

CITY OF LYNN

**Regular City Council Meeting, May 8, 2018
Council President Darren P. Cyr**

Ten Councilors Present (Councilor Colucci absent).

Moment of Silence: Council President Cyr asked that the Meeting be dedicated to Michael Bryson, Sr., a true hero, who dedicated his time to the youth of the city. Councilor Field asked that the Family of Michael Smalley be remembered. Pledge of Allegiance.

**Motion made by Councilor Barton and seconded by Councilor LaPierre to accept the Meeting Minutes of April 24, 2018.
Motion carried.**

COMMUNICATIONS:

Dear Councilors:

Pursuant to my authority under the City Charter as Chief Financial Officer, I hereby submit for your confirmation, Christopher Gaeta, 171 Woodland North, Lynn, as my appointment to the position of Director of Assessing. This appointment will be become effective upon your confirmation.

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

Motion made by Councilor Barton and seconded by Councilor Walsh to confirm Christopher Gaeta, 171 Woodland North, Lynn, to the position of Director of Assessing.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Colucci absent).

Dear Councilors,

I am hereby appointing Patricia Capano 105 Range Heights Road to serve on the Disability Commission. Mrs. Capano's term is effective immediately and will expire on April 30, 2021.

Sincerely, Mayor Thomas M. McGee

Motion made by Councilor Barton and seconded by Councilor Capano to appoint Patricia Capano, 105 Range Heights Road to serve on the Disability Commission, effective immediately and will expire on April 30, 2021.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Colucci absent).

Dear Councilors,

I am hereby appointing Douglas A. Gillette, 7 Willow St Apt. 407 to serve on the Disability Commission. Mr. Gillette's term is effective immediately and will expire on April 30, 2021.

Sincerely, Mayor Thomas M. McGee

Motion made by Councilor Barton and seconded by Councilor Capano to appoint Douglas A. Gillette, 7 Willow Street, Apt. 407 to serve on the Disability Commission, effective immediately and will expire on April 30, 2021.

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Colucci absent).

PUBLIC HEARINGS:

Petition of Union Variety at 88 Union Street for a Sign Permit

The following appeared in Favor:

Attorney Sam Vitali

No one appeared in Opposition.

Public Hearing Closed.

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

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Colucci absent).

Petition of Mark Jirtian, New England Parking and Storage Inc., for a parking and storage yard (Contractor's Yard/Storage Yard) at 1069R Western Ave.

The following appeared in Favor:

Attorney Peter Calabrese

No one appeared in Opposition.

Public Hearing Closed.

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

Motion carried by the following yea and nay vote:

10 YES 0 NO (Councilor Colucci absent).

PUBLIC HEARINGS TO BE SET DOWN:

-Petition of Margaret Ansara of Lynnway Liquor Mart Inc., at 702 Lynnway to allow City of Lynn Licensed Mobile Food Vehicles to operate at this location from Mon – Sat 11-8 pm and Sunday 11-7pm.

-Public Hearing on the City's Annual Action Plan, including the use of the Department of Housing and Urban Development appropriations for the Community Development Block Grant, Emergency Solutions Grant and the HOME Investment Grant.

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

Motion carried.

COMMITTEE REPORTS:

Report of the May 8, 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 \$91,084.25 to Collector and Assessor payroll accounts.

Councilor Starbard 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 \$91,084.25 to Collector and Assessor payroll accounts.

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 \$1,880.50 from the account of reserve to the account of Collector expense to fund increase in advertising costs, under estimated in the FY18 Budget.

Councilor Starbard 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 \$1,880.50 from the account of reserve to the account of Collector expense to fund increase in advertising costs, under estimated in the FY18 Budget.

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 1 NO (Councilor Colucci absent).

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

10 YES 1 NO (Councilor Colucci absent).

Transfer the sum of \$151,133.23 from the account of Excess Worker comp expense to the account of Law Expense to fund FY18 Outside Legal Counsel

Councilor Starbard 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 \$151,133.23 from the account of Excess Worker comp expense to the account of Law Expense to fund FY18 Outside Legal Counsel

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 1 NO (Councilor Colucci absent).

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

10 YES 1 NO (Councilor Colucci absent).

Transfer the sum of \$6,662.78 from the account of ISD expense to the account of ISD prior year unpaid bills to fund disputed meter reading settlement from prior year.

