

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

*Cheryl A. LaPointe
City Clerk*



May 24, 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, May 26, 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

MAY 26, 2016

“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.**

A Regular Meeting of the City Council held in the Council Chamber on Thursday, May 12, 2016 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on May 24, 2016 at 11:26 A.M. This meeting is being taped and is live on S.A.T.V.

Absent were:

Council President Turiel presided.

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

VOTED

President Turiel 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**

MAY 26, 2016

HEARINGS

NONE

MAY 26, 2016

APPOINTMENTS AND REAPPOINTMENTS

Held from the last meeting, the Mayor's appt. of the following youths to serve as a members of the Salem Youth Commission and the following terms to expire on:

<u>Name</u>	<u>Term to expire on</u>
Nick Angeramo	May 12, 2019
Ruby Cheresnowsky	May 12, 2018
Jorge Gomez Frometa	May 12, 2018
Aiyana Lilly	May 12, 2019
Jared Lubas	May 12, 2018
Jacob McGrath	May 12, 2017
Ishmael Telemaco	May 12, 2017

Action Contemplated

Councillor	Moved Confirmation by RCV	Yeas	Nays	Abs
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Mayor's appt. of Felicia Pierce to serve as a member of the Salem Youth Commission with a term to expire on May 26, 2019

Councillor	Suspension of the Rules	Councillor	Objection
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Action Contemplated

Councillor Eppley	Held under the Rules
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Mayor's reappt. of David Martel and David Moisan to serve as members of the Commission on Disabilities with their terms to expire on June 1, 2019

Action Contemplated

Councillor Dibble	Moved Confirmation by RCV	Yeas	Nays	Abs
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MAY 26, 2016

APPOINTMENTS AND REAPPOINTMENTS

Mayor's reappt. of Paul Flores to serve as a member of the Licensing Board with a term to expire on June 1, 2022

Action Contemplated

Councillor Gerard	Moved Confirmation by RCV	Yeas	Nays	Abs
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Mayor's reappt. of Shirley Cervoni, Edward Curtin and Joseph Salerno to serve as members of the Scholarship & Education Committee with their terms to expire on June 1, 2019

Action Contemplated

Councillor Gerard	Moved Confirmation by RCV	Yeas	Nays	Abs
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Mayor's reappt. of Matthew Christensen to serve as a Constable with a term to expire on June 26, 2018

Action Contemplated

Councillor McCarthy	Moved Received & Filed		Voted
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MAY 26, 2016

COMMUNICATIONS FROM THE MAYOR

Mayor submitting proposed Fiscal Year 2017 Operating Budget for the City of Salem and Salem Public Schools in the amount of 150,952,820.00.

Action Contemplated

Councillor Eppley	Moved Refer to the Committee on Administration & Finance co-posted with Committee of the Whole	Voted
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BOND ORDER: Appropriation of \$18,120,000.00 for the Fiscal Year 2017 Water/Sewer Capital Improvement program

Councillor Eppley	Suspension of the Rules	Councillor	Objects
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Action Contemplated

Councillor Eppley	Moved Ref. to Committee on Administration and Finance co-posted with Committee of the Whole or Adopted for first passage	Voted
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MAY 26, 2016

COMMUNICATIONS FROM THE MAYOR

BOND ORDER: Appropriation of \$5,278,676.00 to pay costs of Capital Equipment items and list of Capital Improvement projects for Fiscal Year 2017.

(list of projects can be viewed during normal office hours in the City Clerk's Office)

Councillor Eppley	Suspension of the Rules	Councillor	Objects
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Action Contemplated

Councillor Eppley	Moved Ref. to Committee on Administration and Finance co-posted with Committee of the Whole or Adopted for first passage	Voted
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ORDER: Appropriation of \$100,000.00 from "Fund Balance – Free Cash" account to "Retirement Stabilization Fund – Vacation/Sick Leave Buyback" account for negotiated sick leave buybacks.

Councillor	Suspension of the Rules	Councillor	Objects
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Action Contemplated

Councillor Eppley	Moved Ref. to Committee on Administration and Finance or Adoption	Voted
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MAY 26, 2016

COMMUNICATIONS FROM THE MAYOR

ORDER: Appropriation of \$62,887.05 from “Retirement Stabilization Fund – Vacation/Sick Leave Buyback” account to be expended for Brian Harrington of the Fire Dept.

