

CITY OF LYNN

**City Council Meeting, April 24, 2018
Council President Darren P. Cyr**

Nine Councilors Present (Councilor Barton and Councilor Chakoutis absent).

Moment of Silence: Councilor LaPierre asked that the Family of Molly Bishop Ramsay be remembered. Councilor Walsh asked that the Family of Joe McDuff be remembered. Councilor Field asked that the Family of Peter Pedro, Sr. be remembered. Councilor Starbard asked that the Family of Danny Revelotis be remembered. Council President Cyr asked that the Family of Peggy LaBrie also be remembered.

Pledge of Allegiance.

Motion made by Councilor Colucci and seconded by Councilor Walsh to accept the Meeting Minutes of April 10, 2018.

Motion carried.

Council President Cyr announced that Council Vice-President Barton could not attend the meeting due to a minor surgical procedure and Councilor Chakoutis is recouping.

COMMUNICATIONS:

Dear Councilors:

Please be advised I have chosen to appoint Timothy Leonard, 65 Bridle Path Road Lynn to the position of Purchasing Agent for the City of Lynn and hereby submit his name for Council confirmation as provided by the City Charter

Sincerely, Peter M. Caron, CFO/Director of Assessing

Motion made by Councilor Lozzi and seconded by Councilor Field to appoint Timothy Leonard, 65 Bridle Path Road to the position of Purchasing Agent for the City of Lynn.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilor Barton and Councilor Chakoutis absent).

Dear Councilors,

I am hereby appointing Mr. Robert Tucker, 295 Lynn Shore Drive to serve as Chair of the Lynn Community Television Board. His term is effective immediately and will expire on October 31, 2019. Sincerely, Mayor Thomas M. McGee

Motion made by Councilor Colucci and seconded by Councilor Starbard to appoint Robert Tucker, 295 Lynn Shore Drive to serve as Chair of the Lynn Community Television Board, effective immediately and shall expire on October 31, 2019.

Motion carried by the following ye and nay vote:

9 YES 0 NO (Councilor Barton and Councilor Chakoutis absent).

Dear Councilors,

I am hereby appointing Mr. Michael Cerulli, 40 Bulfinch Rd to serve on the Lynn Community Television Board. His term is effective immediately and will expire on October 31, 2019. Sincerely, Mayor Thomas M. McGee

Motion made by Councilor Colucci and seconded by Councilor Starbard to appoint Michael Cerulli, 40 Bulfinch Road to serve on the Lynn Community Television Board, effective immediately and shall expire on October 31, 2019.

Motion carried by the following ye and nay vote:

9 YES 0 NO (Councilor Barton and Councilor Chakoutis absent).

Dear Councilors,

I am hereby appointing Mr. Joseph Carritte, 83 Maplewood Road to serve on the Lynn Community Television Board. His term is effective immediately and will expire on October 31, 2019. Sincerely, Mayor Thomas M. McGee

Motion made by Councilor Colucci and seconded by Councilor Starbard to appoint Joseph Carritte, 83 Maplewood Road to serve on the Lynn Community Television Board, effective immediately and shall expire on October 31, 2019.

Motion carried by the following ye and nay vote:

9 YES 0 NO (Councilor Barton and Councilor Chakoutis absent).

Dear Councilors,

I am hereby appointing Mr. Michael Marks, 24 Cumberland Road to serve on the Lynn Community Television Board. His term is effective immediately and will expire on October 31, 2019. Sincerely, Mayor Thomas M. McGee

Motion made by Councilor Colucci and seconded by Councilor Starbard to appoint Michael Marks, 24 Cumberland Road to serve on the Lynn Community Television Board, effective immediately and shall expire on October 31, 2019.

Motion carried by the following ye and nay vote:

9 YES 0 NO (Councilor Barton and Councilor Chakoutis absent).

Dear Councilors,

I am hereby appointing Mr. Joseph Scanlon III, 236 Parkland Ave to serve as the Treasurer of the Lynn Community Television Board. His term is effective immediately and will expire on October 31, 2019. Sincerely, Mayor Thomas M. McGee

Motion made by Councilor Colucci and seconded by Councilor Starbard to appoint Joseph Scanlon, III, 236 Parkland Avenue, to serve on the Lynn Community Television Board, effective immediately and shall expire on October 31, 2019.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilor Barton and Councilor Chakoutis absent).

