

CITY OF SALEM

SEPTEMBER 29, 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, September 29, 2016 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on September 27, 2016 at 10:36 A.M. This meeting is being taped and is live on S.A.T.V.

Councillor Ryan was recorded as absent.

Council President Turiel presided.

Councillor Milo 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. Kate Fox, Destination Salem – Bus Ordinance

#536 – HEARING POLE LOCATION FOR NATIONAL GRID ON HIGHLAND AVENUE

A hearing was held on the petition from National Grid for a pole location on Highland Avenue.

Appearing in favor was Sabitah Mahabier-Sheehy, representative for National Grid, she stated this is needed for the light pole.

Councillor Eppley voiced his support.

There was no one in opposition.

Councillor Eppley moved that the hearing be closed. It was so voted.

Councillor Eppley moved it be granted. It was so voted.

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(#471) – APPOINTMENT OF JAMES FALLON TO THE PUBLIC ART COMMISSION

Held from the last meeting, the Mayor's appt. of James Fallon, 1 Hibernia Way, to serve as a member of the Public Art Commission with a term to expire on September 22, 2018, was confirmed by a roll call vote of 10 yeas, 0 nays, 1 absent. Councillors Dibble, Eppley, Famico, Furey, Gerard, Lovely, McCarthy, Milo, Sargent and Turiel were recorded as voting in the affirmative. Councillor Ryan was recorded as absent.

(#472) – APPOINTMENT OF GAIL KUBIK TO THE RENEWABLE ENERGY TASK FORCE

The Mayor's appointment of Gail Kubik, 48 Howard St., to serve as a member of the Renewable Energy Task Force with a term to expire on September 22, 2010, was confirmed by a roll call vote of 10 yeas, 0 nays, 1 absent. Councillors Dibble, Eppley, Famico, Furey, Gerard, Lovely, McCarthy, Milo, Sargent and Turiel were recorded as voting in the affirmative. Councillor Ryan was recorded as absent.

#537 – APPOINTMENTS TO THE TRAFFIC AND PARKING COMMISSION

The Mayor's appointments of the following to the Traffic and Parking Commission with the following terms to expire, were held under the rules until the next meeting on October 12, 2016.

Jamie Metsch, 18 Oliver St., Salem	(Business Seat)	September 29, 2019
Eric Papetti, 11 Symonds St., Salem	(Resident Seat)	September 29, 2017
Nicholas Downing, 10 Andrew St., Salem	(Resident Seat)	September 29, 2018

#538 – CONSTABLE

The Mayor's appointment of Manuel Rabbit to serve as a Constable with a term to expire September 13, 2017, was received and placed on file.

#539 – CONSTABLE

The Mayor's appointment of Michael Panneton to serve as a Constable with a term to expire on August 20, 2019, was received and placed on file.

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#540 – ORDINANCE, TRAFFIC RESIDENT STICKER PARKING FAIRVIEW AVENUE

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 75 “Resident Parking Zones”

Fairview Avenue, Zone B, Color Red, both sides in its entirety, resident sticker parking 8:00 AM to 8:00 PM, Monday through Friday “Resident Sticker Parking”

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

#541 – ORDINANCE, TRAFFIC PARKING PROHIBITED – REPEAL FAIRVIEW AVENUE

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 51 “Parking Prohibited on Certain Streets”

Repeal Fairview Avenue, inside perimeter (9/21/71 DPW 5-480)

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

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#542 – ORDINANCE, TRAFFIC HANDICAP PARKING BECKETT STREET

Councillor McCarthy 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 50B “Handicap Parking Limited Time”

Beckett Street in front of #18 Beckett Street for a distance of twenty (20) feet. “Handicap Parking only, Tow Zone”

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

#543 – ORDINANCE, TRAFFIC HANDICAP PARKING REPEAL CONGRESS STREET

Councillor McCarthy 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 50B “Handicap Parking Limited Time”

Repeal Congress Street in front of #79 Congress Street for a distance of twenty (20) feet. “Handicap Parking only, Tow Zone” (6-9-2016)

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

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#544 – ORDINANCE, AMEND ZONING MAP ADD PARADISE ROAD AS ENTRANCE CORRIDOR OVERLAY DISTRICT

Councillor Dibble introduced the following Ordinance, which was referred to the Planning Board to schedule a joint public hearing with the City Council.

In the year two thousand and sixteen

An Ordinance to amend an Ordinance relative to the Salem Zoning Map

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

Section 1. The City of Salem Zoning Map shall be amended by adding Paradise Road in its entirety as a designated corridor with the Entrance Corridor Overlay District.

