

CITY OF LYNN

**Regular City Council Meeting, September 26, 2017
Council President Darren P. Cyr**

Eleven Councilors Present

Moment of Silence. Councilor Barton asked that the Brackett Family be remembered. Councilor Colucci asked that the Family of Glen Donovan and Vanessa Masucci be remembered. Councilor LaPierre also asked that the Family of Claudia Downey and Albert Mailloux be remembered.

Pledge of Allegiance.

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

Dear Councilors:

I am hereby appointing Richard Parker, 35 Franklin Street to the Grand Army Museum Trustees, effective immediately and will expire on September 18, 2020.

Sincerely, Judith Flanagan Kennedy, Mayor

Motion made by Councilor Trahant and seconded by Councilor Walsh to grant.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Communication from Her Honor the Mayor:

Dear Councilors:

I am hereby re- appointing the following members effective immediately:

Susan Carrol to the Park Commission, her term will expire May 1, 2020

Jimmy Gonzalez to the Park Commission, his term will expire May 1, 2021

Nelson Sosa to the Conservation Commission, his term will expire Sept 7, 2019

Philip Brooks to the Conservation Commission, his term will expire Sept 7, 2019

Laura Ippoliti to the Conservation Commission, her term will expire Sept 7, 2018

Mary Lester to the Conservation Commission, her term will expire Sept 7, 2020

Michael Toomey to the Conservation Commission, his term will expire Sep 7, 2020

Sincerely, Judith Flanagan Kennedy, Mayor

Motion made by Councilor Trahant and seconded by Councilor Walsh to grant.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Council Appointment/Traffic Commission:

James Brienzo – effective immediately, his term will expire September 30, 2019

Motion made by Councilor Trahant and seconded by Councilor Barton to appoint James Brienzo to the Lynn Traffic Commission, effective immediately and will expire on September 30, 2019.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Council Re-Appointment/Traffic Commission:

Christopher Rowe– effective immediately, his term will expire September 30, 2019

Motion made by Councilor Trahant and seconded by Councilor Barton to Re-Appoint Christopher Rowe to the Lynn Traffic Commission, effective immediately and will expire on September 30, 2019.

Motion carried by the following yea and nay vote:

11 YES 0 NO

PUBLIC HEARINGS:

An Ordinance Amending the Zone Ordinance in the city of Lynn (Essex Street, Porter Street, Jackson Street, and Ingalls Street) with the following **Amendments:**

**THE YEAR TWO THOUSAND SEVENTEEN AN ORDINANCE AMENDING THE
ZONE ORDINANCE OF THE CITY OF LYNN**

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

SECTION 1:00

The Zone Map of the City of Lynn, as the same constitutes and is part of the Zone Ordinance of the City of Lynn, together with said Zone Ordinance, as heretofore amended, is further amended as follows:

By removing the following land from a R1 and establishing the same as land in a R3, all of the land lying between and bounded by Essex Street, Porter Street, Jackson Street and Ingalls Street.

SECTION 2:00

Section 4.1.6 is hereby amended as it applies to the R3 District follows:

Mixed Use Street Level – P

Mixed Use Multi Level -- P

SECTION 3:00

Section 5.1.6 is hereby amended by adding the following sentence after the words “right of way.”

Allowed nonresidential uses are permitted below the ground floor in the **R3** District provided the structure has more than fifty residential units.

SECTION 4:00

Section 8.1 Table of Dimensional Requirements is hereby amended as follows:

Zoning	Max
District	Stories
Apartment House I	4.0

SECTION 4:00

Section 8.3.6 is hereby amended as follows:

8.3.6. Except in the **R3**, District, the level of the first floor of an apartment or tenement house APARTMENT HOUSE/ shall not be more than four feet above the mean level of the street FIRST FLOOR LEVEL or way on which the building abuts or is to be numbered and no space below such first floor shall be used for human occupancy.

SECTION 5:00

Section 9.3 is hereby amended by adding the following paragraph:

Multifamily with more than 50 units in the **R3**, 1 per dwelling unit.

The following appeared in Favor:

Calvin Anderson, 12 Concord Street, Lynn

Pam Edwards, Mass Senior Action Council

Kathy Paul, MSAC

No one appeared in Opposition.