PUBLIC HEARINGS:

Petition of Michelle Doucette owner of "Munchies", for permission to open an Ice Cream Store/Parlor with seating at 578-582 Chestnut St.

The Following appeared in Favor:

Michelle Doucette, Owner

Calvin Anderson, 12 Concord Street, Lynn

Public Hearing Closed.

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

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilor Barton and Councilor Chakoutis absent).

Petition for a Sign Permit at Bread Dreams located at 66 Market Square

No one appeared in Favor.

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:

9 YES 0 NO (Councilor Barton and Councilor Chakoutis absent).

Petition of Olde World Remedies Inc., Alan Rothenberg, to open a Medical Marijuana Dispensary at 953 Western Ave, Mon–Sat 9am-8pm

The following appeared in Favor:

Attorney James Smith

Calvin Anderson, 12 Concord Street

Public Hearing Closed.

Motion made by Councilor Capano and seconded by Councilor Walsh to grant the prayer of the Petitioner with the stipulation that the Host Agreement be signed by His Honor the Mayor.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilor Barton and Councilor Chakoutis absent).

Petition of Minh Hao Vo for a permit at 738-744 Western Ave to allow retail shops at street level with 2 floors above street level as residential units and mixed use at street level in a Business District.

The following appeared in Favor:

Attorney Sam Vitali

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 with the stipulation that the Petition is approved by the Zoning Board of Appeals and Site Plan Review Committee.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilor Barton and Councilor Chakoutis absent).

Public Hearing on 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 establishing a Medical Village Overlay District on all of the land lying between and bounded by Dartmouth Street, Anchor Road, Lynnfield Street and Woodland North.

SECTION 2:00

Section 4.3 is hereby amended by adding the following:

Medical Village – P

SECTION 3:00

Section 5.3 is hereby amended by adding the following definition:

Medical Village – Use of land for medical services, urgent care, emergency care, medical and dental clinics, medical and dental offices, medical laboratories and medical research and development for the purpose of providing ambulatory, medical, surgical, dental, physical, rehabilitation, or mental health services, **in-house patient pharmacy and other ancillary medical services.**

Representatives from NSMC Mary Jo Gagnon, Laura Fleming N.S., and Dr. David Roberts showed a Power Point Presentation.

The following appeared in Favor:

John Hennessey, Lynn

Calvin Anderson, Lynn

The following appeared in Opposition:

Mike Toomey, 93 Judge Road, Lynn

Public Hearing Closed.

Motion made by Councilor Lozzi and seconded by Councilor Starbard to amend to include “in-house patient pharmacy and other ancillary medical services”.

Motion carried.

Motion made by Councilor Lozzi and seconded by Councilor Capano to grant with amendments.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilor Barton and Councilor Chakoutis absent).

PUBLIC HEARINGS TO BE SET DOWN:

Petition of Patrick J. McGrath to construct a four story, 24 unit residential apartment building on property zoned in a Business District at 693 Western Ave.

Motion made by Councilor Colucci and seconded by Councilor Starbard to set down for a Public Hearing.

Motion carried.

COMMITTEES:

Report of the April 24, 2018 Committee on Education and Environmental Affairs recommending the following to be accepted:

1. Presentation by Ofo
re: Dockless Bike-Sharing Program – **Motion made by Councilor Walsh and seconded by Councilor LaPierre to allow Ofo to conduct a four month pilot program in the City of Lynn from June through September and report back to the Committee for review.**
Motion carried.

