

CITY OF LYNN

**City Council Meeting, February 8, 2022
Council President John M. Walsh, Jr.**

******MEETING WILL BE TELEVISED LIVE ON THE LYNN COMMUNITY
TELEVISION (LCTV) GOVERNMENT CHANNEL AND ALSO
STREAMED ON THE LCTV FACEBOOK PAGE****'**

10 Councilors Present (Councilor Lozzi absent).

Moment of Silence

Pledge of Allegiance

Motion made by Councilor Colucci and seconded by Councilor Field to accept the Meeting Minutes of January 25, 2022.

Motion carried.

COMMUNICATIONS FROM HIS HONOR THE MAYOR:

Dear Councilors:

I am hereby appointing the following members to serve on the Zoning Board of Appeals effective immediately and their terms will expire accordingly. Sincerely,
Mayor Jared C. Nicholson

Ibrahim Lopez-Hernandez 24 Mt. Vernon St., as a Regular member. Term expires Jan. 15, 2025

Son Wooten, 589 Essex St, as a Regular member. Term expires Jan. 15, 2027

Flory Makuwa, 4 Breed Terrace, as a Regular member. Term expires Jan. 15, 2026

Brendon Duffy, 181 Den Quarry Rd, as an Associate Member. Term expires Jan. 15, 2025

Bret Bennet, 69 Fair Oaks Ave, as an Associate Member. Term expires Jan. 15, 2023

Brianna Maggio, 18 Hawthorne St, as an Associate Member. Term expires Jan. 15, 2026

Victor Olson, 18 Newcastle St., as an Associate Member. Term expires Jan. 15, 2024

Motion made by Councilor Colucci and seconded by Councilor Barton to approve effective immediately.

Motion carried.

I am hereby appointing the following members to serve on the Conservation Commission effective immediately and their terms will expire accordingly. Sincerely,
Mayor Jared C. Nicholson

Paul Gouthro, 14 Cameron Rd. Term will expire May 22, 2022

Joselyn Yrata-Mart, 67 Marion St. Term will expire May 22, 2022

Brenda Escobar, 168 Euclid Ave. Term will expire May 22, 2024

Alexa Marquis, 16 Nells Pond Rd. Term will expire May 22, 2024

Mary Lester, 482 Bay Rd. South Hamilton, Term will expire May 22, 2023

Michael Toomey, 93 Judge Rd. Term will expire May 22, 2023

Motion made by Councilor Colucci and seconded by Councilor Barton to approve effective immediately.

Motion carried.

I am hereby appointing the following members to serve on the Citizens Advisory Board effective immediately and their terms will all expire on January 5, 2026. Sincerely,
Mayor Jared C. Nicholson

William Maciak, 23 Briar Hill Drive

Tish Mukala, 23 Brownville Ave

Tanvir Murad, 9 Stephen Terrace

Latoya Ogunbona, 200 Western Ave

Cecilia Lujan, 142 Washington St.

Alysha Bingham, 1 Carroll Way

Motion made by Councilor Colucci and seconded by Councilor Barton to approve effective immediately.

Motion carried.

DISCUSSION:

Arthur Dulong, Chairman of Pine Grove Cemetery Commission re:
Pine Grove Cemetery Chapel.

Motion made by Councilor LaPierre and seconded by Councilor Colucci to refer to the Ways and Means Committee to look into the feasibility of appropriating \$50,000 to make necessary repairs to the Pine Grove Cemetery Chapel.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

PUBLIC HEARINGS:

Amendments Granted to eliminate the Residency provisions in the City Charter, Home Rule Petitions, and existing Ordinances for the City of Lynn and the Water and Sewer Commission are as follows:

RE: LYNN CITY CHARTER:

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. Section 3-7(f) of the Lynn City Charter is hereby amended by striking and repealing the first and second sentences which read: “All persons elected to a city office by the city council under this section shall at the time of their election and at all times during their tenure in such office, be a resident and a voter of the city. Establishment of a principal place of residence outside of the limits of the city of Lynn shall be deemed to be an automatic resignation of the office to which said person was elected.” Section 3-7(f) shall now read as follows:

Qualifications—The city council may, by ordinance, establish additional standards of competence and suitability which may be required of candidates for any office to be filled by vote of the city council.

SECTION 2. Section 6-10(c) of the Lynn City Charter is hereby amended by striking out the third sentence which read: “He need not be a resident of the City of Lynn when appointed but he shall, within six months following such appointment, establish such residence or the position shall be deemed to be vacant.” Section 6-10(c) of the Lynn City Charter shall now read as follows:

(c) Commissioner of Public Works--A commissioner of public works shall be appointed by the mayor, subject to the approval of the city council, for a term of three years. The commissioner of public works shall be a person especially fitted by education, training and experience, to perform the duties of the office.

SECTION 3. Section 6-10(d) of the Lynn City Charter is hereby amended by striking out the second sentence which read: “The commissioner and associate commissioners need not be residents of the city of Lynn when appointed, but within six months following such appointment shall establish such residence, or the position shall be deemed to be vacant.” Section 6-10(d) of the Lynn City Charter shall now read as follows:

(d) Associate Commissioners--There shall be a first associate commissioner and a second associate commissioner, as the mayor may determine, subject to the approval of the city council, appointed for terms of three years each, so arranged that the terms of office of the two associate commissioners and the term of office of the commissioner all expire in different years.

The commissioner and associate commissioners shall not be subject to the provisions of chapter thirty-one of the General Laws. During the term of office, the commissioner and associate commissioners shall not hold any other elective office, nor shall the

commissioner or associate commissioners engage in any other business or occupation. Before entering upon their duties, the commissioner and associate commissioner shall be sworn to the faithful and impartial performance thereof, by the city clerk. The commissioner and associate commissioners shall execute bonds in favor of said city for the faithful performance of said duties in such sum and with such surety as may be fixed or approved by the city council.

