairs (EOEEA) is offering reimbursable grants to cities and towns to support the preservation and restoration of urban parks through the Parkland Acquisitions and Renovations for Communities grant program (301CMR 5.00); and

Whereas: This phase of the Barry Park Improvements Project will cost a total of $580,000 and the city has allowed $580,000 in funds to secure a PARC Grant award of $400,000 for the design and construction of improvements to Barry Park.

NOW, THEREFORE, BE IT

1. That the mayor be and is hereby authorized to file and accept grants from the Executive Office of Energy and Environmental Affairs.
2. That the mayor be and is hereby authorized to take such actions as are necessary to carry out the terms, purposes and conditions of this grant to be administered by the Office of Economic and Community Development
3. That this resolution shall take effect upon passage.

Council Vice-President Barton asked the City Clerk to read into the record a correspondence from Council President Walsh regarding the Resolution:

Dear Council Vice-President Barton:

Due to an unavoidable conflict, I will be unable to attend the City Council meeting this evening where the Council will consider a Resolution authorizing the

Mayor and the Department of Community Development to seek a grant from the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs to support the restoration and improvements to Barry Park. As you know, Barry Park is one of the most overutilized playground in the City of Lynn with a long and storied history. Sadly, due to financial constraints and overuse, Barry Park has fallen into disrepair and is no longer the jewel of West Lynn. The City of Lynn's Open Space and Recreation Plan has long identified Barry Park as a priority rehabilitation project for the youth and citizens of Lynn. I wish to thank the Department of Community Development for their work in securing this grant and strongly support the proposed Resolution. I urge my Council colleagues to approve the Resolution to authorize His Honor or Mayor to file and accept grant from the Executive Office of Energy and Environmental Affairs to restore Barry Park to its original glory. Thank you for your attention to this matter. Very truly yours, John M. Walsh, Council President
Motion made by Councilor Field and seconded by Councilor Lozzi to grant.
Motion carried by the following yea and nay vote:
9 YES 0 NO (Councilors LaPierre and Walsh absent).

Power Point Presentation / Hazardous Mitigation Plan
Motion made by Councilor Hogan and seconded by Councilor Field to Grant and Adopt the Hazardous Mitigation Plan as presented.
Motion carried by the following yea and nay vote:
9 YES 0 NO (Councilors LaPierre and Walsh absent).

Powerpoint Presentation / Chris Gomez, Director of Elder Services
Re: Results on a Recent Assessment from Lynn Residents aged 60+ by Caitlin Coyle

Motion made by Councilor Colucci and seconded by Councilor Hogan 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