CITY OF LYNN

City Council Meeting, May 10, 2022
Council President John M. Walsh, Jr.

11 Councilors Present
Moment of Silence
Pledge of Allegiance
Motion made by Councilor Colucci and seconded by Councilor Field to accept the Meeting Minutes of April 12, 2022 and April 26, 2022.
Motion carried.

COMMUNICATIONS:
Dear Councilors:
Pursuant to Section 6-5 of the Lynn City Charter, I am hereby re-appointing Drew Russo as Personnel Director effective May 13, 2022. Also pursuant to Section 3-9 of the Lynn City Charter, I am respectfully requesting that the Council confirm Mr. Russo's re-appointment at your May 10, 2022 Meeting. Sincerely, Mayor Jared C. Nicholson.
***Motion made by Councilor Field and seconded by Councilor Starbard to re-appoint Drew Russo* as Personnel Director effective May 13, 2022.**
Motion carried by the following yea and nay vote:
11 YES 0 NO

Dear Councilors:
I am hereby re-appointing Frank Valeri, 43 Morton Ave in Saugus to serve on the Retirement Board. His term is effective immediately and will expire on January 2, 2026.
Motion made by Councilor Barton and seconded by Councilor Colucci to re-appoint Frank Valeri, 43 Morton Ave in Saugus to serve on the Retirement Board, effectively immediately and will expire on January 2, 2026.
Motion carried.

I am also appointing Dr. Clark Van Den Berghe, 30 Great Woods Terrace in Lynn to serve on the Public Health Commission. His term is effective immediately and will expire on February 2, 2024. Sincerely, Mayor Jared C. Nicholson
Motion made by Councilor Field and seconded by Councilor Hogan to appoint Dr. Clark Van Den Berghe, 30 Great Woods Terrace, Lynn to serve on the Retirement Board, effectively immediately and will expire on February 2, 2024.
Motion carried.

Communication from His Honor the Mayor:
Re: Appointment of Senior Center Building Committee consisting of: Christopher Gomez-Farewell, Councilor Dianna Chakoutis, ISD Director Michael Donovan, CFO Michael Bertino, and Member of the Lynn Council on Aging and Mass Senior Action Council North Shore Chapter Barbara Mann.
Motion made by Councilor Barton and seconded by Councilor Colucci to accept for the files.
Motion carried.

PUBLIC HEARINGS:
Ordinance Amendment re: Motor Scooters and Motorized Bikes
The following spoke in Favor:
Chief Reddy, Lynn Police Department
Calvin Anderson, 12 Concord Street, Lynn
Carole Robbins, Lynn
No one appeared in Opposition.
Public Hearing Closed.
Motion made by Councilor Barton and seconded by Councilor Lozzi to grant with the amendments to Section 11 (a) and Section 11 (b):

IN THE YEAR TWO THOUSAND AND TWENTY-TWO AN ORDINANCE AMENDING THE ORDINANCE REGULATING THE OPERATION OF ANY MOTORIZED SCOOTER, MINI-MOTORCYCLE, POCKET BIKE, MOTORIZED SKATEBOARD, POWER BOARD, MOTORIZED BICYCLE (MOPED) OR RECREATION VEHICLE IN THE CITY OF LYNN

Be it ordained by the City Council of the City of Lynn and by the authority of the same as follows, to wit:-

Section 1:00 Title
An Ordinance amending the Ordinance regulating the operation of any motorized scooter, mini-motorcycle, pocket bike, motorized skateboard, power board, motorized bicycles (mopeds) or recreation vehicles, on any public way or sidewalk, in the City of Lynn is hereby established.

Section 2:00 Definitions:
(a) *Motorized Bicycle (Moped)*: A pedal bicycle with a helper motor or a non-pedal bicycle which has a motor and has a cylinder capacity of no more than 50 centimeters, has an automatic transmission, has a maximum speed of 30 mph, and complies with Federal MV Safety Standards in accordance with M.G.L. Ch. 90 sec. 1C.
(b) *Motorized Conveyance*: Any wheel device used to carry persons or property which is powered by any means other than muscular power alone.
(b) *Motorized Scooter/Mini-Motorcycle/Pocket Bike*: Any two or three wheeled vehicles with handlebars and electric or gas powered motor vehicle that can move the vehicle with or without human propulsion and can be designed for the rider to either sit or stand.

