

CITY OF LYNN

**Regular City Council Meeting, September 5, 2017
Council President Darren P. Cyr**

Ten Councilors Present (Councilor Chakoutis absent).

Moment of Silence. Councilor LaPierre asked that the people in Houston be remembered.

Pledge of Allegiance.

Motion made by Councilor Colucci and seconded by Councilor Trahant to accept the Meeting Minutes of August 22, 2017.

Motion carried.

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

Dear Councilors: I am hereby appointing Mr. Paul Amirault, 11 Campbell St, to the Parks Commission. Mr. Amirault's term is effective immediately and will expire on May 1, 2018. Sincerely, Mayor Judith Flanagan Kennedy

Motion made by Councilor Trahant and seconded by Councilor Capano to appoint Paul Amirault to the Parks Commission, effective immediately and will expire on May 1, 2018.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Chakoutis absent).

Communication from Her Honor the Mayor:

Dear Councilors: I am hereby appointing Mr. Thomas Dill, 38 Maryellen Drive, to the Election Commission. Mr. Dill's term is effective immediately and will expire on September 5, 2021. Sincerely, Mayor Judith Flanagan Kennedy

Motion made by Councilor Trahant and seconded by Councilor Lozzi to appoint Thomas Gill to the Election Commission, effective immediately and will expire on September 5, 2021.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Chakoutis absent).

PUBLIC HEARINGS TO BE SET DOWN FOR SEPTEMBER 26, 2017:

-Petition of Luna Sweets, 271 Western Ave., Suite 214 to allow client pick up for certain cake orders. Wed-Sunday **(Lozzi)**

-Petition of Zachary Andrews for an Apartment House Use (6 units) in the Central Business District at 38-44 Andrew St **(Chakoutis)**

PUBLIC HEARINGS TO BE SET DOWN – OCTOBER 10, 2017:

-Petition of National Grid and Verizon to Remove 1 JO Pole on Fairmount Ave and relocate 4 JO poles on Fairmount Ave **(Walsh)**

-Petition of National Grid to provide service at 215 Fairmount Ave **(Walsh)**

-Petition of National Grid to provide service at 167 Fairmount Ave **(Walsh)**

-Petition of Mobilite to operate small cell communication equipment on existing poles at the following locations:

Beacon Hill Ave -Beacon Hill Ct	(Colucci/Trahant)
Hanover St and Hanover Circle	(Chakoutis)
Washington St and Boston St	(Chakoutis)
Henry Ave and Washington St	(Colucci)

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

Motion carried.

COMMITTEES:

Report of the September 5, 2017 Committee on Licensing recommending the following to be accepted:

TAXI OPERATORS - NEW

Brenagan, Thomas- 167 North Common St. Apt# 11 - **Granted**

Daniels, Benjamin- 67 Turnpike Rd. Southborough, MA- **Tabled**

Guilarte, Alexis- 66 Fayette St. Apt. #1R- **Granted**

Montas, Michelle- 26 Bloomfield St. #2- **Granted**

Saint-Joor, Oberson – 427 Western Avenue (no show 8-22-17) - **Granted**

LIVERY OPERATORS (NEW)

Blaise, Antoine- 27 Newcastle St. - **Granted**

Jean Claude, Pierre- 121 Conifer Hill #235- **Granted**

Louissant, Paul- 50 Warren Apt. 115- **Granted**

Milloy, Michael- 159 Washington St. - **Granted**

OLD GOLD & SILVER –NEW

441-443 Union Street, Lynn Discount Co. -**Withdrew Application**

SECOND HAND –NEW

441-443 Union Street, Lynn Discount Co. – **Withdrew Application**

AUTO BODY/AUTO REPAIR/FLAMMABLE LICENSE – NEW

61 Commercial St. – J & R Auto Repair – **Granted with Standard Stipulations**

307 Eastern Ave. – Top Shop – **Hold to 9/26/17 Meeting – add Marine Repair**

OTHER BUSINESS:

REPORT ACCEPTED.