Councilor Starbard 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 \$6,662.78 from the account of ISD expense to the account of ISD prior year unpaid bills to fund disputed meter reading settlement from prior year.

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 1 NO (Councilor Colucci absent).

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

10 YES 1 NO (Councilor Colucci absent).

Transfer the sum of \$21,722.59 from the account of Assessors expense to the account of Assessors payroll to fund retirement vacation payout.

Councilor Starbard 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 \$21,722.59 from the account of Assessors expense to the account of Assessors payroll to fund retirement vacation payout.

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 1 NO (Councilor Colucci absent).

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

10 YES 1 NO (Councilor Colucci absent).

REPORT ACCEPTED.

Report of the May 8, 2018 Committee on Licensing recommending the following to be accepted:

JUNK DEALERS LICENSE-RENEWAL

225 Commercial Street, Turner Trucking.- **Granted**

MOBILE FOOD TRUCK LICENSE-NEW- LOCATED - AT 3-11 MT VERNON STREET.- Granted

Clyde's Cupcakes, 27 Greenleaf Drive., Exeter, NH.- **Granted**

Daddys Bonetown Burgers, 82 Crest Ave., Revere, MA.- **Granted**

Frozen Hoagies, 534 High Street, Medford, MA .- **Granted**

Kebabish (Delicious Foods LLC, 61 Elm St., Lynn, MA.- **Granted**

Mediterranean Home Cooking, 75 Washington St., Peabody, MA (Prev. tabled at April 24, 2018) .- **Granted**

Pomaire Food Truck, 21 Herrick St., Nashua, N.H. .- **Granted**

Sherazed Food Inc., 199 Coolidge Ave. Apt 104, Watertown, MA.- **Granted**

Tandoor and Curry on Wheels, 1190 Mass. Ave., Cambridge, MA .- **Granted**

ZAAKI LLC, Mohammad Abo-Sharkh, 3401 Village Road, W. Norwood, MA.- **Granted**

EXTENDED HOUR RENEWALS – TO BE SET DOWN FOR PUBLIC HEARING:

****The following Extended Hours Renewals were approved to be Set Down for Public Hearings:**

60	Boston St	McDonalds	Drive thru 24/7 days
65	Boston St	CVS Pharmacy	24/7 days
80	Boston St	Dunkin Donuts	24/7 days
108	Boston St	Burger King	Sun-Wed 6:00am - 1:00 am/ Thurs-Sat 6am-2am
116	Boston St	Wendys	Drive Thru Till 4 am
122	Boston St	Boston Shell	Gas Station and Kiosk till 1:00 am
124	Boston St	Taco Bell	7:00 am – 1:00 am (with stipulations)
124	Broad St	George's Roast	M-Sat 10:30 am-2:00 & Sun 12:00pm-2:00am
512	Chestnut St	Lynn Mobile	5:00 am-2:00 am 7 days

668	Chestnut St	Cumberland Farms	24/7 days
120	Liberty	Speedway	24/7 days
3	Lynnfield St	7-11	24/7 days
364	Lynnway	Dunkin Donuts	24/7 days
377	Lynnway	Wendys	Drive thru only until 2am
525	Lynnway	Gulf	24/7 days
535	Lynnway	Lynnway Shell	24/7 days
567	Lynnway	McDonalds	5am-12 am – Drive thru 24/7 days
16	Market Sq	Lynn House Of RB	10:00am-2:00 am 7 Days
17	Market Sq	People’s Choice	6:00am-1:30 am 7 Days
50	Western Ave	7-11	24/7 days
707	Western Ave	Dominos Pizza	10 am – 3 am 7days
969	Western Ave	A L Prime Energy	24/ 7 days
341	Union St	Dominos Pizza	10:00 am - 3:00 am (with stipulations)