Motorcycles, motorized bicycles (mopeds), three-wheeled motorized wheelchairs, recreational vehicles are not considered to be either a motorized scooter, mini-motorbike, pocket bike or a recreational vehicle.

(c) *Motorized Skateboard/Power board*: **Any** device consisting of a deck or riding surface of any design upon which a person may stand or sit, having any number of wheels, and is propelled by any type of motorized power. Motorized scooters, mini-motorcycles, pocket bikes, motorized bicycles (mopeds) or recreational vehicles are not considered to be either a motorized skateboard or power board.

(d) *Recreation Vehicles*: Any motor vehicle designed or modified for use over unimproved terrain for recreation or pleasure while not being operated on a public way as defined in chapter 90 including, but not limited to, all-terrain vehicles, off-highway motorcycles, dirt bikes, recreation utility vehicles and all registered motor vehicles while not being operated on a public way as defined in said chapter 90; provided, however, that recreation vehicles and off-highway vehicles operated exclusively for agricultural, forestry, lumbering or construction purposes shall not be subject to this chapter and it shall be an affirmative defense that such vehicle was being operated for such purposes at the time of an alleged violation of this chapter.

Section 3:00 Exemptions

The following vehicles shall be exempt from the provisions of this ordinance: a) vehicles licensed by the Commonwealth of Massachusetts as motor vehicles; b) vehicles manufactured and designed for the transport of handicapped persons as those persons have been defined by State and Federal law; and c) landscaping equipment.

Section 4:00 Unregistered Vehicles

No person shall place, store or keep more than one (1) unregistered motorized conveyance that, in order to be operated, is required to be registered under the laws or regulations of the Commonwealth of Massachusetts upon public or private land zoned for residential purposes of six (6) or fewer residential units. This section shall not apply to vehicles stored within a fully-enclosed building or to vehicles stored, parked, or displayed on property duly licensed in accordance with M.G.L. c. 140, 57 through 69.

Section 5:00 Motorized Bicycles (Mopeds) -- Prohibitions

(a) *Learner's Permit/Driver's License* Required. All persons operating a motorized bicycle (moped) must possess a valid learner's permit or driver's license to operate a motorized bicycle or moped.

(b) *Mandatory Equipment.* All motorized bicycles (mopeds) must have automatic transmissions and cylinder capacities of no more than fifty (50) cubic centimeters.

(c) *Compliance with Safety Standards.* Motorized bicycles (mopeds) must meet all federal motor vehicle safety standards.

(d) *Speed limits.* No operator of a motorized bicycle (moped) may operate at a speed of greater than 25 miles per hour unless a lesser speed is established by the City of Lynn Traffic Commission.

(e) *Prohibited Roadways.* No personal shall operate a motorized bicycle (moped) on state highway or limited access roadways with signs prohibiting bicycles or scooters within the City of Lynn.

(f) *Off-Street Recreational Path Prohibited.* No person shall operate a motorized bicycle (moped) on off-street recreational paths.
(g) *Passengers Prohibited.* No person shall operate a motorized bicycle to carry passengers while operating on a permit.
(h) *Signaling Required.* Operators of motorized bicycles (mopeds) must use proper electronic and hand signals before stopping or turning.
(i) *Helmets required.* All operators must wear United States Department of Transportation approved helmets when operating a motorized scooter, mini-motorbike or pocket bike in the City of Lynn.
(j) *Registration Required.* All motorized bicycles (mopeds) in the City of Lynn must be registered by the Commonwealth of Massachusetts.

