

CITY OF SALEM

JANUARY 25, 2018

REGULAR MEETING OF THE CITY COUNCIL

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Those interested in utilizing these devices for meetings at 93 Washington Street may contact the City Clerk Cheryl LaPointe at 978-619-5610 or clapointe@salem.com.**

A Regular Meeting of the City Council held in the Council Chamber on Thursday, January 25, 2018 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on January 23, 2018, at 9:55 A.M. This meeting is being taped and is live on S.A.T.V.

Councillor Sargent was recorded as absent.

Council President Gerard presided.

Councillor Milo moved to dispense with the reading of the record of the previous meeting. It was so voted.

President Gerard requested that everyone please rise to recite the Pledge of Allegiance.

PUBLIC TESTIMONY

1. Scott Sternberg, resident Pickman Street – Short Term Rental (Air B&B) Ordinance
2. Jeff Cohen, 12 Hancock Street – Short Term Housing

#46 – HEARING MOBILITIE TO ATTACHE EQUIPMENT TO EXISTING POLE ON HIGHLAND AVENUE

A hearing was held on the Order from Mobilitie to attach a small cell Backhaul Equipment to Existing Utility Pole (non-city owned) on Highland Avenue (Directly in front of Salem Hospital Property).

Appearing in favor was James George representative from Mobilitie. HE stated that Mobilitie does this work form Sprint and cell phone provider. This is to address a gap in coverage at 107 Highland Avenue due to high density of the Middle School, High School and the Hospital. The Primary poles are on the right side of the street opposite the Hospital. On the left side are wooden poles. The

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equipment a 3 ft. antenna will go on a wooden pole in front of the Hospital. There will only be one wire to cross from Highland Avenue from the right side to the left side wooden pole.

Councillor Dibble stated he had no problem with this, only issue is the extensive line of wire. He asked that a condition be made that if possible the power line be directly across the street if possible instead of on an angle.

Mr. George stated he had no problem with the condition and would look into it to see if it is possible.

There was no one appearing in opposition.

On the motion of Councillor Peterson the hearing was closed.

Councillor Peterson motion to grant the petition once the City Clerk receives from mobility the agreements from the utility companies and with the condition set by Councillor Dibble. It was so voted.

(#689) – APPOINTMENT OF CARLY DWYER NAIK TO THE PUBLIC ART COMMISSION

Held from the last meeting, Mayor's appointment of Carly Dwyer Naik to serve as a member of the Public Art Commission with the term to expire on September 22, 2018, was held until the next meeting of February 8, 2018.

(#4) – APPOINTMENT OF THOMAS WATKINS TO SERVE AS THE PURCHASING AGENT

Held from the last meeting, the Mayor's appointment of Thomas Watkins to serve as the City of Salem's Purchasing Agent with a term to expire on January 31, 2019, was confirmed by roll call vote of 10 yeas, 0 nays, 1 absent. Councillors Dibble, Dominguez, Flynn, Furey, Madore, McCarthy, Milo, Peterson, Turiel and Gerard were recorded as voting in the affirmative. Councillor Sargent was recorded as absent.

(#5) – APPOINTMENT OF DANIEL J. NAPOLITANO TO THE PLANNING BOARD

Held from the last meeting, the Mayor's appointment of Daniel J. Napolitano to serve as a member of the Salem Planning Board with the term to expire on March 10, 2021, was confirmed by roll call vote of 10 yeas, 0 nays, 1 absent. Councillors Dibble, Dominguez, Flynn, Furey, Madore,

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McCarthy, Milo, Peterson, Turiel and Gerard were recorded as voting in the affirmative. Councillor Sargent was recorded as absent.

