

CITY OF SALEM

APRIL 14, 2016

REGULAR MEETING OF THE CITY COUNCIL

“Know Your Rights Under the Open Meeting Law, M.G.L. Chapter 30A ss. 18-25, and City Ordinance Sections 2-2028 through 2-2033.”

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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@saalem.com.**

A Regular Meeting of the City Council held in the Council Chamber on Thursday, April 14, 2016 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on April 12, 2016 at 10:02 A.M. This meeting is being taped and is live on S.A.T.V.

All Councillors were present.

Council President Turiel presided.

Councillor Furey 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

| | | |
|---------------------|-----------------------------|-------------------------------|
| 1. Kevin O'Connell | 19 Larchmont Rd. | Zoning FW Webb |
| 2. Bob Matvichuk | 295 Bridge St. | Zoning FW Webb |
| 3. Russell Grand | 97 Freedom Hollow | Mayor position on Immigration |
| 4. Peter Holland | 350 Main St. Boxford | Zoning FW Webb |
| 5. Kevin Rogers | 65 Palmer St. | Zoning FW Webb |
| 6. Jean McArdle | 38 Boardman St. | Resolution Clean Energy |
| 7. Rinus Oosthouek | 265 Essex St./Salem Chamber | Zoning FW Webb & Surplus |
| 8. Paul Flores | 6 Silver St. | Zoning FW Webb |
| 9. Jeff Cohen | 12 Hancock St. | Clean Energy & Early Voting |
| 10. Tim Jenkins | 18 Broad St. | Zoning FW Webb |
| 11. Charles Holden | 99 Lynnfield St., Peabody | Zoning FW Webb |
| 12. John Carr | 7 River St. | Zoning FW Webb |
| 13. Lou Sirianni | 6 Botts Ct. | Zoning FW Webb |
| 14. Justin Whittier | 10 River St. | Zoning FW Webb |
| 15. Carol Carr | 7 River Street | Zoning FW Webb |

CITY OF SALEM**APRIL 14, 2016****REGULAR MEETING OF THE CITY COUNCIL****(#9) - HEARING EXTENET SYSTEMS CONDUIT ON LAFAYETTE ST./NEW DERBY ST.**

The public hearing was continued to April 28, 2016 on the Order for Extenet Systems to install a conduit on Lafayette St./New Derby St. and construct and maintain telecommunications, including a fiber optic cable, a remote node and pole top antennas to one existing pole located in, across and over the same public ways

(#13) – HEARING MOBILITIE LLC TO ATTACH EQUIPMENT TO EXISTING POLE SUMMER STREET

The public hearing was continued to April 28, 2016 on the Order for MOBILITIE, LLC to attach equipment on existing pole on Summer St.

(#14) – HEARING MOBILITIE LLC TO ATTACH EQUIPMENT TO EXISTING POLE BETWEEN POND STREET AND WASHINGTON STREET

The public hearing was continued to April 28, 2016 on the Order for MOBILITIE, LLC to attach equipment to an existing pole between Pond Street and Washington Street

(#15) – HEARING MOBILITIE LLC TO ATTACH EQUIPMENT TO EXISTING BETWEEN HIGHLAND AVENUE AND CLARK STREET

The public hearing was continued to April 28, 2016 on the Order for MOBILITIE, LLC to attach equipment to an existing pole between Highland Ave. and Clark St.

(#16) – HEARING MOBILITIE LLC TO ATTACH EQUIPMENT TO EXISTING BETWEEN PICKERING WAY AND CONGRESS STREET

The public hearing was continued to April 28, 2016 on the Order for MOBILITIE, LLC to attach equipment to an existing pole between Pickering Way and Congress Street.

#213 – HEARING CELLCO PARTNERSHIP (DBA VERIZON WIRELESS FOR WIRELESS ANTENNAS ON EXISTING POLE AT 81 HIGHLAND AAVENUE

The public hearing was continued to April 28, 2016 on the Order for 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

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(#182) – APPOINTMENT OF MATTHEW SMITH TO THE REDEVELOPMENT AUTHORITY

Held from the last meeting, the Mayor's appt. of Matthew Smith to serve as a member of the City of Salem's Redevelopment Authority with a term to expire on December 1, 2016 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.

#214 – APPOINTMENT OF NANCY CROWDER TO BOARD OF HEALTH

The Mayor's appointment of Nancy Crowder to serve as a member of the Board of Health with a term to expire on March 1, 2018 was held under the rules until the next meeting.

#215 – APPOINTMENT OF DENISE BALFE TO THE BEAUTIFICATION COMMITTEE

The Mayor's appointment of Denise Balfe to serve as a member of the Beautification Committee with a term to expire on April 14, 2019 was held until the next meeting under the rules.

#216 – APPOINTMENT OF MATT RUSTEIKA TO THE RENEWABLE ENERGY TASK FORCE

The Mayor's appointment of Matt Rusteika to serve as a member of the Renewable Energy Task Force with a term to expire on April 14, 2019 was held until the next meeting under the rules.