SECTION 4. Section 8-11 of the Lynn City Charter is hereby stricken and repealed which read:

Section 8-11 City Residence Required

Except for the positions of chief financial officer, superintendent of schools, or positions exempted by law, every person who is appointed to a city office, and every person who is employed on a permanent full time basis by the city not a resident of the city at the time of such appointment or employment shall, within six months following such appointment or employment, establish his ordinary and usual place of residence within the city or such appointment or employment shall be deemed to be vacated or forfeited.

Section 8-11 of the Lynn City Charter shall be replaced by the following language:

Section 8-11 City Residency Preference

Except where exempted by State law or an applicable collective bargaining agreement, persons who have resided in the City of Lynn for a continuous 12-month period prior to being appointed to any City office, position, board or commission, shall be preferred for appointments in any event where the qualifications and experience of the resident applicant and non-resident applicant are substantially similar.

SECTION 5. Section 9-6(f) of the Lynn City Charter is hereby stricken and repealed which read:

(f) The provisions of section 8-11 shall not apply to any person who is in the employ of the city on the date on which the charter is adopted with respect to the office or the employment held on such date. Any such person who is promoted to a higher office or grade of employment shall, however, become as a result of such promotion subject to the provisions of this section.

Section 9-6(f) of the Lynn City Charter shall now read as follows:

Section 9-6(f) Repealed

SECTION 6. This act shall take effect upon its passage.

The following spoke in Favor:

Mayor Jared C. Nicholson

Former Mayor Thomas McGee

Faustina Cuevas, Lynn

Drew Russo, Lynn

Calvin Anderson, Lynn

Resident, 60 Boston Street

Carly McClain, Salem

Rich Marlino, 48 Carter Road

The following letters were received from:

Jo M. Sullivan, 55 Sadler Street

James Moser, 86 Euclid Avenue

Barbara Kinney, 3 Fernwood Avenue, Lynn

The following spoke in Opposition:

Kathy Paul, President, MA Senior Action

Barbara Mann, MA Senior Action

Shellie Hezekiah, Lynn

Lisa Pressman, 30 Red Rock , Lynn

Joanne Lindner, Lynn

The following letters were received from:

Kimberly DelRe, 38 Burrill Avenue, Lynn

Lisa Pressman, 30 Red Rock Street, Lynn

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

Motion carried by the following yea and nay vote:

8 YES 2 NO (Councilor Lozzi absent; Councilor Hogan voting NO; Councilor Starbard voting NO).

**RE: DPW COMMISSIONER IN THE YEAR TWO THOUSAND AND TWENTY-TWO
AN ORDINANCE AMENDING THE ORDINANCE RELATIVE TO THE
DEPARTMENT OF PUBLIC WORKS**

SECTION 1:00 COMMISSIONER OF PUBLIC WORKS DEPARTMENT.

The third sentence of Section 2:00(A) is hereby stricken and repealed which read: "He need not be a resident of the city of Lynn when appointed but he shall, within six months following such appointment, establish such residence or the position shall be deemed to be vacant." The revised Section 2:00 shall now read:

A. A commissioner of public works shall be appointed by the mayor, subject to the approval of the city council, for a term of three years. The commissioner of public works shall be a person especially fitted by education, training and experience, to perform the duties of the office. The commissioner shall have experience and proven skills in written and oral communications and personnel and project organization and shall possess a thorough understanding of the activities and operations of a multi-disciplined municipal service agency, a working knowledge of Massachusetts civil service, public works,

environmental, subdivision and purchasing laws, regulations and procedures, and an understanding of the application of computers and related technologies to the efficient operation of a diverse department. Qualifications include bachelor's degree in public administration, or civil and environmental engineering, experience in administration of public works programs and/or any combination of education and experience which evidences a comprehensive knowledge of management principals in public works administration. The commissioner should possess a professional engineer's license issued by the Commonwealth of Massachusetts state boards of registration for professional engineers.

B. The commissioner of public works is under the administrative direction of the mayor; and shall have all the powers, duties, responsibilities and functions now or from time to time vested by general or special law and maybe be responsible for the daily management and supervision of personnel and operations in the following: administrative division, cemetery division, engineering division, equipment maintenance division, park division (including the municipal golf course, municipal stadium facilities and public shade trees), operations division, sanitary division, street division. Specific responsibilities include: the development, implementation and direction of all policies and procedures in the department, preparation of fiscal budgets, preparation of contract and program specifications, contract management, labor relations within the department, public relations, regulatory compliance, grant writing and the administration of the technical functions formerly performed by the planning department, including; serving as administrative support to the planning board performing the statutory functions related to subdivision control, waterways regulation, and the laying out and discontinuance of public ways, project review and coordination, providing research and technical assistance to municipal officials, boards and agencies, record keeping and infrastructure and traffic safety/improvement project planning, development and implementation. The commissioner shall be expected to develop and implement new policies and work methods designed to reduce departmental costs, to promote operational efficiency and to foster improvements in the development, maintenance and safety of the city's cemeteries, parks, playgrounds, streets and related infrastructure.

SECTION 2:00 ASSOCIATE COMMISSIONER.

The second sentence of Section 3:00 is hereby stricken and repealed which read: "The commissioner and associate commissioners need not be residents of the city of Lynn when appointed, but within six months following such appointment shall establish such residence, or the position shall be deemed to be vacant." The revised Section 2:00 shall now read:

There shall be a first associate commissioner and a second associate commissioner, as the mayor may determine, subject to the approval of the city council, appointed for terms of three years each, so arranged that the terms of office of the two associate commissioners and the term of office of the commissioner all expire in different years.

The commissioner and associate commissioners shall not be subject to the provisions of chapter thirty-one of the General Laws. During the term of office, the commissioner and associate commissioners shall not hold any other elective office, nor shall the commissioner or associate commissioners engage in any other business or occupation. Before entering upon their duties, the commissioner and associate commissioner shall be sworn to the faithful and impartial performance thereof, by the city clerk. The commissioner and associate commissioners shall execute bonds in favor of said city for the faithful performance of said duties in such sum and with such surety as may be fixed or approved by the city council.

