

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

*Cheryl A. LaPointe  
City Clerk*



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March 7, 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, March 9, 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

**MARCH 9, 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.**

A Regular Meeting of the City Council held in the Council Chamber on Thursday, March 9, 2017 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on March 7, 2017 at 12:07 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**

**MARCH 9, 2017**

**HEARINGS**

ORDERED: Verizon to install a conduit from Derby St. to a property located at 24 Fort Ave

IN FAVOR:

OPPOSED:

Councillor McCarthy

Moved that the Hearing be Closed

Voted

Counillor McCarthy

Moved

Voted

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**MARCH 9, 2017**

**APPOINTMENTS AND REAPPOINTMENTS**

Mayor's reappt. of James Danworth to serve as a Constable with a term to expire on February 1, 2020

Action Contemplated

Councillor Ryan

Moved Received & Filed

Voted

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MARCH 9, 2017

COMMUNICATIONS FROM THE MAYOR

Appropriation of \$770,000.00 from "Capital Outlay Renovation and Repair" account to be expended for the repairs of the Museum Place Garage stairwells by the Traffic and Parking Department.

Councillor suspension of the rules Councillor object

Action Contemplated

Councillor Gerard Moved Adoption Or Voted  
Ref. to Comm. on Administration & Finance

Appropriation of \$44,726.55 from "Retirement Stabilization Fund – Vacation/Sick Leave Buyback: account for the contractual buyback for Robert Griffith of the Fire Department.

Councillor suspension of the rules Councillor object

Action Contemplated

Councillor Gerard Moved Adoption Or Voted  
Ref. to Comm. on Administration & Finance

Appropriation of \$40,000.00 from "Fund Balance – Free Cash" account to "Fire Dept. – Medical".

Councillor suspension of the rules Councillor object

Action Contemplated

Councillor Gerard Moved Adoption Or Voted  
Ref. to Comm. on Administration & Finance

**MARCH 9, 2017**

**COMMUNICATIONS FROM THE MAYOR**

Appropriation of \$35,000.00 from "Capital Outlay – Renovation & Repairs" account to be expended for repairs of pipes and valves in the pump house at the Olde Salem Green.

|            |                         |            |        |
|------------|-------------------------|------------|--------|
| Councillor | suspension of the rules | Councillor | object |
|------------|-------------------------|------------|--------|

Action Contemplated

|                   |   |       |
|-------------------|---|-------|
| Councillor Gerard | Moved Adoption<br>Or<br>Ref. to Comm. on Administration & Finance | Voted |
|-------------------|---|-------|

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Appropriation of \$13,255.75 from "Capital Outlay – Equipment" account to be expended for audio/visual equipment for CID interviews by the Police Department.

|            |                         |            |        |
|------------|-------------------------|------------|--------|
| Councillor | suspension of the rules | Councillor | object |
|------------|-------------------------|------------|--------|

Action Contemplated

|                   |   |       |
|-------------------|---|-------|
| Councillor Gerard | Moved Adoption<br>Or<br>Ref. to Comm. on Administration & Finance | Voted |
|-------------------|---|-------|

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Appropriation of \$150.71 in accordance with Chapter 44, Section 64 of Mass. General Law for outstanding FY2016 Police Department invoices to be paid from FY2017 Police budget to North Shore Medical Center

|            |                         |            |        |
|------------|-------------------------|------------|--------|
| Councillor | suspension of the rules | Councillor | object |
|------------|-------------------------|------------|--------|

Action Contemplated

|                   |   |      |      |        |
|-------------------|---|------|------|--------|
| Councillor Gerard | Moved Adoption by roll call vote<br>(requires 2/3 vote) Or<br>Ref. to Comm. on Administration & Finance | Yeas | Nays | Absent |
|-------------------|---|------|------|--------|

**MARCH 9, 2017**

**COMMUNICATIONS FROM THE MAYOR**

ORDER: Accept donation of \$1,050.00 from Notch Brewery for Donation-No Place for Hate Fund

Action Contemplated

Councillor Gerard                      Moved Adoption                      Voted

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ORDER: Accept donation of \$1,000.00 from Kevin Miller-CCB Union for Veterans Donation Fund

Action Contemplated

Councillor Gerard                      Moved Adoption                      Voted

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**MARCH 9, 2017**

**MAYOR'S INFORMATIONAL PAGE**

Communication from the Mayor informing the City Council of recently receiving \$1.1 Million in debt savings due to bond refinancing.