#217 – REAPPOINTMENT OF LYNDIA COFFILL TO THE COUNCIL ON AGING BOARD

The Mayor's reappointment of Lynda Coffill to serve as a member of the Council on Aging Board with a term to expire on April 25, 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.

#218 – REAPPOINTMENTS OF ELYSIA ALLEMAN & J.P. STORY TO SALEM PARKING BOARD

The Mayor's reappointment of Elysia Alleman and J.P. Story to serve as members of the Salem Parking Board with their terms to expire on April 14, 2017 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.

CITY OF SALEM**APRIL 14, 2016****REGULAR MEETING OF THE CITY COUNCIL****#219 – REAPPOINTMENT OF JEFF COHEN TO THE RENEWABLE ENERGY TASK FORCE**

Mayor's reappointment of Jeff Cohen to serve as a member of the Renewable Energy Task Force with a term to expire on April 14, 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.

#220 – CONSTABLE

The Mayor's reappointment of Maxwell James Bressi to serve as a Constable with a term to expire on March 22, 2019 was received and placed on file.

#221 – CONSTABLE

The Mayor's reappointment of Debra Ruehrwein to serve as a Constable with a term to expire on April 3, 2019 was received and placed on file.

#222 – CONSTABLE

The Mayor's reappointment of Darryl C. Hines to serve as a Constable with a term to expire on March 26, 2019 was received and placed on file.

#223 - CONSTABLE

The Mayor's reappointment of Richard A. Heath to serve as a Constable with a term to expire on January 26, 2018 was received and placed on file.

#224 – APPROPRIATION TO “HR – COLLECTIVE BARGAINING RESERVE” ACCOUNT

The following Order recommended by the Mayor was referred to the Committee on Administration and Finance under the rules.

ORDERED: That the sum of Three Hundred Thousand Dollars (\$300,000.00) is hereby appropriated from the “Fund Balance – Free Cash” account to the “HR – Collective Bargaining Reserve” account to fund the police patrolmen contract settlement in accordance with the recommendation of Her Honor the Mayor.

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#225 – TRANSFER TO “GOLF COURSE – SEASONABLE LABOR” ACCOUNT

The following Order recommended by the Mayor was adopted.

ORDERED: That the sum of Six Thousand Six Hundred Dollars (\$6,600.00) is hereby appropriated from the “Receipts Reserved – Golf Course” account to the “Golf Course – Seasonable Labor” account in accordance with the recommendation of Her Honor the Mayor.

#226 – TRANSFER TO “REC. SALARIES -FULL TIME” AND “COA – CONTRACTED SERVICES”

The following Order recommended by the Mayor was adopted.

ORDERED: That the sum of Six Thousand Five Hundred Dollars (\$6,500.00) is hereby transferred as listed below in accordance with the recommendation of Her Honor the Mayor.

| | | | |
|------------|------------------------------|----|-------------------------|
| \$4,000.00 | from Recreational activities | to | Rec Salaries Full Time |
| \$2,500.00 | from COA Salaries Full Time | to | COA Contracted Services |

#227 – TRANSFER TO BE EXPENDED FOR REPAIR OF FILTER AT FOREST RIVER POOL

The following Order recommended by the Mayor was adopted.

ORDERED: That the sum of Six Thousand Dollars (\$6,000.00) is hereby appropriated within the “Capital Outlay – Renovations & Repairs” account to be expended for repair of the filter at the Forest River Pool by the Recreation Department in accordance with the recommendation of Her Honor the Mayor.

#228 – AUTHORIZE SUBMISSION OF COMMUNITY DEVELOPMENT BLOCK GRANT

The following Order recommended by the Mayor was adopted.

ORDERED: That the City Council hereby approves the submittal of the City of Salem’s Application authorize the submission to the United States Department of Housing and Urban Development (HUD) for Community Development Block Grant (CDBG) funds for the period of July 1, 2016 through June 30, 2017 in the amount determined by HUD’s formula entitlement allocation (\$995,257)

CITY OF SALEM**APRIL 14, 2016****REGULAR MEETING OF THE CITY COUNCIL****#229 – ACCEPT DONATION FOR GOLF COURSE IMPROVEMENTS**

The following Order recommended by the Mayor was adopted.

ORDERED: To accept the donation from The Christopher Columbus Golf Course League in the amount of One Thousand Four Hundred and Twenty-Five Dollars (\$1,425.00) to aid in the maintenance and improvements of the Golf Course. These funds will be deposited into the Park and Recreation Department Donation Fund in accordance with the recommendation of Her Honor the Mayor.

#230 – ACCEPT DONATION FOR PICNIC TABLES

The following Order recommended by the Mayor was adopted.

ORDERED: To accept the donation from Milissa Solemina in the amount of One Thousand Three Hundred Dollars (\$1,300.00) to purchase picnic tables and bench. These funds will be deposited into the Park & Recreation Donation Fund in accordance with the recommendation of Her Honor the Mayor.