Report of the September 5, 2017 Committee on Education and Environmental Affairs recommending the following to be accepted:

1. Presentation by Massachusetts Department of Energy Resources
Re: Green Communities.

2. OTHER BUSINESS.

REPORT ACCEPTED.

Report of the September 5, 2017 Committee on Ordinance and Rules recommending the following to be accepted:

PUBLIC HEARINGS:

1. A Proposed Ordinance Requiring Applicants for Permits and Licenses to Pay All Advertising and Mailing Costs in Addition to the Fees Established by the Respective Department, Board, Commission and/or Officer.

IN THE YEAR TWO THOUSAND SEVENTEEN AN ORDINANCE REQUIRING APPLICANTS FOR PERMITS AND LICENSES TO PAY ALL ADVERTISING AND MAILING COSTS IN ADDITION TO THE FEES ESTABLISHED BY THE RESPECTIVE DEPARTMENT, BOARD, COMMISSION AND/OR OFFICER

SECTION 1:00

ESTABLISHMENT OF AN ADVERTISEMENT AND NOTIFICATION FEE

Pursuant to Massachusetts General Law Chapter 40, s. 22F, a municipal board or officer empowered to issue a license, permit, certificate, or to render a service or perform work for a person or class of persons, may, from time to time, fix reasonable fees for all such licenses, permits, or certificates. In addition to the filing fee, applicants must also pay the cost to publish legal notice, if any, of the hearing in the newspaper, and to cover mailing costs to notify abutters to the subject property and neighboring cities and towns. The calculation of the advertising and notification fee shall be as follows:

Newspaper: Fees for newspaper advertising should reflect the actual cost of the advertisement.

Mailed Notices: Fees for mailed notice shall be \$2 for all required to receive notice, including:

- Each abutter on certified abutter list;
- Applicant, Agents, and Owner listed on Application; and
- The City of Salem, City of Peabody, City of Revere, Town of Nahant, Town of Swampscott, Town of Saugus, Town of Lynnfield, Metropolitan Area Planning Council, and Commonwealth of Massachusetts Department of Housing and Community Development as they are required to receive notice under Chapter 40A of MGL.

SECTION 2:00 EFFECT FOR NON-COMPLIANCE

No applications or petitions will be accepted for filing without payment of the filing fee and the actual costs for advertising and notification by mailing as is required by law.

SECTION 3.00 INCONSISTENT ORDINANCES

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4.00 TIME OF TAKING EFFECT

This ordinance shall take effect thirty-one (31) days after its final approval as adopted and advertised.

Motion made by Councilor Walsh and seconded by Councilor Capano to GRANT.

Motion carried by the following yea and nay vote:

10 ES 0 NO (Councilor Chakoutis absent).

2. A Proposed Ordinance Amending the Ordinance Requiring Door to Door Solicitors to Obtain a Permit From the City of Lynn

**IN THE YEAR TWO THOUSAND SEVENTEEN AN ORDINANCE AMENDING THE
ORDINANCE REQUIRING DOOR TO DOOR SOLICITORS TO OBTAIN A PERMIT
FROM THE CITY OF LYNN**

SECTION 1:00 DEFINITIONS

The term "solicitor" or "canvasser" is defined as any person who, for himself or for another person, firm or corporation, travels by foot, automobile or any other type of conveyance from place to place, from house to house, or from street to street, taking or attempting to lease or to take orders for the retail sale of goods, wares, merchandise, services or donations including, without limiting, the selling, distributing, exposing for sale or soliciting of orders for magazines, books, periodicals or other articles of a commercial nature, the contracting of all home improvements, or for services to be performed in the future, whether or not such individual has, carries or exposes for retail sale a sample of the subject of such sale, or whether he is collecting advance payment on such retail sales.