Councillor Gerard

Moved receive & file

Voted

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**MARCH 9, 2017**

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor Gerard

ORDINANCE: amending Traffic Ch. 42, Sec. 50B, "Handicap Parking – Limited Time" Tremont Street in front of #74, for a distance of 20 feet.

Action Contemplated

Councillor Gerard                      Moved Adoption for first passage    Voted

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Councillor Gerard

Order: That the Monthly Financial Report dated January 31, 2017, be referred to the Committee on Administration and Finance.

Action Contemplated

Councillor Gerard                      Moved Adopted    Voted

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Councillor Ryan

RESOLUTION:

**Whereas** on February the twenty seventh, in the year two thousand and fourteen, the Salem City Council adopted a non-discrimination policy that states "no individual should be denied equal treatment or opportunity as a result of his or her age, ancestry, color, disability, family status, gender identity or expression, military status, marital status, national origin, race, religion, sex or sexual orientation."

**Whereas** the U.S. Congress, up until now, has failed to pass immigration reform in direct response the issue of unauthorized immigrants.

**Whereas** the Salem City Council recognizes immigration reform is a federal matter, which can only be resolved by Congressional action, the Salem City Council also recognizes its obligation to serve and support ALL residents of Salem.

Be it now resolved that the Salem City Council urges our congressional delegation make every effort to reach across the aisle in Washington to achieve Federal Comprehensive Immigration Reform, that at a minimum:

**MARCH 9, 2017**

**MOTIONS, ORDERS, AND RESOLUTIONS**

1. Creates a short, accessible and workable road map to legal residency for undocumented individuals living in the United States without obstacles that fall disproportionately on women, LGBTQ and Transgender people, people with disabilities, children, youth, low wage workers and low income families; and
2. Provide a pathway of citizenship for undocumented students who came to this country as children; and
3. Streamline high-tech visas that support the economy; and
4. Create programs, or expansion of existing programs, that provide alternatives to detention as a more balance way to ensure compliance with immigration laws; and
5. Keeps our country safe while reflecting the values on which our nation was founded
6. Protects the safety of its citizens while remaining as a refuge for those who are persecuted and seeking a better life through legal immigration

Action Contemplated

Councillor

Moved Adopted

Voted

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Councillor Eppley

ORDERED: That the enclosed letter from the Lorax Task Force with their FY2018 Budget recommendations, be received and placed on file.

Action Contemplated

Councillor Eppley

Moved

Voted

**MARCH 9, 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: SHS Girls Soccer, 9/23/17 & 10/14/17

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 to whom was referred the matter of two taxi operator hearings for Leonardo Reyes and Edwin Gonzalez has considered said matter and would recommend that Leonardo Reyes's license be granted and that Edwin Gonzalez's license be granted contingent upon documents submitted to Officer Page.

Accept the Report Voted

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 adopting a resolution and authorizing a tax increment financing (TIF) Agreement to Naumkeag, LLC for property located at 131-135 Boston Street to build out property to lease to A&J King Artisan Bakers of Salem 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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**MARCH 9, 2017**

**COMMITTEE REPORTS**

Councillor Sargent 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 reappointment of David Hart to the Salem Historical Commission 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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Councillor Famico 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 request from Iberdrola to conduct maintenance and safety work on Sundays (not construction) and to work a full second shift to end by midnight on weekdays and Saturdays 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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Councillor Famico 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 Home Rule Petition to reduce the city-wide speed limit to 25mph 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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MARCH 9, 2017

