

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

*Cheryl A. LaPointe  
City Clerk*



April 12, 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 14, 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 14, 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@salem.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.

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**

**APRIL 14, 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 14, 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 14, 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 14, 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 14, 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 14, 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 14, 2016**

**APPOINTMENTS AND REAPPOINTMENTS**

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 (correction from last meeting)

Action Contemplated

Councillor Famcio	Moved Confirmation by RCV	Yeas	Nays	Absent
-------------------	---------------------------	------	------	--------

---

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

Councillor	Suspension of the Rules	Councillor	Objection
------------	-------------------------	------------	-----------

Action Contemplated

Councillor Turiel	Held under the rules	Voted
-------------------	----------------------	-------

---

Mayor's appt. of Denise Balfe to serve as a member of the Beautification Committee with a term to expire on April 14, 2019

Councillor	Suspension of the Rules	Councillor	Objection
------------	-------------------------	------------	-----------

Action Contemplated

Councillor Gerard	Held under the rules	Voted
-------------------	----------------------	-------

---

**APRIL 14, 2016**

**APPOINTMENTS AND REAPPOINTMENTS**

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

Councillor	Suspension of the Rules	Councillor	Objection
------------	-------------------------	------------	-----------

Action Contemplated

Councillor Famico	Held under the rules	Voted
-------------------	----------------------	-------

---

Mayor's reappt. of Lynda Coffill to serve as a member of the Council on Aging Board with a term to expire on April 25, 2019

Action Contemplated

Councillor Eppley	Moved Confirmation by RCV	Yeas	Nays	Absent
-------------------	---------------------------	------	------	--------

---

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

Action Contemplated

Councillor McCarthy	Moved Confirmation by RCV	Yeas	Nays	Absent
---------------------	---------------------------	------	------	--------

---

**APRIL 14, 2016**

**APPOINTMENTS AND REAPPOINTMENTS**

Mayor's reappt. of Jeff Cohen to serve as a member of the Renewable Energy Task Force with a term to expire on April 14, 2019

Action Contemplated

Councillor Turiel	Moved Confirmation by RCV	Yeas	Nays	Absent
-------------------	---------------------------	------	------	--------

---

Mayor's reappt. of Maxwell James Bressi to serve as a Constable with a term to expire on March 22, 2019

Action Contemplated

Councillor McCarthy	Received & Placed on File	Voted
---------------------	---------------------------	-------

---

Mayor's reappt. of Debra Ruehrwein to serve as a Constable with a term to expire on April 3, 2019

Action Contemplated

Councillor McCarthy	Received & Placed on File	Voted
---------------------	---------------------------	-------

---

Mayor's reappt. of Darryl C. Hines to serve as a Constable with a term to expire on March 26, 2019

Action Contemplated

Councillor McCarthy	Received & Placed on File	Voted
---------------------	---------------------------	-------

---

APRIL 14, 2016

APPOINTMENTS AND REAPPOINTMENTS

Mayor's reappt. of Richard A. Heath to serve as a Constable with a term to expire on January 26, 2018

Action Contemplated

Councillor McCarthy

Received & Placed on File

Voted

---

**APRIL 14, 2016**

**COMMUNICATIONS FROM THE MAYOR**

ORDER: Appropriation of \$300,000.00 from "Fund Balance – Free Cash" account to "HR – Collective Bargaining Reserve" account

Councillor Eppley	Suspension of the Rule	Councillor	Objection
-------------------	------------------------	------------	-----------

Action Contemplated

Councillor Eppley	Moved Ref. to Committee on Administration and Finance or Adoption	Voted
-------------------	---	-------

---

ORDER: Transfer of \$6,600.00 from "Receipts Reserved – Golf Course" to "Golf Course – Seasonable Labor" account

Action Contemplated

Councillor Eppley	Moved Ref. to Committee on Administration and Finance or Adoption	Voted
-------------------	---	-------

---

ORDER: The following transfers for a total of \$6,500.00 as listed below:

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

Action Contemplated

Councillor Eppley	Moved Ref. to Committee on Administration and Finance or Adoption	Voted
-------------------	---	-------

---

**APRIL 14, 2016**

**COMMUNICATIONS FROM THE MAYOR**

ORDER: Transfer of \$6,000.00 from "Capital Outlay – Renovations & Repairs" account to be expended for repair of the filter at the Forest River Pool.

Action Contemplated

Councillor Eppley	Moved Ref. to Committee on Administration and Finance or Adoption	Voted
-------------------	---	-------

---

ORDER: to authorize the submission of the Application for Federal Assistance to the Department of Housing & Urban Development (HUD) for Community Development Block Grant (CDBG) funds.

Action Contemplated

Councillor Famico	Moved Adoption	Voted
-------------------	----------------	-------

---

ORDER: to accept a donation of \$1,425.00 from the Christopher Columbus Golf League for improvements to the Golf Course.

Councillor Eppley	Moved Adopted	Voted
-------------------	---------------	-------

---

ORDER: to accept a donation \$1,300.00 from Milissa Solemina to purchase picnic tables and benches.

Councillor Eppley	Moved Adoption	Voted
-------------------	----------------	-------

**APRIL 14, 2016**

**COMMUNICATIONS FROM THE MAYOR**

ORDER: authorize Mayor to convey a perpetual historic preservation restriction encumbering the Dickson Memorial Chapel for Mass. Preservation Project Fund grant application for improvements to the structure.

Councillor Gerard

Moved Adoption

Voted

ORDINANCE: to amend an Ordinance relative to Chapter 12, Building, Electricity and Plumbing Regulations, Article III Electricity by adding a new section for Tele-Communications attachments to poles.

