

CITY OF SALEM

MARCH 24, 2016

REGULAR MEETING OF THE CITY COUNCIL

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A Regular Meeting of the City Council held in the Council Chamber on Thursday, March 24, 2016 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on March 22, 2016 at 11:33 A.M. This meeting is being taped and is live on S.A.T.V.

All Councillors were present.

Council President Turiel presided.

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

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

PUBLIC TESTIMONY

NONE

Councillor Eppley requested a moment of silence on the passing of Jim Moskavitch.

(#104) – APPOINTMENT OF ROBERTA CLEMENT TO THE CEMETERY COMMISSION

Held from the last meeting, the Mayor’s appt. of Roberta Clement to serve as a member of the Cemetery Commission with a term to expire on February 11, 2019 was confirmed by unanimous roll call vote of 11 yeas, 0 nays, 0 absent. Councillor Dibble, Eppley, Famico, Furey, Gerard, Lovely, McCarthy, Milo, Ryan, Sargent and Turiel were recorded as voting in the affirmative.

Councillor Famico requested and received unanimous consent for suspension of the rules to allow Ms. Clement to speak

CITY OF SALEM**MARCH 24, 2016****REGULAR MEETING OF THE CITY COUNCIL****(#154) – APPOINTMENT OF SCOTT SHEEHAN TO CONSERVATION COMMISSION**

Held from the last meeting, the Mayor's appt. of Scott Sheehan to serve as a member of the City of Salem's Conservation Commission with a term to expire on March 10, 2019 was confirmed by unanimous roll call vote of 11 yeas, 0 nays, 0 absent. Councillor Dibble, Eppley, Famico, Furey, Gerard, Lovely, McCarthy, Milo, Ryan, Sargent and Turiel were recorded as voting in the affirmative.

Councillor McCarthy requested and received unanimous consent for suspension of the rules to allow Mr. Sheehan to speak

(#155) – APPOINTMENT OF ANTONIO MATARAGAS TO THE PLANNING BOARD

Held from the last meeting, the Mayor's appt. of Antonio Mataragas to serve as a member of the City of Salem's Planning Board with a term to expire on March 10, 2021 was confirmed by unanimous roll call vote of 11 yeas, 0 nays, 0 absent. Councillor Dibble, Eppley, Famico, Furey, Gerard, Lovely, McCarthy, Milo, Ryan, Sargent and Turiel were recorded as voting in the affirmative.

Councillor Dibble requested and received unanimous consent for suspension of the rules to allow Mr. Sheehan to speak

#181 – APPOINTMENT OF JOHN YOUNG TO THE COMMISSION ON DISABILITIES

The Mayor's appointment of John Young to serve as a member of the City of Salem's Commission on Disabilities with a term to expire on March 24, 2019 was confirmed under suspension of the rules by unanimous roll call vote of 11 yeas, 0 nays, 0 absent. Councillor Dibble, Eppley, Famico, Furey, Gerard, Lovely, McCarthy, Milo, Ryan, Sargent and Turiel were recorded as voting in the affirmative.

Councillor Eppley requested and received unanimous consent for suspension of the rules to allow Mr. Young to speak

CITY OF SALEM**MARCH 24, 2016****REGULAR MEETING OF THE CITY COUNCIL****#182 – APPOINTMENT OF MATTHEW SMITH TO THE REDEVELOPMENT AUTHORITY**

The Mayor's appointment of Matthew Smith to serve as a member of the City of Salem's Redevelopment Authority with a term to expire on March 24, 2021 was held until the next meeting under the rules.

#183 – REAPPOINTMENT OF BEVERLY MOUSTAKIS TO THE BEAUTIFICATION COMMITTEE

The Mayor's reappointment of Beverly Moustakis to serve as a member of the Beautification Committee with a term to expire on April 1, 2019 was confirmed by unanimous roll call vote of 11 yeas, 0 nays, 0 absent. Councillor Dibble, Eppley, Famico, Furey, Gerard, Lovely, McCarthy, Milo, Ryan, Sargent and Turiel were recorded as voting in the affirmative.

Councillor Gerard requested and received unanimous consent for suspension of the rules to allow Ms. Moustakis to speak

#184 - CONSTABLE

The Mayor's appointment of Jeffrey Gregorio to serve as a Constable with a term to expire on February 23, 2017 was received and placed on file.