Public Hearing Closed.

Council President Cyr passed the gavel to Vice-President Barton.

Motion made by Councilor Cyr and seconded by Councilor Capano to Grant.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Petition of RK Dollar Discount, 70 Commercial St for a Sign Permit

The following appeared in Favor:

Attorney Sam Vitali

Calvin Anderson, 12 Concord Street, Lynn

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Capano and seconded by Councilor Walsh to grant the prayer of the Petitioner.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Petition of A.L. Prime, 417-423 Boston St for a Sign Permit

The following appeared in Favor:

Attorney Sam Vitali

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Walsh and seconded by Councilor Trahan to grant the prayer of the Petitioner.

Motion carried by the following ye and nay vote:

11 YES 0 NO

Petition of La Parada Restaurant, 22 Union Street for an All Alcohol License with Hours 9:00 am to 1:00 am, Sunday thru Saturday.

The following appeared in Favor:

Owner, Parada Restaurant

Resident, 498 Essex Street

6 Show of Hands

No one appeared in Opposition.

Public Hearing Closed

Motion made by Councilor Colucci and seconded by Councilor Walsh to grant the prayer of the Petitioner with the following stipulations: Tenant will provide security guards or personnel on Friday, Saturday and Sunday from 6 pm to closing at Tenant's sole expense; Tenant agrees to open at 7 am and close at 12:30 am as the hours of operation seven (7) days per week. Tenant will serve breakfast, lunch and dinner; Tenant agrees to keep the restaurant open until closing time and will be serving food in the form of a dinner menu, bar menu, or buffet, not just alcoholic beverages; Tenant is not allowed to serve alcohol before 12 noon (lunchtime). No alcoholic beverages are to be served during breakfast hours prior to 12 noon; Tenant will have a 6-month trial period from City of Lynn and the Landlord from the date the license is issued to demonstrate that the Tenant will manage the license and not cause any infractions that are in the Tenant's control or display any irresponsibility; Tenant is to maintain an up to date Insurance policy at all times.

Motion carried by the following ye and nay vote:

11 YES 0 NO

Petition of Thomas McGovern, Birchwood Estates, 6 Upland Place, for residential use in the Boston St Business District (BSBD) by construction of seven (7) dwelling units.

The following appeared in Favor:

Attorney Sam Vitali

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Chakoutis and seconded by Councilor Barton to grant the prayer of the Petitioner.

Motion carried by the following ye and nay vote:

11 YES 0 NO

Petition of Luna Sweets, 271 Western Ave., Suite 214 to allow client pick up for certain cake orders. Wednesday thru Sunday

The following appeared in Favor:

Owner, Luna Sweets

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Lozzi and seconded by Councilor Trahan to grant the prayer of the Petitioner with the stipulation that they follow all health and building regulations.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Petition of Zachary Andrews, for an Apartment House use (6 units) in the Central Business District at 38-44 Andrew St.

The following appeared in Favor:

Attorney Sam Vitali

No one appeared in Opposition.

Public Hearing Closed.

Motion made by Councilor Chakoutis and seconded by Councilor Trahan to continue Public Hearing to next meeting.

Motion carried by the following yea and nay vote:

11 YES 0 NO

Public Hearing relative to a burnt, dilapidated or dangerous building or other structure located at 138 Williams Ave

No one appeared in Favor.

No one appeared in Opposition.

Council President Cyr passed the gavel to Council Vice-President Barton.

Motion made by Councilor Cyr and seconded by Councilor Trahan to grant an Order that the burnt, dilapidated or dangerous building or other structure located at 138 Williams Ave, Lynn, Massachusetts, and after hearing make record of 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 carried by the following yea and nay vote:

11 YES 0 NO

Public Hearing relative to a burnt, dilapidated or dangerous building or other structure located at 12 Kenwood Terrace

The following appeared in Favor:

Susan Blum, 15 Kenwood Terrace

No one appeared in Opposition.

Public Hearing Closed.

Council President Cyr passed the gavel to Council Vice-President Barton.

