

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

*Cheryl A. LaPointe  
City Clerk*



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February 14, 2017

**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, February 16, 2017 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

**FEBRUARY 16, 2017**

**“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.”**

**Assistive Listening System Now Available for City Council Meetings.  
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](mailto:clapointe@saalem.com).**

A Regular Meeting of the City Council held in the Council Chamber on Thursday, February 16, 2017 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on February 8, 2017 at 2:56 P.M. This meeting is being taped and is live on S.A.T.V.

Councillors absent:

Council President Milo presided.

Councillor \_\_\_\_\_ moved to dispense with the reading of the record of the previous meeting.

VOTED

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

**PUBLIC TESTIMONY**

**Public Testimony not to exceed 15 minutes  
Name must be on roster 30 minutes prior to meeting  
Agenda items only**

**FEBRUARY 16, 2017**

**HEARINGS**

Continued from the last meeting:

ORDERED: National Grid to relocate two poles at #401-405 Bridge St.

**ORDER WITHDRAWN FROM NATIONAL GRID**

**FEBRUARY 16, 2017****APPOINTMENTS AND REAPPOINTMENTS**

Held from the last meeting, the Mayor's appointment of Col. Meaghan Leclerc, Esq., 10 Orchard Street, to the Salem Harbor Port Authority for a three (3) year term to expire January 12, 2020

Action Contemplated

Councillor Gerard	Moved Confirmation by RCV	Yeas	Nays	Abs
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Mayor's appt. of Raymond Swartz, 30 Ocean Ave., to serve as a member of the Bicycle Advisory Committee with a term to expire on February 9, 2020

C.	Suspension of the Rules	C.	Objection
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Action Contemplated

Councillor Turiel	Held under the Rules	Voted
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The Mayor's reappointment of the following department heads with their terms to expire on

<u>Name</u>	<u>Position</u>	<u>Term to Expire</u>
Sarah Stanton	Finance Director/Auditor	January 31, 2020
Whitney Haskell	Purchasing Agent	January 31, 2019

Action Contemplated

Councillor Gerard	Moved Confirmation by RCV	Yeas	Nays	Abs
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**FEBRUARY 16, 2017**

**APPOINTMENTS AND REAPPOINTMENTS**

Mayor's appointment of Sobeida Javier to serve as a Constable with a term to expire on January 30, 2018

Action Contemplated

Councillor Ryan

Moved Received & Filed

Voted

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**FEBRUARY 16, 2017**

**COMMUNICATIONS FROM THE MAYOR**

Appropriation of \$51,590.00 from "Fund Balance – Free Cash" account to the "Police – Medical – Active" account

Councillor                      suspension of rules                      Councillor                      object

Action Contemplated

Councillor Gerard                      Moved Adoption                      Voted

Appropriation of \$43,908.62 from "Retirement Stabilization Fund – Vacation/Sick Leave Buyback" account for FY 2017 contractual for buyback listed below:

Scott Hebert	Fire Dept.	\$43,908.62
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Councillor                      suspension of rules                      Councillor                      object

Action Contemplated

Councillor Gerard                      Moved Adoption                      Voted

ORDER: to accept the donation of \$1,050.00 from Notch Brewery to the Salem No Place for Hate revolving account.

Action Contemplated

Councillor Gerard                      Moved Adoption                      Voted

**FEBRUARY 16, 2017**

**COMMUNICATIONS FROM THE MAYOR**

Appropriation of \$42,147.86 from “Receipts Reserved – Golf Course” to “Park & Rec. – Golf Equipment”

Councillor suspension of rules Councillor object

Action Contemplated

Councillor Gerard Moved Adoption Voted

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Appropriation of \$28,000.00 from “Capital Outlay – Renovation & Repair” account to be expended for Splaine Park stair repair by the Planning Department.

Councillor suspension of rules Councillor object

Action Contemplated

Councillor Gerard Moved Adoption Voted

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Appropriation of \$13,514.30 from “Capital Outlay - Equipment” account to be expended for Splaine Park Surveillance Cameras by the Police Department

Councillor suspension of rules Councillor object

Action Contemplated

Councillor Gerard Moved Adoption Voted

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ORDER: Salem Police Dept. is authorized to install two video surveillance cameras at Splaine Park.

Councillor Lovely Moved Adoption Voted

**FEBRUARY 16, 2017**

**COMMUNICATIONS FROM THE MAYOR**

ORDER: authorize the Mayor to execute on behalf of the City of Salem, a Community Benefit Agreement with the North Shore Medical Center to provide certain benefits to the City to assist with addressing the impacts associated with the expansion of the existing health care complex.