2. OTHER BUSINESS
REPORT ACCEPTED.

Report of the April 26, 2018 Committee on Ways and Means recommending the following to be accepted:

Ordered that the City Comptroller be and is hereby authorized to appropriate from FREE CASH the sum of NINE HUNDRED NINETY THOUSAND DOLLARS AND

ZERO CENTS (990,000.00) to Fire payroll.
 From the Account of FREE CASH 990,000.00
 To the Account of 22404-0900 LFD PR-OT 734,000.00
 To the Account of 22404-1000 LFD PR-Salaries 256,000.00

Councilor Cyr attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to a financial order that the City Comptroller be and is hereby authorized to appropriate from FREE CASH the sum of NINE HUNDRED NINETY THOUSAND DOLLARS AND ZERO CENTS (990,000.00) to Fire payroll.

From the Account of FREE CASH 990,000.00
 To the Account of 22404-0900 LFD PR-OT 734,000.00
 To the Account of 22404-1000 LFD PR-Salaries 256,000.00

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:

9 YES 0 NO (Councilor Barton and Councilor Chakoutis absent)

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

11 YES 0 NO (Councilor Barton and Councilor Chakoutis absent).

Transfer the sum of SIXTY FIVE THOUSAND DOLLARS AND ZERO CENTS (65,000.00)

From the Account of 91177-9510 Excess WC-Expense 65,000.00
 To the Account of 11925-7600 Law-Exp 65,000.00
 To fund FY18 Legal Settlement

Councilor Cyr attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

SIXTY FIVE THOUSAND DOLLARS AND ZERO CENTS (65,000.00)

From the Account of 91177-9510 Excess WC-Expense 65,000.00
 To the Account of 11925-7600 Law-Exp 65,000.00
 To fund FY18 Legal Settlement

WHEREAS, An Emergency relative to a financial order transferring the sum of

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:

9 YES 0 NO (Councilor Barton and Councilor Chakoutis absent)

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

11 YES 0 NO (Councilor Barton and Councilor Chakoutis absent).

Certify as an "Available Fund" the amount of TWENTY THOUSAND THREE HUNDRED SIXTY DOLLARS AND ZERO CENTS (20,360.00) as allotted to the City of Lynn School Department for the Lynn Health Tech Career Pathway Training Program, provided by the Red Cross and Career Center.

Councilor Cyr attached the following Emergency Preamble:

WHEREAS, A Special Emergency exists involving the peace, health and safety of the people or their property in the City of Lynn.

WHEREAS, An Emergency relative to an Order to certify as an “Available Fund” the amount of TWENTY THOUSAND THREE HUNDRED SIXTY DOLLARS AND ZERO CENTS (20,360.00) as allotted to the City of Lynn School Department for the Lynn Health Tech Career Pathway Training Program, provided by the Red Cross and Career Center.

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:

9 YES 0 NO (Councilor Barton and Councilor Chakoutis absent).

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

9 YES 0 NO (Councilor Barton and Councilor Chakoutis absent).

Motion made by Councilor Cyr and seconded by Councilor Starbard to set down a Public Hearing on whether the City should bond \$5,882,193.00 Dollars for the purpose of paying for the cost to make roof, window and door repairs to the Hood Elementary School.

Public Hearing to determine: that the City of Lynn will appropriate the amount of five million eight hundred eighty-two thousand one hundred and ninety-three (\$5,882,193.00) dollars for the purpose of paying costs for the design and replacement of the roof and window/doors of the roof replacements at the Hood Elementary School located at 24 Oakwood Avenue, Lynn Massachusetts; including the payment of all costs incidental or related thereto, which proposed repair projects would materially extend the useful life of the schools and preserve assets that otherwise are capable of supporting the required educational programs, and for which the City of Lynn may be eligible for a grant from the Massachusetts School Building Authority (MSBA), said amount to be expended under the direction of the School Building Committee.

The City of Lynn, acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the City of Lynn incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City of Lynn, and that the amount of borrowing authorized pursuant to the vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City of Lynn and the MSBA.

Motion carried.

REPORT ACCEPTED.