Motion made by Councilor Cyr and seconded by Councilor Colucci to Order that the burnt, dilapidated or dangerous building or other structure located at 12 Kenwood Terr, Lynn, Massachusetts, and after hearing make record of 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 carried by the following yea and nay vote:

11 YES 0 NO

PUBLIC HEARINGS TO BE SET DOWN FOR OCTOBER 24, 2017:

Petition of National Grid, Comcast, GTT Communications, for Grant of Location at a portion of a public way known as Wheeler St and Neptune Blvd (YMCA)

Motion made by Councilor Capano and seconded by Councilor Walsh to set down for Public Hearing.

COMMITTEES:

Report of the September 26, 2017 Committee on Ordinance and Rules recommending the following to be accepted:

A Proposed Ordinance Amending the Ordinance Relative to Fees for Applications for the Appointment of Constables and Other Servers of Civil Process in the City of Lynn.

Motion made by Councilor Net and seconded by Councilor Capano to grant with the amendment for a “ three year appointment at a fee of \$300.00, effective January 1, 2018”.

Motion carried by the following yea and nay vote:

11 YES 0 NO

REPORT ACCEPTED.

**Report of the September 26, 2017 Committee on Ways and Means
recommending the following to be accepted:**

Transfer the sum of FORTY FOUR THOUSAND EIGHT HUNDRED NINETY TWO DOLLARS AND SIXTY THREE CENTS (\$44,892.61)

From the Account of <u>98035-7800</u> Reserve	\$44,892.61
To the Account of <u>22104-Various</u> LPD-PR	\$44,892.61

To fund an unanticipated retirements that occurred in FY18.

0700	\$6,678.34	87 SBB
1000	\$16,695.84	Vaca BB
0800	<u>\$21,518.43</u>	Longevity
	\$44,892.61	

Councilor Trahan 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 order in the amount of FORTY FOUR THOUSAND EIGHT HUNDRED NINETY TWO DOLLARS AND SIXTY THREE CENTS (\$44,892.61)

From the Account of <u>98035-7800</u> Reserve	\$44,892.61
To the Account of <u>22104-Various</u> LPD-PR	\$44,892.61

To fund an unanticipated retirements that occurred in FY18.

0700	\$6,678.34	87 SBB
1000	\$16,695.84	Vaca BB
0800	<u>\$21,518.43</u>	Longevity
	\$44,892.61	

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 TWENTY SIX THOUSAND SEVEN HUNDRED SEVENTY SIX DOLLARS AND THIRTY FIVE CENTS (\$26,776.35)

From the Account of <u>98035-7800</u> Reserve-Exp	\$26,776.35
To the Account of <u>11124-0702</u> Council-PR	\$520.75
To the Account of <u>11304-0702</u> Comptroller-PR	\$1,191.22
To the Account of <u>11404-0702</u> Treasurer-PR	\$893.10
To the Account of <u>11454-0702</u> Collector-PR	\$1,320.01

To the Account of 11504-0702 Assessor-PR
 \$3,130.66
 To the Account of 11604-0702 City Clerk-PR
 \$1,408.00
 To the Account of 11704-0702 Purchasing-PR
 \$1,598.85
 To the Account of 11904-0702 Personnel-PR
 \$1,741.13
 To the Account of 11914-0702 Law-PR
 \$3,812.21
 To the Account of 11934-0702 ISD-PR
 \$3,922.81
 To the Account of 44004-0702 DPW-PR
 \$5,991.55
 To the Account of 65824-0702 Veterans-PR
 \$804.25
 To the Account of 76424-0702 GAR-PR
 \$441.81

To fund City Departments PERS BB per Collective Bargaining terms.