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

#545 – ORDINANCE, RELATIVE TO TOUR BUS PARKING

Councillor Famico introduced the following Ordinance, a motion to refer to Committee of the Whole was defeated by a roll call vote of 4 yeas, 6 nays, 1 absent. Councillors Dibble, Lovely, Milo and Sargent were recorded as voting in the affirmative. Councillors Eppley, Famico, Furey, Gerard, McCarthy and Turiel were recorded as voting in the negative. Councillor Ryan was recorded as absent.

In the year two thousand and sixteen

An Ordinance to amend an ordinance relative to tour bus parking and parking meters

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

Section 1. Sec. 11 – Bus Stops of Chapter 42 of the Traffic Code is hereby amended by deleting:

“Holyoke Square, Bus Stops, on the easterly side in a northerly direction, beginning twenty (20) feet from Gedney Street and extending eighty (80) feet. Tour Bus Parking, Two Hour Limit.”

And replacing it with:

“Holyoke Square, Bus Stops, on the easterly side in a northerly direction, beginning twenty (20) feet from Gedney Street and extending one hundred (100) feet. Tour Bus Parking, Two (2) Hour Limit.”

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Amendment to delete (100) and change to **160 feet** and add after the word feet ***excluding 10 feet on either side of the fire hydrant.*** Adopted

Adopted as amended by a roll call vote of 6 yeas, 4 nays, 1 absent. Councillors Eppley, Famico, Furey, Gerard, McCarthy and Turiel were recorded as voting in the affirmative. Councillors Dibble, Lovely, Milo and Sargent were recorded as voting in the negative. Councillor Ryan was recorded as absent.

A motion for immediate reconsideration in the hopes it would not prevail was denied.

In the year two thousand and sixteen

An Ordinance to amend an ordinance relative to tour bus parking and parking meters

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

Section 1. Sec. 11 – Bus Stops of Chapter 42 of the Traffic Code is hereby amended by deleting:

“Holyoke Square, Bus Stops, on the easterly side in a northerly direction, beginning twenty (20) feet from Gedney Street and extending eighty (80) feet. Tour Bus Parking, Two (2) Hour Limit.”

And replacing it with:

Holyoke Square, Bus Stops, on the easterly side in a northerly direction, beginning twenty (20) feet from Gedney Street and extending one hundred sixty (160) feet excluding ten (10) feet on either side of the fire hydrant. “Tour Bus Parking, Two (2) Hour Limit.”

Councillor Furey assumed the Chair

#546 - ORDINANCE, TRAFFIC PARKING TIME LIMITED UNMETERED ZONES

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 Parking Time Limited; Unmetered Zones

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

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Section 1. Chapter 42, Section 57A Parking Time Limited; Unmetered Zones is hereby amended by inserting the following new parking prohibitions within this section:

Lafayette Street, westerly side, from corner of Ocean Avenue in a southerly direction to the end of the driveway of 292 Lafayette: two (2) hour parking, Monday – Friday 8:00 AM to 6:00 PM

Ocean Avenue, northerly side, starting at Lafayette Street and running to the rear property line of 284 Lafayette Street: two (2) hour parking, Monday – Friday 9:00 AM to 6:00 PM, Resident parking also authorized.

Section 2. amend Section 57A by deleting the following:

Ocean Avenue, southerly side from Lafayette Street to the property line of #47 Ocean Avenue, two (2) hour parking 8:00 AM to 8:00 PM, Tuesday through Saturday

And inserting in place thereof:

Ocean Avenue, southerly side from Lafayette Street to the property line of #47 Ocean Avenue, two (2) hour parking 8:00 AM to 6:00 PM Monday through Friday

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

Councillor Turiel resumed the Chair.

#547 – EARLY VOTING TASK FORCE

Councillor Eppley introduced the following Order, which was adopted.

ORDERED: That the following recommendation submitted by the City Clerk to the Early Voting Task Force be adopted by the full Council pending the approval of the remote sites by the Board of Registrars per Mass. General Law:

Mon. October 24	8:00 AM – 4:00 PM	location:	City Hall Ante room, 2 nd floor
Tues. October 25	8:00 AM – 4:00 PM		“
Wed. October 26	8:00 AM – 4:00 PM		“
Thurs. October 27	8:00 AM - 7:00 PM		“
Fri. October 28	8:00 AM – 12:00 PM_		“
Thurs. October 27	8:00 AM – 7:00 PM		Salem High School Auditorium
Fri. October 28	4:00 PM – 8:00 PM		“
Sat. October 29	8:00 AM – 1:00 PM		Salem Academy Ch. School

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Mon. October 31	8:00 AM – 4:00 PM	location:	City Hall Ante Room 2 nd floor
Tues. November 1	8:00 AM – 4:00 PM		“
Wed. November 2	8:00 AM - 4:00 PM		“
Thurs. November 3	8:00 AM – 7:00 PM		“
Fri. November 4	8:00 AM – 12:00 PM		“

#548 – (#514, #515) 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 be granted:

Councillor Gerard and Famico recused themselves and left the Chamber.