SECTION 3:00 TIME OF TAKING EFFECT

The provisions of this ordinance shall take effect upon final approval of a Home Rule Petition repealing Section 8-11 of the Lynn City Charter.

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

Motion carried by the following yea and nay vote:

8 YES 2 NO (Councilor Lozzi absent; Councilor Hogan voting NO; Councilor Starbard voting NO).

RE: GRAND ARMY REPUBLIC

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. Section 4:00 of Chapter 220 of the Acts of 1919 Authorizing the City of Lynn to Accept in a Trust Conveyance of the Grand Army of The Republic Army Building in the City of Lynn is hereby amended by striking the words “and has been a resident of the city of Lynn for at least five consecutive years preceding his appointment” appearing in the fifth sentence. The revised Section 4:00 shall now read:

Section 4. The powers and duties hereby conferred and imposed upon the city of Lynn shall be exercised and performed by an unpaid board of seven trustees to be appointed by the mayor, with the approval of the city council, to serve for terms of three years, except that of the initial appointees two shall serve for two years, two for three years, and three for four years. Any vacancy shall be filled in the same manner as the original appointment. A majority of the trustees shall always be descendants of men who served in the army or navy of the United States during the civil war, and were

honorably discharged therefrom: provided, that a sufficient number of such persons suitable so to serve, can be obtained. Preference in the office of trustee shall next be given to persons who have served in the army or navy of the United States and have received an honorable discharge or release therefrom. No person, however, shall be appointed as trustee unless he is a native-born citizen of the United States, is above the age of thirty years. The mayor shall designate one member of the board as chairman, and the board shall elect one of its members as secretary. Any member or members of said board may be removed by the mayor for cause. The trustees shall have charge and care of the building and of its maintenance and use, subject to approval of the mayor and of the city council. They shall appoint a custodian therefor, and shall fix his compensation, but the custodian may at any time be removed by the trustees, or a majority of them, without such approval. The trustees may appoint other necessary officers or employees for the care of the building, and may fix their compensation. The trustees shall fix and receive any rentals to be derived from the use of any part of the present building, and shall devote the proceeds to its maintenance, and shall use any surplus for the relief of indigent families or descendants of persons who served in the army or navy of the United States in time of war, and were honorably discharged from such service or released from active duty therein, or for charitable, patriotic or benevolent purposes by the board of trustees, subject to the approval of the mayor. The trustees may, with the approval of the mayor and city council, at any time, subject to any existing lease, devote the whole building to the purposes set forth in this act, and shall make all necessary rules and regulations relative thereto.

SECTION 2. This act shall take effect upon its passage.

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. Chapter 167 of the Acts of 1999 establishing a Traffic Commission within the City of Lynn is hereby amended by striking out and repealing the following words appearing in the first sentence in Section 1 “whose members shall be residents of the city.”

Section 1 shall now read in its entirety:

Section 1. There shall be in the city of Lynn a traffic commission. The commission shall consist of the chief of police or his designee, the commissioner of the department of public works or his designee, the parking director or his designee, and two members to be appointed by the city council in the manner established by city ordinance. Each appointed member shall serve for a term of two years and may be

reappointed upon the expiration of his term. A member appointed by the city council who misses three consecutive meetings shall be removed from the commission and the city council shall appoint a member to fill the unexpired term of the member so removed.

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

Motion carried by the following yea and nay vote:

8 YES 2 NO (Councilor Lozzi absent; Councilor Hogan voting NO; Councilor Starbard voting NO).

RE: HUMAN RIGHTS COMMISSION THE YEAR TWO THOUSAND AND TWENTY-TWO AN ORDINANCE AMENDING THE ORDINANCE RELATIVE TO HUMAN RIGHTS COMMISSION

SECTION 1:00 MEMBERSHIP.

Paragraph C of Section 4:00 which read “Commissioners must be residents of the city at the time of their appointment and throughout their tenure” is hereby repealed.

Paragraph C of Section 4:00 shall now read:

C. Repealed.

SECTION 2:00 TIME OF TAKING EFFECT

The provisions of this ordinance shall take effect upon final approval of a Home Rule Petition repealing Section 8-11 of the Lynn City Charter.

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

Motion carried by the following yea and nay vote:

7 YES 3 NO (Councilor Lozzi absent; Councilor Alinsug voting NO; Councilor Hogan voting NO; Councilor Starbard voting NO).

RE: PLANNING BOARD IN THE YEAR TWO THOUSAND AND TWENTY-TWO AN ORDINANCE AMENDING THE ORDINANCE REGULATING THE PLANNING BOARD

SECTION 1:00 ESTABLISHMENT.

Section 1:00 of the Ordinance Relative to the Planning Board is hereby amended by striking out the words “, each to be a resident of Lynn,”. The revised Section 1:00 shall now read:

A. The city council of the city of Lynn establishes a planning board consisting of five members in accordance with the provisions of General Laws, chapter 41, section 81A.

B. All members shall be appointed by the mayor, subject to confirmation by the city council for terms of such length and so arranged that the term of at least one member will expire each year and their successors shall be appointed for terms of five years each.

SECTION 2:00 TIME OF TAKING EFFECT

The provisions of this ordinance shall take effect upon final approval of a Home Rule Petition repealing Section 8-11 of the Lynn City Charter.

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

Motion carried by the following ye and nay vote:

8 YES 2 NO (Councilor Lozzi absent; Councilor Hogan voting NO; Councilor Starbard voting NO).

RE: RESIDENCY COMPLIANCE COMMISSION IN THE YEAR TWO THOUSAND AND TWENTY-TWO AN ORDINANCE REPEALING THE ORDINANCE ESTABLISHING A RESIDENCY COMPLIANCE COMMISSION

SECTION 1:00 REPEAL

The Ordinance Establishing a Residency Compliance Commission is hereby repealed.

SECTION 2:00 TIME OF TAKING EFFECT

The provisions of this ordinance shall take effect upon final approval of a Home Rule Petition repealing Section 8-11 of the Lynn City Charter.