SECTION 2:00 REGISTRATION REQUIRED

It shall be unlawful for any person to engage in business as a canvasser or solicitor calling at residences without the previous consent of the occupant for the purpose of soliciting orders, sales, subscriptions or business of any kind, or seeking for information or donations, without first having registered in the office of the chief of police, or with an officer designated by the chief of police. The registrant shall give his complete identification, his signature, the name of his employer, the nature of the products or services in which he is interested, the name of the manufacturer of such products, or the organization which he is representing, and the proposed method of operation in the city.

SECTION 3:00 REGISTRATION FEE, DURATION

Each registrant shall pay to the chief of police a registration fee payable to the city in the sum of one hundred dollars (\$100.00) for a period expiring one year from the date of said registration.

SECTION 4:00 REGISTRATION CERTIFICATE

Each applicant who shows evidence of good character and pays the fee provided for in Section 3:00 shall be furnished a certificate indicating that he has registered and showing the dates covered by such registration; said certificate shall also bear the registrant's photograph. Such registration certificate shall expressly require and be

issued only upon the condition that each person who intends to solicit or canvass in the city shall, on every such day, inform the office of the chief of police and the City Clerk's Office of the streets or neighborhood in which the intended solicitation or canvassing is to occur. Each person shall at all times while soliciting or canvassing in the city carry upon his person the registration certificate and the same shall be exhibited by such registrant whenever he is required to do so by any police officer or by any person solicited.

SECTION 5:00 CERTIFICATE OF REGISTRATION

Application for a certificate of registration shall be made upon a form provided by the police department. An authorized representative of the sponsoring organization shall apply to the chief of police or his/her designee either personally, between the hours of 9:00 a.m. and 2:00 p.m. from Monday through Thursday, excluding holidays, or by mail, and truthfully state in full the information requested on the application, to wit:

- (1) Name, address and telephone number of the sponsoring organization;
- (2) State and/or federal taxpayer identification number or tax-exempt number of the sponsoring organization;
- (3) Name, residential and business address, length of residence at such residential address, telephone number, social security number, and date of birth, of each and every representative of the sponsoring organization who will be soliciting or canvassing in the city;
- (4) Description including make, model, year, color and license plate number of any vehicle to be used by the sponsoring organization or its representatives while soliciting or canvassing in the city;
- (5) Applicant's height, weight, eye and hair color;
- (6) Description sufficient for identification of the subject matter of the soliciting or canvassing in which organizations will engage;
- (7) Period of time for which the certificate is applied (said certification shall expire within one year of date of issue);
- (8) The date, or approximate date, of the latest previous application for certificate under this Ordinance, if any;
- (9) Any previous revocation of a certificate of registration issued to the organization by the city;
- (10) Any convictions for a violation of a felony under the laws of the commonwealth or any other state or federal law of the United States, within five years of the application, by the sponsoring organization or any of its representatives who will be soliciting or canvassing in the city;
- (11) Names of the three most recent communities where the organization has solicited or canvassed house-to-house;
- (12) Proposed method of operation; and

(13) Signature of authorized representative of the sponsoring organization.

A photograph or an acceptable photocopy of a photograph of each representative of the sponsoring organization who will be soliciting or canvassing in the city must be attached to the application.

If the sponsoring organization is required by Chapter 68, Section 19 of the General Laws to register as a charitable organization with the commonwealth, a copy of said registration must be attached to the application.

All statements made by the applicant upon the application or in connection therewith shall be under oath. The applicant shall also produce a statement of authorization for the applicant and other representatives of the sponsoring organization to solicit or canvass on behalf of the sponsoring organization. Dates and times that the soliciting or canvassing will take place must also be provided.

No certificate of registration shall be issued to (1) any person who has been convicted of the commission of a felony under the laws of the commonwealth or any other state or federal law of the United States, within five years of the date of the application; or (2) any person who has violated any provisions of this Ordinance within five years of the date of the application; or (3) any person whose certificate of registration issued hereunder has been revoked within five years of the date of the application as herein provide.

