

**CITY OF LYNN**

**Regular City Council Meeting – March 25, 2014  
Council President Daniel F. Cahill, Presiding**

**Ten Councilors Present (Councilor Net absent).**

**Moment of Silence – Councilor William R. Trahant, Jr. asked that Al Colucci and George Jonah be remembered. Councilor Barton asked that Michael Stinson also be remembered.**

**Pledge of Allegiance**

**Motion made by Councilor Colucci and seconded by Councilor Cyr to accept the Meeting Minutes of March 11, 2014.**

**Motion carried.**

**COMMUNICATIONS:**

**Communication from Richard Fortucci, City Treasurer**

Dear Councilors:

The following property has been redeemed and will revert back to the owner:

15 Groveland Street, Date paid 3/14/14.

Please adjust your records accordingly.

Richard J. Fortucci, City Treasurer

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

**Motion carried.**

**PUBLIC HEARINGS:**

An Ordinance Amending the Zone Ordinance relative to 9:00 Off Street Parking.

The following appeared in Favor:

Attorney Thomas Demakis, Lynn

Attorney James Moore, Lynn

No one appeared in Favor.

Council President Cahill stated that a letter from the Planning Board was submitted and he asked the Clerk to read it into the records.

**Motion made by Councilor Cyr and seconded by Councilor Capano to amend as approved by the Planning Board.**

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

**10 YES 0 NO (Councilor Net absent).**

**Motion made by Councilor Cyr and seconded by Councilor Cyr to grant as amended.**

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

**10 YES 0 NO (Councilor Net absent).**

**PUBLIC HEARINGS TO BE SET DOWN:**

Home Rule Petition Pertaining to the Salary for Mayor

Public Hearing on Waste Management Trash Agreement

**Motion made by Councilor Colucci and seconded by Councilor Trahan to set down for Public Hearings.**

**Motion carried.**

**COMMITTEE REPORTS:**

**Report of the March 25, 2014 Committee on Public Works recommending the following to be accepted:**

**Meeting Canceled.**

**REPORT ACCEPTED.**

**Report of the Committee on Ways and Means recommending the following to be accepted:**

Ordered that the City Comptroller be and is hereby authorized to take the following action:

Certify as an "Available Fund" the amount of Fifty Thousand Dollars and Zero Cents (\$50,000.00) as allotted to the City of Lynn Community Development by the Massachusetts Historical Society to fund a grant initiative to perform masonry repairs to refurbish the Multi-Service Center. Grant period is 2/25/14 to 6/30/14.

**Councillor Cyr 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.**

**WHEREAS, An Emergency relative to an order certifying as an "Available Fund" the amount of Fifty Thousand Dollars and Zero Cents (\$50,000.00) as allotted to the City of Lynn Community Development by the Massachusetts Historical Society to fund a grant initiative to perform masonry repairs to refurbish the Multi-Service Center. Grant period is 2/25/14 to 6/30/14.**

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

**Emergency Preamble was adopted by the following yea and nay vote:**

**10 YES 0 NO (Councilor Net absent)**

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

**10 YES 0 NO (Councilor Net absent).**

Certify as an "Available Fund" the amount of Sixty Six Thousand Seventy Five Dollars and Zero Cents (\$66,075.00) as allotted to the City of Lynn Office of Economic & Community Development by North Shore Workforce Investment Board for Youth Works Year Round Jobs.

**Councillor Cyr 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.**

**WHEREAS, An Emergency relative to an order certifying as an "Available Fund" the amount of Sixty Six Thousand Seventy Five Dollars and Zero Cents (\$66,075.00) as allotted to the City of Lynn Office of Economic & Community Development by North Shore Workforce Investment Board for Youth Works Year Round Jobs.**

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

**Emergency Preamble was adopted by the following yea and nay vote:**

**10 YES 0 NO (Councilor Net absent)**

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

**10 YES 0 NO (Councilor Net absent).**

Transfer the sum of Seventy Seven Thousand Dollars and Zero Cents (\$77,000.00) From the Account of Parking Meter Receipts to the Account of Parking Department/Outside Professional.