#549 – (#479) DEED TO CONVEY TO NORTH SHORE MEDICAL CENTER A PARCEL OF PARK LAND

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses and Legal Affairs co-posted with Committee of the Whole. It was voted to accept the report and adopt the recommendation.

The Committee on Ordinances, Licenses and Legal Affairs co-posted with Committee of the Whole to whom was referred the matter of authorizing the Mayor to execute a deed to convey to NSMC a parcel of dedicated park land in exchange for a deed from NSMC to the City of Salem has considered said matter and would recommend the matter remain in Committee.

Councillor Gerard and Famico returned to the Chamber.

#550 – (#483) AMENDING ORDINANCE RELATIVE TO CONSTABLES

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses and Legal Affairs co-posted with Committee of the Whole. It was voted to accept the report and adopt the recommendation.

The Committee on Ordinances, Licenses and Legal Affairs co-posted with Committee of the Whole to whom was referred the matter of amending an Ordinance relative to Chapter 32 – Constables, has considered said matter and would recommend that the matter remain in Committee.

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#551 – (#505) AMENDING ORDINANCE RELATIVE TO SOLID WASTE

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses and Legal Affairs co-posted with Committee of the Whole. It was voted to accept the report and adopt the recommendation.

The Committee on Ordinances, Licenses and Legal Affairs co-posted with Committee of the Whole to whom was referred the matter of amending an Ordinance relative to Chapter 36 – Solid Waste, has considered said matter and would recommend that the matter remain in Committee.

#552 – (#497) REVIEW ORDINANCE RELATIVE TO SEGWAYS

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 reviewing the Ordinance relative to the operation of electronic personal assistance mobility devices (segways) has considered said matter and would recommend that the matter remain in Committee.

#553 – (#496) COMPLAINTS RELATIVE TO SEGWAYS

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 discussing various complaints about segways has considered said matter and would recommend that the matter remain in Committee.

#554 – (#499) TRIAL PERIOD RESIDENT STICKER PARKING ON FORT AVENUE FOR HALLOWEEN

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 a trial period for Resident Sticker Parking on Fort Avenue to be part of the Halloween Streets has considered said matter and would recommend approval.

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#555 – (#500) TRIAL PERIOD FOR RESIDENT STICKER PARKING DERBY STREET FOR HALLOWEEN

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 a trial period for Resident Sticker Parking on Derby Street to be part of the Halloween Streets has considered said matter and would recommend approval as amended to include Beckett Avenue.

#556 – (#498) TRIAL PERIOD FOR RESIDENT STICKER PARKING PRESTON ROAD FOR HALLOWEEN

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 a trial period for Resident Sticker Parking on Preston Road to be part of the Halloween Streets has considered said matter and would recommend approval.

#557 - COMMUNICATIONS FROM PLANNING BOARD FOR REZONING 293 & 297 BRIDGE STREET

Received after the deadline of Tuesday Noon under suspension of the rules and referred to the Committee of the Whole.

Communication from the Planning Board with their recommendation on approval of the rezoning of 293 & 297 of Bridge Street to B-4 Wholesale and Automotive Zoning District which is currently zoned as North River Canal Corridor.

(the full text of the recommendation can be viewed in the City Clerk's Office during normal business hours.)

#558 – PETITION FROM NATIONAL GRID FOR CONDUIT ON DERBY STREET/CENTRAL STREET

A hearing was ordered on the petition from National Grid to install a conduit on Derby and Central Streets.

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#559 - #560 GRANTING CERTAIN LICENSES

The following license applications were granted:

PUBLIC GUIDE: Joanna Brown, 450B Paradise Rd., Swampscott
Gregory Townsend, 450B Paradise Rd., Swampscott

VEHICLE FOR HIRE
OPERATOR ONLY: Maureen Tanzella, 29 Eastern Ave., Beverly

On the motion of Councillor Furey the meeting adjourned at 8:20 P.M.

ATTEST:

CHERYL A. LAPOINTE
CITY CLERK