(#6) – APPOINTMENT OF EMILY LARSEN TO THE PUBLIC ART COMMISSION

Held from the last meeting, the Mayor's appointment of Emily Larsen to serve as a member of the Salem Public Art Commission with the term to expire on January 11, 2020, was confirmed by roll call vote of 10 yeas, 0 nays, 1 absent. Councillors Dibble, Dominguez, Flynn, Furey, Madore, McCarthy, Milo, Peterson, Turiel and Gerard were recorded as voting in the affirmative. Councillor Sargent was recorded as absent.

(#7) – APPOINTMENT OF KURT ANKEY-BEAUCHAMP TO THE PUBLIC ART COMMISSION

Held from the last meeting, Mayor's appointment of Kurt Ankey-Beauchamp to serve as a member of the Salem Public Art Commission with the term to expire on January 11, 2020, was held until the next meeting of February 8, 2018.

#47 – APPOINTMENT OF MARY ANNE SILVA TO THE CEMETERY COMMISSION

The Mayor's appointment of Mary Anne Silva to serve as a member of the Salem Cemetery Commission with the term to expire on February 2, 2019, was held until the next meeting of February 8, 2018 under the rules.

#48 – APPOINTMENT OF GERI YUHAS TO THE BOARD OF HEALTH

The Mayor's appointment of Geri Yuhas to serve as a member of the Salem Board of Health with the term to expire on April 14, 2019, was held until the next meeting of February 8, 2018 under the rules.

#49 – APPOINTMENTS TO THE SALEM AFFORDABLE HOUSING TRUST FUND BOARD

The Mayor's appointment of the following to serve as members of the Salem Affordable Housing Trust Fund Board of Trustees with their terms to expire was held until the next meeting under the rules.

Rebecca Curran
Mickey Northcutt

14 Clifton Ave., Salem
9 Northey St., Salem

January 25, 2020
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#50, #51, #52, #53 - APPOINTMENTS TO THE SALEM YOUTH COMMISSION

The Mayor's appointments of the following to serve as members of the Salem Youth Commission with the following terms to expire was held until the next meeting under the rules.

Councillor	Suspension	Councillor	Objection
<u>Name</u>		<u>Term to Expire:</u>	
Ashley Blanco		May 12, 2018	
Valentina Mendez		May 12, 2018	
Ishmael Telemaco		May 12, 2018	
Lillian Kelley		May 12, 2019	

#54, #55, #56, #57 – CONSTABLES

The Mayor's reappointment of the following Constable with their terms to expire was received and placed on file.

<u>Name</u>	<u>Address</u>	<u>Term to expire on</u>
Paul Minsky	5 Lynn Shore Drive, Lynn	February 6, 2021
Antonio Vieira	9 Shamrock St., Peabody	September 28, 2020
Manuel Rabbit	3 Red Jacket Lane, Salem	September 13, 2018
John Ruehrwein, Sr.	32 Pine St., Wakefield	January 20, 2021

#58 – APPROPRIATION TO BE EXPENDED FOR THE PURCHASE OF A/V & PRESENTATION EQUIPMENT FOR THE COMMUNITY LIFE CENTER

The following Order recommended by the Mayor, was referred to the Committee on Administration and Finance co-posted with Committee of the Whole.

ORDERED: That the sum of Seventy-Two Thousand Six Hundred Dollars (\$72,600.00) is hereby appropriated within the "Capital Outlay – Equipment" to be expended for the purchase of A/V and presentation system equipment at the new Jean Levesque Community Life Center by the IT Department in accordance with the recommendation of Her Honor the Mayor.

CITY OF SALEM**JANUARY 25, 2018****REGULAR MEETING OF THE CITY COUNCIL****#59 – APPROPRIATION TO RETIREMENT STABILIZATION FUND – VACATION / SICK LEAVE BUYBACK ACCOUNT**

The following Order recommended by the Mayor, was adopted under suspension of the rules.

ORDERED: That the sum of Fifty Thousand Dollars (\$50,000.00) is hereby appropriated in the “Retirement Stabilization Fund – Vacation/Sick Leave Buyback” account to be expended for the negotiated sick leave buyback provision as needed in accordance with the recommendation of Her Honor the Mayor.