#231 – DICKSON MEMORIAL CHAPEL – PRESERVATION PROJECT FUND GRANT

The following Order recommended by the Mayor was adopted.

ORDERED: To authorize Mayor to convey a perpetual historic preservation restriction encumbering the Dickson Memorial Chapel, located at 57 Orne Street, and having a property Assessor's parcel identification number of 27_0571, to the Commonwealth of Massachusetts, by and through the Massachusetts Historical Commission, on such terms and conditions, and for such consideration, as deemed appropriate, as a stipulation of a Massachusetts Preservation Projects Fund (MPPF) grant application to make improvements to the structure.

#232 – ORDINANCE AMENDING CH. 12 BY ADDING NEW SECTION FOR TELECOMMUNICATION ATTACHEMENTS TO POLES

The following Ordinances recommended by the Mayor was referred to the Committee on Ordinances, Licenses and Legal Affairs.

In the year Two Thousand and Sixteen

An Ordinance to amend the Ordinance relative to **Chapter 12, Building, Electricity and Plumbing Regulations, Article III. Electricity**

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

DIVISION 1. – GENERALLY

Section 12-90. – Inspection of Poles is hereby amended by deleting the section:

“Each business entity shall thoroughly inspect the condition of all its poles or posts carrying electric or other wires upon or over the city streets in order to ascertain that they are free from decay or any injury rendering them dangerous.”

And replacing it with:

“Each business entity shall thoroughly inspect the condition of all its poles or posts carrying electric or other wires or any telecommunications attachments upon or over the city streets in order to ascertain that they are free from decay or any injury rendering them dangerous.”

A new section is hereby added at the end of Division 1 as follows:

Sec. 12-91. - Telecommunications attachments to poles.

“Attachments for telecommunications purposes to all poles within the public right of way may be permitted provided a valid grant of location has been issued for such attachments by the city council. Such attachments shall include any device, apparatus, appliance or equipment, including, but not limited to, any conduits, wires, fiber, cable or associated facilities for purposes of producing, receiving, amplifying or distributing telecommunications.”

DIVISION 2. - CITY ELECTRICIAN

Section 12-121. Examination and report of application for placing wires or poles is hereby amended by deleting the section:

“The city electrician shall, when required by the mayor, examine every application for the placing of any wire, or the erection or construction of poles or posts for the support thereof in, under or over any street, way or public place and shall report to him all facts which, in his opinion, bear upon the question of granting or refusing such application.”

And replacing it with:

“The city electrician shall, when required by the mayor, examine every application for the placing of any wire, telecommunications attachment or the erection or construction of poles or posts for the support thereof in,

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under or over any street, way or public place and shall report to the mayor all facts which, in his opinion, bear upon the question of granting or refusing such application.

With respect to telecommunications attachments and any requests for new poles in support thereof, all applications shall include:

- a. Description of type of service to be provided; a list of all posts, poles or other supports of wires and location of proposed conduits and manholes in relation to existing underground facilities;
- b. List of abutters' names and addresses and proof of notice to same;
- c. Drawings, dimensioned and to scale of the proposed attachment as installed on an existing street light or utility pole or the same with respect to proposed new "dummy" poles or enhancements of existing City-owned poles;
- d. Detailed description of the types of aerial and underground facilities that the applicant intends to install;
- e. Detailed route maps or plans showing the location of facilities to be installed within the rights-of-way, prepared by a professional engineer registered in the Commonwealth;
- f. Construction schedule and maintenance plan;
- g. Equipment specifications and radio frequency emission calculations for the location proposed;
- h. The specific trees, structures, improvements, facilities and obstructions, if any, that the applicant proposes to temporarily or permanently remove or relocate and plans to remediate the same; and
- i. Executed pole attachment agreement. If applicant intends to seek pole attachments on City-owned poles or street lights, affirmation of intent to enter an agreement with the City and abide by the conditions set forth therein."

Sec. 12-122. - Establishing and locating poles; attachment of wires; compliance with plans is hereby amended by deleting the following section:

"All work establishing and locating any poles or the attachment of any wires to such poles in the public right of way by any order or permit of the city council shall be under the direction of the city electrician, whose duty shall be to see that all such poles are located and wires are attached according to the plans submitted as required by law."

And replacing it with:

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"All work establishing and locating any poles or the attachment of any wires or telecommunications attachments to such poles in the public right of way by any order or permit of the city council shall be under the direction of the city electrician, whose duty shall be to see that all such poles are located and any wires, or telecommunications equipment are attached according to the plans submitted as required by law.

All requests to the city council for grants of location for telecommunications attachments to poles within the public right of way shall be first reviewed by the city electrician in accordance with Section 12-121 and with any reasonable guidelines he may establish. The city electrician shall consult with the legal, planning, engineering and information technology departments within the city prior to making a recommendation to the council as to whether the grant of location should be ordered and what conditions should apply.