Section 6:00 Motorized Scooter, Mini-Motorbike or Pocket Bike -- Prohibitions

(a) *Prohibition from Sidewalks.* No person may use, ride, or otherwise operate a motorized scooter, mini-motorbike or pocket bike on a sidewalk of the City of Lynn.
(b) *Prohibition from Streets.* No person may use, ride, or otherwise operate a motorized scooter, mini-motorbike or pocket bike on a public way, private way, street, park, playground or on the grounds of any public school in the City of Lynn unless that person is sixteen (16) years of age or older and is carrying a valid driver's/operator's license.
(c) *Mandatory equipment.* All motorized scooter, mini-motorbike or pocket bike must be equipped with operational "stop" and "turn" signals.
(d) *Speed limits.* No person shall operate a motorized scooter, mini-motorbike or pocket bike may not operate at speeds greater than twenty (20) miles per hour unless a lesser speed is established by the City of Lynn Traffic Commission.
(e) *Prohibited Roadways.* No personal shall operate a motorized scooter, mini-motorbike or pocket bike on state highway or limited access roadways with signs prohibiting bicycles or scooters within the City of Lynn.
(f) *Restricted Hours of Operation.* No person shall operate a motorized scooter, mini-motorbike or pocket bike upon any way in the City of Lynn after sunset or before sunrise.
(g) *Passengers Prohibited.* No person shall carry a passenger while operating a motorized scooter, mini-motorbike or pocket bike in the City of Lynn.
(h) *Travel on Right Side of Road.* Persons operating a motorized scooter, mini-motorbike or pocket bike must keep to the right side of the roadway at all times, including when passing a motor vehicle which is moving in the travel lane of the way.
(i) *Signaling Required.* Operators must use proper electronic and hand signals before stopping or turning.
(j) *Helmets required.* All operators must wear United States Department of Transportation approved helmets when operating a motorized scooter, mini-motorbike or pocket bike in the City of Lynn.

Section 7:00 Motorized Skateboard/Power Boards -- Prohibitions

(a) *Prohibition from Sidewalks.* No person may use, ride, or otherwise operate a motorized skateboard or power board on a sidewalk of the City of Lynn.

(b) *Prohibition from Streets, Parks, Playgrounds and School Grounds.* No person may use, ride, or otherwise operate a motorized skateboard or power board on a public way, private way, street, park, playground or on the grounds of any public school in the City of Lynn.

Section 8:00 Recreational Vehicles -- Prohibitions

(a) *Recreational vehicle registration.* Pursuant to M.G.L. c. 90B, s. 22, no recreational vehicle, as defined by M.G.L. c. 90B, 20, may be operated unless it is registered with the Boat, Recreation Vehicle & Snowmobile Registration Bureau and a valid registration number is displayed on the vehicle.

(b) *Property of Another.* No person shall operate, maintain or possess a recreational vehicle upon the property of another without written permission of the land owner on their person.

Section 9:00 Hazardous Operation Applicable to All Vehicles -- Prohibitions

(a) *Hazardous Operation.* No person shall engage in hazardous operation upon any public space in the City upon any motorized conveyance, including recreational vehicles. The following acts shall constitute Hazardous Operation:

(i) An operator of any motorized conveyance; including a recreational vehicle, shall not cause such vehicle to ride with its front wheel or wheels raise from the surface of the road or ground while operated in any public space.

(ii) An operator of any motorized conveyance, including a recreational vehicle, shall not cause such vehicle to ride with its rear wheels raised from the surface of the road or ground while operated in any public space.

(iii) An operator of any motorized conveyance, including a recreational vehicle, shall not cause any side wheels of such vehicle to raise from the surface of the road or ground while operated in any public space.

(iv) An operator of any motorized conveyance, including a recreational vehicle, shall not ride such vehicles with his or her feet or knees planted on the seat while operating in any public space.

(v) An operator of any motorized conveyance, including a recreational vehicle, shall not operate such vehicle in a manner commonly associated with trick or stunt riding.

(vi) An operator of any motorized conveyance, including a recreational vehicle, shall not operate such vehicle with a passenger if designed for a single rider.

(vii) No passenger shall ride upon any motorized conveyance, including a recreational vehicle, that is designed for a single rider.

(viii) An operator of any motorized conveyance, including a recreational vehicle, shall not operate such vehicle with a passenger sitting or riding upon the handle bars or forward of the operator.

Section 10:00 Fines

Any person violating the provisions of this ordinance shall be punished by a fine as established by State law. In the event that State law contains no conflicting statutory fine, a person violating this Ordinance shall be subject to a fine of two hundred and fifty ($250.00) dollars for the first offense, and for all subsequent offense, by a fine of three hundred ($300.00) dollars.