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

Motion carried by the following ye and nay vote:

8 YES 2 NO (Councilor Lozzi absent; Councilor Hogan voting NO; Councilor Starbard voting NO).

**RE: SOLICITOR OFFICE
IN THE YEAR TWO THOUSAND AND TWENTY-TWO AN ORDINANCE
AMENDING THE ORDINANCE RELATIVE TO THE OFFICE OF THE CITY
SOLICITOR**

SECTION 1:00 CITY SOLICITOR, ELECTION, QUALIFICATIONS, DUTIES.

The second sentence of Section 1:00 which begins "He or she shall be a resident of the city of Lynn" shall be stricken. The revised Section 1:00 shall now read:

In accordance with the provisions of the charter of the city of Lynn there shall be an administrative officer who shall be the head of a law department of the city with' the title of city solicitor, and who whenever a vacancy shall occur, shall be elected by a majority vote of the city council in accordance with the provisions of section 3 - 7 of said city charter. He or she shall have been admitted as an attorney and counsellor in the courts of the Commonwealth and shall not hold any other office under the city government. The city solicitor shall be a Level 1 department head for salary purposes. He or she shall have his office at the city Hall and shall devote such time to the duties of said office as is necessary for their complete performance, The city council of the city of Lynn may pursuant to the removal procedure established in section 3 — 7 of the Lynn city charter remove the current city solicitor from office as the current city solicitor has previously obtained tenure pursuant to the provisions of the Lynn city charter. All future city solicitors who have not yet received tenure shall have an initial term of office of 3 years and they shall be granted tenure upon reappointment pursuant to section 6 — 5 of the Lynn city charter. The city council of the city of Lynn may pursuant to the removal procedure established in section 3 — 7 of the Lynn city charter remove the all future city solicitors from office who have obtained tenure.

SECTION 2:00 FIRST ASSISTANT CITY SOLICITOR.

Within the fifth sentence of Section 3:00 which begins “The first city solicitor shall be a resident of the city of Lynn”, the words “a resident of the city of Lynn” shall be stricken. The revised Section 3:00 shall now read:

The city council shall also, whenever a vacancy shall occur, elect by a majority vote a first assistant city solicitor in accordance with the provisions of section 3 — 7 of the city charter. The city council of the city of Lynn may pursuant to the removal procedure established in section 3 — 7 of the Lynn city charter remove the current first assistant city solicitor from office as the current first assistant solicitor has previously obtained tenure pursuant to the provisions of the Lynn city charter. All future first assistant city solicitors who have not yet received tenure shall have an initial term of office of 3 years and they shall be granted tenure upon reappointment pursuant to section 6 — 5 of the Lynn city charter. The city council of the city of Lynn may pursuant to the removal procedure established in section 3 — 7 of the Lynn city charter remove the all future first assistant city solicitors from office who have obtained tenure. The first assistant city solicitor shall be an attorney duly admitted to practice in the actual courts of this commonwealth. He or she shall assist the city solicitor in the duties of his or her office as defined by this ordinance, and shall act under his or her general direction and shall perform such specific duties and devote such specific time to such performance as the city solicitor shall decide and direct. The first assistant city solicitor shall be a Level 2 department head for salary purposes. He or she shall have his office at the city hall and shall devote such time to the duties of said office as is necessary for their complete performance. The first assistant city solicitor shall provide legal advice on real estate matters in the city of Lynn, including but not limited to the preparation of legal documents relating to the use of, the disposition of, the acquisition of real estate and

shall carry out any matters required to accomplish the same. The first assistant city solicitor shall provide legal counsel on land abandonments, eminent domain takings, license agreements and easements. The first assistant city solicitor shall provide legal counsel on municipal construction projects. The first assistant city solicitor shall provide legal counsel on municipal contracts in default, including but not limited to, initiating legal process to cure such default and obtain damages where applicable. The first assistant city solicitor shall provide legal advice on damages and losses suffered by the city of Lynn, including but not limited to, initiating legal process to recover said damages and losses where applicable.

The first assistant city solicitor shall provide legal advice on the city of Lynn Municipal Auditorium performances, including but not limited to, the review as to form, of artist agreements, studio agreements and film production agreements.

The first assistant city solicitor shall assist in the defense and prosecution of legal actions brought by and against the city of Lynn. The first assistant city solicitor shall advise the mayor, city council and department heads on matters relating to municipal government. The first assistant city solicitor shall review and approve as to form all contracts entered into by the city of Lynn and prepare contracts and amendments thereto. Nothing in this section shall be deemed to prohibit the first assistant city solicitor from providing legal counsel on any matter in the city solicitor's office or relating to the operation of city government. The city solicitor may, in writing, reassign the duties of the first assistant city solicitor at any time based upon the needs of the office. A copy of said written notice shall be provided to the mayor and members of the city council.

SECTION 3:00 SECOND ASSISTANT CITY SOLICITOR.

Within the fifth sentence of Section 4:00 which begins “The first city solicitor shall be a resident of the city of Lynn”, the words “a resident of the city of Lynn” shall be stricken. The revised Section 4:00 shall now read:

The city council shall also, whenever a vacancy shall occur, elect by a majority vote a second assistant city solicitor in accordance with the provisions of section 3 —7 of the city charter.