Report of the April 24, 2018 Committee on Licensing recommending the following to be accepted:

LIVERY OPERATORS (NEW):

Baldini, Tammy L. – 58 Washington Street, Peabody.- **Granted**

Cooke, Justin, 61 Graves Avenue, Lynn.- **Executive Session:**

Granted w/30-60-90 Day Review

MOBILE FOOD TRUCK – NEW – LOCATED AT 3-11 MT. VERNON

Mediterranean Home Cooking, Pranvera Yakuj, 75 Washington St.

Peabody, MA- **Tabled**

AUTO REPAIR/FLAMMABLE RENEWAL (90 DAY REVIEW)

68 Bennett Street – Car Works Plus – **Granted for another 60 Days.**

AUTO BODY/AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL

17 Alley St. – Italmondo Auto Body.- **Granted**

17C Alley St. – Alley Auto Body & Repair, Inc. .- **Granted**

35B Alley St. – K & J Auto Body Inc. .- **Granted**

47 Bennett St. – VEO Auto Body Solutions, LLC.- **Granted**

47 Bennett St. – Auto Works Collision Center.- **Granted**

100 Buffum St. – USPS – VMF.- **Granted**

148 Fayette St. – Mike’s Auto Repair and Auto Body.- **Granted**

92 Harbor St. – Urban Auto Body.- **Granted**

443 Lynnway – Toro’s Auto Center, Inc. .- **Granted**

135 Pleasant St. – Pudgy’s Towing & Auto Repair, Inc. .- **Granted**

882 Western Ave. – Western Ave. Auto Body.- **Granted**

1117 Western Ave. – Pro-Tech Auto Body & Performance, Inc. .- **Granted**

AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL

18 Alley St. - E and M Auto Repair, Inc.- **Granted.**

50 Bennett St. – Landry Automotive.- **Granted**

68R Bennett St. – Estrada Auto Repair.- **Granted**

84 Bennett St. – Joselo Auto Repair.- **Granted**

122 Boston St. – S and H Auto Repair.- **Granted**

606 Boston St. – Solutions Auto Repair.- **Granted**

805 Boston St. – A.G. Inc. dba Town Line Service.- **Granted**

411 Broad St. – Meineke Car Care Center.- **Granted**

161 Chestnut St. – Chutzpah Royale, LLC.- **Granted**

129 Commercial St. – Ernesto Auto Repair, Corp. .- **Granted**

131 Commercial St. – North Shore Car Rental Corp. .- **Granted**

180 Commercial St. – Lou’s Custom Exhaust, Lynn.- **Granted**

99 Rear Cottage St. – Mark A. King, LLC.- **Granted**

505 Chestnut St. – A.J.’s Auto Service.- **Granted**

12A Ellis St. – Mora Auto Repair.- **Granted**

287 Essex St. – Essex Auto Repair.- **Granted**

109 Lynnfield St. – R & R American Service Station, Inc. .- **Granted**

555 Lynnway – Midas Auto Service Experts.- **Granted**

205 Market St. – Goodyear Tire Co. .- **Granted**

9 Minot St. – Western Ave Auto Body dba Auto Sports Mechanical.- **Granted**

125 Pleasant St. – Caruso’s Auto Repair.- **Granted**

1117R Western Ave. – Mass Recovery Bureau/Mass Towing.- **Granted**

FLAMMABLE LICENSE – RENEWAL

6 Bennett St. – LAC Steel - **Granted**

22 Bennett St. – Perrotti’s Welding and Fabrication.- **Granted**

86 Bennett St. – Seacrest Foods International, Inc. .- **Granted**

45 Boston St. – North Shore Metals dba Automotive Parts Mahan’s.- **Granted**

122 Boston St. – Boston St. Shell #04037.- **Granted**

172 Boston St. – Arctic Oil/Ferrari’s Landscaping.- **Granted**

300 Broad St. – North Shore Community College.- **Granted**

134 Broadway – Catholic Cemetery Assoc. .- **Granted**

229 Broadway – Fardin Inc. DBA Richdale.- **Granted**

31 Collins St. Terr. – Delulis Brothers Construction.- **Granted**

91 Commercial St. – Hibernia Atlantic US, LLC.- **Granted**

225 Commercial St. – Turner, Inc. .- **Granted**

101 Harbor St. – All Welding Supplies.- **Granted**

32 Homesite St. – National Grid.- **Granted**