The chief of police shall cause to be kept in his or her office an accurate record of every application received and acted upon together with all other information and data pertaining thereto and all certificates of registration issued under the provisions of this Ordinance, and of the denial of applications. Fully completed applications for certificates, shall be acted upon within three business days of receipt. No application for a certificate shall be denied provided that it satisfies the requirements of this Ordinance. The original copy of the application shall be given to the applicant and a duplicate copy shall be retained on file in the office of the chief of police.

When an application is approved, each solicitor or canvasser shall be issued a certificate of registration and shall at all times while soliciting or canvassing in the city carry upon his/her person the registration certificate, and the same shall be exhibited by such registrant whenever he/she is required to do so by any person solicited.

SECTION 6:00 **REVOCAION OF REGISTRATION**

Any such registration may be revoked by the chief of police because of any violation by the registrant of this division, or of any other ordinance of the city, or any state or

federal law, or whenever the registrant shall cease to possess the qualifications and character required in this Ordinance for the original registration.

SECTION 7:00 **INAPPLICABILITY TO SALESMEN.**

This Ordinance should not be construed to prevent route salesmen or other persons having established customers to whom they make periodic deliveries from calling upon such customers.

SECTION 8:00 **EXEMPTIONS**

The provisions of this Ordinance shall not apply to officers or employees of the city, county, state or federal government, or any subdivision thereof, when on official business, or to a person soliciting solely for religious, charitable, benevolent, fraternal or political purposes; nor shall this division apply to neighborhood youth and students who solicit for the shoveling of snow or cutting of lawns. The provisions of this chapter shall not apply to any person exempted under M.G.L. Ch. 101, or to any person duly licensed under M.G.L. Ch. 101, or to any person exempted by any other General Law, nor shall this chapter be construed to prevent route salesmen or other persons having established customers to whom they make periodic deliveries from calling upon such customers or from making calls upon prospective customers to solicit an order for future periodic route deliveries.

SECTION 9:00 **DECEPTIVE PRACTICES**

No solicitor or canvasser licensed or exempted from license may use any plan, scheme or ruse which misrepresents the true status or mission of the person making the call in order to gain admission to a prospective buyer's home, office or other establishment with the purpose of making a sale of consumer goods or services.

SECTION 10:00 **ADVERTISING**

No person shall deposit for the purpose of soliciting a sale, in open view on the premises of any residence, any material, display items, samples or advertising of any nature without the prior consent of the occupant.

SECTION 11:00 **DUTY OF SOLICITORS AND CANVASSERS**

It shall be the duty of every solicitor and canvasser going onto any premises in the city to first examine whether there is a notice stating that no solicitors are welcome; if such notice is present, then the solicitor or canvasser shall immediately and peacefully depart from the premises.

Any solicitor or canvasser who has gained entrance to any residence, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

No solicitor or canvasser, licensed or exempted from license, may misrepresent, in any manner, the buyer's right to cancel as stipulated by M.G.L. Chs. 93, 93A and 255D.

SECTION 12:00 VIOLATIONS

Any solicitor or canvasser who violates any provision of this Ordinance shall be fine three hundred (\$300.00) dollars or, in certain cases, by arrest as provided by Chapter 101 at the General Laws.

SECTION 13:00 TIME OF TAKING EFFECT

This Ordinance shall take effect upon the expiration of thirty days following its passage.

Motion made by Councilor Capano and seconded by Councilor Walsh to GRANT.

Motion carried by the following ye and nay vote:

10 YES 0 NO (Councilor Chakoutis absent).

REPORT ACCEPTED.

Report of the September 5, 2017 Committee on Ways and Means recommending the following to be accepted:

Transfer the sum of THIRTY ONE THOUSAND TWO HUNDRED SEVENTEEN DOLLARS TWENTY THREE CENTS (\$31,217.23)

From the Account of <u>22105-1904</u>	LPD-Exp	\$	927.58
From the Account of <u>22105-3003</u>	LPD-Exp	\$	766.58
From the Account of <u>22105-3103</u>	LPD-Exp	\$	7,581.17
From the Account of <u>22105-3104</u>	LPD-Exp	\$	17,101.79
From the Account of <u>22105-3107</u>	LPD-Exp	\$	189.13
From the Account of <u>22105-3199</u>	LPD-Exp	\$	247.99
From the Account of <u>22105-3899</u>	LPD-Exp	\$	4,379.49
From the Account of <u>22105-7801</u>	LPD-Exp	\$	23.50
To the Account of <u>98025-1191</u>	Unpaid Bills of PY-LPD	\$	31,217.23

To fund unexpected expense from FY17.