#60 – APPROPRIATION TO POLICE – MEDICAL ACCOUNT

The following Order recommended by the Mayor, was adopted under suspension of the rules.

ORDERED: That the sum of Forty-Five Thousand Dollars (\$45,000.00) is hereby appropriated from the “Fund Balance – Free Cash” account to the “Police – Medical” account in accordance with the recommendation of Her Honor the Mayor.

#61 – APPROPRIATION FROM “RETIREMENT STABILIZATION FUND – VACATON/SICK LEAVE BUYBACK” ACCOUNT

The following Order recommended by the Mayor, was adopted under suspension of the rules.

ORDERED: That the sum of Thirty-Four Thousand Three Hundred and Seventy-Seven Dollars and Sixty-Four Cents (\$34,377.64) in the “Retirement Stabilization Fund – Vacation/Sick Leave Buyback” account to be expended for the FY 2018 contractual buybacks listed below in accordance with the recommendation of Her Honor the Mayor.

John Gifford

Police Department

\$34,377.64

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The following Order recommended by the Mayor, was adopted under suspension of the rules.

ORDERED: That the sum of Twenty-Eight Thousand Dollars (\$28,000.00) is hereby appropriated from the “Fund Balance – Free Cash” to “City Council – Advertising” account in accordance with the recommendation of Her Honor the Mayor.

#63 – APPROPRIATION TO PLANNING – CONTRACTED SERVICES

The following Order recommended by the Mayor, was adopted under suspension of the rules.

ORDERED: That the sum of Two Thousand Five Hundred Dollars (\$2,500.00) is hereby appropriated from the “Fund Balance – Free Cash” account to the “Planning – Contracted Services” account for the City’s Share of the North Shore Mobility Study in accordance with the recommendation of Her Honor the Mayor.

#64 – APPROPRIATION TO VETERANS – IN STATE TRAVEL

The following Order recommended by the Mayor, was adopted under suspension of the rules.

ORDERED: That the sum of One Thousand Five Hundred Dollars (\$1,500.00) is hereby appropriated from the “Fund Balance – Free Cash” account to the “Veterans – In-State Travel” account in accordance with the recommendation of Her Honor the Mayor.

#65 – ORDINANCE RELATIVE AFFORDABLE HOUSING TRUST FUND BOARD OF TRUSTEES

The following Ordinance recommended by the Mayor was referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with Committee of the Whole.

In the year two thousand and eighteen

An Ordinance to amend an Ordinance relative to the Affordable Housing Trust Fund Board of Trustees

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Be it ordained by the City Council of the City of Salem, as follows:

Section 1. Section 2-1005. – Powers and Duties of Chapter 2, Article IV, Division 14. – Affordable Housing Trust Fund Board of Trustees is hereby amended by adding the following new power and duty:

“(17) To study, evaluate, and recommend policies, programs, practices, ordinances, and similar measures to increase and maintain the availability of affordable and workforce housing in the City of Salem.”

Section 2. This Ordinance shall take effect as provided by City Charter.

#66 – APPROPRIATION TO “DPS – EQUIPMENT” ACCOUNT

RECEIVED AFTER THE DEADLINE OF TUESDAY NOON UNDER SUSPENSION OF THE RULES

The following Order recommended by the Mayor was referred to the Committee on Administration and Finance co-posted with Committee of the Whole.

ORDERED: That the sum of One Hundred and Six Thousand Six Hundred Ninety-Six Dollars (\$106,696.00) is hereby appropriated from the “Fund Balance – Free Cash” account to the “DPS – Equipment” account for the first year lease payment of two snow removal equipment by the Department of Public Services in accordance with the recommendation of Her Honor the Mayor.

#67 – APPROPRIATION TO “DPS – PARTS & REPAIRS” ACCOUNT

RECEIVED AFTER THE DEADLINE OF TUESDAY NOON UNDER SUSPENSION OF THE RULES

The following Order recommended by the Mayor was referred to the Committee on Administration and Finance co-posted with Committee of the Whole.