The city council of the city of Lynn may pursuant to the removal procedure established in section 3 — 7 of the Lynn city charter remove the current second assistant city solicitor from office as the current second assistant solicitor has previously obtained tenure pursuant to the provisions of the Lynn city charter. All future second assistant city solicitors who have not yet received tenure shall have an initial ten' of office of 3 years and they shall be granted tenure upon reappointment pursuant to section 6 — 5 of the Lynn city charter. The city council of the city of Lynn may pursuant to the removal procedure established in section 3 — 7 of the Lynn city charter remove the all future second assistant city solicitors from office who have obtained tenure. The second assistant city solicitor shall be an attorney duly admitted to practice in the actual courts

of this commonwealth. He or she shall assist the city solicitor in the duties of his or her office as defined by this chapter, and shall act under his or her general direction and shall perform such specific duties and devote such specific time to such performance as the city solicitor shall decide and direct. The second assistant city solicitor shall be a Level 2 department head for salary purposes. He or she shall have his office at the city Hall and shall devote such time to the duties of said office as is necessary for their complete performance. The second assistant city solicitor shall be required to attend and provide legal counsel at formal and informal meetings of the Lynn city council. The second assistant city solicitor shall assist in the defense and prosecution of legal actions brought by and against the city of Lynn. The second assistant city solicitor shall provide legal opinions to elected and appointed city officials. The second assistant city solicitor shall defend court and administrative hearings brought against the Lynn police department as licensing authority, i.e., gun license denials and revocations. The second assistant city solicitor shall defend all lawsuits brought against the city of Lynn zoning boards of appeals, the conservation commission and the planning board. The second assistant city solicitor shall advise the mayor, city council and department heads on matters relating to municipal government.

The second assistant solicitor shall assist in the prosecution of violations of the building and health codes. The second assistant city solicitor shall provide legal counsel relating to elections and recounts of elections. Nothing in this section shall be deemed to prohibit the second assistant city solicitor from providing legal counsel on any matter in the city solicitor's office or relating to the operation of city government. The city solicitor may, in writing, reassign the duties of the second assistant city solicitor at any time based upon the needs of the office. A copy of said written notice shall be provided to the mayor and members of the city council.

SECTION 4:00 THIRD ASSISTANT CITY SOLICITOR.

Within the fifth sentence of Section 5:00 which begins "The first city solicitor shall be a resident of the city of Lynn", the words "a resident of the city of Lynn and" shall be stricken. Furthermore, the twelfth sentence of Section 5:00 which reads "The third assistant city solicitor shall perform the duties of the residency compliance unit in order to enforce the provisions of the city of Lynn residency requirement" shall be stricken: The revised Section 5:00 shall now read:

The mayor of the city of Lynn shall appoint a third assistant city solicitor subject to city council confirmation. The third assistant city solicitor shall have an initial term of office of 3 years and he or she shall be granted tenure upon reappointment pursuant to section 6 — 5 of the Lynn city charter. The mayor of the city of Lynn may pursuant to the removal procedure established in section 2 — 4 and 6 - 6 of the Lynn city charter remove the third assistant city solicitor from office who have obtained tenure. The third assistant city solicitor an attorney duly admitted as an attorney and counselor in the courts of the Commonwealth and shall not hold any other office under the city government. He or she shall have his office at the city hall in the city solicitor's

department and shall be employed in a full-time capacity. The third assistant city solicitors shall be a level 2 department head for salary purposes. He or she shall assist the city solicitor in the duties of his or her office as heretofore defined by chapter and shall act under his or general direction and shall perform such other specific duties as the city solicitor shall decide and direct. The third assistant city solicitor shall appear at city council meetings and committee meetings. The third assistant city solicitor shall appear at meetings of the Lynn license board and shall defend said board at hearings before the alcoholic beverage control commission and the courts of the Commonwealth. The third assistant city solicitor shall assist in the defense and prosecution of legal actions brought by and against the city of Lynn. The third assistant shall assist in the drafting of all municipal ordinances. The third assistant city solicitor shall advise the mayor, city council, and department heads on matters relating to municipal government. Nothing in this section shall be deemed to prohibit the third assistant city solicitor from providing legal counsel on any matter in the city solicitor's office or relating to the operation of city government. The city solicitor may, in writing reassign the duties of the third assistant city solicitor at any time based upon the needs of the office. A copy of said written notice shall be provided to the mayor and members of the city council.

SECTION 5:00 TIME OF TAKING EFFECT

The provisions of this ordinance shall take effect upon final approval of a Home Rule Petition repealing Section 8-11 of the Lynn City Charter.

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

Motion carried by the following yea and nay vote:

8 YES 2 NO (Councilor Lozzi absent; Councilor Hogan voting NO; Councilor Starbard voting NO).

RE: TRAFFIC COMMISSION

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. Chapter 167 of the Acts of 1999 establishing a Traffic Commission within the City of Lynn is hereby amended by striking out and repealing the following words appearing in the first sentence in Section 1 “whose members shall be residents of the city.”

Section 1 shall now read in its entirety:

Section 1. There shall be in the city of Lynn a traffic commission. The commission shall consist of the chief of police or his designee, the commissioner of the department of public works or his designee, the parking director or his designee, and two members to be appointed by the city council in the manner established by city ordinance. Each appointed member shall serve for a term of two years and may be reappointed upon the expiration of his term. A member appointed by the city council who misses three consecutive meetings shall be removed from the commission and the city council shall appoint a member to fill the unexpired term of the member so removed.

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

Motion carried by the following yea and nay vote:

8 YES 2 NO (Councilor Lozzi absent; Councilor Hogan voting NO; Councilor Starbard voting NO).

RE: LYNN WATER AND SEWER EMPLOYEES AND COMMISSIONERS:

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. Chapter 381 of the Acts of 1982 entitled the "Lynn Water and Sewer Reorganization Act of 1982" is hereby amended by striking out and repealing the sixth paragraph of Section 4 which read:

"An officer or employee hired, transferred or otherwise appointed by the commission, other than a person transferring to or hired by the commission from employment with the city of Lynn who is not subject to a residency requirement under the Lynn city charter prior to transfer, shall be a resident of the city when hired, transferred or otherwise appointed, but this requirement may be waived by the commission for a period not to exceed twelve months to permit such establishment of residency within the city."