#185 – CONSTABLE

The Mayor's reappointment of John Ray, III to serve as a Constable with a term to expire on April 1, 2019 was received and placed on file.

#186 – CONSTABLE

The Mayor's reappointment of Brian Davis to serve as a Constable with a term to expire on February 23, 2019 was received and placed on file.

CITY OF SALEM**MARCH 24, 2016****REGULAR MEETING OF THE CITY COUNCIL****#187 – APPROPRIATION TO “POLICE – OVERTIME” ACCOUNT**

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 Fifty Thousand, Three Hundred and Twenty-Five Dollars (\$150,325.00) is hereby appropriated from the “Fund Balance Reserved for Appropriation – Free Cash” account to the “Police – Overtime” account in accordance with the recommendation of Her Honor the Mayor.

#188 – APPROPRIATION FOR REPAIRS TO THE BROWNSTONE & BRICKWORK OF THE SALEM PUBLIC LIBRARY

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

ORDERED: That the sum of Seventy Thousand Dollars (\$70,000.00) is hereby appropriated within the “Capital Outlay Renovations & Repairs” account to be expended for the brownstone and brickwork repairs to the Salem Public Library in accordance with the recommendation of Her Honor the Mayor.

#189 – APPROPRIATION TO “VETERANS – BENEFITS” ACCOUNT

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

ORDERED: That the sum of Twenty-Five Thousand Dollars (\$25,000.00) is hereby appropriated from the “Fund Balance Reserved for Appropriation – Free Cash” account to the “Veterans – Benefits” account in accordance with the recommendation of Her Honor the Mayor.

CITY OF SALEM**MARCH 24, 2016****REGULAR MEETING OF THE CITY COUNCIL****#190 – ORDINANCE AMENDING COLLECTION FEE FOR SOLID WASTE MANAGEMENT**

The following Ordinance recommended by the Mayor was adopted for first passage.

In the year Two Thousand and Sixteen

An Ordinance to amend an Ordinance relative to Solid Waste Management Collection Fee

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

Section 1. Chapter 36, Section 36-6 – Collection fee for certain residences

Subsection (a) is hereby amended by adding the following sentence at the end of the paragraph:

“Such fees may, at the owner’s option, be billed via electronic billing”

Subsection (c) is hereby amended by deleting the second sentence of the paragraph:

“any fee not paid 30 days from the date of mailing of each bill may be liened to the property in the following fiscal years’ real estate bill”

and replacing it with:

“any fee not paid 30 days from the date of electronic transmission or mailing of each bill may be liened to the property in the following fiscal years’ real estate bill”

#191 – ORDINANCE AMENDING WATER AND SEWER DUE DATE & PAYMENT OF BILLS

The following Ordinance recommended by the Mayor was adopted for first passage.

In the year Two Thousand and Sixteen

An Ordinance to amend an Ordinance relative to Water and Sewer – Due Date and Payment of Bills

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

Section 1. Chapter 46, Section 36 is hereby amended by adding the following sentence as a new paragraph at the end of the existing two paragraphs:

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“Bills for water charges may, at the owner or water taker’s option, be billed via electronic billing.”

Chapter 46 Article III, Division 4, Assessments, Section 46-232 – Payment of sewer use charges.

Section 46-232 is hereby amended by adding the following new paragraph (d) at the end of the section:

“(d) Bills for sewer use charges may, at the sewer user’s option, be billed via electronic billing.”

#192 – ORDINANCE TRAFFIC PARKING TIME LIMITED, UNMETERED ZONES REPEAL LAFAYETTE STREET

Councillor Dibble introduced the following Ordinance, which was adopted for first passage.

In the year Two Thousand and Sixteen

An Ordinance to amend an Ordinance relative to Traffic

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

Section 1. Chapter 42, Section 57A, “Parking Time Limited, Unmetered Zones”

Repeal Lafayette Street, westerly side beginning fifteen (15) feet from Loring Avenue for a distance of four hundred twenty-nine (429) feet in a southerly direction as marked by signs, Tow 2 hour parking, 6:00 AM – 6:00 PM Monday – Friday. “Parking Time Restricted, not a tow zone” (10/9/2008)

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

#193 – ORDINANCE TRAFFIC RESIDENT STICKER PARKING ROPES STREET

Councillor Turiel introduced the following Ordinance, which was adopted for first passage.