ORDERED: That the sum of Sixty-Eight Thousand Five Hundred Dollars ((\$68,500.00) is hereby appropriated from the “Retained Earnings – Water/Sewer Fund” account to the “DPS – Parts & Repairs” account in accordance with the recommendation of Her Honor the Mayor.

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The following Order recommended by the Mayor was referred to the Committee on Administration and Finance co-posted with Committee of the Whole.

ORDERED: That the sum of Eighteen Thousand Five Hundred Dollars (\$18,500.00) is hereby appropriated from the “Fund Balance – Free Cash” account to the “DPS – Vehicle Parts & Repairs” account in accordance with the recommendation of Her Honor the Mayor.

#69 – MONTHLY FINANCIAL REPORT DATED DECEMBER 31, 2017

Councillor Turiel introduced the following Order, which was adopted.

ORDERED: That the Monthly Financial Report dated December 31, 2017 be referred to the Committee on Administration and Finance.

#70 – YEAR TO DATE FINANCIAL REPORT

Councillor Turiel introduced the following Order, which was adopted.

ORDERED: That the Year to Date Financial Report dated October, November and December 2017 be referred to the Committee on Administration and Finance.

#71 – SIXTY DAY TRIAL PERIOD ON SKERRY STREET

Councillor Madore introduced the following Order, which was adopted.

ORDERED: That a trial period of up to sixty (60) days on the following Traffic recommendation: Chapter 42 Section 74, “Prohibited, Towing Zone”, Skerry Street, northerly side beginning at Bridge Street and continuing to the entrance of the Carlton School, no parking tow zone 2:00 PM to 3:00 PM, Monday through Friday, school days only. “No Parking Tow Zone”

CITY OF SALEM**JANUARY 25, 2018****REGULAR MEETING OF THE CITY COUNCIL****#72 – PRESENTATION BY THE REGISTER OF DEEDS RE: PROPERTY FRAUD WATCH PROGRAM**

Councillor Turiel introduced the following Order, which was adopted.

ORDERED: That the John L. O'Brien, Jr., Register of Deeds or his designee be invited to make a presentation at the February 8, 2018 Council meeting, relative to a new program called Property Fraud Watch. This program, "Property Fraud Watch" will assist the homeowners of the City of Salem in protecting their home from property deed and mortgage fraud.

#73 – TAG DAY APPLICATION FOR SALEM HIGH SCHOOL SWIM TEAM

Councillor McCarthy introduced the following Order which was adopted.

ORDERED: That the enclosed Tag Day application for Salem High School Swim Team requested for January 28, 2018 and February 10, 2018 be granted.

#74 – PILOT PROGRAM FOR VALET PARKING

Councillor Madore introduced the following Order, which was adopted.

ORDERED: That the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole meet to discuss the use of up to four (4) parking spaces on Washington Street to be used in conjunction with the two (2) southernmost rows of parking in Riley Plaza for a valet parking pilot. Invited: Traffic/Parking Director or his designee and the Executive Director of the Chamber of Commerce.

#75 – (#38 - #40) GRANTING CERTAIN LICENSES

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses and Legal Affairs. It was voted to accept the report and adopt the recommendation.

The Committee on Ordinances, Licenses and Legal Affairs to whom was referred granting certain licenses has considered said matter and would recommend that the following be granted:

JUNK YARD: 15 Robinson Road, LLC, 15 Robinson Rd, Salem

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SECOND HAND The Record Exchange, 256 Washington St, Salem
VALUABLES: Witch City Consignment, 301 Essex St, Salem

TAG DAY: S.H.S. Girls La Crosse, 3/31/18 & 4/14/18

#76 – (#22) RETIREMENT BUYBACK

Councillor Turiel offered the following report for the Committee on Administration and Finance. It was voted to accept the report and adopt the recommendation.

