

**CITY OF LYNN**

**Regular City Council Meeting, December 14, 2010  
Council President Timothy Phelan Presiding**

**Ten Councillors Present (Councillor Crighton absent).  
Moment of Silence.  
Pledge of Allegiance.**

**COMMUNICATIONS:****Communication from Her Honor the Mayor:**

Dear Councilors:

I am hereby appointing Ms. Elisabeth L. Daly, 27 Stephen Street, to the Office of Economic and Community Development Citizen's Advisory Board. Ms. Daly's term is effective immediately and will expire on February 1, 2014.

Sincerely, Judith Flanagan Kennedy, Mayor of Lynn

**Motion made by Councillor Cyr and seconded by Councillor Capano to suspend the rules to appoint Elisabeth L. Daly to the Office of Economic and Community Development Citizens Advisory Board effective immediately and will expire on February 1, 2014.**

**Motion carried by the following yea and nay vote:**

**9 YES 0 NO (Councillor Crighton absent; Councillor Ford absent at vote)**

**Communication from Attorney Michael J. Barry, City Solicitor:**

Dear Councilor Colucci:

Enclosed please find a Disclosure of Financial Interest as required by MGL, C. 268A, Section 20(b) in order to be appointed as a Constable in the City of Lynn. It is the recommendation of this office that you obtain the Mayor's signature as appointing authority and submit the Disclosure to the Lynn City Council for approval. Please be advised that it is the opinion of this office that you should abstain from a vote relating to the approval of the Disclosure Form. Thank you for your attention to this matter. Very truly yours, Michael J. Barry, City Solicitor.

**Motion made by Councillor Duffy and seconded by Councillor Crowley to accept for the files.**

**Motion carried by the following yea and nay vote:**

**8 YES 0 NO (Councillor Crighton absent, Councillor Ford absent at vote, Councillor Colucci abstained).**

**Communication from Fred Cronin, Collector:**

Dear Councilors:

In accordance with the procedures established by the Massachusetts Ethics Commission, I am hereby notifying you that I intend to reappoint my brother, Ralph W. Cronin, to the position of Deputy Tax Collector for the year 2011. I would expect that he would earn in excess of eighty thousand dollars (\$80,000.00) from which other deputy collectors supplies, postage and other expenses must be paid.

Pursuant to the Ethics Commission requirements, I would be grateful if you would approve this appointment and notify me in writing that "...my brother's financial interest in his position is not so substantial as to be deemed likely to affect the integrity of the services which the City may expect..." from me should I make the appointment.

Thank you for your courtesy and cooperation.

Very truly yours, Frederick B. Cronin, Jr., Collector of Taxes

**Motion made by Councillor Duffy and seconded by Councillor Trahan to accept.**

**Motion carried by the following yea and nay vote:**

**9 YES 0 NO (Councillor Crighton absent, Councillor Ford absent at vote).**

**PUBLIC HEARINGS:**

Public Hearing to determine the percentage of FY2011 Tax Levy to be borne by each class of real and personal property.

The following spoke in Favor:

Ron Mendes, 124 Ocean Street (Chambers)

No one appeared in Favor.

Public Hearing Closed.

Council President Phelan asked City Assessor Peter Caron to address the Council.

**Motion made by Councillor Colucci and seconded by Councillor Trahan to set the Tax Rate with the Lowest Residential Factor.**

**Motion carried by the following yea and nay vote:**

**10 YES 0 NO (Councillor Crighton absent).**

Public Hearing relative to an Ordinance Amending the Ordinance Pertaining to Sex Offender Registry Restrictions in the City of Lynn.

No one appeared in Favor.

The following appeared in Opposition:

Attorney Rebecca Whitehill, Essex County Attorney

Public Hearing Closed.

**Motion made by Councillor Cyr and seconded by Councillor Colucci to grant.**

**Motion carried by the following yea and nay vote:**

**10 YES 0 NO (Councillor Crighton absent).**

Public Hearing pursuant to MGL, Chapter 139, Section 1, relative to a burnt, dilapidated or dangerous building at 102 Alley Street.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

**Motion made by Councillor Crowley and seconded by Councillor Cyr to grant.**

**Motion carried by the following yea and nay vote:**

**9 YES 0 NO (Councillor Crighton Absent; Councillor Capano voting PRESENT).**

Public Hearing pursuant to MGL, Chapter 139, Section 1, relative to a burnt, dilapidated or dangerous building at 104 Alley Street.

No one appeared in Favor.

No one appeared in Opposition.

Public Hearing Closed.

**Motion made by Councillor Crowley and seconded by Councillor Cyr to grant.**

**Motion carried by the following yea and nay vote:**

**9 YES 0 NO (Councillor Crighton absent, Councillor Capano voting PRESENT).**

### **UNFINISHED BUISNESS:**

#### **Ways and Means Committee Meeting of November 30, 2010:**

Ordered that Her Honor the Mayor is hereby authorized to execute all documents necessary for a Section 108 Waterfront Loan Fund from the Department of Housing and Urban Development.