SECOND HAND ARTICLE LICENSE-RENEWAL

46 Ocean St. The Yard Sale.- **Granted**

SIGN LICENSE-RENEWAL

727 Summer Street, Stop & Go Market .- **Granted**

AUTO BODY/AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL

19 Alley St. – Spina’s Auto Body Co., Inc. .- **Granted**

22 Bennett St. - O & W Brothers Auto Body and I-mechanic, Inc. - **Granted**

26 Bennett St. – REM Auto Body & Truck Repair, Inc. - **Granted**

46 Bennett St. – Tatiana’s Auto Body.- **Granted**

10 Camden St. – Iacor Corp. DBA Thibedeau Auto Body.- **Granted**

16 Chestnut St. – Ed & Vin’s Garage of Lynn, Inc. - **Granted**

220 Chestnut St. – Auto Body Rebuilders, Inc. - **Granted**

165 Commercial St. – Igor’s Auto Body.- **Granted**

9 Green St. – Legere’s Auto Body.- **Granted**

475R Lynnway – Barrera and Sons Auto Body and Repair.- **Granted**

52 Oakville St. – 26 Auto Body.- **Granted**

154 South St. – Saugus Auto Craft DBA Len’s Auto Sales.- **Granted**

892 Washington St. – Giovanni’s Auto Body.- **Granted**

1075R Western Ave. – Guate Auto Body & Repair, Inc. .- **Granted**

AUTO REPAIR/FLAMMABLE LICENSE – RENEWAL

17 Alley St. – Magic Auto Repair.- **Granted**

36-38 Alley St. – McGinn Bus Company, Inc. .- **Granted**

182 Alley St. – Tom’s Taxi.- **Granted**

15 Avon St. – John’s Fuel Service, Inc. .- **Granted**

60 Bennett St. – Harry A. Janice & Sons, Inc. dba Bennett St. Tire and Glass.- **Granted**

326 Chatham St. – Automotive Service.- **Granted**

12 Ellis St. – Enrique Auto Repair.- **Granted**

148 Fayette St. – Auto Repair of Fayette, Inc. .- **Granted**

100 Ford St. – San Marcos Auto Repair, Inc. .- **Granted**

315 Lynnway – Orlando Auto Repair.- **Granted**
 451 Lynnway – George’s Expert Auto and Marine.- **Granted**
 617 Lynnway – New Angle Glass Co. .- **Granted**
 77 Marion St. – A & R Auto Repair.- **Granted**
 76 Oakville St. – Meninno Construction.- **Granted**
 41 Stewart St. – NRT Bus Inc. .- **Granted**
 373 Summer St. – Dianna Auto Repair.- **Granted**
 725 Summer St. – RD Auto.- **Granted**
 240 Western Ave. – JVS Auto Service.- **Granted**
 1147 Western Ave. – Stoneham Boat Center.- **Granted**

FLAMMABLE LICENSE RENEWAL

20-24 Boston St. – Lynn Ladder & Scaffolding Co., Inc. .- **Granted**
 423 Boston St. – A.L. Prime Energy.- **Granted**
 41 Carolyn Rd. – Petrucelli Construction Co., Inc. .- **Granted**
 2 Circle Ave. – Lynn Water & Sewer Commission.- **Granted**
 21 City Hall Sq. – Verizon.- **Granted**
 247A Commercial St. – Covata Sustainable Solutions, LLC.- **Granted**
 668 Chestnut St. – Cumberland Farms, Inc. .- **Granted**
 653 Eastern Ave. – Global.- **Granted**
 525 Lynnway – Gulf.- **Granted**
 400 Parkland Ave. – Lynn Water & Sewer Commission.- **Granted**
 0 Raddin St. – Walsh’s Oil Co. .- **Granted**
 638 Summer St. – C.L. Hauthaway & Son.- **Granted**
 37 Waterhill St. – Demakes Enterprises.- **Granted**
 1000 Western Ave. – General Electric Aviation.- **Granted**
 1073R Western Ave. – Albert Kemperle, Inc.- **Granted**

OTHER BUSINESS:
REPORT ACCEPTED.

Report of the May 8, 2018 Committee on Public Property recommending the following to be accepted:

1. Discussion re: Request to redeem city-owned property at 3 Basse Circle
Motion made by Councilor Field and seconded by Councilor Barton to allow the city owned property at 3 Basse Circle to be redeemed by the prior owner with all fees paid to date.
2. Discussion re: Request to redeem city-owned property at 20 Heaths Court, Unit 103
Motion made by Councilor Field and seconded by Councilor Barton to allow the city-owned property at 20 Healths Court, Unit 103 to be redeemed by the prior owner with all fees paid to date within 30 days.

3. Discussion re: Public Art in City Hall
4. Discussion re: Mary Baker Eddy House, 8 Broad Street
Motion made by Councilor Barton and seconded by Councilor Chakoutis to refer the plans to the Planning Board for review of the Mary Baker Eddy House to take over a portion of Broad Street Place and refer to the full Council for a vote.
5. **OTHER BUSINESS.**

Motion made by Councilor Capano and seconded by Councilor Barton 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