The Committee on Administration and Finance to whom was referred the matter of the appropriation of \$19,383.06 in the Retirement Stabilization Fund-Vacation/Sick Leave Buy back” to be expended for the FY18 contractual buybacks for Amy Connelly, Library, \$14,668.23 and Dennis Ross, Building Inspector’s Office, \$4,714.83 has considered said matter and would recommend Approval.

#77 – (#661 of 2017) INCREASING THE SENIOR TAX WORK OFF PROGRAM TO \$1,500.00

Councillor Turiel offered the following report for the Committee on Administration and Finance co-posted with the Committee of the Whole. It was voted to accept the report. Amended to have an effective date of July 15, 2018. Adopted as amended.

The Committee on Administration and Finance co-posted with Committee of the Whole to whom was referred the matter of accepting the Mass General Law, Ch. 59, Section 5K, Property tax liability reduced in exchange for volunteer services; persons over age 60, as amended on November 7, 2016 to allow the maximum benefit to those residents over the age of 60 who volunteer their services in exchange for a reduction in their property tax shall increase from \$1,000.00 to \$1,500.00 with an effective date of July 14, 2018, has considered said matter and would recommend adoption as amended.

#78 – (#15) HOME RULE PETITION FOR A 6% LOCAL SHORT TERM RENTAL EXCISE TAX

Councillor Dibble offered the following report for the Committee on Community and Economic Development co-posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation by a roll call vote of 10 yeas, 0 nays, 1 absent. Councillors Dibble, Dominguez, Flynn, Furey, Madore, McCarthy, Milo, Peterson, Turiel and Gerard were recorded as voting in the affirmative. Councillor Sargent was recorded as absent.

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The Committee on Community and Economic Development co-posted with the Committee of the Whole to whom was referred the matter of a Home Rule Petition to the General Court for an Act Authorizing a local short-term rental excise tax (6%) in the City of Salem has considered said matter and would recommend this Home Rule Petition be adopted by Roll Call Vote

#79 – (#28) IMPACTS OF SHORT TERM RENTALS TO THE CITY

Councillor Dibble offered the following report for the Committee on Community and Economic Development co-posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation.

The Committee on Community and Economic Development co-posted with the Committee of the Whole to whom was referred the matter of discussing Air Bed and Breakfasts known as Airbnb and their impacts on the City of Salem and possibly creating an Ordinance to oversee these rentals has considered said matter and would recommend that the matter be kept in committee and that a task force be created to draft a short-term rental ordinance.

#80 – BLOCK PARTY APPLICATION FOR RAYMOND ROAD

A request from residents of Raymond Road for a block party, from beginning of Raymond on Loring to the entrance of Rainbow Terrace, on May 5, 2018 from 10:00 A.M. to 8:00 P.M. with a rain date on May 12, 2018 was granted.

#81 – #82 LICENSE APPLICATIONS

The following license applications were granted:

PUBLIC GUIDES:	Christine Gandolfi-Piper, 40 Aborn St., Peabody
	Tammy Harrington, 21 Chase St., Beverly
	Patrick J Curran, 9 Rockland Rd., Danvers
	Robert W. Anthony, 27 Charter St., Salem
	Joseph Amato, 78 Marshall St., Medford
	Nicholas Pierce, 16 Garland St., Lynn
	Rob Hawkins, 60 Ridgewood Ln., Gardner
	Alicia Diozzi, 40 English St., Salem
	Cynthia Shapiro, 24 Glendale St., Salem
	Ronald K. Olson, 50 Stony Brook Rd., Marblehead
	James Morfis-Gass, 123 Lynn St., Peabody