Councilor Trahan 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 order in the amount of TWENTY SIX THOUSAND SEVEN HUNDRED SEVENTY SIX DOLLARS AND THIRTY FIVE CENTS (\$26,776.35)

**From the Account of 98035-7800 Reserve-Exp
 \$26,776.35
 To the Account of 11124-0702 Council-PR
 \$520.75
 To the Account of 11304-0702 Comptroller-PR
 \$1,191.22
 To the Account of 11404-0702 Treasurer-PR
 \$893.10
 To the Account of 11454-0702 Collector-PR
 \$1,320.01
 To the Account of 11504-0702 Assessor-PR
 \$3,130.66
 To the Account of 11604-0702 City Clerk-PR
 \$1,408.00
 To the Account of 11704-0702 Purchasing-PR
 \$1,598.85
 To the Account of 11904-0702 Personnel-PR
 \$1,741.13**

To the Account of 11914-0702 Law-PR
 \$3,812.21
 To the Account of 11934-0702 ISD-PR
 \$3,922.81
 To the Account of 44004-0702 DPW-PR
 \$5,991.55
 To the Account of 65824-0702 Veterans-PR
 \$804.25
 To the Account of 76424-0702 GAR-PR
 \$441.81

To fund City Departments PERS BB per Collective Bargaining terms.
 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:

11 YES 0 NO

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

11 YES 0 NO

Transfer the sum of TWENTY ONE THOUSAND ELEVEN DOLLARS AND ZERO
 CENTS (\$21,011.00)

From the Account of <u>98035-7800</u> Reserve	\$21,011.00
To the Account of <u>22104-0700</u> LFD-PR SBB	\$21,011.00

To fund unanticipated retirements that have occurred in FY18.

0700	\$21,011.00	PRE-87 SBB
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Councilor Trahan 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 order in the amount of TWENTY
 ONE THOUSAND ELEVEN DOLLARS AND ZERO CENTS (\$21,011.00)

From the Account of <u>98035-7800</u> Reserve	\$21,011.00
To the Account of <u>22104-0700</u> LFD-PR SBB	\$21,011.00

To fund unanticipated retirements that have occurred in FY18.

0700	\$21,011.00	PRE-87 SBB
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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:

11 YES 0 NO

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

11 YES 0 NO

Transfer the sum of SEVENTY FIVE DOLLARS AND ZERO CENTS (\$75.00)
 From the Account of 11455-6900 Collectors-Exp \$75.00
 To the Account of 98025-1145 Unpaid Bills of PY-Coll \$75.00
 To fund unexpected expense from FY17.

Councilor Trahant 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 order in the amount of SEVENTY FIVE DOLLARS AND ZERO CENTS (\$75.00)

From the Account of 11455-6900 Collectors-Exp \$75.00
 To the Account of 98025-1145 Unpaid Bills of PY-Coll \$75.00

To fund unexpected expense from FY17.

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 DOLLARS AND THIRTY FOUR CENTS (\$100.34)

From the Account of 11605-3000 Clerks-Exp \$100.34
 To the Account of 98025-1160 Unpaid Bills of PY-Clerks \$100.34

To fund unexpected expense from FY17.

Councilor Trahant 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 order in the amount of ONE HUNDRED DOLLARS AND THIRTY FOUR CENTS (\$100.34)

From the Account of 11605-3000 Clerks-Exp \$100.34
 To the Account of 98025-1160 Unpaid Bills of PY-Clerks \$100.34

To fund unexpected expense from FY17.

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 NINE HUNDRED SEVENTEEN DOLLARS AND NINETY EIGHT CENTS (\$917.98)

From the Account of 9F163-9510 State Elections-Exp \$917.98

To the Account of 11605-3000 City Clerk-Exp \$917.98

Repair of Election Handicap Machine.

Councilor Trahant 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 order in the amount of NINE HUNDRED SEVENTEEN DOLLARS AND NINETY EIGHT CENTS (\$917.98)

From the Account of 9F163-9510 State Elections-Exp \$917.98

To the Account of 11605-3000 City Clerk-Exp \$917.98

Repair of Election Handicap Machine.

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:

11 YES 0 NO

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

11 YES 0 NO

Ordered that the Department of Public Works be allowed to make expenditures for Snow and Ice control in the excess of the appropriations for those costs, pursuant to MGL, Chapter 44, Section 31D.

Councilor Trahant 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 Order that the Department of Public Works be allowed to make expenditures for Snow and Ice control in the excess of the appropriations for those costs, pursuant to MGL, Chapter 44, Section 31D.