Action Contemplated

Councillor Ryan	Moved Adoption Or Refer to the Comm. on Ordinances, Licenses & Legal Affairs	Voted
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ORDINANCE: amending Chapter 2 – Administration, by adding the following new Article:  
Article XVII – City Services Relative to Immigration Status; Inclusionary Advisory Committee

(the full text of the ordinance can be provided by the City Clerk’s office during normal business hours)

Action Contemplated

Councillor Eppley	Moved Adoption for first passage Or Ref. to the Comm. on Ordinances, Licenses & Legal Affairs co-posted With Comm. of the Whole	Voted
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FEBRUARY 16, 2017

MAYOR'S INFORMATIONAL PAGE

NONE

**FEBRUARY 16, 2017****MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor McCarthy

ORDINANCE: amending Traffic Ch. 42, Sec. 49, "Obedience to Isolated Stop Sign" Columbus Square, southerly bound traffic stop at Winter Island Road. "Stop Sign"

Action Contemplated

Councillor McCarthy                      Moved Adoption for first passage                      Voted

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Councillor Sargent

ORDINANCE: amending Traffic Ch. 42, Sec. 49, "Obedience to Isolated Stop Sign" Holyoke Square, southerly bound traffic stop at Gedney Street. "Stop Sign"

Action Contemplated

Councillor Sargent                      Moved Adoption for first passage                      Voted

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Councillor McCarthy

ORDER: That the City Solicitor, Director of Planning and Community Development and the Zoning Enforcement Officer shall review current issues related to the establishment of recreational Marijuana outlets in the City of Salem and shall provide information and/or recommended actions to the City Council.

Be it further Ordered, that this matter be referred to the Committee on Public Health, Safety and Environment to review and discuss the information and/or recommendations made by the City Solicitor, Director of Planning and Community Development and the Zoning Enforcement Officer and to forward to the full Council a final recommendation relative to this matter.

Action Contemplated

Councillor McCarthy                      Moved Adoption                      Voted

**FEBRUARY 16, 2017**

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor Lovely

ORDINANCE: amending Traffic, Ch. 42, Sec. 55B – Prohibited from parking – Residential districts or in front of residential housing or apartments or entrance corridor overlay districts – Commercial Vehicles. Commercial Vehicles Prohibited from parking in residential districts: exception, penalty.

(f) Commercial vehicles parked directly in front of legal “nonconforming” business, located in any “R” (residential) district within the City shall be exempted from the provisions of this Ordinance if the commercial vehicle is registered to that particular address of the legal “nonconforming” business.

Action Contemplated

Councillor Lovely

Moved Adoption for first passage

Voted



**FEBRUARY 16, 2017****COMMITTEE REPORTS**

Councillor Ryan offered the following report for the Committee on Ordinances, Licenses and Legal Affairs to whom was referred granting certain licenses has considered said matter and would recommend granting the following licenses

TAG DAYS: Nathaniel Bowditch School, Girl's & Boy's Basketball, 3/5/17  
 DAV #84, May 19, 21, 22, 2017 and November 23-25, 2017  
 VFW, May 26-29, 2017 & November 9-12, 2017  
 Salem VET Council, July 1-4. 2-17

Accept the Report Voted

Adopt the Recommendation Voted

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Councillor Ryan 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 to Amend an Ordinance relative to Solid Waste Management has considered said matter and would recommend (originally to remain in committee; next scheduled meeting action unknown meeting took place after agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

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Councillor Ryan offered the following report for the Committee on Ordinances, Licenses and Legal Affairs to whom was referred the matter of a Junk Dealer License Application submitted by Newark Recycled Fibers/North Shore Recycling has considered said matter and would recommend (action unknown meeting took place after agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

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**FEBRUARY 16, 2017****COMMITTEE REPORTS**

Councillor Ryan offered the following report for the Committee on Ordinances, Licenses and Legal Affairs to whom was referred the matter of a Junk Dealer License Application submitted by Excel has considered said matter and would recommend (action unknown meeting took place after agenda deadline)

Accept the Report	Voted
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Adopt the Recommendation	Voted
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Councillor Gerard offered the following report for the Committee on Administration & Finance co-posted with the Committee of the Whole to whom was referred the matter of an appropriation of \$250,000.00 from "Capital Outlay – Renovation & Repair" Account to be expended for design phase for the Essex Street Roadway Improvement Project by the Engineering Department has considered said matter and would recommend (action unknown meeting took place after agenda deadline)

Accept the Report	Voted
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Adopt the Recommendation	Voted
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**FEBRUARY 16, 2017**

**COMMUNICATIONS FROM CITY OFFICIALS**

City Solicitor submitting a Home Rule Petition for one additional liquor license for the sale of wine and malt beverages not to be drunk on the premises at Castle Hill Minimart located at 280 Jefferson Avenue in accordance with the recommendation by City Council's Order adopted January 26, 2017.