Section 11:00 Seizure of Motorized Conveyance

(a) *Seizures Authorized By Law.* The City of Lynn Police Department shall have the authority to seize any motorized scooter, mini-motorcycle, pocket bike, motorized skateboard, power board, motorized bicycles (mopeds) or recreation vehicles when operated on any public way, private way, sidewal, public park, public playground por school ground or stored in violation the provisions of this Ordinance. Such seizure and removal authority shall include towing and impounding said motorized conveyance under procedures promulgated by the Lynn Police Department.

(b) *Receipt to Be provided to Owner of Seized Motorized Conveyances.* When the determination is made to seize any motorized scooter, mini-motorcycle, pocket bike, motorized skateboard, power board, motorized bicycles (mopeds) or recreation vehicles the police shall obtain the identity of the owner or person operating the equipment and give the person a receipt listing and describing items seized. If no citation was issued at the time the motorized conveyance was towed because the operator abandoned it or fled, then the tow company will be required to hold the motorized conveyance and refer the owner to the Lynn Police Department to confirm ownership prior to the release of said motorized conveyance. Any motorized conveyance not retrieved by the owner/operator within sixty (60) days may be disposed of by the tow company as permitted by law.

(c) *When Seized Motorized Vehicles May be Lawfully Released.* Items seized or impounded shall be kept in custody until fines are paid or judicial process involving the case has been completed. In instances where the offender is under the age of eighteen, the items seized may only be released to the offender's parent or legal guardian.

(d) *Destruction of Motorized Conveyances.* For repeat offenses of this Ordinance or egregious violations causing danger to the public, police may seek permission in the court for disposition or destruction of the equipment.

(e) *Criminal Complaint.* For subsequent violations reports concerning the same address or same individual or egregious violations causing danger to the public, the police prosecutor shall be empowered to seek a criminal complaint based on documents filed.

Section 12:00 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 13:00 Inconsistent Ordinances.
All ordinances or parts of ordinances inconsistent herewith are hereby repealed.
Section 14:00 Effective Date.
This chapter shall take effect as provided in the Lynn City Charter.
Motion carried by the following yea and nay vote:
11 YES 0 NO

PUBLIC HEARINGS TO BE SET DOWN:
Set down a Public Hearing for June 14, 2022 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. ***(*Public Hearing changed to June 28, 2022)***
Motion made by Councilor Colucci and seconded by Councilor Field to set down for Public Hearing.
Motion carried.

COMMITTEE REPORTS:

Report of the May 10, 2022 Committee on Public Property recommending the following to be accepted:

1. **Discussion re:** Four Winds / Easement
   Motion made by Councilor Field and seconded by Councilor Colucci ordering that the Law Department is hereby authorized to prepare an Easement Agreement between the City of Lynn and 265 Broadway Lynn Realty Trust to utilize a portion of City of Lynn land for the reconstruction of a deck. The consideration shall be Three Thousand ($3,000.00) Dollars. Further Ordered that His Honor the Mayor shall be authorized to execute said Easement. Furthermore to include Councilor Lozzi's Stipulations from Neighborhood Meeting.

2. **Discussion re:** Use of Parking Lot at 2 State Street for filming on May 13, 2022 from 6:00 p.m. to 6:00 a.m.

Motion made by Councilor Starbard and seconded by Councilor Colucci to allow the use of the Parking lot at 2 State Street for filming on May 13, 2022 from 6:00 pm to 6:00 am
Motion carried by the following yea and yea:
11 YES 0 NO

3. OTHER BUSINESS

***Motion made by Councilor Starbard and seconded by Councilor Colucci to* allow the use of the City Hall Foyer for an organized Fair by the Lynn Community Connections Coalition focused on organizations that serve under-represented groups in Lynn. The Fair will be held on Friday, June 10, 2022 from 9:00 am to 12:00 pm.**

Motion carried by the following yea and nay vote:

11 YES 0 NO

REPORT ACCEPTED.

