

CITY OF LYNN**Regular City Council Meeting, May 22, 2018
Council President Darren P. Cyr****Eleven Councillors Present**

Moment of Silence. Council President Cyr asked that the victims of the Santa Fe High School in Texas be remembered. Councilor Starbard asked that the Family of Richard Chiaradona be remembered. Council Vice-President Barton asked that the Family of James DePhilippo be remembered.

Pledge of Allegiance.

Motion made by Councilor Colucci and seconded by Councilor Capano to accept the Meeting Minutes of May 8, 2018.

Motion carried.

COMMUNICATIONS:

Dear Councilors,

As of May 4, 2018, I hereby designate, Peter M. Caron, of Lynn, Massachusetts to perform the duties of Chief Financial Officer on a temporary basis until such time as a permanent appointment may be made. Sincerely, Mayor Thomas M. McGee

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

Motion carried.

Dear Councilors,

As of May 16, 2018, I hereby designate, Richard J. Fortucci, of Lynn, Massachusetts to perform the duties of Collector on a temporary basis until such time as a permanent appointment may be made. Sincerely, Mayor Thomas M. McGee

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

Motion carried.

Dear Councilors,

I am hereby appointing, Mr. Frank Valeri, 43 Morton Avenue, Saugus, MA as my designee to serve on the Lynn Retirement Board. Mr. Valeri's term is effective immediately. Sincerely, Mayor Thomas M. McGee

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

Motion carried.

Dear Councilors,

I am hereby re-appointing Mr. Daniel Gisonno, 385 Walnut Street, to serve on the Zoning Board of Appeals. Mr. Gisonno's term is effective immediately and will expire on January 31, 2024. Sincerely, Mayor Thomas M. McGee

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

Motion carried.

PUBLIC HEARINGS:

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

The Following appeared in Favor:

Attorney Paul Keating

Calvin Anderson, 12 Concord Street, Lynn

No one appeared in Opposition.

Public Hearing Closed.

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

Motion carried by the following yea and nay vote:

11 YES 0 NO

Public Hearing re: **Bond Order:**

ORDERED 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 made by Councilor Walsh and seconded by Councilor Barton to grant.

Motion carried by the following yea and nay vote:

11 YES 0 NO

PUBLIC HEARINGS TO BE SET DOWN:

-Petition of Dunkin Donuts at 577 Walnut St for a Sign Permit.

Motion made by Councilor Baton and seconded by Councilor Chakoutis to set down for Public Hearing.

Motion carried.

COMMITTEES REPORTS:

Report of the May 22, 2018 Committee on Economic and Workforce Development recommending the following to be accepted:

1. Update from the EDIC Director regarding the RFP / Waterfront Master Plan.

2. OTHER BUSINESS

REPORT ACCEPTED.

Report of the May 22, 2018 Committee on Ordinance and Rules recommending the following to be accepted:

Ordinance and Rules

1. Discussion and/or Set Down for Public Hearing:

A Proposed Ordinance Amending the Zone Ordinance regarding Senior Parking in an R3 District.

IN THE YEAR TWO THOUSAND EIGHTEEN 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 amending Section 2. 5 of the Zone Ordinance to read:

- 2.5 Elderly Person: For the purpose of this Ordinance, except in the R3 District, an elderly person shall be anyone who has reached the age of sixty-five. In the R3 District, an elderly person shall be anyone who has reached the age of fifty-five.

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

Motion carried.

Report of the May 22, 2018 Committee on Ways and Means recommending the following to be accepted:

Transfer the sum of TWENTY EIGHT THOUSAND SEVEN HUNDRED DOLLARS AND ZERO CENTS (28,700.00)

From the Account of <u>98035-7800</u>	Reserve	28,700.00
To the Account of <u>11704-1000</u>	Purchasing-PR	28,000.00
To the Account of <u>11705-7300</u>	Purchasing-EXP	700.00

To fund payouts for staff retirements and class for new PA.

