

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

*Cheryl A. LaPointe  
City Clerk*



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November 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, November 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

**NOVEMBER 16, 2017**

**REGULAR MEETING**

**“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](mailto:clapointe@salem.com).**

A Regular Meeting of the City Council held in the Council Chamber on Thursday, November 16, 2017 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on November 14, 2017 at 11:49 A.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**

NOVEMBER 16, 2017

REGULAR MEETING

HEARINGS

NONE

**NOVEMBER 16, 2017**

**REGULAR MEETING**

**APPOINTMENTS AND REAPPOINTMENTS**

Mayor's appointment of Robin Seidel to serve as a member of the Traffic and Parking Commission with the term to expire on September 29, 2018

Councillor                      Suspension                      Councillor                      Objection

Action Contemplated

Councillor Famico                      Held under the Rules

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Mayor's appointment of Gordon Dearborn Wilkins to serve as a member of the Cemetery Commission with the term to expire on February 1, 2019

Councillor                      Suspension                      Councillor                      Objection

Action Contemplated

Councillor McCarthy                      Held under the Rules

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Mayor's appointment of George Barbuzzi to serve as a member of the Council on Aging with the term to expire on March 1, 2018

Councillor                      Suspension                      Councillor                      Objection

Action Contemplated

Councillor Dibble                      Held under the Rules

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**NOVEMBER 16, 2017**

**REGULAR MEETING**

**COMMUNICATIONS FROM THE MAYOR**

ORDER: to amend a Bond Order that was adopted June 22, 2017, for FY 2018 CIP – Funded Bond Authorization for various Capital Improvement projects that were inadvertently omitted.

Councillor                    suspension of the rules                    Councillor                    object

Action Contemplated

|                   |   |      |      |        |
|-------------------|---|------|------|--------|
| Councillor Gerard | Moved Adoption for first passage<br>By Roll Call Vote | YEAS | NAYS | ABSENT |
|-------------------|---|------|------|--------|

ORDER: Appropriation of \$2,215,321.65 from the “Special Revenue – General Fund Free Cash” account to the following Special Revenue accounts:

|                                      |            |
|--------------------------------------|------------|
| Stabilization Fund                   | 984,587.40 |
| Capital Improvement Fund             | 984,587.40 |
| Other Post Employ Benefits<br>(OPEB) | 246,146.85 |

Councillor                    suspension of the rules                    Councillor                    object

Action Contemplated

|                   |                |       |
|-------------------|----------------|-------|
| Councillor Gerard | Moved Adoption | Voted |
|-------------------|----------------|-------|

ORDER: Appropriation of \$265,000.00 from “Capital Outlay – Equipment” account to be expended for the purchase of office equipment by Public Property/Building Department.

Councillor                    suspension of the rules                    Councillor                    object

Action Contemplated

|                   |                |       |
|-------------------|----------------|-------|
| Councillor Gerard | Moved Adoption | Voted |
|-------------------|----------------|-------|

**NOVEMBER 16, 2017**

**REGULAR MEETING**

**COMMUNICATIONS FROM THE MAYOR**

ORDER: Appropriation of \$93,000.00 from "Capital Outlay – Equipment" account to be expended for the purchase of Audio/Visual and IT equipment by the IT Department

Councillor                      suspension of the rules                      Councillor                      object

Action Contemplated

Councillor Gerard                      Moved Adoption                      Voted

ORDER: Appropriation of \$20,000.00 from "Fund Balance – Free Cash" account to "Council on Aging – Printing & Binding" account

Councillor                      suspension of the rules                      Councillor                      object

Action Contemplated

Councillor Gerard                      Moved Adoption                      Voted

ORDER: Appropriation of \$14,850.00 from "Capital Outlay – Renovation & Repairs" account to be expended for the renovation of Lafayette Park by the Planning Department

Councillor                      suspension of the rules                      Councillor                      object

Action Contemplated

Councillor Gerard                      Moved Adoption                      Voted

**NOVEMBER 16, 2017**

**REGULAR MEETING**

**COMMUNICATIONS FROM THE MAYOR**

ORDER: That the sum of \$2,187.80 in the "Retirement Stabilization Fund – Vacation/Sick Leave Buyback" account to be expended for FY2018 contractual buyback for the retirement of Josephine Hardy of the School Department.