Report of the May 10, 2022 Committee on Licensing recommending the Following to be accepted:

AUTO REPAIR/FLAMMABLE RENEWAL

17A Alley St., Arm Garage – **Granted**
68 R Bennett St., Estrada Auto Repair– **Granted**

AUTO REPAIR/AUTO BODY/FLAMMABLE LICENSE RENEWAL

17B Alley St., Magic Auto Repair – **Granted**
37 Bennett St., Milan Towing Corporation– **Granted**
68R Bennett St., Estrada Auto Repair– **Granted**
84 Bennett St., Joselo Auto Repair– **Granted**
220 Chestnut St., Auto Body Rebuilders Inc. – **Granted**
165 Commercial St., Igor's Auto Body– **Granted**
407 Essex St., Melo's Tire and Auto Service– **Granted**
905 Western Ave., Master Auto Repair Inc. – **Granted**

FLAMMABLE LICENSE – NEW OR RENEWAL

6 Bennett St., L-A-C Steel Fabrication– **Granted**
122 Boston St., Nouria 122 Boston St. (Shell) – **Granted**
668 Chestnut St., Cumberland Farms, Inc.(CFI #2492) – **Granted**
21 City Hall Sq, Verizon New England– **Granted**
535 Lynnway, Nouria 535 Lynnway– **Granted**
56 Sanderson Ave., Leahy Landscaping Inc. – **Granted**

OTHER BUSINESS

REPORT ACCEPTED.

Report of the May 10, 2022 Committee on Utilities recommending the following to be accepted:

PUBLIC HEARING:

- **Commercial St and Bennett St.** ***(Hogan)***

  Petition of Methuen Construction as part of the Phase 3 West Lynn Sewer Separation Project.

Project Overview:

- Construction of below grade 96 MGD pump station with 5 storm water pumps, 1 dewatering pump. Pumping station will also include inlet screening chamber, a pump wet well, and discharge valve vault.

- Construct 1,856 square foot masonry electrical building with switchboard, five reduced voltage motor starters for main pumps and one of the dewatering pumps, transformers, automatic transfer switch, 750 kW natural gas generator, two bathrooms, and HVAC equipment.

- Construction of 1000 linear feet of 54-inch diameter HDPE pipe cased in a 66-inch diameter steel casing by micro tunneling.

- Removal and legal disposal of five suspected underground fuel oil storage tanks. Excavation of 3 metallic anomalies along the south project boundary.

- Removal and disposal of top eight feet of soil from the site.

- Relocation of utilities in Commercial and Bennett Streets.

- Cap existing utilities in the area of the pumping station and the electrical building.

- Remove and legally dispose of the existing piping between capped sections.

Motion made by Councilor Colucci and seconded by Councilor Starbard to grant.
Motion carried.
REPORT ACCEPTED.

Report of the May 10, 2022 Committee on Ways and Means recommending the following to be accepted:
TRANSFERS:
Transfer the sum of FIVE HUNDRED TWENTY ONE THOUSAND DOLLARS AND ZERO CENTS ($521,000.00)

From the Account of 11934-1000S	ISD-PR-School	521,000.00
To the Account of 11935-8200S	ISD-School Exp	521,000.00

To fund projects with excess payroll due to retirements.
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:
11 YES 0 NO
Emergency Order was then adopted by the following yea and nay vote:
11 YES 0 NO

Transfer the sum of ONE HUNDRED FIFTY THREE THOUSAND DOLLARS AND ZERO CENTS ($153,000.00)

From the Account of 11934-1000	ISD-PR	153,000.00
To the Account of 11935-2412	ISD-Exp	40,000.00
To the Account of 22525-2607	Street Lights-Exp	113,000.00

To fund additional projects needed.
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:
11 YES 0 NO
Emergency Order was then adopted by the following yea and nay vote:
11 YES 0 NO

Transfer the sum of FORTY FIVE THOUSAND DOLLARS AND ZERO CENTS ($45,000.00)

From the Account of 65325-3890	COA-Exp	45,000.00
To the Account of 65324-1000	COA-PR	45,000.00

To fund additional staff hired.
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:
11 YES 0 NO
Emergency Order was then adopted by the following yea and nay vote:
11 YES 0 NO

Transfer the sum of FOUR THOUSAND THREE HUNDRED SIXTY TWO DOLLARS AND ZERO CENTS ($4,362.00)

From the Account of 98035-7800 Reserve		$4,362.00
To the Account of 11925-3400	Council-Exp	$540.00
To the Account of 11925-4200	Council-Exp	$500.00
To the Account of 11925-4204	Council-Exp	$800.00
To the Account of 11925-8504	Council-Exp	$2,522.00

To fund shortfalls in expense line items for FY22.