Section 4 shall now read in its entirety:

SECTION 4. The commission shall appoint, employ and determine the compensation, duties and conditions of employment of an executive director and such other officers as the commission shall deem necessary, including a treasurer and chief engineer, who shall not be members of the commission. The executive director, treasurer and chief engineer shall be employed for

initial terms of three years. If following the expiration of the initial three-year term or any subsequent term thereafter the executive director, treasurer or chief engineer is rehired in the same office, such subsequent employment shall be for a five year term, subject to removal by the commission at any time for cause but only after reasonable notice and a public hearing unless the same are in writing expressly waived. The executive director shall be the chief executive officer of the commission and shall administer and direct its affairs as authorized or approved by the commission and shall have such of the powers and perform such of the duties of the commission as the commission may from time to time have delegated to him and not recalled. The executive director or his or her designee as approved by the commission shall be the secretary of the commission and shall keep a record of the proceedings of the commission and shall be custodian of all books, documents and papers filed with the commission, the minute book or journal of the commission and its official seal. The executive director and any other officer designated by the commission for this purpose, each alone, may cause copies to be made of all minutes and other records and documents of the commission and may give certificates under its official seal to the effect that such copies are true copies, and all persons dealing with the commission may rely upon such certificates. Before the issuance of any bonds under the provisions of this act the executive director and any other member or officer of the commission charged with responsibility for the issuance thereof, shall each execute a surety bond in the sum of one hundred thousand dollars payable to the commission, or in lieu thereof the commission shall obtain a blanket position bond covering the executive director and any other member or officer of the commission charged with responsibility for the issuance of any bonds in the sum of one hundred thousand dollars, such surety bonds to be conditioned upon the faithful performance of the duties of their offices, to be executed by a surety company authorized to transact business in the commonwealth as surety and approved by the commission.

The commission may from time to time hire, transfer or otherwise appoint or employ legal counsel, financial advisors and such other experts, engineers, agents, accountants, clerks, and other consultants and employees as it deems necessary and determine their duties.

The commission and its members, officers and employees shall be covered by the provisions of chapter two hundred and fifty-eight of the General Laws, and for the purposes of said chapter the commission shall be considered a "public employer" and the members, officers and employees of the commission shall be considered "public employees" as defined therein. The commission may indemnify any present or past member, officer, employee or other agent against liability, costs and expenses, including legal fees, in connection with any actual or threatened proceeding, including any settlement thereof approved by counsel to the commission, arising by reason of any act or omission within the scope of his or her duties or employment for the

commission; provided, however that no indemnification shall be provided, unless expressly permitted by section nine of chapter two hundred and fifty-eight of the General Laws or any other general or special law, to a person concerning a matter as to which he is finally adjudicated to have acted either without the belief held in good faith that his conduct was in the best interests of the commission or with reason to understand that his conduct was unlawful. Costs and expenses may be paid prior to a final disposition upon receipt of an undertaking, which the commission may accept without regard to the financial resources of the person indemnified, that the person receiving the benefit of payments will repay such payments if he or she shall be finally adjudicated not to be entitled to indemnification hereunder. The commission may purchase insurance on behalf of itself and any of its members, officers, employees or agents against any liability arising out of his or her status as such, whether or not the commission would have the power to indemnify him or her against such liability.

The commission and its employees shall be subject to the provisions of chapter one hundred and fifty E of the General Laws, to the extent said provisions are applicable, and for purposes of said chapter, the commission shall be considered an "employer" or "public employer" as defined therein. The commission may designate a representative to act in its interest in dealing with employees of the commission and the term "legislative body" as used in chapter one hundred and fifty E of the General Laws shall mean the commission.

The commission shall operate on a fiscal year commencing July first unless otherwise provided by the commission.

SECTION 2: Chapter 381 of the Acts of 1982 entitled the "Lynn Water and Sewer Reorganization Act of 1982" is hereby amended by striking out and repealing the following words appearing at the end of the fourth sentence of said Section 4:

“, each of whom shall be a resident of the city”

Section 3 shall now read in its entirety:

SECTION 3. There is hereby created a body politic and corporate and political subdivision of the commonwealth to be known as the Lynn water and sewer commission. The commission is hereby constituted a public instrumentality and the exercise by the commission of the powers conferred by this act shall be deemed and held to be the performance of an essential public function. The commission shall not be subject to the supervision of the department of public works of the city or of any other department, commission, board, bureau or agency of the city except to the extent and in the manner provided

in this act. Except as otherwise provided in this act, the powers of the commission shall be exercised by a board of five members. Two members shall be appointed by the mayor subject to the approval of the city council, which approval shall be deemed to have been granted if the city council shall fail to act on an appointment within forty-five days of its submission to the council by the mayor, and in the event the council shall disapprove any appointment, the mayor shall submit to the council a new appointment to be acted upon in accordance with the same procedure. Two members shall be appointed by the city council. The fifth member shall be a member of the city council elected by the city council for a term which coincides with his or her term as councilor. The members appointed by the mayor shall include one member with extensive experience in the field of administration or business. The members appointed by the city council shall include one member with extensive experience in the field of finance or accounting. Of the members first appointed by the mayor, one shall serve in office for a term expiring on June thirtieth, nineteen hundred and eighty-three, and one for a term expiring on June thirtieth, nineteen hundred and eighty-five, the term of each to be designated by the mayor at appointment. Of the members first appointed by the city council, one shall serve in office for a term expiring on June thirtieth, nineteen hundred and eighty-four, and one for a term expiring on June thirtieth, nineteen hundred and eighty-five, the term of each to be designated by the city council at appointment. Thereafter, the mayor shall appoint successors to the mayoral appointees and the city council shall appoint successors to the council appointees, and each such member shall be appointed for a term of three years or, in the case of an appointment to fill a vacancy, for the unexpired term, and until his or her successor is appointed and qualified; provided, however, that with respect to mayoral appointments, if there should exist a vacancy to which the mayor fails to make an appointment for a period of more than forty-five days, or if the mayor should fail to appoint a successor within forty-five days after the term of a member expires, the city council shall proceed to forthwith elect a member; and provided further, that with respect to council appointments should there exist a vacancy to which the city council fails to make an appointment for a period of more than forty-five days, or if the city council should fail to appoint a successor within forty-five days after the term of a member expires, the mayor shall proceed to forthwith appoint a member and such appointment shall not be subject to the approval of the city council. Any member of the commission shall be eligible for reappointment. Any appointed member of the commission may be removed at any time for cause pursuant to a preliminary notice of removal issued by the mayor or the city council and a hearing of the city council in accordance with the removal procedures then in effect in the Lynn city charter. The member of the commission who is a city councilor may be removed for cause by a two-thirds vote of the city council after notice and a public hearing unless the same are in writing expressly waived. No vacancy in the membership of the commission shall impair the right of a quorum to exercise the powers of the commission. Three members of the commission shall constitute a quorum and the affirmative vote of three members shall be necessary for any action taken by vote of the commission. Any such action

shall take effect immediately unless otherwise provided and need not be published or posted.