Councillor                      suspension of the rules                      Councillor                      object

Action Contemplated

Councillor Gerard                      Moved Adoption                      Voted

ORDER: Appropriation of \$2,000.00 from "Fund Balance – Free Cash" account to the "Board of Health – Overtime" account

Councillor                      suspension of the rules                      Councillor                      object

Action Contemplated

Councillor Gerard                      Moved Adoption                      Voted

ORDER: That the City of Salem adopt a revolving fund in accordance with Mass. General Law Ch. 44, Section 53E ½, for Proctor's Ledge

Action Contemplated

Councillor Gerard                      Moved Adoption                      Voted

**NOVEMBER 16, 2017**

**REGULAR MEETING**

**COMMUNICATIONS FROM THE MAYOR**

ORDER: Accept donation in the amount of \$14,498.00 from the Salem Moose Lodge No. 281 and Rosemary O'Connor to the Police Department – K9 Donation Fund.

Action contemplated

Councillor Gerard

Moved Adoption

Voted

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ORDER: Authorize Free Parking in the municipal garages, lots & meters on November 24 & 25<sup>th</sup>, 2017 in support of Small Business Saturday.

Action contemplated

Councillor Gerard

Moved Adoption

Voted

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ORDER: The Collector will waive late fees from Dec. 1<sup>st</sup> through Dec. 21, 2017 (Peas for Fees) For payments of unpaid parking fines and a donation of 2 non-perishable items or canned goods that will be donated to a local food pantry.

Action contemplated

Councillor Gerard

Moved Adoption

Voted

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ORDER: Police Chief submitting request to install and monitor video surveillance cameras in four locations: Mary Jane Lee Park, Central Wharf, Remond Park, and Proctor's Ledge.

Action Contemplated

Councillor Famico

Moved Adoption

Voted



NOVEMBER 16, 2017

REGULAR MEETING

MAYOR'S INFORMATIONAL PAGE

NONE

**NOVEMBER 16, 2017**

**REGULAR MEETING**

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor Turiel

ORDER: The City of Salem hereby accepts Mass. General Law Chapter 59, Section 5K: Property tax liability reduced in exchange for volunteer services; persons over age 50, as amended November 7, 2016. By accepting the General Law as amended, the maximum benefit to those residents over the age of 60 who volunteer their services in exchange for a reduction in their property tax shall increase from \$1,000.00 to \$1,500.00

Action contemplated

Councillor Turiel

Moved Adoption

Voted

Councillor Turiel

ORDINANCE: amending Traffic, Chapter 42 Section 75, Parking Prohibitions Towing Zone, (Resident Sticker Parking)

Broadway, Zone E, Color orange – easterly side starting at the intersection of Canal Street and continuing in a northerly direction to the northerly property line of 17 Broadway, resident sticker parking only, tow zone. Canal Street residents at numbers 212, 216, 218, 222, 224, 224-1/224-2, 226, 228 and 230 to be eligible and included for resident only stickers.

Action contemplated

Councillor Turiel

Moved Adoption for first passage

Voted

**NOVEMBER 16, 2017**

**REGULAR MEETING**

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor Turiel

ORDINANCE: amending Traffic, Chapter 42 Section 75, Parking Prohibitions Towing Zone, (Resident Sticker Parking)

Amend Hancock Street, Zone E, Color Orange – southerly side between Canal Street and Cabot Street and the northerly sided from Cabot Street to the westerly property line of 32 Hancock Street, Resident Sticker Parking Tow Zone by adding ***Monday through Friday 8:00 A.M. to 6:00 P.M.***

Action contemplated

Councillor Turiel

Moved Adoption for first passage

Voted

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Councillor McCarthy

ORDINANCE: amending Traffic, Chapter 42 Section 50B, Handicap Parking Limited Time,

Dow Street, a space as marked by sign across from #52 Dow Street, for a distance of 20 feet, Handicap Parking Tow Zone.