No location for any telecommunications attachment within the public right of way shall be granted or, if granted, shall be valid until the applicant applying therefor shall have executed a license agreement in writing in a form satisfactory to the city solicitor and shall have filed such agreement in the office of the city clerk. Such agreement shall be for the nonexclusive use of the right of way and shall establish the terms of the grant including, but not limited to, the following:

(1)

Additional Capacity Reserved for City. Whenever installing a telecommunications attachment or associated infrastructure, above or below ground, capacity shall be set aside for the city's exclusive use. Such capacity shall include, but not be limited to, conduit, pole space, pole attachment, fiber capacity, or any such combinations. The city electrician or his designee shall be allowed access to such conduits at all times, equal in all respects to those of any company so authorized;

(2)

Evidence of Pole Attachment Agreement. All grants of location for telecommunications attachments shall be accompanied by evidence of a valid pole attachment agreement with the pole owner. Where the request entails attachment to a city-owned pole or establishment of a new pole, such pole attachment agreement shall be with the city in such form as approved by the city solicitor.

(3)

Indemnification Provision. Such company will indemnify and save harmless the city against all damages, costs and expenses whatsoever to which the city may be subjected in consequence of the acts or negligence of such company, its agents or servants or in any manner arising from the rights or privileges granted it by the city.

(4)

Bond Requirement. Such company shall, before any installation of any attachment commences or a street is disturbed for the laying of its wires or conduits, execute a bond with a surety to be approved in writing by the city solicitor and filed in the office of the city clerk.

(5)

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Street surface restoration. When an opening is made in a street for any purpose related to the telecommunications attachment, the portion of the street so opened shall be restored to a condition satisfactory to the director of public services and shall be maintained in such condition for one year thereafter. If not so restored and maintained by the company performing the work, the director of public services shall cause the street to be restored and maintained at the expense of the person responsible for the opening."

Sec. 12-123. – Maps is hereby amended to delete the following section:

"The telephone and electric companies shall make available, upon request of the city electrician, a map of the city showing the location of every cable and wire for which they are responsible in, over or under the streets or public ways and of all places where electricity to be transmitted by any such cable or wire is manufactured or produced."

And replacing it with:

"The telephone, telecommunications, and electric companies shall make available, upon request of the city electrician, a map of the city showing the location of every cable, wire, or telecommunications attachment for which they are responsible in, over or under the streets or public ways and of all places where electricity to be transmitted by any such cable or wire is manufactured or produced."

Sec. 12-125. - Care and management of city-owned wires, poles and electrical equipment is hereby amended to delete the following section:

"The city electrician shall have the care and management of the erection and maintenance of all wires owned by the city, including the fire alarm, telegraph and police electric signal and telephone systems; the apparatus, machinery and other property connected therewith; and the poles and other supports erected or owned by the city. The city electrician shall set up or supervise the erection of all the wires, posts, supports, dynamos, machinery and other electrical appliances required by the city in all its departments and see that such are maintained and kept in good order and condition."

And replacing it with:

"The city electrician shall have the care and management of the erection and maintenance of all wires owned by the city, including the fire alarm, telegraph and police electric signal and telephone systems; the apparatus, machinery and other property connected therewith; and the poles and other supports erected or owned by the city. Consistent with Sections 12-121 and 12-122, the city electrician shall review all requests to place telecommunications attachments on city-owned poles. The city electrician shall set up or supervise the

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erection of all the wires, posts, supports, dynamos, machinery and other electrical appliances required by the city in all its departments and see that such are maintained and kept in good order and condition.

The city electrician, with the approval of the mayor, shall set reasonable rental fees for telecommunication attachments to city-owned poles.”

Sec. 12-135. - Notice of unsafe conductors or apparatus; refusal of owner to remedy conditions is hereby amended by deleting the following sections:

“(a)

The city electrician shall notify the person owning or operating any cable, or wire referred to in [section 12-123](#) whenever the insulations, supports or appliances are unsuitable or unsafe or the tags or marks thereof are insufficient or illegible or that any cable or wire has been abandoned for use.

(b)

If the owner does not, within ten days after such notification, provide suitable and safe insulations, supports, appliances, tags or marks or if the owner refuses or neglects to remove such abandoned wire, or cable, as the case may be, the city electrician shall, at the expense of the city, remedy such unsafe or insufficient supports and appliances and may remove such wires, or cable that are not properly insulated or not provided with a tag or mark or that have been abandoned. Such expense incurred by the city shall be repaid by the owner of such cable or wire.”

And replacing them with:

“(a)

The city electrician shall notify the person owning or operating any cable, attachment, or wire referred to in [section 12-123](#) whenever the attachments, insulations, supports or appliances are unsuitable or unsafe or the tags or marks thereof are insufficient or illegible or that any cable, attachment, or wire has been abandoned for use.