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 Thirty One

Thousand Two Hundred Seventeen Dollars Twenty Three Cents (\$31,217.23)

From the Account of <u>22105-1904</u>	LPD-Exp	927.58
From the Account of <u>22105-3003</u>	LPD-Exp	766.58
From the Account of <u>22105-3103</u>	LPD-Exp	7,581.17
From the Account of <u>22105-3104</u>	LPD-Exp	17,101.79
From the Account of <u>22105-3107</u>	LPD-Exp	189.13
From the Account of <u>22105-3199</u>	LPD-Exp	247.99
From the Account of <u>22105-3899</u>	LPD-Exp	4,379.49
From the Account of <u>22105-7801</u>	LPD-Exp	23.50

To the Account of 98025-1191 Unpaid Bills of PY-LPD 31,217.23
 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:

10 YES 0 NO (Councilor Chakoutis absent).

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

10 YES 0 NO (Councilor Chakoutis absent).

Transfer the sum of EIGHT HUNDRED FIFTY EIGHT DOLLARS FORTY NINE CENTS (\$858.49)

From the Account of <u>11915-3003</u>	Law-Exp	858.49
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To the Account of <u>98025-1191</u>	Unpaid Bills of PY-Law	858.49
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To fund unexpected expense from FY17.

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 Eight Hundred Fifty Eight Dollars Forty Nine Cents (\$858.49)

From the Account of <u>11915-3003</u>	Law-Exp	858.49
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To the Account of <u>98025-1191</u>	Unpaid Bills of PY-Law	858.49
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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:

10 YES 0 NO (Councilor Chakoutis absent).

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

10 YES 0 NO (Councilor Chakoutis absent).

Ordered that the City Comptroller be and is hereby authorized to take the following action: Certify as an "Available Fund" the amount of ONE HUNDRED FOURTEEN THOUSAND THIRTY FOUR DOLLARS AND NINETEEN CENTS (\$114,034.19) as allotted to the City of Lynn Fire Department by the Executive Office of Public Safety

and Security (EPS) for the FY2018 State 911 Departmental Regional Public Safety Answering Point and Regional Secondary Public Safety Answering Point and Regional Emergency Communication Center Development Grant. Grant Period 07/01/17-06/30/18

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 FOURTEEN THOUSAND THIRTY FOUR DOLLARS AND NINETEEN CENTS (\$114,034.19) as allotted to the City of Lynn Fire Department by the Executive Office of Public Safety and Security (EPS) for the FY2018 State 911 Departmental Regional Public Safety Answering Point and Regional Secondary Public Safety Answering Point and Regional Emergency Communication Center Development Grant. Grant Period 07/01/17-06/30/18

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:

10 YES 0 NO (Councilor Chakoutis absent).

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

10 YES 0 NO (Councilor Chakoutis absent).

Ordered that the City Comptroller be and is hereby authorized to take the following action: Certify as an “Available Fund” the amount of EIGHTY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$85,000.00) as allotted to the City of Lynn Health Department by the Department of Public Health (DPH) for the FY2018 Strategic Prevention Framework Partnership for Success Grant.

Grant Period 2/1/16-9/29/20

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 EIGHTY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$85,000.00) as allotted to the City of Lynn Health Department by the Department of Public Health (DPH) for the FY2018 Strategic Prevention Framework Partnership for Success Grant.

Grant Period 2/1/16-9/29/20

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 Chakoutis absent).