Councilor Barton 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 transferring the sum of TWENTY EIGHT THOUSAND SEVEN HUNDRED DOLLARS AND ZERO CENTS (28,700.00)

From the Account of <u>98035-7800</u>	Reserve	28,700.00
To the Account of <u>11704-1000</u>	Purchasing-PR	28,000.00
To the Account of <u>11705-7300</u>	Purchasing-EXP	700.00

To fund payouts for staff retirements and class for new PA.

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 SIX THOUSAND SIXTY ONE DOLLARS AND ZERO CENTS (6,061.00)

From the Account of <u>98035-7800</u>	Reserve	6,061.00
To the Account of <u>22604-0900</u>	Emer Mgmnt-OT	6,061.00

To fund Emergency Operations Center during January and March storms not budgeted for.

Councilor Barton 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 transferring the sum of SIX THOUSAND SIXTY ONE DOLLARS AND ZERO CENTS (6,061.00)

From the Account of <u>98035-7800</u>	Reserve	6,061.00
To the Account of <u>22604-0900</u>	Emer Mgmnt-OT	6,061.00

To fund Emergency Operations Center during January and March storms not budgeted for.

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 TWO THOUSAND NINE HUNDRED NINETY SIX DOLLARS AND ZERO CENTS (2,996.00)

From the Account of 98035-7800 Reserve 2,996.00

To the Account of 11724-0702 IT-PR PBB 2,996.00

To fund PERS BUY BACK that is a contractual payment.

Councilor Barton 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 transferring the sum of TWO THOUSAND NINE HUNDRED NINETY SIX DOLLARS AND ZERO CENTS (2,996.00)

From the Account of 98035-7800 Reserve 2,996.00

To the Account of 11724-0702 IT-PR PBB 2,996.00

To fund PERS BUY BACK that is a contractual payment.

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 TWO THOUSAND TWO HUNDRED SIXTY SIX DOLLARS AND ZERO CENTS (2,266.00)

From the Account of 98035-7800 Reserve 2,266.00

To the Account of 76425-4103 GAR-Exp 2,266.00

To fund oil bills that exceeded budgeted amount.

Councilor Barton 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 transferring the sum of TWO THOUSAND TWO HUNDRED SIXTY SIX DOLLARS AND ZERO CENTS

(2,266.00)

From the Account of <u>98035-7800</u> Reserve	2,266.00
To the Account of <u>76425-4103</u> GAR-Exp	2,266.00

To fund oil bills that exceeded budgeted amount.

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 THREE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (300,000.00)

From the Account of <u>11934-1000S</u> ISD-PR	300,000.00
To the Account of <u>11935-8200S</u> ISD-EXP	300,000.00

To fund much needed repairs at school buildings.

Councilor Barton 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 transferring the sum of THREE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (300,000.00)

From the Account of <u>11934-1000S</u> ISD-PR	300,000.00
To the Account of <u>11935-8200S</u> ISD-EXP	300,000.00

To fund much needed repairs at school buildings.

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 FIFTY THOUSAND DOLLARS AND ZERO CENTS (150,000.00)

From the Account of <u>11934-1000</u> ISD-PR	150,000.00
To the Account of <u>11935-2412</u> ISD-EXP	150,000.00

To fund much needed repairs at municipal buildings.

Councilor Barton 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 transferring the sum of ONE HUNDRED FIFTY THOUSAND DOLLARS AND ZERO CENTS (150,000.00)

From the Account of 11934-1000 ISD-PR 150,000.00

To the Account of 11935-2412 ISD-EXP 150,000.00

To fund much needed repairs at municipal buildings.

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 FORTY ONE THOUSAND FIVE HUNDRED SIXTY SIX DOLLARS AND FOURTEEN CENTS (41,566.14)

From the Account of 22105-3103 LPD- Exp 41,566.14

To the Account of 98025-2210 Unpd Bills of PY-LPD 41,566.14

To fund prior year medical bills received after the close of the previous FY.

