

*City of Salem, Massachusetts
Office of the City Clerk*

*Cheryl A. LaPointe
City Clerk*



April 26, 2016

MEETING NOTICE AND AGENDA

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

The City Council will meet in the City Council Chamber on Thursday, April 28, 2016 at 7:00 P.M. to hold its regular meeting for the purpose of discussing any and all business.

The Agenda for this meeting is posted on the website and also listed below.

Very truly yours,

ATTEST:

CHERYL A. LAPOINTE
CITY CLERK

APRIL 28, 2016

HEARINGS

ORDERED: 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

IN FAVOR:

OPPOSED:

HEARING CLOSED:

ACTION CONTEMPLATED

COUNCILLOR TURIEL

MOVED THAT THE PUBLIC HEARING CONTINUE TO
APRIL 28, 2016 AT 7:00 P.M.

APRIL 28, 2016

HEARINGS

ORDERED: MOBILITIE, LLC to attach equipment on existing pole on Summer St.

IN FAVOR:

OPPOSED:

HEARING CLOSED:

ACTION CONTEMPLATED

COUNCILLOR FAMICO

MOVED

VOTED

APRIL 28, 2016

HEARINGS

ORDERED: MOBILITIE, LLC to attach equipment to an existing pole between Pond Street and Washington Street

IN FAVOR:

OPPOSED:

HEARING CLOSED:

ACTION CONTEMPLATED

COUNCILLOR TURIEL

MOVED

VOTED

APRIL 28, 2016

HEARINGS

ORDERED: MOBILITIE, LLC to attach equipment to an existing pole between Highland Ave. and Clark St.

IN FAVOR:

OPPOSED:

HEARING CLOSED:

ACTION CONTEMPLATED

COUNCILLOR LOVELY

MOVED

VOTED

APRIL 28, 2016

HEARINGS

ORDERED: MOBILITIE, LLC to attach equipment to an existing pole between Pickering Way and Congress Street.

IN FAVOR:

OPPOSED:

HEARING CLOSED:

ACTION CONTEMPLATED

COUNCILLOR MCCARTHY

MOVED

VOTED

APRIL 28, 2016

HEARINGS

ORDER: 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

IN FAVOR:

OPPOSED:

HEARING CLOSED:

ACTION CONTEMPLATED

COUNCILLOR LOVELY

MOVED

VOTED

APRIL 28, 2016

HEARINGS

ORDER: National Grid to install Conduits on Washington Street at Dodge Street

IN FAVOR:

OPPOSED:

HEARING CLOSED:

ACTION CONTEMPLATED

COUNCILLOR TURIEL

MOVED

VOTED

APRIL 28, 2016

APPOINTMENTS AND REAPPOINTMENTS

Held from the last meeting, the Mayor's appt. of Nancy Crowder to serve as a member of the Board of Health with a term to expire on March 1, 2018

Action Contemplated

Councillor Turiel	Moved Confirmation by RCV	Yeas	Nays	Absent
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Held from the last meeting, the Mayor's appt. of Denise Balfe to serve as a member of the Beautification Committee with a term to expire on April 14, 2019

Action Contemplated

Councillor Gerard	Moved Confirmation by RCV	Yeas	Nays	Absent
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Held from the last meeting, the Mayor's appt. of Matt Rusteika to serve as a member of the Renewable Energy Task Force with a term to expire on April 14, 2019

Action Contemplated

Councillor Famico	Moved Confirmation by RCV	Yeas	Nays	Absent
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APRIL 28, 2016

APPOINTMENTS AND REAPPOINTMENTS

Mayor's reappointment of James Shea to serve as a member of the Salem Park and Recreation Commission with a term to expire on May 1, 2021

Action Contemplated

Councillor Gerard	Moved Confirmation by RCV	Yeas	Nays	Absent
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Mayor's reappointment of Rebecca Curran to serve as a member of the Salem Zoning Board of Appeals with a term to expire on May 1, 2049

Action Contemplated

Councillor Turiel	Moved Confirmation by RCV	Yeas	Nays	Absent
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APRIL 28, 2016

COMMUNICATIONS FROM THE MAYOR

ORDER: Transfer of \$8,000.00 from “COA – Salaries Full Time” to “COA – Activities”

Action Contemplated

Councillor Eppley	Moved Ref. to Committee on Administration and Finance or Adoption	Voted
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ORDER: In accordance with MGL c.268A, Sec. 20(b) City Council approves exemption for City Treasurer to serve part-time as District Treasurer for Essex Technical & Agricultural School District.