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

10 YES 0 NO (Councilor Chakoutis absent).

Ordered that the City Comptroller be and is hereby authorized to take the following action: Certify as an "Available Fund" the amount of ONE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$100,000.00) as allotted to the City of Lynn Health Department by the Department of Public Health (DPH) to fund a grant initiative for the FY18 Substance Abuse Prevention Collaborative (SAPC).

Grant Period is 07/01/17 to 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 ONE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$100,000.00) as allotted to the City of Lynn Health Department by the Department of Public Health (DPH) to fund a grant initiative for the FY18 Substance Abuse Prevention Collaborative (SAPC).

Grant Period is 07/01/17 to 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:

10 YES 0 NO (Councilor Chakoutis absent).

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

10 YES 0 NO (Councilor Chakoutis absent).

Ordered that the City Comptroller be and is hereby authorized to take the following action: Certify as an "Available Fund" the amount of ONE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$100,000.00) as allotted to the City of Lynn Health Department by the Department of Public Health (DPH) to fund a grant initiative for the FY18 Massachusetts Opioid Abuse Prevention Collaborative (MOAPC).

Grant Period is 07/01/17 to 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 ONE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$100,000.00) as allotted to the City of Lynn Health Department by the Department of Public Health (DPH) to fund a grant initiative for the FY18 Massachusetts Opioid Abuse Prevention Collaborative (MOAPC).

Grant Period is 07/01/17 to 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:

10 YES 0 NO (Councilor Chakoutis absent).

**Emergency Order was then adopted by the following yea and nay vote:
10 YES 0 NO (Councilor Chakoutis absent).**

Ordered that the City Comptroller be and is hereby authorized to take the following action: Certify as an "Available Fund" the amount of TWO HUNDRED FIFTY EIGHT THOUSAND FIVE HUNDRED EIGHTY EIGHT DOLLARS AND ZERO CENTS (\$258,588.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY18 Perkins Secondary Allocation Grant. Grant Period 09/01/17-08/31/18

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 FIFTY EIGHT THOUSAND FIVE HUNDRED EIGHTY EIGHT DOLLARS AND ZERO CENTS (\$258,588.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY18 Perkins Secondary Allocation Grant. Grant Period 09/01/17-08/31/18

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:

10 YES 0 NO (Councilor Chakoutis absent).

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

10 YES 0 NO (Councilor Chakoutis absent).

Ordered that the City Comptroller be and is hereby authorized to take the following action: Certify as an "Available Fund" the amount of FIVE MILLION NINE HUNDRED EIGHTY SEVEN THOUSAND SIX HUNDRED THIRTY FOUR DOLLARS AND ZERO CENTS (\$5,987,634.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY18 Title 1 Grant. Grant Period 9/1/17-6/30/18

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 FIVE MILLION NINE HUNDRED EIGHTY SEVEN THOUSAND SIX HUNDRED THIRTY FOUR DOLLARS AND ZERO CENTS (\$5,987,634.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY18 Title 1 Grant. Grant Period 9/1/17-6/30/18

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

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

10 YES 0 NO (Councilor Chakoutis absent).

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

10 YES 0 NO (Councilor Chakoutis absent).

Ordered that the City Comptroller be and is hereby authorized to take the following action: Certify as an "Available Fund" the amount of FIVE HUNDRED TWENTY EIGHT THOUSAND FOUR HUNDRED TWENTY SIX DOLLARS AND ZERO CENTS (\$528,426.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY18 Title III 186 Grant, English Language Acquisition Grant. Grant Period 09/01/17-08/31/18

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 an Order to certify as an "Available Fund" the amount of FIVE HUNDRED TWENTY EIGHT THOUSAND FOUR HUNDRED TWENTY SIX DOLLARS AND ZERO CENTS (\$528,426.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY18 Title III 186 Grant, English Language Acquisition Grant. Grant Period 09/01/17-08/31/18

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 Chakoutis absent).