Councilor Barton 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 transferring the sum of FORTY ONE THOUSAND FIVE HUNDRED SIXTY SIX DOLLARS AND FOURTEEN CENTS (41,566.14)

From the Account of 22105-3103 LPD- Exp 41,566.14

To the Account of 98025-2210 Unpd Bills of PY-LPD 41,566.14

To fund prior year medical bills received after the close of the previous FY.

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 MILLION FOUR HUNDRED NINETY SEVEN THOUSAND SEVENTY FIVE DOLLARS AND ZERO CENTS (1,497,075.00) as allotted to the City of Lynn by Transportation Bond Bill Chapter 90 for FY19.

Councilor Barton 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 MILLION FOUR HUNDRED NINETY SEVEN THOUSAND SEVENTY FIVE DOLLARS AND ZERO CENTS (1,497,075.00) as allotted to the City of Lynn by Transportation Bond Bill Chapter 90 for FY19.

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

Ordered that pursuant to Massachusetts General Laws Chapter 44, Section 53A, the City of Lynn hereby accepts a gift in the amount of \$3,000.00 from Mr. Charles Patsios for the purpose of purchasing a Fire Rescue Boat for the Lynn Fire Department. Further ordered that the Comptroller's Office is hereby authorized to establish a revolving fund in order to effectuate the purpose of said gift.

Councilor Barton 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 pursuant to Massachusetts General Laws Chapter 44, Section 53A, the City of Lynn hereby accepts a gift in the amount of \$3,000.00 from Mr. Charles Patsios for the purpose of purchasing a Fire Rescue Boat for the Lynn Fire Department. Further ordered that the Comptroller's Office is hereby authorized to establish a revolving fund in order to effectuate the purpose of said gift.

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

Ordered that pursuant to Massachusetts General Laws Chapter 44, Section 53A, the City of Lynn hereby accepts a gift in the amount of \$2,000.00 from John's Fuel Service, Inc. d/b/a John's Oil Company, for the purpose of purchasing a Fire Rescue Boat for the Lynn Fire Department. Further ordered that the Comptroller's Office is hereby authorized to establish a revolving fund in order to effectuate the purpose of said gift.

Councilor Barton 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 pursuant to Massachusetts General Laws Chapter 44, Section 53A, the City of Lynn hereby accepts a gift in the

amount of \$2,000.00 from John's Fuel Service, Inc. d/b/a John's Oil Company, for the purpose of purchasing a Fire Rescue Boat for the Lynn Fire Department. Further ordered that the Comptroller's Office is hereby authorized to establish a revolving fund in order to effectuate the purpose of said gift.

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 May 22, 2018 Committee on Public Property recommending the following to be accepted:

1. Request from prior owner to redeem the city-owned property at 462 Essex Street, Unit 2 - **Motion to allow the prior owner of 462 Essex St, Unit 2 to redeem the city-owned property with a 30 day extension.**

2. Discussion re: city-owned property at 328R Western Avenue - **Motion to Order that the City of Lynn convey to Julie Menendez and Agostinho Diogo of 328 Western Avenue, Lynn, Massachusetts 01904, the parcel of land located at 328R Western Avenue (Parcel No.: 071-683-005) consisting of 398 square feet for the consideration of \$ One dollar.**

Said Parcel shall be conveyed with the restrictions that no building shall be constructed upon it and said land will be used for landscaping only.

Said Parcel shall be merged with the property located at 328 Western Avenue, Lynn, Massachusetts 01904.

Further Ordered that the Mayor is authorized to execute a Deed and all documents required by the Law Department to effectuate the above reference conveyance.

Request from Essex Media Group (EMG) to hang a banner on Lynnfield Street and Essex Street for the "Segunda Feria Deportiva y Recreativa Amigos de La Voz (Second Sporting and Recreational Fair "Friends of LaVoz). - **Granted**

OTHER BUSINESS:
REPORT ACCEPTED.