Councillor	Suspension of the Rules	Councillor	Objects
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Action Contemplated

Councillor Eppley	Moved Ref. to Committee on Administration and Finance or Adoption	Voted	
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ORDER: Accept Mass. General Law Ch. 44, Sec. 53E ½ to authorize the establishment of revolving funds for Fiscal Year 2017
(list of projects can be viewed during normal office hours in the City Clerk’s Office)

Action Contemplated

Councillor Eppley	Moved Ref. to Committee on Administration and Finance or Adoption	Voted	
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MAY 26, 2016

COMMUNICATIONS FROM THE MAYOR

ORDINANCE: amending Ch. 46, Sec. 66, Rates for Use of Water by deleting subparagraph (b) in its entirety and replace with the following:

(b) the rate for all water furnished by meter measurements effective July 1, 2016 shall be as follows:

(1) Residential, per 100 cubic feet \$2.98

(2) Nonresidential, per 100 cubic feet \$4.04

Action Contemplated

Councillor McCarthy

Moved Adopted for first passage
or refer to Committee on Ordinances,
Licenses and Legal Affairs

Voted

ORDINANCE: amending Ch. 46, Sec. 230 Sewer Use Charges by deleting subsection (c) in its entirety and replace with the following:

(c) the rates for sewer use charges effective July 1, 2016 shall be as follows:

Residential, per 100 cubic feet \$6.08

Nonresidential, per 100 cubic feet
Up to 25,000 cubic feet per month \$9.21

Nonresidential, per 100 cubic feet
For 25,000 cubic feet and greater
Per month \$11.79

Action Contemplated

Councillor Eppley

Moved Adopted for first passage
or refer to Committee on Ordinances,
Licenses and Legal Affairs

Voted

MAY 26, 2016

COMMUNICATIONS FROM THE MAYOR

ORDER: to reserve a total of 50 parking spaces designated as "reserved" in the two parking garages for an annual rate of \$1,500.00

Action Contemplated

Councillor Eppley	Moved Adoption Or Refer to Committee on Administration And Finance	Voted
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ORDER: to grant three School Dept. employees exemption from M.G.L. Ch. 268A, Sec. 20, so that they can accept part-time positions with the Park, Recreation & Community Service Dept.

Gavin Softie	Teacher	Summer Baseball Clinic Instructor
Thomas Doyle	Teacher	Basketball League Director
Andrew Fritz	Phys. Ed. Teacher	Tennis Instructor

Action Contemplated

Councillor McCarthy	Moved Adoption Or Refer to the Committee on Government Services	Voted
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MAY 26, 2016

MAYOR'S INFORMATIONAL PAGE

NONE

MAY 26, 2016

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor McCarthy

ORDINANCE: to amend an Ordinance relative to Traffic Chapter 42, Section 50B, "Handicap Parking, Limited Time" Repeal Dow Street across from #40 Dow Street on the odd side of the street, starting at a point twenty (20) feet east of Park Street and continuing east for twenty (20) feet. (6/13/2013)

Action Contemplated

Councillor McCarthy

Moved Adoption for First Passage

Voted

Councillor McCarthy

ORDINANCE: to amend an Ordinance relative to Chapter 42 Sec. 50B, "Handicap Parking, Limited Time" Congress Street, in front of #79 Congress Street for a distance of twenty (20) feet.

Action Contemplated

Councillor McCarthy

Moved Adoption for First Passage
Or Refer to Comm. On Ord., Lic. &
Legal Affairs

Voted

Councillor Eppley

ORDER: that the Monthly Financial Report dated April 30, 2016, be referred to the Committee on Administration and Finance

Action Contemplated

Councillor Eppley

Moved Adoption

Voted

MAY 26, 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

TAG DAYS: Salem Firefighters, 6/6/16, 8/5/16 & 10/14/16
SHS Girls Soccer, 9/17/16 & 10/22/16

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 an Ordinance relative to Ch. 12 Building, Electricity and Plumbing Regulations (Telecommunications Ordinance) has considered said matter and would recommend the following (action unknown meeting took place after agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Eppley offered the following report for the Committee on Administration and Finance to whom was referred the matter of a Revolving Account for Telecommunications per MGL Ch. 44 Sec. 53E ½ has considered said matter and would recommend the following (action unknown meeting took place after agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

MAY 26, 2016**COMMUNICATIONS FROM CITY OFFICIALS**

Communication from Jane Guy, Assistant Community Development Director submitting an Order for an appropriation within the CPA Funds for FY 2017 projects.

ORDERED: That Eight Hundred and Twelve Thousand Seven Hundred and Ninety Dollars (\$812,790.00) is hereby appropriated within the CPA Funds for the FY 2017 projects listed below.