Action contemplated

Councillor Dibble

Moved Adoption for first passage

Voted

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Councillor Famico

ORDINANCE: amending Traffic, Chapter 42, Section 11 "Bust Stops"

Repeal Holyoke Square, Bust Stops, on the easterly side in a northerly direction, beginning 20 feet from Gedney St. and extending 160 feet. (excluding 10 ft. on either side of the fire hydrant) "Tour Bus Parking 2-hour limit. (10/13/2016)

Action contemplated

Councillor Famico

Moved Adoption for first passage

Voted

**NOVEMBER 16, 2017**

**REGULAR MEETING**

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor Famico

ORDINANCE: amending Traffic Section 50B, Handicap Parking Limited Time,

Renew the northerly side of Rice Street, beginning 80 ft. from the intersection of Bridge St. and continuing for a distance of 20 feet in a westerly direction. Handicap Parking Tow Zone.

Action contemplated

Councillor Famico

Moved Adoption for first passage

Voted

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Councillor Gerard

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

Action contemplated

Councillor Gerard

Moved Adoption

Voted

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Councillor Sargent

ORDER: That a letter be sent to the Parking and Traffic Commission members to remind them that their meetings must follow the rules of the Sunshine Ordinance and the Open Meeting Law. And, that no changes (temporary, permanent or trial periods) should be made to a City of Salem Parking or Traffic Ordinance without the approval of the Mayor and City Council.

Action contemplated

Councillor Sargent

Moved Adoption

Voted

**NOVEMBER 16, 2017**

**REGULAR MEETING**

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor Sargent

ORDER: That the proper city departments return the sections of Brown Street and Washington Square North, (located on both sides of the Roger Conant Statue), that have been painted as one way streets, back to the two way streets that they are supposed to be by City Ordinance.

Action contemplated

Councillor Sargent

Moved Adoption

Voted

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**NOVEMBER 16, 2017**

**REGULAR MEETING**

**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

SECOND HAND VALUABLE: Record Exchange, 256 Washington St., Salem

TAG DAY: S.H.S. Tennis Team, April 21, 2018 & May 5, 2018

Accept the Report Voted

Adopt the Recommendation Voted

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 reviewing the Plastic Bag Ordinance has considered said matter and would recommend (action unknown meeting took place after agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Ryan offered the following report for the Committee on Ordinances, Licenses and Legal Affairs to whom was referred the matter of holding a taxi operator hearing on the denial of Brian Fontaine's license has considered said matter and (meeting did not take place due to a lack of a quorum and also the taxi operator did not appear – no action could be taken – remain in committee)

Accept the Report Voted

Adopt the Recommendation Voted

**NOVEMBER 16, 2017****REGULAR MEETING****COMMITTEE REPORTS**

Councillor Gerard 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 HRP for an act regulating Insurance Benefits for Elected Officials 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 discussing the recent over-pruning and destruction of trees by utility companies conducting pruning and maintenance operations in Spring 2017 and to also meet with National Grid and other utility companies to discuss double poles (meeting did not take place due to a lack of a quorum – no action could be taken – remain in committee)

|                   |       |
|-------------------|-------|
| 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 reviewing Ch. 42 Sec. 43 – Operation of Vehicle – No Driving on Sidewalks, Section B C and D 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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**NOVEMBER 16, 2017**

**REGULAR MEETING**

**COMMITTEE REPORTS**

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 amending an Ordinance relative to Ch. 2 Administration, Division 3, Board of Health, Section 2-705, Certificate of Fitness or rented dwelling units, apartments, tenements 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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**NOVEMBER 16, 2017**

**REGULAR MEETING**

**COMMUNICATIONS FROM CITY OFFICIALS**

**NONE**

NOVEMBER 16, 2017

REGULAR MEETING

PETITIONS

Petition from National Grid to install conduits on Federal Street to Manhole on North St.

HEARING ORDERED DECEMBER 7, 2017

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Request from Police Department to hold a walk (Walk for Opiate Awareness – Taking Back Our Community) and use of city of streets on Sunday, November 19, 2017 beginning at 10:00 A.M. And also extending and invitation to the City Council to join the Police on the walk

Action Contemplated

Councillor Famico

Moved

Voted

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Request from Boys and Girls Club to hold a race (Wild Turkey Run) and use of city of streets on November 23, 2017 beginning at 8:00 A.M.

Action Contemplated

Councillor Famico

Moved

Voted

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**NOVEMBER 16, 2017**

**REGULAR MEETING**

**PETITIONS**

Communication from Barbara Maitland withdrawing their original petition submitted in July relative to Amending a Zoning Ordinance relative to "Use Regulations"

Action Contemplated

Councillor Ryan

Received & File

Voted

Petition from Peter and Barbara Maitland requesting a Zoning Ordinance Amendment relative to Principle Uses of Section 3.0 Use Regulations (Use of land for the primary purpose of agricultural, horticulture, floriculture, or viticulture on a parcel of more than five acres in area) is hereby amending by deleting the word "five" and inserting in place thereof the word "two".