The commission shall annually elect one of its members as chairman and one of its members as vice-chairman.

The commission may establish, with the approval of the mayor and city council, a reasonable per diem compensation for its members for attendance upon the business of the commission. Such amount may be payable to each member for one day in each month and for any additional days as may be approved by the city council. In addition, each member may be reimbursed for all reasonable and necessary expenses incurred in the discharge of official duties as approved by the commission. For the purposes of chapter two hundred and sixty-eight A of the General Laws, the commission shall be deemed to be a municipal agency and the members of the commission shall be deemed to be special municipal employees.

SECTION 3. This act shall take effect upon its passage.

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

Motion carried by the following ye and nay vote:

8 YES 2 NO (Councilor Lozzi absent; Councilor Hogan voting NO; Councilor Starbard voting NO).

Petition of Fiesta Shows for a Carnival at Keaney Park from June 15 thru 19 with set up on June 12th. Hours are Thursday and Friday 5pm to 10:30pm and Saturday and Sunday 1pm to 10:30 pm. Carnival is for the 4th of July Fireworks Fund.

No one spoke in Favor.

The following spoke in Opposition:

Tony Hill, Lynn

Public Hearing Closed.

Motion made by Councilor Starbard and seconded by Councilor Colucci to grant with the stipulations: Require Porta-Potty; Police Details; Clean area every night and at the end of the Carnival, the park to be fully cleaned.

Motion carried by the following ye and nay votes:

10 YES 0 NO (Councilor Lozzi absent).

PUBLIC HEARINGS TO BE SET DOWN:

Petition re: the Mosaic building located at 69 Baldwin Street for a Sign Permit
(Colucci)

Petition re: O'Reilly Auto Parts at 58 Boston St, for a Sign Permit **(Lozzi)**

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

COMMITTEE REPORTS:

Report of the February 8, 2022 Committee on Public Property recommending the following to be accepted:

Discussion re: Bid / Wright Street (310-024-001)

Order to award bid of property known as 0 Wright St (310-024-001) to Laura Walsh, LJ Bulldog, LLC for the amount of \$15,000.00

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

Motion carried by the following ye and nay vote:

9 YES 0 NO (Councilor Lozzi absent; Councilor Walsh absent at vote).

Discussion with Dr. Patrick Tutwiler, Fire Chief Stephen Archer, ISD Director Michael Donovan, Public Health Director Michele Desmarais, and Director of Elder Services Chris Gomez re: Proposed Public Purpose for the possible uses of Real Property at 2 State Street and 37 Friend Street.

REPORT ACCEPTED.

Report of the February 8, 2022 Committee on Utilities recommending the following to be accepted:

PUBLIC HEARINGS: BOSTON GAS / NATIONAL GRID:

Petition of Boston Gas Co/National Grid to install four concrete footings along the north and south sides of the roadway with a structural steel column and brace to protect the natural gas main mounted on the inactive MBTA railroad bridge on Bennett St. Also, National Grid to install updated warning signage with sidewalk and wheelchair ramp identified in the drawings. ***(Councilor Hogan)- Granted***

Tabled from January 25, 2022:

Petition of National Grid to install PVC conduit from an existing manhole on Buffum St to 69 Baldwin St and install a UG switch gear MH partially on public property below the sidewalk. ***(Councilor Colucci) - Granted***

OTHER BUSINESS

REPORT ACCEPTED.

Report of the February 8, 2022 Committee on Licensing recommending the following to be accepted:

TAXI OPERATOR – NEW

Cruz, Ivan A., 164 Essex St. .- **Granted**

Jaquez, Juan Carlos., 15 Franklin St. .- **Granted**

LIVERY COMLANY-NEW

A/T Business Solutions, LLC (Owner- Columbus T. Njinkeng) .- **Granted**

LIVERY OPERATOR-NEW

Njinkeng, Columbus T., 136 Andrews St., Lowell, MA .- **Granted**

Njinkeng, Janette A., 136 Andrews St., Lowell, MA .- **Granted**

CLASS II AUTO DEALER/AUTO REPAIR/FLAMMABLE

Transfer of ownership – (Remove an Owner)

75 Boston St., Boston Street Auto Sales .- **Granted**

AUTO REPAIR/FLAMMABLE LICENSE – NEW

38-46 Bennett St., New England K Auto Services Inc. .- **Granted**

CLASS II AUTO DEALER/AUTO REPAIR/FLAMMABLE – RENEW

1071 Western Ave., Bonia Motors

FLAMMABLE LICENSE RENEWAL

229 Broadway, Richdale .- **Granted**

580 Lynnway, Solomon Metals Corp.- **Granted**

OTHER BUSINESS

REPORT ACCEPTED

Report of the February 8, 2022 Committee on Recreational Cannabis Site Plan Review recommending the following to be accepted:

1. Discussion with representatives from the following Recreational Cannabis

Establishment:

- **Tree Market, LLC, 100 Ford Stree**
- **Massachusetts Green Retail, Inc., 829 Boston Street**
- **Essex Apothecary, 233 Western Avenue**

2. OTHER BUSINESS

REPORT ACCEPTED:

Report of the February 8, 2022 Committee on Ways and Means recommending the following to be accepted:

Laid over from January 25, 2021:

Appropriate the sum of NINE HUNDRED SEVENTY THOUSAND DOLLARS AND ZERO CENTS (\$970,000.00)

From the Account of FREE CASH \$970,000.00

To the Account of D8234-1101 Teacher-Exp \$970,000.00

To Fund shortfall in FY21 NSS calculation.