**Councillor Cyr 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.**

**WHEREAS, An Emergency relative to a financial transfer in the sum of Seventy Seven Thousand Dollars and Zero Cents (\$77,000.00) from the Account of Parking Meter Receipts to the Account of Parking Department/Outside Professional.**

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

**Emergency Preamble was adopted by the following yea and nay vote:**

**10 YES 0 NO (Councilor Net absent)**

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

**10 YES 0 NO (Councilor Net absent).**

Transfer the sum of One Thousand Six Hundred Sixteen Dollars and Zero Cents (\$1,616.00) from the Account of Veterans Benefits to the Account of Veteran's Unpaid Bills of Prior Year.

**Councillor Cyr 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.**

**WHEREAS, An Emergency relative to a financial transfer the sum of One Thousand Six Hundred Sixteen Dollars and Zero Cents (\$1,616.00) from the Account of Veterans Benefits to the Account of Veteran's Unpaid Bills of Prior Year.**

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

**Emergency Preamble was adopted by the following yea and nay vote:**

**10 YES 0 NO (Councilor Net absent)**

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

**10 YES 0 NO (Councilor Net absent).**

Appropriate the sum of One Hundred Thirty Thousand Seven Hundred Eighty Seven Dollars and Zero Cents (\$130,787.00) from the Account of Free Cash to the Account of ISD Payroll-School.

**Councillor Cyr 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.**

**WHEREAS, An Emergency relative to a financial transfer appropriating the sum of One Hundred Thirty Thousand Seven Hundred Eighty Seven Dollars and Zero Cents (\$130,787.00) from the Account of Free Cash to the Account of ISD Payroll-School.**

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

**Emergency Preamble was adopted by the following yea and nay vote:**

**10 YES 0 NO (Councilor Net absent)**

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

**10 YES 0 NO (Councilor Net absent).**

Appropriate the sum of Forty Thousand Two Hundred Ten Dollars and Ninety Cents (\$40,210.90) from the Account of Free Cash to the Account of DPW Payroll/Longevity.

**Councillor Cyr 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.**

**WHEREAS, An Emergency relative to a financial transfer appropriating the sum of Forty Thousand Two Hundred Ten Dollars and Ninety Cents (\$40,210.90) from the Account of Free Cash to the Account of DPW Payroll/Longevity.**

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

**Emergency Preamble was adopted by the following yea and nay vote:**

**10 YES 0 NO (Councilor Net absent)**

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

**10 YES 0 NO (Councilor Net absent).**

Appropriate the sum of One Hundred Thousand Dollars and Zero Cents (\$100,000.00) From the Account of Free Cash to the Account of Financial Software Upgrade/Software.

**Councillor Cyr 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.**

**WHEREAS, An Emergency relative to a financial transfer appropriating the sum of One Hundred Thousand Dollars and Zero Cents (\$100,000.00) From the Account of Free Cash to the Account of Financial Software Upgrade/Software.**

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

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

**10 YES 0 NO (Councilor Net absent)**

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

**10 YES 0 NO (Councilor Net absent).**

Appropriate the sum of Three Hundred Sixty Thousand Seven Hundred Seventy Four Dollars and Six Cents (\$360,774.06) from the Account of Free Cash to Account of Police Payroll.

**Councillor Cyr 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.**

**WHEREAS, An Emergency relative to a financial transfer appropriating the sum of Three Hundred Sixty Thousand Seven Hundred Seventy Four Dollars and Six Cents (\$360,774.06) from the Account of Free Cash to Account of Police Payroll.**

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

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

**10 YES 0 NO (Councilor Net absent)**

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

**10 YES 0 NO (Councilor Net absent).**

**REPORT ACCEPTED.**

**Report of the March 25, 2014 Committee on Licensing recommending the following to be accepted:**

**TAXI OPERATORS (NEW)**

Contreras, Luis L., 30 Garden Terr. Salem - **Granted**

Doucette, Christopher, 64 Lowell St. (**Could not attend Meeting**) - **Tabled**

Garcia, Angel A., 28 Lovett Pl #1- **Granted**

Maccuish, Cheryl, 102 Bowdoin St. Malden- **Granted**

Sosa, Miguel A., 9 Essex Ct # 21- **Granted**

**TAXI OPERATORS- 30 DAY REVIEW**

Doucette, Daniel, 64 Lowell St. - **Granted**

**TAXI OPERATOR – \* RENEWAL\***

Lopez-Silvestre, Jorge, 211 Washington St # 2A. **See Court Letter.** – **Granted w/30-60-90 Day Review**