Action Contemplated

Councillor Ryan

Moved Refer to the Planning Board  
To schedule a joint public hearing with  
The City Council

Voted

**NOVEMBER 16, 2017**

**REGULAR MEETING**

**PETITIONS**

The Following License Applications:

LIMOUSINE: Salem Taxi, 30 Church St., Salem ( 2 Limos)

PUBLIC GUIDES: Rory O'Brien, 20 West Ave., Salem  
 Seth Mascolo, 40 English St., Salem  
 Carol Weitzman, 4206 Woodbridge Rd., Peabody  
 Richard Jacobson, 72 Country Club Way, Ipswich  
 Jonnet Holladay, 4 Longfellow Pl., Boston  
 Heide Hasselmann, 2 Cranberry Hill, Duxbury

TAXI OPERATORS: Juan Rojas, 23 Palmer St., Salem  
 Luz Y Sanchez Santiago, 117 Congress St., Salem  
 Jose Mora, 22 Proctor St., Salem

Action Contemplated

|                 |               |       |
|-----------------|---------------|-------|
| Councillor Ryan | Moved Granted | Voted |
|-----------------|---------------|-------|

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The Following License Applications:

SEAWORMS: Jose Machado, 138 Lynnfield St., Salem  
 Joe Mendonca, 22 Spring St., Peabody

SECOND HAND VALUABLE: Tobies Jewelry, 140 Washington St., Salem  
 AAA Olde Naumkeag Antiques, 1 Hawthorne Blvd, Salem  
 Glass and Etc. 180 Essex St., Salem

TAG DAY: SHS Percussion & Winter Guard, 2/1//18  
 SHS Concert Band & Wind Ensemble, 5/12/18  
 SHS Marching Band, 12/10/17

Action Contemplated

|                 |  |       |
|-----------------|--|-------|
| Councillor Ryan | Refer to Comm. on Ord., Lic. & Legal Affairs | Voted |
|-----------------|--|-------|

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**NOVEMBER 16, 2017**

**REGULAR MEETING**

**PETITIONS**

The Following Claims:

Stephanie Onyeveneho, 94 Viola St., Lowell  
Arnold Pike, Trustee of Colonial Condo Assoc., 189 Jefferson Ave., Salem

Action Contemplated

Councillor Ryan

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

Voted

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**NOVEMBER 16, 2017**

**REGULAR MEETING**

**UNFINISHED BUSINESS**

SECOND PASSAGE Ordinance amending Traffic Ch. 42, Sec.75, Resident Sticker Parking, Harrison Road

Action Contemplated

Councillor Dibble                      Motion Adoption for Second & Final Passage                      Voted

SECOND PASSAGE Ordinance amending Traffic Ch. 42, Sec.50B, Handicap Parking Limited Time, Chandler Road

Action Contemplated

Councillor Dibble                      Motion Adoption for Second & Final Passage                      Voted

SECOND PASSAGE Ordinance amending Traffic Ch. 2, Senior Citizen Tax Work Off Program

Action Contemplated

Councillor Milo                      Motion Adoption for Second & Final Passage                      Voted

**NOVEMBER 16, 2017**

**REGULAR MEETING**

**UNFINISHED BUSINESS**

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

Action Contemplated

Councillor Turiel

Motion Adoption for Second & Final Passage

Voted

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

Action Contemplated

Councillor Lovely

Motion Adoption for Second & Final Passage

Voted

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

Action Contemplated

Councillor Gerard

Motion Adoption for Second & Final Passage

Voted

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**NOVEMBER 16, 2017**

**REGULAR MEETING**

**UNFINISHED BUSINESS**

SECOND PASSAGE Ordinance amending Traffic Ch. 42, Sec.74, General Prohibition Towing Zones, Repeal Harrison Road and replace with new Section 74 for Harrison Rd. Northerly & Southerly sides.

Action Contemplated

Councillor Dibble

Motion Adoption for Second & Final Passage

Voted

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On the motion of Councillor

the meeting adjourned at

P.M.