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:

10 YES 0 NO (Councilor Lozzi absent).

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

10 YES 0 NO (Councilor Lozzi absent).

Transfer the sum of ONE HUNDRED EIGHTEEN THOUSAND FOUR HUNDRED DOLLARS AND ZERO CENTS (\$118,400.00)

From the Account of 98035-7800 Reserve \$118,400.00

To the Account of 22105-3899 LPD-EXP \$118,400.00

To Fund various unforeseen LPD budget needs which will address Police Reform, Body Camera's and Emergency Repairs 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:

10 YES 0 NO (Councilor Lozzi absent).

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

10 YES 0 NO (Councilor Lozzi absent).

Transfer the sum of FIFTY FOUR THOUSAND FIVE HUNDRED TEN DOLLARS AND ZERO CENTS (\$54,510.00)

From the Account of 98035-7800 Reserve \$54,510.00

To the Account of 44065-2503 DPW-EXP \$54,510.00

To Fund 2nd round of city wide street sweeping that was cut from FY22 Budget Projection.

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 ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

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

10 YES 0 NO (Councilor Lozzi absent).

ORDERED 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 THREE HUNDRED AND FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$350,000.00) for equipment, supplies and testing kits relating to the COVID-19 pandemic for the City of Lynn Health Department.

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 ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

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

10 YES 0 NO (Councilor Lozzi absent).

ORDERED that the City may authorize the allocation of the sum of FIFTY THOUSAND DOLLARS (\$50,000.00) from the Ride Share Fund for the purpose of purchasing electronic signage to be placed throughout the City of Lynn.

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 ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

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

10 YES 0 NO (Councilor Lozzi absent).

Certify as an "Available Fund" the amount of FIFTY ONE THOUSAND FOUR HUNDRED EIGHTY DOLLARS AND ZERO CENTS (\$51,480.00) as allotted to the City of Lynn Fire Department by the Massachusetts Emergency Management Agency (MEMA) FFY21 Emergency Management Performance Grant (EMPG) Grant Period is 12/22/21 to 6/30/22

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

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Certify as an "Available Fund" an amount of FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$50,000.00) as allotted to the City of Lynn Fire Department by the Department of Fire Services (DFS) for the FY22 Firefighter Safety Equipment Grant. Grant Period is 01/19/22 to 06/30/22

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

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Certify as an "Available Fund" the amount of FORTY MILLION SIX HUNDRED THIRTY SEVEN THOUSAND ONE HUNDRED FIFTY SEVEN DOLLARS AND ZERO CENTS (40,637,157.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY22 FC119 ESSER III Lynn Grant.

Grant Period 10/08/21-09/30/24

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

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Ordered that his Honor the Mayor and the Chief of Police are authorized to enter into a Memorandum of Understanding, in a form satisfactory to the City Solicitor, relative to a Gun Violence Prevention Grant from the Commonwealth of Massachusetts where Roca, Inc. is the grant recipient and the Lynn Police Department shall be a sub recipient of such grant funding.

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

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

ORDERED that pursuant to Massachusetts General Laws Chapter 44, Section 53A the City of Lynn hereby accepts a gift in the amount of \$4,000.00 from AIC Management. These funds are to be allocated to the Lynn Police Department and Lynn Fire Department equally. There is no stipulations as to what these funds are to

be used for and shall be expended at the sole discretion of the Police Chief and Fire Chief so long as said expenditures are in compliance with Massachusetts law.

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

Motion carried by the following ye and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

NEW BUSINESS:

A RESOLUTION THAT THE CITY OF LYNN ESTABLISH A FORMAL PROCESS TO REVIEW PROPOSED DEVELOPMENTS WITHIN THE CITY OF LYNN

Whereas the Mayor of the City of Lynn, the Lynn City Council and the City's Development Team are all working collaboratively to move the great City of Lynn forward;

Whereas the Mayor and Lynn City Council on this date wishes to create a formal process for future development in the City of Lynn;

NOW, THEREFORE, BE IT

A City of Lynn Development Team is hereby established consisting of: a representative of the Mayor, the Ward Councilor where the project is proposed to be situated, the Director of EDIC, the Director of LHAND, the Principal City Planner, the Director of ISD, and the Director of Community Development and/or their designees.

A Developer who has an interest in a project in the City of Lynn shall meet with the Development Team where a proposed project meets the following criteria.

- Any Special Permit requiring review under Section 16 of the City of Lynn Zone Ordinance entitled "Site Plan Review";
- Any Special Permit requested in the CBD and Waterfront Districts;
- Any Special Permit requested in the HI and LI districts;
- Any Special Permit requested for a one- or two-family dwelling or row house in the B and B3 districts;
- Any Special Permit requested for a Contractor's Storage/ Building Material or Stone Mason Yard in any district.

A log will be kept recording any and all Development Team meetings and said log shall be maintained by the Principal Planner.

Any project that requires a Special Permit will have a recommendation from the Development Team prior to a vote.

It is the strong preference of the City of Lynn that a meeting with the Development Team should be scheduled prior to the filing of an application for a Special Permit.

In all cases, the Lynn City Council and the Development Team shall be cognizant that a public hearing must be held on a Special Permit application within sixty-five (65) days of the filing of the Application and a decision on the application shall be made within ninety (90) days of the public hearing.

The City Council endeavors to not issue a decision until it receives a recommendation from the Development Team so long as the decision is issued within the time requirements of Massachusetts General Laws Chapter 40A, Section 9.

Any project which needs Site Plan Review will have a recommendation from the Ward Councilor prior to any vote;

The Lynn City Council hereby votes to certify that this Development process is in place effective immediately and forwards this resolution to the Mayor of Lynn for confirmation.

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

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Lozzi absent).

Motion made by Councilor Colucci and seconded by Councilor Alinsug 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