Action Contemplated

Councillor McCarthy	Moved Adoption by roll call vote			
		yeas	nays	absent

RESOLUTION: Supporting Senate Bill 735 and House Bill 1577 which would extend those protections for gender identity to all residents and visitors of this Commonwealth.

Councillor McCarthy	Moved Adoption	Voted
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APRIL 28, 2016

COMMUNICATIONS FROM THE MAYOR

RESOLUTION: Commonwealth Diagnostics International, Inc. to purchase a building located at One Holyoke Square and to use a Tax Increment Financing (TIF) to encourage economic development.

Action Contemplated

Councillor Eppley

Moved Adoption

Voted

TAX INCREMENT FINANCING AGREEMENT City of Salem and Commonwealth Diagnostic Inc. for a period of five years.

Action Contemplated

Councillor Famico

Moved Adoption by roll call vote

yeas

nays

absent

APRIL 28, 2016

MAYOR'S INFORMATIONAL PAGE

NONE

APRIL 28, 2016

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Turiel

ORDER: That the City Council reappoint Ed Moriarty, Jr. and Kevin Cornacchio as members of the Community Preservation Act Committee for a term to expire May 23, 2018.

Action Contemplated

Councillor Turiel

Moved confirmation by roll call vote

Yeas, nays, absent

Councillor Eppley

ORDER: That the Monthly Financial Report dated March 31, 2016 be referred to the Committee on Administration and Finance.

Action Contemplated

Councillor Eppley

Moved Adoption

Voted

Councillor Eppley

ORDER: That the Year to Date Budget Report dated January, February, and March be referred to the Committee on Administration and Finance.

Action Contemplated

Councillor Eppley

Moved Adoption

Voted

APRIL 28, 2016

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Eppley

ORDER: That the Leaf-Oriented Resiliency and Arboricultural Expansion (LORAX) Taskforce shall be formed and charged with the providing expert and resident input and recommendations for:

- 1) A comprehensive city-wide master plan for tree maintenance, replanting & augmentation of our urban forest
- 2) Utility/feasibility of city-wide GPS tree inventory
- 3) Alternative resources for funding and in kind donations
- 4) Identification of suggested and/or necessary staffing supplementation/realignment
- 5) Identification of suggested and/or necessary ordinance changes

Specific areas of inquiry for the Taskforce shall include: flooding abatement; climate change responsiveness; and, preference in planting successful native species.

Action Contemplated

Councillor Eppley

Moved Adoption

Voted

Councillor Famico

ORDINANCE: To amend an Ordinance relative to Traffic, Ch. 32, Sec. 50B, "Handicap Parking, Limited Time" Bridge Street in front of #93 for a distance of 20 feet.

Action Contemplated

Moved adoption for first passage

Voted

Councillor McCarthy

ORDER: That the attached Tag Day License Application for Salem Little League for the dates of May 8, 2016, June 4, 2016 and June 18, 2016 be granted

Action Contemplated

Councillor McCarthy

Moved Granted

Voted

APRIL 28, 2016

COMMITTEE REPORTS

Councillor McCarthy offered the following report for 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

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

Accept the Report Voted

Adopt the Recommendation Voted

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses and Legal Affairs to whom was referred the matter of an Ordinance Amending Chapter 12, Article III by adding a new section for Tele-Communication attachments has considered said matter and would recommend that the matter remain in committee

Accept the Report Voted

Adopt the Recommendation Voted

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of an Ordinance Amending Traffic and Parking Section 2 only relative to the appointment, title and responsibilities of the Traffic and Parking Executive Director has considered said matter and would recommend (action unknown meeting took place after Agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