(b)

If the owner does not, within ten days after such notification, provide suitable and safe attachments, insulations, supports, appliances, tags or marks or if the owner refuses or neglects to remove such abandoned wire, attachment, or cable, as the case may be, the city electrician shall, at the expense of the city, remedy such unsafe or insufficient attachments, supports and appliances and may remove such wires, attachments, or cable that are not properly insulated or not provided with a tag or mark or that have been abandoned. Such expense incurred by the city shall be repaid by the owner of such attachment, cable or wire.”

DIVISION 3. - FEES AND INSPECTIONS

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is hereby amended by adding the following new section:

Sec. 12-170. – Fee for telecommunications attachments in the right of way.

“Applicants seeking a grant of location in association with telecommunications attachments to poles within the right of way shall, at the time of filing, pay a \$500 application fee to cover the costs of the interdepartmental review required by Section 12-122. This fee shall be in addition to any rental payments for telecommunications attachments to poles owned by the city pursuant to Section 12-125.”

DIVISION 4. - UNDERGROUND CONDUITS

Sec. 12-197. - Powers of city council for underground wires, cables, conduits shall be amending by deleting the following section:

“(a)

Except as provided in subsections [12-200](#)(c) and (d), the city council may authorize any telephone, telegraph, electric light, or electric power company to construct and maintain underground conduits, cables and wires for the conduct of the business of such company in such of the city streets as the city council may deem advisable and to construct therein and maintain the necessary manholes and house connections and to erect and maintain distributing poles at the terminal of such conduits and at suitable distributing points and may give such authority, under such conditions, restrictions and limitations as the city council may impose, as may be expressed in the permit.”

And replacing it with:

“(a)

Except as provided in subsections [12-200](#)(c) and (d), the city council may authorize any telephone, telegraph, electric light, wireless, telecommunication or electric power company to construct and maintain underground conduits, cables and wires for the conduct of the business of such company in such of the city streets as the city council may deem advisable and to construct therein and maintain the necessary manholes and house connections and to erect and maintain distributing poles at the terminal of such conduits and at suitable distributing points and may give such authority, under such conditions, restrictions and limitations as the city council may impose, as may be expressed in the permit.”

Sec. 12-200. - Disturbing surface of street is hereby amended to delete the following section:

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“(b) Agreement required. No permit to disturb the surface of the street for any purpose as provided in [section 12-197](#) shall be granted or, if granted, shall be valid until the company applying therefor shall have executed an agreement in writing as provided in this subsection and in a form satisfactory to the city solicitor and shall have filed such agreement in the office of the city clerk. Such agreement shall provide that:

(1)

In every underground conduit constructed by any telephone or telegraph company, sufficient and necessary space shall be reserved and maintained, free of expense, for the use of the fire, police, and other signal wires belonging to the city and used exclusively for municipal purposes and that the city electrician or any person authorized by him shall be allowed access to such conduits at all times, and facilities and privileges in putting in or taking out wires equal in all respects to those of such company;”

And replace it with:

“(b) Agreement required. No permit to disturb the surface of the street for any purpose as provided in [section 12-197](#) shall be granted or, if granted, shall be valid until the company applying therefor shall have executed an agreement in writing as provided in this subsection and in a form satisfactory to the city solicitor and shall have filed such agreement in the office of the city clerk. Such agreement shall provide that:

(1)

In every underground conduit constructed by any telephone, telegraph, wireless or other telecommunications company, sufficient and necessary space shall be reserved and maintained, free of expense, for the use of the city’s fire, police, and information technology departments and other signal wires and fiber belonging to the city and used exclusively for municipal purposes and that the city electrician or any person authorized by him shall be allowed access to such conduits at all times, and facilities and privileges in putting in or taking out wires equal in all respects to those of such company;”

#233 – ADOPT A REVOLVING ACCOUNT FOR TELECOM

The following Order recommended by the Mayor was referred to the Committee on Administration and Finance.

ORDERED: adopt in accordance with MGL Chapter 44, Sec. 53E ½ a revolving account for Tele-Communications for application fees and rental revenue from telecommunications attachments.

CITY OF SALEM**APRIL 14, 2016****REGULAR MEETING OF THE CITY COUNCIL****#234 – M.O.U. BY SALEM STATE UNIVERSITY STUDENTS RELATIVE TO CLEAN ENERGY**

Councillor Dibble introduced the following Order which was adopted.

ORDERED: That the Committee on Public Health, Safety and Environment co-posted with the Committee of the Whole meet for the purpose of discussing the Memorandum of Understanding submitted to the Council by the Salem State University Students relative to Clean Energy.