In the year Two Thousand and Sixteen

An Ordinance to amend an Ordinance relative to Traffic

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

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Section 1. Chapter 42, Section 75, "Parking Prohibitions Towing Zone (Resident Sticker Parking)"

Repeal Ropes Street, Zone, E color orange, northerly side, beginning at the intersection with Washington Street and Ropes Street and proceeding one hundred twenty-five (125) feet. (5/26/87)

And replace with the following:

Section 2. Ropes Street, Zone E, color orange, northerly side, beginning at the intersection with Washington Street and Ropes Street and proceeding four hundred sixty-one (461) feet in a westerly direction. "Resident Sticker Parking, Tow Zone"

Section 3. This Ordinance shall take effect as provided by City Charter.

#194 – ESTABLISH AN ORDINANCE FOR GUIDELINES AND PARAMETERS FOR PERMITTING OF FOOD TRUCKS

Councillor Turiel introduced the following Order which was adopted.

ORDERED: That the Committee on Community and Economic Development co-posted with the Committee of the Whole meet for the purposes of establishing an ordinance, guidelines and parameters for permitting food trucks to operate in certain areas of Salem. Invited: Mayor, Planner, City Solicitor, Health Agent and Chamber of Commerce representative.

#195 – MONTHLY FINANCIAL REPORT

Councillor Eppley introduced the following Order which was adopted.

ORDERED: That the Monthly Financial Report dated February 29, 2016 be referred to the Committee on Administration and Finance.

#196 – ORDINANCE TRAFFIC "OBEDIENCE TO ISOLATED STOP SIGNS" FRONT STREET

Councillor McCarthy introduced the following Ordinance which was adopted for first passage.

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In the year Two Thousand and Sixteen

An Ordinance to amend an Ordinance relative to Traffic

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

Section 1. Chapter 42, Section 49, "Obedience to Isolated Stop Signs"
Front Street, easterly traffic stop at Lafayette Street. "Stop Sign"

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

#197 – (#171 – #172) COMMITTEE REPORTS

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 the matter of granting certain licenses has considered said matter and would recommend that the following licenses be granted

TAG DAYS:	S.H.S. Softball, 4/10/16 and 5/16/16
	S.H.S Boys Basketball, 12/10/16, 12/17/16, 1/7/17, 1/14/17

Councillor Furey assumed the Chair.

#198 – (#120) REAPPOINTMENT OF MICKEY NORTHCUTT TO COMMUNITY PRESERVATION COMMITTEE

Councillor Turiel offered the following report for the Committee of the Whole. It was voted to accept the report and adopt the recommendation by a roll call vote of 10 yeas, 1 nay, 0 absent. Councillors Dibble, Famico, Furey, Gerard, Lovely, McCarthy, Milo, Ryan, Sargent and Turiel were recorded as voting in the affirmative. Councillor Eppley was recorded as voting in the negative.

The Committee of the Whole to whom was referred the matter of the reappointment of Mickey Northcutt to the Community Preservation Committee with a term to expire on March 1, 2019 has considered said matter and would recommend confirmation by Roll Call Vote.

CITY OF SALEM**MARCH 24, 2016****REGULAR MEETING OF THE CITY COUNCIL****#199 – COMMUNICATION FROM PARK & RECREATION TO INCREASE METER RATES AT THE SALEM WILLOWS**

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

Referred to the Committee on Administration and Finance.

A communication from Jason Silva, Director of Municipal Operations and Capital Improvements to increase the parking meter rates at the Salem Willows from \$.25 to \$.50.

#200 – PETITION FROM CELLCO PARTNERSHIP (VERIZON WIRELESS) FOR SMALL CELL WIRELESS ANTENNAS ON EXISTING POLES AT 81 HIGHLAND AVENUE

A hearing was ordered for April 14, 2016 on the petition from McLane Middleton on behalf of Cellco Partnership d/b/a Verizon Wireless to locate small cell wireless antennas and the necessary sustaining and protecting fixtures on an existing utility pole, located on a public way near 81 Highland Avenue

#201 – REQUEST TO SHUT DOWN PORTION OF SIDEWALK ALONG BRIDGE STREET

A request from W.T. Rich Company to shut down and reroute a portion of sidewalk along Bridge Street was granted.

#202 – CLOSE FRONT STREET FOR SALEM ARTS FESTIVAL

A request from Salem Main Streets to close Front Street to vehicular traffic during the Salem Arts Festival on Saturday, June 4 and Sunday, June 5 from 10:00 A.M. to 6:00 P.M. was granted.