**SECOND HAND ARTICLE-NEW**

53 Market St., Black Friday Year Round- **Granted**

**SECOND HAND ARTICLE-RENEWAL**

800 Lynnway, Duc Anh (Watch & Clock Repair) – **Granted w/30-60-90 Day Review with Mr. Duc Anh.**

**OLD GOLD & SILVER LICENSE**

800 Lynnway, Duc Anh (Watch & Clock Repair) – **Granted w/30-60-90 Day Review with Mr. Duc Anh.**

**AUTO BODY-AUTO REPAIR-FLAMMABLE LICENSE - RENEWAL**

135 Pleasant St., Pudgy's Towing and Auto Repair, Inc. - **Granted**

**AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL**

307 Eastern Ave., Ed Fleming's Garage, Inc. - **Granted**

**FLAMMABLE LICENSE – RENEWAL**

330 Lynnway, Garelick Farms, Lynn- **Granted**

626 Lynnway, Garelick Farms, Lynn- **Granted**

680 Lynnway, Garelick Farms, Lynn- **Granted**

**CLASS II AUTO DEALER/AUTO REPAIR/FLAMMABLE LICENSE**

106 Chestnut St., Kevin Auto Sales and Repairs **30-Day Review from the February 25, 2014 meeting: (Temporary License given due to unpaid taxes).** - **Granted**

**CANNING**

Lynn Band Boosters (Adults Only) – April 4, 5, 6, 2014 - **Granted**

**OTHER BUSINESS**

**REPORT ACCEPTED.**

**Report of the March 25, 2014 Committee on Public Property and Parks recommending the following to be accepted:**

Ordered that Her Honor the Mayor be authorized to execute a lease agreement with the Massachusetts Alliance of Portuguese Speakers (MAPS) to provide health care and support services for homeless individuals and those at risk of becoming homeless.

**Councillor Colucci 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.**

**WHEREAS, An Emergency relative to an Order that Her Honor the Mayor be authorized to execute a lease agreement with the Massachusetts Alliance of Portuguese Speakers (MAPS) to provide health care and support services for homeless individuals and those at risk of becoming homeless.**

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

**Emergency Preamble was adopted by the following yea and nay vote:**

**10 YES 0 NO (Councilor Net absent)**

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

**10 YES 0 NO (Councilor Net absent).**

**Report of the March 25, 2014 Committee on Education and Environmental Affairs recommending the following to be accepted:**

Resolved: having convened in an open meeting on March 25, 2014, prior to the closing date, the Lynn City Council, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated on or before April 11, 2014 for the Pickering Middle School located at 70 Conomo Avenue 01904, which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future for:

- Elimination of existing severe overcrowding
- Prevention of severe overcrowding expected to result from increased enrollments
- Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation expected and decrease energy related costs in a school facility
- Replacement of, or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the District of Lynn to filing an application for funding with the Massachusetts School Building Authority.

**Councillor Cyr 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.**

**WHEREAS, An Emergency relative to an order Resolved: having convened in an open meeting on March 25, 2014, prior to the closing date, the Lynn City Council, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated on or before April 11, 2014 for the Pickering Middle School located at 70 Conomo Avenue 01904, which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future for:**

- **Elimination of existing severe overcrowding**
- **Prevention of severe overcrowding expected to result from increased enrollments**
- **Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation expected and decrease energy related costs in a school facility**
- **Replacement of, or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or**

commits the District of Lynn to filing an application for funding with the Massachusetts School Building Authority.

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

**Emergency Preamble was adopted by the following yea and nay vote:**

**10 YES 0 NO (Councilor Net absent)**

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

**10 YES 0 NO (Councilor Net absent).**

**NEW BUSINESS:**

Council President Cahill mentioned that Councilor Hong could not attend this evening's meeting as he was at home sick.

**Motion made by Councillor Barton and seconded by Councillor Crighton 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**