Report of the May 22, 2018 Committee on Licensing recommending the following to be accepted:

TAXI OPERATORS NEW:

LOPEZ, JORDY-420 Boston St #2 Lynn, MA - **Tabled**

MENA, LEWIS E-71 Green St #R2 Lynn MA- **Granted**

MORENO, ISALY MARIE-877 Broadway. Apt 2, Chelsea MA- **Granted**

LIVERY SERVICE LICENSE NEW:

ABNER TRANSPORTATION LLC-71 Green St. Lynn MA- **Granted**

(Owners Stephanie Cerda Salcedo and Willy R Brea Castillo-34 Veterans Terrace, Somersworth NH)

LIVERY OPERATORS NEW:

BREA, RAFEAL-69 Formoyhights Ave. Dorchester MA- **Tabled**

MOTHERWAY, LAURA A-589 Broadway #D, Revere MA- **Granted**

SALCEDO, EVELYN-71 Green St. Apt 2R, Lynn MA- **Granted**

LIVERY OPERATORS REVIEW:

COOKE, JUSTIN- 61 Groves Ave #1 Lynn MA (30 Day Review)

FLAMMABLE LICENSE – NEW

625 Western Ave. – Petroil Market- **Granted**

AUTO REPAIR/FLAMMABLE LICENSE – NEW

1071 Western Ave. – Ana & Rolando Auto Repair, Inc. - **Tabled**

SIGN LICENSE-RENEWAL

96 Adams St., Highland Market- **Granted**

73 Bessom St., Linda’s Critter Corral- **Granted**

511 Boston St., Top Of The Line Hair Cut- **Granted**

518 Boston St., Mr. Specs Opticians- **Granted**

826 Boston St., Riverside II- **Granted**

229 Broadway, Fardin Inc. Richdale- **Granted**

319 Broadway, Century 21, R.E. - **Granted**

1 Central Sq., Dunkin Donuts- **Granted**

105 Commercial St., Commercial Market- **Granted**

141 Eastern Ave., Monte’s Restaurant- **Granted**

200 Essex St., Lincoln Market- **Granted**

268 Essex St., Tony Tipico- **Granted**

148 Fayette St., Mike’s Auto Body & Auto Repair LTD- **Granted**

13 Lewis St., Lily Convenience Store- **Granted**

179 Lewis St., Perkins Property- **Granted**

217 Lewis St., JNM Corp. Jin’s Garden- **Granted**

31-33 Lynnway, Johnny’s Market- **Granted**

17 Market Sq., People’s Choice - **Granted**

3-5 Market St., Market Square Beverage- **Granted**

42 Market St., Dunkin Donuts- **Granted**

98 Market ST., USA Super 99 Cents Sale- **Granted**

2 Mason St., Gem Auto Parts- **Granted**

100 Union St., Inner Convenience Store- **Granted**

108 Union St., Michael I Neloms, Okikuka Karate Do - **Granted**

465 Washington St., Panakio Adjuster, Inc. - **Granted**

117 Western Ave., Hermes Barbershop- **Granted**

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

471A Western Ave., Luxury Auto Services- **Granted**

472 Western Ave., Aracelis Beauty Salon- **Granted**

707 Western Ave., Domino's Pizza- **Granted**

742 Western Ave., Celley's Pub & Grub- **Granted**

AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL

87 Bennett St. – West Lynn Auto Service- **Granted**

471A Western Ave. – Luxury Auto Services- **Granted**

1071 Western Ave. – Affordable Auto Repair- **Granted**

FLAMMABLE LICENSE RENEWAL

30 Boston St. – Home Décor Group- **Granted**

650 Summer St. – C.L. Hawthaway & Son- **Granted**

659 Summer St. – C.L. Hawthaway & Son- **Granted**

COIN OPERATED DEVICES – RENEWAL

421 Essex St. – Essex Laundry – 4 Class III- **Granted**

408 Summer St. – 2 Class II - **Granted**

OTHER BUSINESS:

REPORT ACCEPTED.

Report of the May 22, 2018 Committee of the Whole recommending the following to be accepted:

1. Discussion with Senior Deputy Commissioner of Local Services
Sean Cronin (DOR) re: 2019 City of Lynn Budget.

2. OTHER BUSINESS:

REPORT ACCEPTED.