MASSPIRG Students

Draft 100% renewables municipal resolution

March 9, 2016

Resolution of the City Council of the City of Salem in support of 100% renewable energy

WHEREAS, too much of Massachusetts' energy comes from fossil fuels that pollute our air and water and alter our climate; and

WHEREAS, carbon emissions from the burning of fossil fuels are changing our climate, and we are already seeing the impacts in the City of Salem, such as LOCAL EXAMPLE (e.g. last winter's record snowstorms that caused major damage to private property and municipal facilities, and resulted in millions of dollars in extra cleanup expenses); and

WHEREAS, scientists predict the effects of global warming will become much worse, unless we dramatically reduce our carbon emissions in the next few years; and

WHEREAS, Massachusetts has historically been a leader in the fight against global warming, and has a responsibility to continue to set a positive example for other states and countries to follow; and

WHEREAS, the City of Salem is already taking action to reduce its carbon emissions and promote clean energy, including LOCAL EXAMPLES (e.g. energy efficiency retrofits of all municipal buildings and the installation of solar panels on the city landfill); and

WHEREAS, Massachusetts has abundant clean energy resources, including enough solar and wind potential to supply all of the state's electricity many times over; and

WHEREAS, innovations in energy efficiency, electric vehicles, energy storage, and other green technologies will help Massachusetts meet its energy needs without the use of fossil fuels; and

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WHEREAS, clean energy is already bringing many benefits to Massachusetts, including reduced pollution, tens of thousands of clean energy jobs, and more of our energy dollars retained in the local economy; and

WHEREAS, the City of Salem has been firsthand the benefits of clean energy, including LOCAL EXAMPLES (e.g. energy savings of more than \$100,000 as a result of municipal energy efficiency retrofits, and growing employment in local solar businesses); and

WHEREAS, getting 100% of Massachusetts' energy from clean, renewable sources is both feasible and necessary;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Salem, in the County of Essex, Commonwealth of Massachusetts, that Massachusetts should commit to a goal of 100% clean, renewable energy, and move as quickly as possible to achieve that goal;

AND BE IT FURTHER RESOLVED that leaders in the Legislature and statewide elected and appointed officials are urged to do everything in their power to bring Massachusetts closer to 100% renewable energy;

AND BE IT FURTHER RESOLVED that the City of Salem and its staff will consider all municipal decisions in light of whether they will bring the City and its residents closer to 100% renewable energy.

AND BE IT FURTHER RESOLVED that the City of Salem will move forward with projects to reduce fossil fuel use and expand clean energy, including LOCAL PROJECTS THAT HAVE BEEN PROPOSED (e.g., installing solar on the middle school and high school, and completing energy efficiency assessments of all municipal buildings)

#235 – EARLY VOTING TASK FORCE

Councillor Eppley introduce the following Order which was adopted.

ORDERED: That an Early Voting Task force is hereby created to work with the City Clerk to assist in planning for the implementation of early voting as required by Massachusetts General Law, Chapter 54. The Task Force shall be comprised of the City Clerk, the City Solicitor, the City Council President or his designee and a representative from each of the following: Board of Registrars, Council on Aging, Latino Leadership Coalition and Commission on Disabilities, and a representative of Salem State University.

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#236 – (#207 - #210) GRANTING 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 the matter of granting certain licenses has considered said matter and would recommend that the following licenses be granted

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

#237 – (#4, #112) PLANNING BOARD RECOMMENDATION FOR REZONING OF A PORTION OF BRIDGE STREET

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole. It was voted to send to the full Council with no recommendation.

The Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of the Communication and Recommendation received from the Planning Board relative to the Rezoning of 297 Bridge St., a portion of Beckford Way and 311 Bridge St. from R-2 Residential Two Family to B4 Business Wholesale and Automotive and would recommend that it be sent to the full Council with no recommendation.

Councillor Dibble moved to divide the question. It was so voted.

The question was divided and the Alpha Auto site and Beckford Way were removed from the re-zoning.

A motion was made that the rezoning remain in Committee. It was so voted.

Councillor Furey and Gerard were recorded as opposed.

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#238 – (#5) DECLARE PARCEL OF LAND AS SURPLUS PROPERTY LOCATED AT 297-305 BRIDGE STREET LOT 1 & PARCEL B AND PARCEL A

Councillor Eppley offered the following report for the Committee on Administration and Finance co-posted with the Committee of the Whole.

The Committee on Administration and Finance co-posted with Committee of the Whole to whom was referred the matter to declare a parcel of land surplus property located at 297-305 Bridge St. Lot 1 containing 52,491 square feet, Parcel B containing 1,260 square feet and Parcel A containing 2,035 square feet has considered said matter and would recommend that the land be declared surplus

Councillor Dibble moved to divide the question. It was so voted
Combine 297-305 Bridge St. Lot 1, 52, 491 sq. ft. (Universal Steel)
And Parcel B, 1,260 sq. ft.
Vote separate Parcel A., 2.035 sq. ft. (Beckford Way)

Adopted as amended by a roll call vote of 8 yeas, 3 nays, 0 absent that declared 297-305 Bridge St. Lot 1, 52, 491 sq. ft. (Universal Steel) and Parcel B, 1,260 sq. ft. as surplus. Councillors Dibble, Eppley, Famico, Furey, Gerard, McCarthy, Milo and Turiel were recorded as voting in the affirmative. Councillors Lovely, Ryan and Sargent were recorded as voting in the negative.