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:

11 YES 0 NO

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

11 YES 0 NO

Certify as an "Available Fund" the amount of ONE HUNDRED SIXTY SEVEN THOUSAND TWO HUNDRED EIGHTY SEVEN DOLLARS AND ZERO CENTS (\$167,287.00) as allotted to the City of Lynn Fire Department by the Executive Office of Public Safety and Security (EPS) for the FY2018 State 911 Support and Incentive Grant.

Grant Period 08/29/17-06/30/18

Councilor Trahant 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 to certify as an “Available Fund” the amount of ONE HUNDRED SIXTY SEVEN THOUSAND TWO HUNDRED EIGHTY SEVEN DOLLARS AND ZERO CENTS (\$167,287.00) as allotted to the City of Lynn Fire Department by the Executive Office of Public Safety and Security (EPS) for the FY2018 State 911 Support and Incentive Grant.

Grant Period 08/29/17-06/30/18

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 TWO HUNDRED TWENTY THREE THOUSAND THREE HUNDRED ONE DOLLARS AND ZERO CENTS (\$223,301.00) as allotted to the City of Lynn School Department by the Department of Early Education (EEC) for the 237 Coordinated Family and Community Engagement (CFCE) Grant.

Grant Period 7/1/17-6/30/18

Councilor Trahant 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 to certify as an “Available Fund” the amount of TWO HUNDRED TWENTY THREE THOUSAND THREE HUNDRED ONE DOLLARS AND ZERO CENTS (\$223,301.00) as allotted to the City of Lynn School Department by the Department of Early Education (EEC) for the 237 Coordinated Family and Community Engagement (CFCE) Grant.

Grant Period 7/1/17-6/30/18

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 NINETY SEVEN THOUSAND FOUR HUNDRED NINETY ONE DOLLARS AND ZERO CENTS (\$97,491.00) as allotted to the City of Lynn School Department by the Department of Early Education (EEC) for the FY18 262 ECA Grant. Grant Period 07/01/17-6/30/18

Councilor Trahant 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 to certify as an "Available Fund" the amount of NINETY SEVEN THOUSAND FOUR HUNDRED NINETY ONE DOLLARS AND ZERO CENTS (\$97,491.00) as allotted to the City of Lynn School Department by the Department of Early Education (EEC) for the FY18 262 ECA Grant. Grant Period 07/01/17-6/30/18

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 her Honor the Mayor is hereby authorized to execute the First Amendment to the Feasibility Study Agreement between the City of Lynn and the Massachusetts School Building Authority and all other necessary documents relating thereto for the New Pickering Middle School.

Councilor Trahant 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 is hereby authorized to execute the First Amendment to the Feasibility Study Agreement between the City of Lynn and the Massachusetts School Building Authority and all other necessary documents relating thereto for the New Pickering Middle 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:

11 YES 0 NO

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

11 YES 0 NO

REPORT ACCEPTED.

Report of the September 26, 2017 Committee on Public Safety and Public Health recommending the following to be accepted:

The following Constable was approved.

Jose Liria, 35 Graves Ave Lynn, MA 01902 - **Granted**

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 119 Essex Street, Lynn, Massachusetts, and after hearing, may make record of an Order adjudging it to be a nuisance to the neighborhood or dangerous and prescribing its disposition, alteration, or regulation all as authorized by Massachusetts General Laws Chapter 139, Section 1 – **Granted**
REPORT ACCEPTED.

Report of the September 26, 2017 Committee on Licensing recommending the following to be accepted:

TAXI OPERATORS - NEW

Guerrero, Elvin- 58 Mt. Pleasant St #2 - **Granted**

LIVERY OPERATORS - NEW

Silver, Angelo- 92 Salem St, Malden- **Granted**

AUTO REPAIR & MARINE REPAIR ONLY - NEW

307 Eastern Ave., Top Shop- **Granted with stipulations that no work to be performed on the street; no parts, boats, snow plows or equipment left out, and no work on Sundays.**