122 Liberty St. – Speedway #02502.- **Granted**

71 Linden St. – Bain, Inc. .- **Granted**

500 Lynnfield St. – NSMC Union Hospital.- **Granted**

84-86 Lynnway – Lynn Yacht Club, Inc. .- **Granted**

154 Lynnway – Seaport Landing Marina.- **Granted**

453 Lynnway – EZ Landscaping Inc. .- **Granted**

535 Lynnway – Lynn Shell #04032.- **Granted**

626 Lynnway – Garelick Farms.- **Granted**

680 Lynnway – Garelick Farms.- **Granted**

700 Lynnway – Sonny’s Car Wash.- **Granted**

195 Market St. – Eastern Bank.- **Granted**

56 Sanderson Ave. – Leahy Landscaping, Inc. .- **Granted**

766 Summer St. – Booma Oil Co. .- **Granted**

41 Sutton St. – D’Amici’s Bakery.- **Granted**

149 Walnut St. – Richdale Convenience Store.- **Granted**

12 Washington St. – J & S Transport Co., Inc. .- **Granted**

2 Western Ave. – Dom’s Oil Co. .- **Granted**

240 Western Ave. – Gibb’s Oil Company, Limited Partnership.- **Granted**

570 Western Ave. – Chowdhury, Inc. dba Convenience Station.- **Granted**

969 Western Ave. – A.L. Prime Energy.- **Granted**

1000 Western Ave. – General Electric Aviation.- **Granted**

1069 Western Ave. – Fisher Auto Parts, Inc.- **Granted**

OTHER BUSINESS:

Lynn Jets Lacrosse Team (Adults Only) – May 5, 2018 - **Granted**

Wyoma Little League (Adults Only) – May 25,26,27, 2018 - **Granted**

REPORT ACCEPTED.

Report of the April 24, 2018 Committee on Public Property and Parks recommending the following to be accepted:

1. Discussion re: Request to redeem city-owned property at 440 Summer Street.
Motion made by Councilor Capano and seconded by Councilor Walsh to allow the redemption for the amount agreed upon by the Treasurer's Office in the amount of \$18,102.77.

2. Discussion re: Status of Sale of Public Property
Motion made by Councilor Capano and seconded by Councilor Walsh to place out to Bid the city-owned property at 48 Saunders Road and 34 Grant Street.

3. OTHER BUSINESS:

Motion made by Councilor Walsh and seconded by Councilor to place the Mary Baker Eddy House on the next agenda.
REPORT ACCEPTED.

NEW BUSINESS:

Discussion with Utility Companies and ISD Director re: Double Poles and Wires Hanging Throughout the City of Lynn.

Motion made by Councilor Capano and seconded by Councilor Walsh to request the ISD Director and the Law Dept. to draft a letter to the Regulating Authority of all Utility Companies and the State Delegation regarding the concern of double poles and hanging wires in the City of Lynn.

Motion carried.

Motion made by Councilor Lozzi and seconded by Councilor Capano ORDERING that his Honor the Mayor is hereby authorized to enter into a Tri-Party Agreement between the City of Lynn, Lynn Economic Industrial Corporation and North Shore Medical Center whereby North Shore Medical Center will donate \$30,000.00 to the EDIC for the purpose of engaging a consultant to prepare a Master Plan for one of the land lying between and bounded by Dartmouth Street, Anchor Road, Lynnfield Street and Woodland North.

Motion carried by the following yea and nay vote:

9 YES 0 NO (Councilor Barton and Councilor Chakoutis absent).

**Motion made by Councilor Capano and seconded by Councilor Starbard ordering that the City of Lynn accept Massachusetts General Laws 64N, §3 to impose an Excise Tax on the retail sales of Marijuana for Adult Use at the rate of Three (3%) percent.
Motion carried.**

Motion made by Councilor Colucci and seconded by Councilor Capano 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