The matter of Parcel A, 2,035 sq. ft. (Beckford Way) was referred to the Committee on Administration and Finance co-posted with the Committee of the Whole.

#239 – (#7) CONVEY PORTION OF 297 BRIDGE ST. TO SUN KING LLC. FOR \$10,001.00

Councillor Eppley 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 and adopt the recommendation.

The Committee on Administration and Finance co-posted with Committee of the Whole to whom was referred the matter to convey a portion of 297 Bridge St. 1,260 square feet known as Parcel B to Sun King LLC for the sum of \$10,001.00 with a permanent pedestrian and vehicular access on the entire parcel for the benefit of 30-32 Beckford St. has considered said matter and would recommend that the matter remain in committee.

CITY OF SALEM**APRIL 14, 2016****REGULAR MEETING OF THE CITY COUNCIL****#240 – (#8) LAND DISPOSITION 297 – 305 BRIDGE ST. TO SUN KING LLC. FOR \$990,000**

Councillor Eppley 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 and adopt the recommendation.

The Committee on Administration and Finance co-posted with the Committee of the Whole to whom was referred the matter on a Land Disposition Agreement and convey a portion of 297 Bridge St. 52,491 square feet known and 311 Bridge St. 2,015 square feet to Sun King LLC for the sum of \$990,000.00 has considered said matter and would recommend that the matter remain in committee.

#241 – (#159) RESOLUTION FOR FULL FUNDING

Councillor Eppley 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 and adopt the recommendation.

The Committee on Administration and Finance co-posted with the Committee of the Whole to whom was referred the matter of a Resolution Calling for Full Funding of the Foundation Budget Review Commission's Recommendations has considered said matter and would recommend adoption.

#242 – (#187) APPROPRIATION FROM "FREE CASH" TO "POLICE – OVERTIME"

Councillor Eppley 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 and adopt the recommendation.

The Committee on Administration and Finance co-posted with Committee of the Whole to whom was referred the matter of an appropriation in the amount of 150,325.00 from Free Cash to Police Overtime Account has considered said matter and would recommend adoption.

CITY OF SALEM**APRIL 14, 2016****REGULAR MEETING OF THE CITY COUNCIL****#243 – (#199) INCREASING THE RATE OF PARKING METERS AT SALEM WILLOWS**

Councillor Eppley 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 a communication from the Park and Recreation Commission to increase meter rates at the Salem Willows has considered said matter and would recommend that the matter remain in Committee.

#244 – VOTING ISSUES

Councillor Famico offered the following report for the Committee on Government Services co-posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation.

The Committee on Government Services co-posted with Committee of the Whole to whom was referred the matter of the accessibility of voters at the polls and all early voting efforts with particular attention paid to the elderly, voters with disabilities and voters with any language barriers has considered said matter and would recommend that the matter remain in committee and that the Government Services Chairperson work with the City Solicitor to form a task force relative to voting issues.

#245 – (#476 of 2015) PARKING ISSUES ON HOWARD STREET

Councillor Gerard offered the following report for the Committee on Public Health, Safety, & Environment co-posted with the Committee of the Whole.

Committee on Public Health, Safety, & Environment co-posted with the Committee of the Whole to whom was referred the matter of the parking issues on Howard St. has considered said matter and would recommend that the matter remain in Committee

#246 - COMMUNICATION FROM THE VETERANS AGENT FOR NAMING OF VETERAN SQUARES

A communication from the Veteran's Agent Kim Emerling requesting Councils consideration for the naming of two (2) new Veteran Squares in honor of soldiers killed in action and served honorably during WWII was adopted.

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The first **Cravata Square** to be located at the intersection of Hawthorne and Essex Street in honor of US Army Private First Class Frederick J. Cravata killed in action March 15, 1945 during WWII.

The second **Lemire Square** located at the intersection of Broad Street and Hathorne Street in honor of US Army Corporal George E. Lemire killed in action on July 17, 1944.

#247 – PETITION FROM NATIONAL GRID FOR CONDUIT ON WASHINGTON /DODGE STS.

A hearing was ordered on the petition from National Grid to install conduits and manholes on Washington St. at Dodge St.

#248 – ROAD RACE – BOYS & GIRLS CLUB

A request from Boys and Girls Club to hold a road race (Bridge and Back) and use of city streets on Sunday, August 7, 2016, was granted.

Councillor Gerard recused herself and left the Council chamber due to conflict.

#249 – ROAD RACE – SALEM YMCA

A request from Salem YMCA to hold a road race (Witch City 5K) and use of city streets on October 15, 2016, was granted.

#250 – ROAD RACE – BOYS & GIRLS CLUB

A request from Boys and Girls Club to hold a road race (Turkey Race) and use of city streets on November 24, 2016, was granted.