FY	Fund	Fund Name	Description	Amount
2017	2004	Community Housing	Boston St. Crossing	59,500.00
2017	2003	Historical Resource	Preserving Emmerton House	50,650.00
2017	2001	CPA General Funds	Proctor's Ledge	179,140.00
2017	2001	CPA General Funds	Forest River Park Bathrooms	30,631.52
2017	2002	Open Space	" " " "	54,368.48
2017	2001	CPA General Funds	Ryan Brennan Memorial Skate Park Reno.	19,868.48
2017	2002	Open Space	" " " "	5,131.52
2017	2001	CPA General Funds	Forest River Pool Conditions	20,000.00
2017	2001	CPA General Funds	Fort Pickering Reno. Phase 2	61,150.00
2017	2003	Historical Resources	" " " "	8,850.00
2017	2001	CPA General Funds	Salem Willows Pavilion Presv.	15,000.00
2017	2001	CPA General Funds	Mack Park Bathrooms	50,000.00
2017	2001	CPA General Funds	BACS Playground	73,500.00
2017	2001	CPA General Funds	Library Window Frames & Sills	102,000.00
2017	2001	CPA General Funds	Collins Cove Playground Reno.	83,000.00
TOTAL				812,790.00

MAY 26, 2016

PETITIONS

Request from the residents of Bay View and Beach Ave to hold a Block Party on June 5, 2016 from 12:00 P.M. to 5:00 P.M.

Action Contemplated

Councillor McCarthy

Moved Granted

Voted

Request from the residents of Federal/Beckford Streets to hold a Block Party (at the square at this intersection) on June 12, 2016 from 6:00 P.M. to 8:00 P.M. with a rain date of June 19, 2016

Action Contemplated

Councillor Famico

Moved Granted

Voted

Request from the residents of Hemenway Road (Osgood Park) to hold a Block Party on July 4, 2016 from 9:00 A.M. to 5:00 P.M. with a rain date of July 9, 2016

Action Contemplated

Councillor Turiel

Moved Granted

Voted

The Following License Applications:

PUBLIC GUIDES: Karen Scalia, 29RR Upham St., Salem
 Ryan Boettcher, 8 Gifford Ct., Salem
 Brian Keady, 34 Clement Ave., Peabody
 Kristin Mackenzie, 4 First St., Salem
 Robert Lease, 56 River St., Beverly
 Scott Harris, 181 Federal St., Salem
 Chelsea Borden, 7 Berube Rd., Salem

Action Contemplated

Councillor McCarthy

Moved Granted

Voted

MAY 26, 2016**PETITIONS**

The Following License Applications:

SEAWORM: Edward Young, 9 Linda Ln., Nahant

TAG DAYS: SHS Girls Basketball, 1/21/17, 1/28/17, 2/11/17

Action Contemplated

Councillor McCarthy	Moved Referred to Comm. on Ordinances Licenses & Legal Affairs	Voted
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The Following Claims:

Joan Silbergleit, 6 Bayview Rd., Marblehead
 Theresa Prescott, 9 Garden Ter., Salem
 Son Quang Le, 7 Boston St., Salem

Action Contemplated

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

White Mountain Construction, 37 Ayer Rd., Littleton

Action Contemplated

Councillor McCarthy	Moved Granted Pending Payment	Voted
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MAY 26, 2016

PETITIONS

The Following Bonds:

Constable: Debra Ruehrwein, 32 Pine Street, Wakefield

Drainlayer: White Mountain Cable Construction, 37 Ayer Rd., Littleton

Action Contemplated

Councillor McCarthy

Moved Referred to Comm. on Ord., Licenses &
Legal Affairs and returned approved

Voted

MAY 26, 2016

UNFINISHED BUSINESS

SECOND PASSAGE of an ORDINANCE to amend an Ordinance relative to Traffic and Parking by creating and Parking and Traffic Commission, Replacing the term "Parking Department" with the term "Traffic and Parking Department" and the Appointment Term, Title and Responsibilities of the Traffic and Parking Executive Director

Action Contemplated

Councillor McCarthy Moved adoption for second and final passage Voted

SECOND PASSAGE of an ORDINANCE to amend an Ordinance relative to Chapter 42, Sec. 17A – Fines - Handicap Parking by deleting the \$100.00 fine for parking in an area designated for handicapped parking and replacing it with a fine of \$300.00 for parking in an area designated for handicap parking

Action Contemplated

Councillor McCarthy Moved adoption for second and final passage Voted

SECOND PASSAGE of an ORDINANCE to amend an Ordinance relative to Traffic Chapter 42, Section 50B, "Handicap Parking Zone, Limited Time" – Repeal North Street, #117, for a distance of twenty (20) feet, No Parking Tow Zone, Handicap Parking Only

Action Contemplated

Councillor Gerard Moved adoption for second and final passage Voted

MAY 26, 2016

UNFINISHED BUSINESS

SECOND PASSAGE of an ORDINANCE to amend an Ordinance relative to Chapter 42,
Sec. 11 - Tour Bus Parking and Sec. 56 - Parking Meters

Action Contemplated

Councillor Famico

Moved adoption for second and final passage

Voted

On the motion of Councillor

the meeting adjourned at

P.M.