COMMUNICATIONS FROM CITY OFFICIALS

NONE

**MARCH 9, 2017****PETITIONS**

Petition from Comcast to install a conduit on Traders Way for building located at 29 Traders Way  
(Please retain large maps for the hearing on March 23<sup>rd</sup>)

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HEARING ORDERED MARCH 23, 2017

A request for a special variance by National Grid to perform work on Sunday, June 4, 2017 from 7:00 AM to 5:00 PM, per City Ordinance Chapter 22, Nosie Ordinance, Sec. 2 (5) (c). The Director of Inspectional Services has granted a special work variance permit, per Ordinance Ch. 22 Sec. 5 (a) to conduct work from Monday-Saturdays from 7:00 AM to 8:00 PM for the dates of Tuesday, May 30, 2017 to Tuesday, June 6, 2017, excluding Sunday June 4<sup>th</sup> until approval by the City Council. The work is to replace the existing transmission structure and load break switch on its property located at the end of March St. Ct.

Action Contemplated

Councillor Famico

Moved

Voted

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Request from new owners of Sammy's Roast Beef, located at 17 Canal St., to keep the extended hours granted by City Council in 2006. Current hours Sunday, 11:00 A.M. to 10:00 P.M., Monday - Wednesday, 11:00 A.M to 11:00 P.M. and Thursday - Saturday, 11:00 A.M. to 2:00 P.M. The Thursday-Saturdays were permanently granted in 2007.

Action Contemplated

Councillor Turiel

Moved Granted

Voted

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**MARCH 9, 2017****PETITIONS**

Request from HAWC to hold a walk and use of city streets on April 30, 2017

Action Contemplated

Councillor Famico

Moved Granted

Voted

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Request from Salem YMCA to hold the Witch City Triathlon and use of city streets on 8/12/2017

Action Contemplated

Councillor Turiel

Moved Granted

Voted

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The Following License Applications:

|                 |  |           |
|-----------------|--|-----------|
| LIMOUSINE:      | Salem Taxi, 30 Church St., Salem   | (1 Limo)  |
| PUBLIC GUIDES:  | Alicia Diozzi, 40 English St., Salem<br>Courtney Reardon, 617A Westchester Rd., Colchester, CT<br>Courtney Buckley, 17B Woodward Ave., Lowell<br>Kevin Wynott, 64 Veterans Memorial Dr., Peabody<br>Cynthia Shapiro, 24 Glendale St., Salem<br>Kristin MacKenzie, 4 First St., Salem<br>Brian McCarron, 14 Lyman St., Beverly<br>Mike Vitka, 384 Essex St., Salem<br>John Eddy, 1462 Andover St., Tewksbury<br>Brian Keady, 34 Clement Ave., Peabody |           |
| TAXI CAB:       | Sunshine Care Service, 153 Newbury St., Peabody  | (5 Taxis) |
| TAXI OPERATORS: | Manuel Peralta, 8 Ropes St., Salem<br>Jesus Rosario, 38 Summit Ave., Salem<br>Rudy Rosario, 14 Mason St., Salem<br>Marcos Rosario, 12 Mason St., Salem   |           |

Action Contemplated

Councillor Ryan

Moved Granted

Voted

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**MARCH 9, 2017**

**UNFINISHED BUSINESS**

SECOND PASSAGE Ordinance Traffic, Ch. 42, Sec. 49, Obedience to Isolated Stop Sign, Columbus Avenue.

Councillor McCarthy                      Moved second and final passage                      Voted

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SECOND PASSAGE Ordinance Traffic, Ch. 42, Sec. 49, Obedience to Isolated Stop Sign, Holyoke Square.

Councillor Famico/Sargent                      Moved second and final passage                      Voted

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SECOND PASSAGE Ordinance Traffic, Ch. 42, Sect. 55B, Prohibited from Parking – Residential Districts

Councillor Lovely                      Moved second and final passage                      Voted

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SECOND PASSAGE Ordinance Traffic, Ch. 42 Sec. 50B, Handicap Parking Limited Time, Appleton Street

Councillor Gerard                      Moved second and final passage                      Voted

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On the motion of Councillor                      the meeting adjourned at                      P.M.