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:

11 YES 0 NO

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

11 YES 0 NO

CERTIFIED FUNDS:

Certify as an "Available Fund" the amount of ONE MILLION FIVE HUNDRED SEVENTEEN THOUSAND TWO HUNDRED NINETY DOLLARS AND ZERO CENTS (1,517,290.00) as allotted to the City of Lynn by Transportation Bond Bill Chapter 90 for FY23.

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:

11 YES 0 NO

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

11 YES 0 NO

Certify as an "Available Fund" the amount of THREE HUNDRED THOUSAND DOLLARS AND ZERO CENTS ($300,000.00) as allotted to the City of Lynn Community Development Department by the Department of Conservation and Recreation for climate resiliency initiatives in the City of Lynn. Grant Period is 4/20/22 to 06/30/22 FY22 ARPA Earmark from Delegation.

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:
11 YES 0 NO
Emergency Order was then adopted by the following yea and nay vote:
11 YES 0 NO

Certify as an "Available Fund" the amount of THREE MILLION NINE HUNDRED FIFTY THREE THOUSAND SEVEN HUNDRED TWENTY EIGHT DOLLARS AND ZERO CENTS ($3,953,728.00) as allotted to the City of Lynn School Department by the Department of Early and Secondary Education (DESE) for FY22 Pandemic Related Disruptions in Enrollments Grant. Grant Period 05/10/22-06/30/23
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:
11 YES 0 NO
Emergency Order was then adopted by the following yea and nay vote:
11 YES 0 NO

Certify as an "Available Fund" the amount of FIFTY THOUSAND DOLLARS AND ZERO CENTS ($50,000.00) as allotted to the City of Lynn School Department by the Department of Early Education and Care (EEC) for FY22 CPPI Planning Grant. Grant Period 05/10/22-06/30/22
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:
11 YES 0 NO
Emergency Order was then adopted by the following yea and nay vote:
11 YES 0 NO

ORDERS:
ORDER: Pursuant to votes of the Lynn City Council dated July 13, 2021 and September 28, 2021 regarding the American Recovery Plan Act, the Lynn City Council hereby authorizes that the City may authorize the allocation of the sum of FIFTY THOUSAND DOLLARS AND ZERO CENTS ($50,000.00) for American Rescue Plan Act for consulting and outreach services for Capital Strategic Solutions, Inc.

From the Account of 0251 ARPA	$50,000.00
To the Account of 25178005-3000	$50,000.00

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:
11 YES 0 NO
Emergency Order was then adopted by the following yea and nay vote:
11 YES 0 NO

ORDER: That the City of Lynn hereby accepts the provisions of Massachusetts General Laws Chapter 44, §53F½ establishing portion of the lease payments for the operations of the Gannon Municipal Golf Course Concession proceeds as an Enterprise Fund effective IMMEDIATLY. All monies presently existing in the Gannon Municipal Golf Course Special Revenue Fund shall be transferred into the Gannon Municipal Golf Course Enterprise Fund. Sixty-five percent (65%) of the revenues from the golf course concessions shall be deposited into the Gannon Municipal Golf Course Enterprise Fund on an annual basis.
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:
11 YES 0 NO
Emergency Order was then adopted by the following yea and nay vote:
11 YES 0 NO