#203 – INVITATION TO ATTEND VIETNAM WAR COMMEMORATION

An Invitation to attend the Vietnam War Commemoration to honor and mark the 50th Anniversary of the final day that U.S. troops were on the ground in Vietnam, Monday, March 28, 2016 at 6:30 P.M. at Riley Plaza was received and placed on file.

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#204 – INVITATION TO ATTEND 379TH ANNIVERSARY OF THE FIRST MUSTER

An Invitation from the Second Corps Cadets Veterans Association to attend the 379th Anniversary of the First Muster on April 2, 2016 – The events will begin at 9:00 AM at St. Peter's Church and finishing with a March to Salem Common at 10:30 The muster will conclude with a pass-in-review followed by a collation at the K of C Hall was received and placed on file.

#205 – #206 LICENSE APPLICATIONS

The following license application were granted.

PUBLIC GUIDES: Jesse Kamien, 6 Netherwood Rd., Windham, NH
 Philip Weinstein, 13 Station Rd., Salem
 Joel Cassidy, 35 March St., Salem
 John Flanagan, 38 Bayview Ter., Danvers
 Michael Vitka, 384 Essex St., Salem

TAXI OPERATORS: Alfredo Pina, 13 Center St., Peabody
 Juan Carlos Espinal Sr., 203 Washington St., Salem
 Bienverdo Gil, 32 Perkins St., Salem
 Tirsson Ozoria, 20 Peabody St., Salem
 Jose Baez, 29 Perkins St., Salem
 Miguel Vasquez, 100 Lafayette St., Salem

#207 - #210 LICENSE APPLICATIONS

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

SEAWORM: Mike Sanchez, 31 Preston St., Wakefield

TAG DAYS: S.H.S. Winter Colorguard & Percussion Ensemble, May 1, 2016
 S.H.S. Music Dept., June 11, 2016
 S.H.S. Boys Soccer, Aug. 27, 2016, Sept. 10, 2016 & Oct. 1, 2016

CITY OF SALEM**MARCH 24, 2016****REGULAR MEETING OF THE CITY COUNCIL****#211 - #212 BONDS**

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

CONSTABLES: Brian F. Davis, 21 Oakhurst St., Ipswich
 Jeffry Greogorio, 48 Tremont St., Peabody

(#162) - DISCONTINUANCE OF A PUBLIC WAY KNOWN AS BECKFORD WAY

An Order for the discontinuance of a public way known as Beckford Way (aka Beckford Street extension) was referred to the Committee on Ordinances, Licenses and Legal Affairs co posted with Committee of the Whole.

(#162) - SECOND PASSAGE TRAFFIC, PARKING TIME LIMITED, UNMETERED ZONES LORING AVENUE

The matter of second passage of an Ordinance amending Traffic Ch. 42, Sec. 57A, "Parking Time Limited Unmetered Zones Loring Avenue 40 feet north of College Drive to the intersection of Linden Street 15 min. parking Mon.-Fri. 7 AM – 4 PM was then taken up. It was adopted for second and final passage.

(#163) – SECOND PASSAGE TRAFFIC PARKING TIME LIMITED, UNMETERED ZONES LAFAYETTE STREET

The matter of second passage of an Ordinance amending Traffic Ch. 42, Sec. 57A, "Parking Time Limited Unmetered Zones" Lafayette Street southerly to property line of 410 Lafayette St. 1 hour parking Mon. – Fri. 6 AM to 5 PM was then taken up. It was adopted for second and final passage.

CITY OF SALEM**MARCH 24, 2016****REGULAR MEETING OF THE CITY COUNCIL****(#164) – SECOND PASSAGE TRAFFIC RESIDENT STICKER PARKING LAFAYETTE STREET**

The matter of second passage of an Ordinance amending Traffic, Ch. 42, Sec. 75 "Parking Prohibitions Towing Zones (Resident Sticker Parking) Lafayette Street 20 feet north of Raymond Avenue continuing northerly for 410 feet to #410 Lafayette Street, Mon. – Fri. 6 AM to 8 PM was then taken up. It was adopted for second and final passage.

On the motion of Councillor Furey the meeting adjourned at 7:50 P.M.

ATTEST:

CHERYL A. LAPOINTE
CITY CLERK