Councillor McCarthy

Moved adoption for first passage  
Or Ref. to Committee on Ordinances,  
Licenses & Legal Affairs

Voted

ORDER: 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.

Councillor Eppley

Moved adoption  
Or Ref. to Committee on  
Administration & Finance

Voted

APRIL 14, 2016

MAYOR'S INFORMATIONAL PAGE

NONE



**APRIL 14, 2016**

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor Dibble

ORDER: 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

Action Contemplated

Councillor Dibble

Moved Adoption

Voted

---

Councillor Eppley

ORDER: 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 the Commission on Disabilities.

Action Contemplated

Councillor Eppley

Moved

Voted

---

**APRIL 14, 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

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

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 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 (action unknown meeting took place after Agenda deadline)

Accept the Report                      Voted

Adopt the Recommendation                      Voted

**APRIL 14, 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 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

Accept the Report Voted

Adopt the Recommendation Voted

---

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 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

Accept the Report Voted

Adopt the Recommendation Voted

---

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 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

Accept the Report Voted

Adopt the Recommendation Voted

---

**APRIL 14, 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 Resolution Calling for Full Funding of the Foundation Budget Review Commission's Recommendations has considered said matter and would recommend (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 co-posted with the 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 (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 communication from the Park and Recreation Commission to increase meter rates at the Salem Willows has considered said matter and would recommend (action unknown meeting took place after Agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

---

**APRIL 14, 2016**

**COMMITTEE REPORTS**

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 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

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 the parking issues on Howard St. has considered said matter and would recommend that the matter remain in Committee

Accept the Report	Voted
Adopt the Recommendation	Voted

---

APRIL 14, 2016

COMMUNICATIONS FROM CITY OFFICIALS

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:

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.

Action contemplated

Councillor Eppley

Moved that the letter be received and filed  
And the two new veteran squares be adopted

Or

Refer to the Committee on Government Services  
Co-posted with the Committee of the Whole

Voted



**APRIL 14, 2016**

**PETITIONS**

Petition from National Grid to install conduits and manholes on Washington St. at Dodge St.

HEARING ORDERD APRIL 28, 2016

---

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

Action Contemplated

Councillor Famico

Moved Granted

Voted

---

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

Action Contemplated

Councillor McCarthy

Moved Granted

Voted

---

**APRIL 14, 2016**

**PETITIONS**

Request from Boys and Girls Club to hold a road race (Turkey Race) and use of city streets on November 24, 2016

Action Contemplated

Councillor Famico

Moved Granted

Voted

---

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

Action Contemplated

Councillor McCarthy

Moved Granted

Voted

---

Petition from Russell Grand to meet with the City Council to discuss an issue with respect to Mayoral Statement and Attitude on Illegal Immigration

Action Contemplated

Councillor Dibble

Moved Refer to Government Services

Voted

---



**APRIL 14, 2016**

**PETITIONS**

the Following License Applications:

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

Action Contemplated

Councillor McCarthy	Moved Granted	Voted
---------------------	---------------	-------

The Following License Applications:

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
----------	--

Action Contemplated

Councillor McCarthy	Moved Referred to Comm. on Ordinances Licenses & Legal Affairs	Voted
---------------------	---	-------

**APRIL 14, 2016**

**PETITIONS**

The Following Drainlayer/Contract Operator License:

EKB Equipment, 9 Forest Lane, Manchester

Action Contemplated

Councillor McCarthy	Moved Granted	Voted
---------------------	---------------	-------

---

The Following Claim:

Derek Sprei, 3 Puritan Rd., Salem

Action Contemplated

Councillor McCarthy	Moved Referred to Comm. on Ordinances Licenses & Legal Affairs	Voted
---------------------	---	-------

---

The Following Bonds:

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

DRAINLAYER:	EKB Equipment, 9 Forest Lane, Manchester
-------------	--

Action Contemplated

Councillor McCarthy	Moved Referred to Comm. on Ord., Licenses & Legal Affairs & Returned Approved	Voted
---------------------	--	-------

---

**APRIL 14, 2016**

**UNFINISHED BUSINESS**

SECOND PASSAGE of an Ordinance amending an Ordinance relative to Solid Waste Management Chapter 36 - Ch. 36 Sec. 6 – Collection Fee for certain residences

Action Contemplated

Councillor McCarthy                      Moved adoption for second and final passage                      Voted

---

SECOND PASSAGE: An Ordinance amending an Ordinance relative to Water and Sewers, Chapter 46-36 due date and payment of bills.

Action Contemplated

Councillor McCarthy                      Moved adoption for second and final passage                      Voted

---

SECOND PASSAGE: Ordinance amending Traffic, Ch. 42, Sec. 57A, "Parking Time Limited, Unmetered Zones" **Repeal** Lafayette Street, westerly side beginning 15 feet from Loring Ave.

Action Contemplated

Councillor Dibble                      Moved Adoption for second and final passage                      Voted

---

SECOND PASSAGE: 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.**

Action Contemplated

Councillor Turiel                      Moved Adoption for second and final passage                      Voted

---

**APRIL 14, 2016**

**UNFINISHED BUSINESS**

SECOND PASSAGE: Ordinance amending Traffic, Ch. 42, Sec. 49, "Obedience to Isolated Stop Signs" Front Street, easterly traffic stop at Lafayette Street.

Action Contemplated

Councillor McCarthy

Moved Adoption for second and final passage

Voted

---

On the motion of Councillor

the meeting adjourned at

P.M.