**Motion made by Councillor Lozzi and seconded by Councillor Crowley to grant.**

**Motion carried by the following yea and nay vote:**

**10 YES 0 NO (Councillor Crighton absent).**

### **COMMITTEE REPORTS:**

#### **Report of the December 14, 2010 Committee on Ways and Means recommending the following to be accepted:**

Recommends that the Lynn City Council be requested to set down a Public Hearing relative to a burnt, dilapidated or dangerous building or other structure located at 33 Central Square and, after hearing, may make record an order adjudging it to be a nuisance to the neighborhood or dangerous and prescribing to its disposition, alteration, or regulation all as authorized by Massachusetts General Laws, Chapter 139, Section 1.

**(Motion to set down Public Hearing).**

**REPORT ACCEPTED.**

**Report of the December 14, 2010 Committee on Public Safety recommending the following to be accepted:**

The following individual was appointed Constable:

Jose Liria, 35 Graves Avenue, Lynn – **Granted**

**REPORT ACCEPTED.**

**Report of the December 14, 2010 Committee on Minor Licenses recommending the following to be accepted:**

**TAXI OPERATORS (NEW):**

Khun, Mao, 14 Wardwell Pl. 90 day review - **Granted**

Lavrentios, James M.-20 Neptune Blvd- 90 day review - **Tabled**

Manon, Jose Arturo, 27 Ridgeway St. - **Tabled**

Tavarez, Jose, 15 Belvidere Pl.-90 day review - **Granted**

**LIVERY OPERATORS-(NEW):**

Knott, Eric, 13 Michigan Ave.-tabled 11/30/10- **Granted**

Lavrentios, James H. 20 Neptune Blvd-90 day review - **Tabled**

Manon, Jose Arturo-27 Ridgeway St. - **Tabled**

Mudri, Robert M. D. 167 No. Common St. #32 tabled 11/30/10 - **DENIED**

**AUTO REPAIR/FLAMMABLE NEW:**

349 Lynnway - Morgan's Garage- **Granted**

233 Western Ave. – Ingram's Service Center- **Granted**

**AUTO REPAIR/FLAMMABLE RENEWAL:**

106 Chestnut St. – Los V Tires (**owes taxes**) - **Tabled**

**AUCTION – RENEWAL:**

8 Cedar St., Woburn, MA., Sandra Monroe & Company, Inc. - **Granted**

**CHRISTMAS TREE SALES – NEW:**

800 Lynnway, Tree Brother- **Granted**

**CLASS I AUTO DEALER- AUTO REPAIR, FLAMMABLE- RENEWAL:**

671 Lynnway – Atlantic Toyota Group, Inc. DBA Atlantic Toyota  
(DBA Atlantic Scion) - **Granted**

**CLASS II AUTO DEALER- REPAIR, FLAMMABLE-RENEWAL:**

87A Rear Bennett St. – Bennett St. Auto Sales, Inc. - **Granted**

100 Central Ave. – Action Auto Sales- **Granted**

106 Chestnut St. – Kevin Auto Sales – (**owes taxes**) - **Tabled**

119 Essex St. – A & S Auto Services, Inc. - **Granted**

113A Fayette St. – A Starr Blanchard, LLC- **Granted**

811 Lynnway – North Shore Auto Mall- **Granted**

837 Lynnway – Sunrise Auto Inc. - **Granted**

232-234 Western Ave. – A.J.'s Auto Sales, Inc. - **Granted**

860 Western Ave. – Plourde's Auto Sales & Service- **Granted**

**CLASS II DEALER - AUTO BODY- REPAIR, FLAMMABLE – RENEWAL:**

44 Marion St. – Mark A. King, Inc. DBA Marion St. Auto Body- **Granted**

**DISCUSSION:**

Letter from Marino Corsino re: City of Lynn Taxicab Medallions – **Accepted For Files. REPORT ACCEPTED.**

**Report of the December 14, 2010 Committee on Public Property recommending the following to be accepted:**

Ordered that Her Honor the Mayor be authorized to enter into a Lease Agreement by and between the City of Lynn and Ralph W. Sevinor, Trustee of RWS Realty Trust, for a term of five (5) years, beginning December 1, 2010, for the premises located at 424R Essex Street, Lynn, Massachusetts, more fully described in “Lease Agreement” between the parties, dated May 1, 2005, incorporated by reference. **(Lays over to December 28, 2010 Meeting).**

**REPORT ACCEPTED.**

**Report of the December 14, 2010 Committee on Finance recommending the following to be accepted:**

Ordered that the City Comptroller be and is hereby authorized to make the following appropriation transfers:

From the Account of the Reserve Fund:

To the Account of Law Department Expense:      \$50,000.00

**(Lays over to December 28, 2010 Meeting).**

From the Account of Reserve Fund:

To the Account of Comptroller’s Expense:      \$10,010.50

**(Lays over to December 28, 2010 Meeting).**

**NEW BUSINESS:**

**Motion made by Councillor Trahant and seconded by Councillor Colucci to remove from the Table the Petition of Veterans of Foreign Wars, Post 507, George Rivers, Post Commander for permission to transfer location of existing VFW Post from location at 90 High Rock Street to 19-21 Fayette Street, with All Alcohol Club License with hours from 12 Noon to 1:00 a.m. Sunday through Saturday and to DENY.**

**Motion carried by the following yea and nay vote:**

**10 YES 0 NO (Councillor Crighton absent).**

**Motion made by Councillor Colucci and seconded by Councillor Duffy 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:**

**CITY CLERK**