90 DAY REVIEW- AUTO REPAIR –FLAMABLE.

371 Summer Street, Express Auto & Tires Repair - **Tabled**

OLD GOLD & SILVER- NEW

50 State Street, Fast Cash-Buy–Sell-Loan, Alex Tatarynau - **Granted**

PAWN BROKER- NEW

50 State Street, Fast Cash-Buy–Sell-Loan, Alex Tatarynau- **Granted**

SECOND HAND – NEW

50 State Street, Fast Cash-Buy–Sell-Loan, Alex Tatarynau- **Granted**

FOOD TRUCK LICENSE – NEW

3RD Alarm Wood Fired Pizza, Kevin Doherty, 17 Belleaire Avenue (at Bentwater) - **Granted**

EXTENDED HOUR RENEWALS – 30-60-90 DAY EXTENDED HRS:

60	BOSTON ST	MCDONALDS	DRIVE THRU 24 HOUR
65	BOSTON ST	CVS PHARMACY	24 HOUR
80	BOSTON ST	DUNKIN DONUTS	24 HOUR
108	BOSTON ST	BURGER KING	S-W 6:00AM 1:00AM/ TH-S 6AM-2AM
116	BOSTON ST	WENDY'S	DRIVE THRU TILL 4 A.M
122	BOSTON ST	BOSTON SHELL	24 HOURS
124	BOSTON ST	TACO BELL	3 AM EXTENDED

Motion made by Councilor Trahan and seconded by Councilor Walsh to send a letter to McDonalds, CVS, Burger King, and Boston Shell to attend the October 24th meeting.

Motion carried.

Motion made by Councilor Trahan and seconded by Councilor Walsh to approve Dunkin Donuts, Wendy's and Taco Bell.

Motion carried.

SIGN- RENEWAL

437 Western Ave., N & N Construction- **Granted**

444 Western Ave., C & C Machinery Inc. - **Granted**

OTHER BUSINESS:

REPORT ACCEPTED.

Report of the September 26, 2017 Committee on Utilities recommending the following to be accepted:

Petition of National Grid to install a regulator valve in sidewalk at the corner of Rockaway St and Essex St. – **Motion made by Councilor Chakoutis and seconded by Councilor Walsh to grant with the standard stipulations.**

Petition of National Grid and Verizon to install one joint pole and one pole with guy wire on Kent Road. – **Motion made by Councilor Walsh and seconded by Councilor Chakoutis to TABLE (no representatives from National Grid and Verizon attended meeting).**

REPORT ACCEPTED.

UNFINISHED BUSINESS:

Council President Cyr passed the gavel to Council Vice-President Barton. Motion made by Councilor Cyr and seconded by Councilor Trahan to remove from the Table the Petition of Vicky's Restaurant at 141 Essex St to serve wine and malt beverages in an existing restaurant with hours from 7 am to 10:00 p.m. Motion carried.

Motion made by Councilor Cyr and seconded by Councilor Trahan to grant the prayer of the Petitioner with the Stipulation that Beer and Wine Only with hours from 11:00 AM to 10:00 PM

Motion carried by the following yea and nay vote:

11 YES 0 NO

NEW BUSINESS:

Motion made by Councilor Capano and seconded by Councilor Lozzi to request the Solicitor's Office to look into finding a qualified certified Inspector to inspect the Sluice Pond Dam and to determine ownership, whether it be the City, or the Lynn Water and Sewer Commission, so an Inspection may take place before October 18, 2017, when potential fines may begin.

Motion carried by the following yea and nay vote:

11 YES 0 NO

**Order that pursuant to Massachusetts General Laws Chapter 44, Section 53A, the City of Lynn hereby accepts a gift from Centerboard, Inc. to purchase equipment to light High Rock Tower. Said lighting will be overseen by the Department of Community Development. Further ordered that a Revolving Fund will be established for the purpose of effectuating the intent of this gift. Motion made by Councilor Colucci and seconded by Councilor Trahan to grant. Motion carried by the following yea and nay vote:
11 YES 0 NO**

**Motion made by Councilor Net and seconded by Councilor Cahill to request the Department of Public Works to post "No Littering" signs at the entrances to the City of Lynn and throughout the city.
Motion carried.**

**Motion made by Councilor Lozzi and seconded by Councilor Capano to designate Lynn as a "Green Community".
Motion carried by the following yea and nay vote:
11 YES 0 NO**

Motion made by Councilor Colucci and seconded by Councilor Cahill 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