Action contemplated

Councillor Lovely

Moved Adoption

Voted

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**FEBRUARY 16, 2017****PETITIONS**

The Following License Applications:

PUBLIC GUIDES:	Giovanni Alabiso, 2 Buxton St., Peabody Robert Gautreau, 34 Pine St., Methuen Nicholas Pierce, 16 Garland St., Lynn Cynthia Haigh, 4 Brackett St., Milton PJ Maguire, 102 Shanley Dr. Attleboro Tammy Harrington, 21 Chase St., Beverly	
TAXI CABS:	Witch City Taxi, 32B Palmer St., Salem Salem Taxi Company, 30 Church St., Salem	(8 Cabs) (15 Cabs)
TAXI OPERATORS:	Alberto Guerrero, 10 First St., Salem Jose Munoz, 16 Cherry St., Salem Miguel Pimentel, 16 March St., Salem Alejandro Pena, 32 Washington St., Peabody Johnny Fabian, 52 Ward St., Salem Cristhian Tejada, 225 Chelsea St., Boston Cirilo Brache, 57 Harbor St., Salem Antonio Fernandez, 230 Jefferson Ave., Salem Jose Fabian, 32B Palmer St., Salem Ruddy DeJesus, 13 Center St., Peabody Domingo Piccirillo, 12 Pope St., Salem	

Action Contemplated

Councillor Ryan

Moved Granted

Voted

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**FEBRUARY 16, 2017****PETITIONS**

The Following License Applications:

TAXI OPERATORS: Edwin Gonzalez, 16 March St., Salem  
Leonardo Reyes, 20 Ropes St. Salem

Action Contemplated

Councillor Ryan	Moved Denied	Voted
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A hearing request from Edwin Gonzalez and Leonardo Reyes on the denial of their taxi operator license

Action Contemplated

Councillor Ryan	Moved Refer to Comm. on Ord., Lic. & Legal Affairs to hold an Executive Session	Voted
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The Following License Applications:

TAG DAYS: S.H.S. Boy's Lacrosse, 4/1/17, 4/29/17 & 5/7/17

Action Contemplated

Councillor Ryan	Refer to Comm. on Ord., Lic. & Legal Affairs	Voted
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**FEBRUARY 16, 2017****PETITIONS**

The Following Drainlayer/Contractor Operator Licenses:

P.A. Fiore Construction, 183 Hart St., Beverly

Action Contemplated

Councillor Ryan

Moved Granted

Voted

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The Following Claims:

Rey Maysonet, 3 Nursery St., Salem  
 Michael & Nancy LaPointe, 6 Woodside St., Salem  
 Raisha Price, 73 Harbor St., Salem

Action Contemplated

Councillor Ryan

Refer to Comm. on Ord., Lic. &  
 Legal Affairs

Voted

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The Following Bonds:

CONSTABLE: Sobeida Javier, 18 Wilmot St., Lawrence

SIGNS: Honey Dew Donuts, 99 Washington St., Salem  
 Smoking Bette BBQ, 94 Lafayette St., Salem

Action Contemplated

Councillor Ryan

Refer to Comm. on Ord., Lic. &  
 Legal Affairs & Returned Approved

Voted

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**FEBRUARY 16, 2017****UNFINISHED BUSINESS**

SECOND PASSAGE ORDINANCE: amending Traffic Ch. 42, Sec. 50B Handicap Parking Limited Time, Mason Street in front of #107, for a distance of twenty (20) feet, Handicap Parking Tow Zone.

Action Contemplated

Councillor Gerard

Moved Adoption for second & final passage

Voted

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SECOND PASSAGE ORDINANCE: amending Traffic Ch. 42, Sec. 50B Handicap Parking Limited Time, Repeal Langdon Street in front of #3, for a distance of twenty (20) feet, Handicap Parking Tow Zone. (5/28/2009)

Action Contemplated

Councillor Eppley

Moved Adoption for second & final passage

Voted

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On the motion of Councillor

the meeting adjourned at

P.M.