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Bob Gautreau, 12 Lynde St., Salem
David Breen, 215 Ocean St., Lynn
Charles H. Galvin, 5 Warren St., Salem
John "Giovanni" Alabiso, 2 Buxton St., Peabody
Sarah "Frankie" Carter, 394 Essex St., Salem
Amey Butler, 14 Hunt St., Danvers
Karen Scalia, 29rr Upham St., Salem
Holly Travis, 5 Curtis St., Salem
Ryan Travis, 5 Curtis St., Salem

TAXI OPERATORS:

Alberto Guerrero, 1000 Loring Ave., Salem
Rafeal Gomez, 57 Harbor St., Salem
Juan Nunez, 11 Mason St., Salem
Alberto Delacruz, 146 Shore Dr., Peabody
Eladio Pena, 38 Peabody St., Salem
Welkins Rafael Vicioso -Jose, 32 Perkins St., Salem
Bienvenido Vicioso-Gil, 8 Charles St., Salem
Juan Tomas Pena, 52 Tremont St., Salem
Oscar Gutierrez Ramirez, 34 Prince St., Salem
Krystle Lee Korpi Houghton, 3 Northend Ave., Salem
Juan F. Rojas, 10 Porter St., Salem
Johnny Fabian, 52 Ward St., Salem
Rex Allen Kent, 42 Maple Ave., Swampscott
Jose A. Lopez, 16 Mason St., Salem
Rafael E. Pena, 14 Cherry St., Salem
Leandro Pena, 127 Hamilton Ave., Lynn
Ramon S. Guzman, 20 S Elm St., Lynn
Antonio Fernandez, 230 Jefferson Ave., Salem
Anthony Brache Gil, 3 Salem St., Salem
Cirilo Brache, 3 Salem St., Salem
Jose Fabian, 32B Palmer St., Salem
Luz Y. Sanchez Santiago, 117 Congress St., Salem
Leudy F. Jimenez, 60 Cooledge St., Revere
Oscar Garcia, 9 Abbott St., Salem
Friz Hilaire, 324 Jefferson Ave., Salem

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#83 – TAXI OPERATOR LICENSE

The following license applications was denied.

TAXI OPERATOR: Joshua Plummer, 4 Linden St., Salem

#84 – REQUEST FOR HEARING ON DENIED TAXI OPERATOR LICENSE

The following Taxi Operator Hearing Requests on the denial of his license.

Joshua Plummer, 4 Linden St., Salem

#85 - #90 LICENSE APPLICATIONS

The following license applications were referred to the Committee on Ordinances, Licenses and Legal Affairs.

SECOND HAND CLOTHING: Modern Millie, 3 Central St., Salem

TAG DAYS: S.H.S. Spring Track, March 24, 2018 (corrected date)
Disable American Veterans, May 17-20, 2018 & Nov. 1-4, 2018
VFW, May 25-29, 2018 & Nov. 8-11, 2018
Salem VET Council, July 1-4, 2018
Salem Little League, June 2, 2018 & June 16, 2018
(corrected date)

#91 – DRAINLAYER / CONTRACT OPERATOR LICENSES

The following Drainlayer/Contract Operator Licenses were granted.

R. DiLisio Co. Inc., 113 Fayette St., Lynn
Raffaele Construction, 21 Elm Place, Swampscott
P.V. Barone Corp., 18 Central St., Winthrop

CITY OF SALEM**JANUARY 25, 2018****REGULAR MEETING OF THE CITY COUNCIL****#92 – #93 CLAIMS**

The following Claims were referred to the Committee on Ordinances, Licenses and Legal Affairs.

Isaac Santana, 36A Naumkeag St., Salem
Matthew Kirsch, 7 Howard St. #5, Salem

#94 - #95 BONDS

The following Bonds were referred to the Committee on Ordinances, Licenses and Legal Affairs and returned approved.

CONSTABLE: Antonio Vieira, 9 Shamrock St., Peabody
 John Ruehrwein, Sr., 32 Pine St., Wakefield

On the motion of Councillor Furey the meeting adjourned at 8:15 P.M.

ATTEST:

CHERYL A. LAPOINTE
CITY CLERK