NEW BUSINESS:

Ordered that the City of Lynn abandon a 100 foot portion of Broad Street Place and convey said land to the abutters for nominal consideration.

Further Ordered that the Mayor is authorized to execute any deeds and all documents required by the Law Department to effectuate the above referenced abandonment and conveyance

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

Motion carried

Ordered that the City of Lynn Grant an Easement to Fidelina Garcia Trustee of 9 Green Street Realty Trust for 5 Gibson Place, Lynn, Massachusetts 01902, for nominal consideration. Said easement area is 72 +/- square feet.

Further Ordered that the Mayor is hereby authorized to execute a Grant of Easement and any and all documents required by the Law Department to effectuate the above referenced Grant of Easement.

**Motion made by Councilor Lozzi and seconded by Councilor Colucci to grant.
Motion carried.**

Ordered that the City of Lynn accept the Grant of Easement from the Trustees of the Nells Pond Condominium Trust to the City of Lynn for the general public, a perpetual right and easement to use the parcels of land located in Lynn, Essex County, Massachusetts described as Apple Blossom Lane, Cherry Tree Lane, and Peach Tree Lane.

Further Ordered that the Mayor be authorized to execute any and all documents required by the Law Department to effectuate the above referenced acceptance of Grant of Easement.

**Motion made by Councilor Lozzi and seconded by Councilor Colucci to grant.
Motion carried.**

Ordered that His Honor the Mayor is hereby authorized to execute and deliver the Project Funding Agreement (the "Agreement"), and any amendments thereto, for the Hood Elementary School Project (the "Project") between the City of Lynn and the Massachusetts School Building Authority on behalf of the City of Lynn and to bind the City of Lynn to its terms and conditions.

Councilor Colucci attached the following Emergency Preamble:

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

WHEREAS, An Emergency relative to an Order that His Honor the Mayor is hereby authorized to execute and deliver the Project Funding Agreement (the "Agreement"), and any amendments thereto, for the Hood Elementary School Project (the "Project") between the City of Lynn and the Massachusetts School Building Authority on behalf of the City of Lynn and to bind the City of Lynn to its terms and conditions.

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

Resolution / CYR and BARTON

Resolution presented by Juan Gonzalez and Dulce Gonzalez

RESOLUTION

WHEREAS, The Global Embassy of Activist for Peace and Dr. William Soto Santiago, promotes the worldwide recognition of Mother Earth as a living being, and as such, subject to inalienable rights that must be respected, in order to preserve the future of the human beings and other living beings in the common home we have: the planet, Mother Earth;

WHEREAS, There have been numerous international instruments from the scientific community itself and the resolutions of the United Nations General Assembly where this planet is conferred the condition of MOTHER EARTH;

WHEREAS, Mother Earth is a LIVING BEING which has life and gives life. And as a free and living being, Mother Earth must be entitled to rights, like all living beings; rights that must be recognized, respected and protected by all human beings, and all States ought to be committed to implement such rights in their respective countries, so that peace and security may prevail worldwide;

WHEREAS, There is a global tendency and momentum for universal principles that protect the environmental rights of Mother Earth, all to ensure environmental, social, cultural and economically sustainable development in which the present generations' use of resources does not compromise the heritage of future generations;

We, the Lynn City Council, hereby make this CONSTITUTIONAL PROCLAMATION OF THE RIGHTS OF MOTHER EARTH to be taught in formal and non-formal educational settings for the dissemination and promotion of these rights in all media outlets, so that progressive measures be established in the different countries of the world for its recognition throughout the nations of the Earth, to become binding and incorporated in their internal legislations, and effectively implemented through the relevant bodies.

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

Motion carried by the following yea and nay vote:

10 YES 1 NO (Councilor Lozzi voting NO).

Councilor Field congratulated newly-elected Superintendent of Schools Patrick Tutwiler.

Motion made by Councilor Barton and seconded by Councilor Walsh 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