#251 – ROAD RACE – NORTSHORE EDUCATION CONSORTIUM

A request from Friends of Northshore Education Consortium to hold a road race (Festivus 5K for Autism) and use of city streets on December 11, 2016 with a snow date December 18, 2016, was granted.

CITY OF SALEM

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REGULAR MEETING OF THE CITY COUNCIL

#252 – PETITION FROM RUSSELL GRAND TO MEET WITH CITY COUNCIL

The petition from Russell Grand to meet with the City Council to discuss an issue with respect to Mayoral Statement and Attitude on Illegal Immigration, was referred to the Committee on Government Services.

#253 - #255 LICENSE APPLICATIONS

The following license applications were granted.

| | | |
|-----------------|---|-------------|
| LIMO/TAXI CABS | Caribe Taxi Co., 71 Harbor St., Salem | (Limo – 1) |
| | 809 Transportation Corp., 55 Butler St., Salem | (Limo – 1) |
| | Tri City Services, 55R Walnut St., Peabody | (Taxi – 10) |
| | Salem Taxi, 30 Church St., Salem | (Taxi – 10) |
| | Americab, 92 Jackson St., Salem | (Taxi – 10) |
| PUBLIC GUIDES: | Mark Gauthier, 40 Oak Ave., Peabody | |
| | Dominic Lavorante, 171 Loring Ave, Salem | |
| TAXI OPERATORS: | Scott Boyle, 1106 The Heights at Cape Ann, Gloucester | |
| | Alexander Hernandez, 14 Cherry St., Salem | |
| | Martin Ozoria-Polanco, 10 Porter St., Salem | |
| | Andilaw, Noyogiere, 172A Washington St., Lynn | |

#256 - #257 LICENSE APPLICATIONS

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

| | |
|-----------|--|
| SEAWORMS: | Jose Bettencourt, 54 Fulton St., Peabody |
| | Robert Bettencourt, 54 Fulton St., Peabody |
| | Jerrold Houghton, 158 Park St., Lynn |
| TAG DAY: | S.H.S. Volleyball Boosters, Sept. 24, 2016 & Oct. 15, 2016 |

CITY OF SALEM**APRIL 14, 2016****REGULAR MEETING OF THE CITY COUNCIL****#258 – DRAINLAYER / CONTRACT OPERATOR**

The Following Drainlayer/Contract Operator license application was granted.

EKB Equipment, 9 Forest Lane, Manchester

#259 – CLAIMS

The following claim was referred to the Committee on Ordinances, Licenses and Legal Affairs.

Derek Sprei, 3 Puritan Rd., Salem

#260 - #262 BONDS

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

CONSTABLES: Maxwell Bressi, 5 Sylvester Rd., Burlington
 Darryl C. Hines, 5 Silver leaf Way, Peabody

DRAINLAYER: EKB Equipment, 9 Forest Lane, Manchester

(#190) – SECOND PASSAGE ORDINANCE FOR SOLID WASTE COLLECTION FEE

The matter of second passage of an Ordinance amending an Ordinance relative to Solid Waste Management Chapter 36 - Ch. 36 Sec. 6 – Collection Fee for certain residences was then taken up. It was adopted for second and final passage.

(#191) – SECOND PASSAGE ORDINANCE FOR WATER & SEWER DUE DATE & PAYMENT OF BILLS

The matter of second passage of an Ordinance amending an Ordinance relative to Water and Sewers, Chapter 46-36 due date and payment of bills was then taken up. It was adopted for second and final passage.

CITY OF SALEM**APRIL 14, 2016****REGULAR MEETING OF THE CITY COUNCIL****(#192) – SECOND PASSAGE ORDINANCE TRAFFIC PARKING TIME LIMITED REPEAL LAFAYETTE STREET**

The matter of second passage of an Ordinance amending Traffic, Ch. 42, Sec. 57A, "Parking Time Limited, Unmetered Zones" **Repeal** Lafayette Street, westerly side beginning 15 feet from Loring Avenue was then taken up. It was adopted for second and final passage.

(#193) – SECOND PASSAGE ORDINANCE TRAFFIC RESIDENT STICKER PARKING REPEAL ROPES STREET & REPLACE

The matter of second passage of an Ordinance amending Traffic, Ch. 42, Sec. 75, "Parking Prohibitions Towing Zone (Resident Sticker Parking)" **Repeal** Ropes Street 125 feet and replace with 461 feet in a westerly direction was then taken up. It was adopted for second and final passage.

(#196) – SECOND PASSAGE ORDINANCE TRAFFIC STOP SIGN FRONT STREET AST LAFAYETTE STREET

The matter of second passage of an Ordinance amending Traffic, Ch. 42, Sec. 49, "Obedience to Isolated Stop Signs" Front Street, easterly traffic stop at Lafayette Street was then taken up. It was adopted for second and final passage.

On the motion of Councillor Furey the meeting adjourned at 10:30 P.M.

ATTEST:

CHERYL A. LAPOINTE
CITY CLERK