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

10 YES 0 NO (Councilor Chakoutis absent).

Ordered that the City Comptroller be and is hereby authorized to take the following action: Certify as an "Available Fund" the amount of SEVEN HUNDRED NINETY SEVEN THOUSAND ONE HUNDRED SEVENTY NINE DOLLARS AND ZERO CENTS (\$797,179.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY18 Title IIA Grant. Grant Period 09/01/17-06/30/18

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 an Order to certify as an "Available Fund" the amount of SEVEN HUNDRED NINETY SEVEN THOUSAND ONE HUNDRED SEVENTY NINE DOLLARS AND ZERO CENTS (\$797,179.00) as allotted to the

City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY18 Title IIA Grant. Grant Period 09/01/17-06/30/18

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

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

10 YES 0 NO (Councilor Chakoutis absent).

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

10 YES 0 NO (Councilor Chakoutis absent).

Ordered that the City Comptroller be and is hereby authorized to take the following action: Certify as an "Available Fund" the amount of ONE HUNDRED FORTY FOUR THOUSAND FIVE HUNDRED THIRTY FOUR DOLLARS AND ZERO CENTS (\$144,534.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY18 Title IVA Grant. Grant Period 09/01/17-08/31/18

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 FORTY FOUR THOUSAND FIVE HUNDRED THIRTY FOUR DOLLARS AND ZERO CENTS (\$144,534.00) as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY18 Title IVA Grant. Grant Period 09/01/17-08/31/18

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 Chakoutis absent).

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

10 YES 0 NO (Councilor Chakoutis absent).

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 School Department by the Department of Elementary and Secondary Education (DESE) for the FY18 McKinney Vento Grant.

Grant Period 09/01/17-08/31/18

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 **FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$50,000.00)** as allotted to the City of Lynn School Department by the Department of Elementary and Secondary Education (DESE) for the FY18 McKinney Vento Grant.

Grant Period 09/01/17-08/31/18

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 Chakoutis absent).

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

10 YES 0 NO (Councilor Chakoutis absent).

Ordered that the City Comptroller be and is hereby authorized to appropriate from FY18 Property Tax, State Aid and other Local Receipts, the sum of **FOUR MILLION ONE HUNDRED EIGHTY THOUSAND FIVE HUNDRED EIGHTEEN DOLLARS AND ZERO CENTS (\$4,180,518.00)** to Lynn Public Schools to reflect increase in Chapter 70 funding.

To Account D8234 – 1101 Teachers TBD

\$1,000,000.00

To Account D8175 – 7800 Otherwise Unclassified

\$3,180,518.00

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 the City Comptroller be and is hereby authorized to appropriate from FY18 Property Tax, State Aid and other Local Receipts, the sum of FOUR MILLION ONE HUNDRED EIGHTY THOUSAND FIVE HUNDRED EIGHTEEN DOLLARS AND ZERO CENTS (\$4,180,518.00) to Lynn Public Schools to reflect increase in Chapter 70 funding.

To Account D8234 – 1101 Teachers TBD

\$1,000,000.00

To Account D8175 – 7800 Otherwise Unclassified

\$3,180,518.00

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 Chakoutis absent).

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

10 YES 0 NO (Councilor Chakoutis absent).

Ordered that the City Clerk be directed to cause notice to be advertised that meetings of the qualified voters of the City of Lynn will be held in several polling places

designated by the Warrant for the City Preliminary Election on Tuesday, September 12, 2017.

GREETING:

In the name of the Commonwealth you are hereby notified and warned that the inhabitants of the City of Lynn who are qualified to vote in the City of Lynn Preliminary Election to vote at:

- 1-1 Shoemaker School – Clearview Avenue
- 1-2 Briarcliff Lodge – 112 Kernwood Drive
- 1-3 Sisson School – 56 Conomo Avenue
- 1-4 Sisson School – 56 Conomo Avenue
- 2-1 St. Pius Lower Church Hall – Maple Street
- 2-2 St. Pius Lower Church Hall – Maple Street
- 2-3 St. Pius Lower Church Hall – Maple Street
- 2-4 St. Pius Lower Church Hall – Maple Street
- 3-1 Marshall Middle School – 100 Brookline Street
- 3-2 Marshall Middle School – 100 Brookline Street
- 3-3 Marshall Middle School – 100 Brookline Street
- 3-4 Marshall Middle School – 100 Brookline Street
- 4-1 Kipp Academy – 90 High Rock Street
- 4-2 Kipp Academy – 90 High Rock Street
- 4-3 Lynn Museum – 590 Washington Street
- 4-4 Lynn Museum – 590 Washington Street
- 5-1 Lynn Vocational Technical Institute Annex – Commercial Street
- 5-2 Lynn Vocational Technical Institute Annex – Commercial Street
- 5-3 Lynn Vocational Technical Institute Annex – Commercial Street
- 5-4 Community Hall – 10 Church Street
- 6-1 Lynn Tech Fieldhouse – Neptune Boulevard
- 6-2 Lynn Tech Fieldhouse – Neptune Boulevard
- 6-3 Lynn Tech Fieldhouse – Neptune Boulevard
- 6-4 Lynn Tech Fieldhouse – Neptune Boulevard
- 7-1 Breed Jr. High School – 90 O’Callaghan Way
- 7-2 Breed Jr. High School – 90 O’Callaghan Way
- 7-3 Breed Jr. High School – 90 O’Callaghan Way
- 7-4 Breed Jr. High School – 90 O’Callaghan Way

The polls will be opened at 7:00 a.m. and closed at 8:00 p.m. and all citizens will, in the several precincts in which they are entitled to vote, between said hours, give in their votes for Mayor, Council at Large, Ward Councilor and School Committee.

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 the City Clerk be directed to cause notice to be advertised that meetings of the qualified voters of the City of Lynn will be held in several polling places designated by the Warrant for the City Preliminary Election on Tuesday, September 12, 2017, at various locations.

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 Chakoutis absent).

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

10 YES 0 NO (Councilor Chakoutis absent).

REPORT ACCEPTED.

Report of the September 5, 2017 Committee on Public Property and Parks recommending the following to be accepted:

Discussion re: Bids received for the city-owned property at 48 Saunders Road - Parcel ID 090097006:

- Neighborhood Development Associates, Inc., 10 Church Street, Lynn in the amount of \$100,000.00 with a Bid Deposit of \$10,000.00.
- George Banos, 300 Lynn Shore Drive, Unit #101, Lynn in the amount of \$111,500.00 with a Bid Deposit of \$11,050.00.
- Eugene J. Casey, 62 Fays Avenue, Lynn in the amount of \$29,900.00 with a Bid Deposit of \$2,090.00.
- Karen Stone, P.O. Box 45, Lynnfield, in the amount of \$58,300.00 with a Bid Deposit of \$5,830.00.
- Apostolos Hatzis, 235 Windsor Avenue, Swampscott, in the amount of \$140,000.00 with a Bid Deposit of \$14,000.00.
- John Tamasi, 11 Birchwoods Drive, Beverly, in the amount of \$105,000.00 with a Bid Deposit of 10,500.00. – **WITHDREW Bid**

Motion made by Councilor Trahant and seconded by Councilor Barton to reject all bids and return Bid Deposits.

Motion carried

OTHER BUSINESS:

REPORT ACCEPTED.

NEW BUSINESS:

Motion made by Councilor Walsh and seconded by Councilor Colucci to amend the Special Permit to allow artist tents at the property located at Mount Vernon Street and Silsbee Street to permit the sale of light refreshments such as coffee along with artistic wares.

Motion carried by the following ye and nay vote:

10 YES 0 NO (Councilor Chakoutis absent).

Motion made by Councilor Capano and second by Councilor Cahill to request from ISD copies of the RFP for Custodial Services for the City of Lynn, along with the prices and the name of the company(s) that were awarded the contract.

Motion carried by the following ye and any vote:

10 YES 0 NO (Councilor Chakoutis absent).

***Attorney Lamanna stated that he could get that information to the Council.**

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