APRIL 28, 2016

COMMITTEE REPORTS

Councillor Eppley offered the following report for the Committee on Administration and Finance co-posted with the Committee of the Whole to whom was referred the matter of a \$300,000 appropriation from "Free Cash" to the "HR – Collective Bargaining Reserve" account to fund the police patrolmen contract settlement has considered said matter and would recommend (action unknown meeting took place after Agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Famico offered the following report for the Committee on Government Services co-posted with the Committee of the Whole to whom was referred the matter of guidelines for cell sites and all tele-communication applications has considered said matter and would recommend that the matter be referred to the full council

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Gerard offered the following report for the Committee on Public Health, Safety, & Environment co-posted with the Committee of the Whole to whom was referred the matter of a City Wide Tree Census and ongoing maintenance and long term replacement plan has considered said matter and would recommend that the matter remain in committee and that an Order for a Task Force be submitted

Accept the Report Voted

Adopt the Recommendation Voted

APRIL 28, 2016

COMMUNICATIONS FROM CITY OFFICIALS

A communication from Larry Ramdin, Health Agent, requesting to address the City Council relative to the opiate overdose epidemic currently gripping our city and country and how to recognize the signs of an overdose, the administration of Naloxone and its availability and impact on reversing an opiate overdose.

Councillor Gerard	Moved suspension of the rules to allow Mr. Ramdin to speak	Voted
Councillor Gerard	Moved to receive and file the communication	Voted

A communication the Planning Board submitting their recommendation relative to a Zoning Ordinance Amendment for Section 10.0, Definition for Tasting Room.

Councillor McCarthy	Moved Receive and File	Voted
Councillor McCarthy	Moved Adoption for first passage (as amended?)	Voted

Communication from Jane A. Guy, Assistant Community Development Director for adoption of an Order for the FY17 Budget for the Community Preservation Act funds.

ORDER: Appropriation of \$595,000.00 to CPA Funds in FY 2017 as follows:

2001	CPA-General Admin-Expenses	25,750.00
2001	CPA-General Admin-Stipends	4,000.00
2001	CPA-General Admin-Reserves	386,750.00
2002	CPA-Open Space- Reserves	59,500.00
2003	CPA-Historical Preservation – Resv.	59,500.00
2004	CPA-Community Housing-Resv.	59,500.00
Total		595,000.00

Councillor Eppley	Moved Adoption or Ref. to Comm. Admin. & Finance	Voted
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APRIL 28, 2016

PETITIONS

Petition from Verizon to install conduits on Washington Street and Canal Street.

HEARING ORDERD MAY 12, 2016

Request from Dan Shuman to hold a bike race (Witches Cup) and use of city streets on August 10, 2016 as well as serve and consume beer and wine in the Common

Action Contemplated

Councillor Famico

Moved Granted

Voted

Petition from Erin Dolan to meet with the City Council to discuss the City of Salem and Ota's Sister City Relationship as well as receiving funding and increasing participation in the program

Action Contemplated

Councillor Turiel

Moved Refer to Committee of the Whole

Voted

APRIL 28, 2016

PETITIONS

the Following License Applications:

PUBLIC GUIDES: Beth Crowley, 7 Forrester St., Salem
Benjamin Phillips, 89 Webb St., Salem

Action Contemplated

Councillor McCarthy	Moved Granted	Voted
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The Following License Applications:

TAG DAYS: Polish Legion of Americans, August 9, 2016
S.H.S. Marching Band, December 3, 2016

Action Contemplated

Councillor McCarthy	Moved Referred to Comm. on Ordinances Licenses & Legal Affairs	Voted
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The Following Drainlayer/Contract Operator License:

Hamilton Construction, 338 Grapevine Rd., Wenham

Action Contemplated

Councillor McCarthy	Moved Granted	Voted
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APRIL 28, 2016

PETITIONS

The Following Bonds:

DRAINLAYER: Hamilton Construction, 338 Grapevine Rd., Wenham

Action Contemplated

Councillor McCarthy

Moved Referred to Comm. on Ord., Licenses &
Legal Affairs & Returned Approved

Voted

APRIL 28, 2016

UNFINISHED BUSINESS

NONE

On the motion of Councillor

the meeting adjourned at

P.M.