ORDER: Be it Ordered by the City Council of the City of Lynn, assembled, and by the authority of the same as follows: That the City of Lynn (the "City") hereby accepts the provisions of Chapter 32B, Section 20 of the Massachusetts General Laws, as amended by Chapter 218, Section 15 of the Acts of 2016 (the "Act"); and establishes an Other Post-Employment Benefits Liability Trust Fund (the "Fund"); and That, in accordance with the Act, the City hereby designates the Treasurer/Collector of the City to serve as Custodian of the OPEB Fund (the "Custodian"); and That the Treasurer/Custodian be designated as the Trustee of the Fund, with all the powers and responsibilities identified under the Act and this vote; and That the Treasurer/Custodian, as Trustee, be authorized to employ investment consultant(s), as well as outside custodial service(s), to hold monies in the Fund, and to pay for services from the Fund; and That the City hereby authorizes the investment of the Fund under the prudent investor rule established under G.L. c. 203C; and That the City authorizes the Treasurer/Custodian, as Trustee, to execute any and all documents necessary to utilize outside custodial service(s) and/or investment

consultant(s), including but not limited to trust agreements, participation agreements, investment agreements, and administrative services agreements; and That the City hereby designates the Treasurer/Custodian as the Plan Administrator, as may be necessary to utilize outside custodial service(s) and authorizes the Treasurer/Custodian, acting as Plan Administrator, to take any other actions permitted or required by law; and That a sum is expected to be appropriated in Fiscal Year 2022 as the initial investment into the Other Post-Employment Benefits Liability ("OPEB") Trust Fund established in accordance with G.L. c. 32B, §20. This fund shall be effective immediately.

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:

11 YES 0 NO

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

11 YES 0 NO

REPORT ACCEPTED.

NEW BUSINESS:

Discussion with James Cowdell, EDIC Director regarding 23 Farrar Street (SOLIYARN/Tax Increment Financing Agreement)

ORDERED that His Honor the Mayor is hereby authorized to execute a Tax Increment Financing Agreement with Soliyarn, LLC to relocate its business at 23 Farrar Street, Lynn, Massachusetts in accordance with Massachusetts General Laws Chapter 23A, Section 3E, Chapter 40, Section 59 and Chapter 59, Section 5.

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

Motion carried by the following yea and nay vote:

10 YES 1 NO (Councilor LaPierre voting NO).

Presentation by Robert Dolan, Vice President, Mass Development re: PACE Program

Motion made by Councilor Barton and seconded by Councilor Colucci to accept for the files.

Motion carried.

LAPIERRE / RESOLUTION THAT THE LYNN CITY COUNCIL SUPPORTS CANCELLING STUDENT LOAN DEBT:

WHEREAS, cancelling student loan debt and eliminating debt in higher education represents an enormous economic opportunity for the City of Lynn to create better jobs, increase spending in our local community, support individuals in moving upward in social mobility; and provide a deeply needed stimulus during the pandemic;

WHEREAS, Black, Latinx, Indigenous, Asian and Pacific Islander, and other communities of color; economically disadvantaged residents; older people and young adults experience the impacts of student debt and debt generally most acutely;

WHEREAS, abolishing of student debt also represents an incredible moral opportunity for the City of Lynn to support residents, addressing some racial and gender wage gaps, and providing better overall health outcomes to the general population since debt is associated with negative mental and physical health outcomes, like stress, depression, general health, obesity and mortality;

WHEREAS, cancelling student debt is a policy that is strongly supported across all political parties and across the country, but especially here in the City of Lynn and now President Joe Biden and the Democrats committed to some form of student debt cancellation during the 2020 election;

WHEREAS, student debt cancellation is only one step toward relief and a better higher education system, and examples from overseas and locally show the need for elimination of full student loan debt and investment in and pathways toward College for All and other programs to support higher education as a public good;

WHEREAS, elimination of debt in higher education and pathways to education as a public good represents substantial opportunities for the City of Lynn to create jobs, reform higher education during an integral time, increase economic and public health security, expand prosperity for local residents, and save the City and residents money;

NOW THEREFORE IT BE RESOLVED by the City Council of City of Lynn calls for the Federal Government to commit to cancel all student debt. The Lynn City Council requests that the Federal Government enacts a plan to cancel student debt and begin the transition to education as a public good.
Motion made by Councilor LaPierre and seconded by Councilor Barton to grant.
Motion carried by the following yea and nay vote:
9 YES 2 NO (Councilor Lozzi and Councilor Starbard voting NO).

Motion made by Councilor Lozzi and seconded by Councilor Colucci 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