

**JANUARY 28, 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, January 28, 2016 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on January 21, 2016 at 6:51 P.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**

JANUARY 28, 2016

HEARINGS

ORDERED: Comcast to install a conduit from Crombie St. to 28 Norman Street

IN FAVOR:

OPPOSED:

HEARING CLOSED:

ACTION CONTEMPLATED

COUNCILLOR FAMICO

MOVED

VOTED

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**JANUARY 28, 2016**

**APPOINTMENTS AND REAPPOINTMENTS**

Held from the last meeting, Mayor's appt. of Steven Dwyer to serve as a member of the Salem Disabilities Commission with a term to expire on December 3, 2018

Action Contemplated

| Councillor Turiel | Confirmation by RCV | Yeas | Nays | Abs |
|-------------------|---------------------|------|------|-----|
|-------------------|---------------------|------|------|-----|

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Held from the last meeting, Mayor's appt. of Kylie Sullivan to serve as a member of the Bicycle Advisory Committee with a term to expire on January 14, 2019

Action Contemplated

| Councillor Gerard | Confirmation by RCV | Yeas | Nays | Abs |
|-------------------|---------------------|------|------|-----|
|-------------------|---------------------|------|------|-----|

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Held from the last meeting, Mayor's appt. of Eric Papeti to serve as a member of the Bicycle Advisory Committee with a term to expire on January 14, 2019

Action Contemplated

| Councillor Gerard | Confirmation by RCV | Yeas | Nays | Abs |
|-------------------|---------------------|------|------|-----|
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Held from the last meeting, Mayor's appt. of William Legault to serve as a member of the Disabilities Commission with a term to expire on January 14, 2019

Action Contemplated

| Councillor Gerard | Confirmation by RCV | Yeas | Nays | Abs |
|-------------------|---------------------|------|------|-----|
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**JANUARY 28, 2016**

**APPOINTMENTS AND REAPPOINTMENTS**

Held from the last meeting, Mayor's appt. of Mary Szeman Best to serve as a member of the Public Arts Commission with a term to expire on January 14, 2018

Action Contemplated

|                   |                     |      |      |     |
|-------------------|---------------------|------|------|-----|
| Councillor Famico | Confirmation by RCV | Yeas | Nays | Abs |
|-------------------|---------------------|------|------|-----|

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Held from the last meeting, Mayor's appt. of Keshia De Leon to serve as a member of the Public Arts Commission with a term to expire on January 14, 2018

Action Contemplated

|                   |                     |      |      |     |
|-------------------|---------------------|------|------|-----|
| Councillor Lovely | Confirmation by RCV | Yeas | Nays | Abs |
|-------------------|---------------------|------|------|-----|

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Held from the last meeting, Mayor's appt. of Amanda Moore to serve as a member of the Public Arts Commission with a term to expire on January 14, 2018

Action Contemplated

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|---------------------|---------------------|------|------|-----|
| Councillor McCarthy | Confirmation by RCV | Yeas | Nays | Abs |
|---------------------|---------------------|------|------|-----|

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**JANUARY 28, 2016**

**APPOINTMENTS AND REAPPOINTMENTS**

Held from the last meeting, Mayor's appt. of Austen Barron Bailly to serve as a member of the Public Arts Commission with a term to expire on January 14, 2018

Action Contemplated

| Councillor Famico | Confirmation by RCV | Yeas | Nays | Abs |
|-------------------|---------------------|------|------|-----|
|-------------------|---------------------|------|------|-----|

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Held from the last meeting, Mayor's appt. of Alison Thibodeau to serve as a member of the Council on Aging with a term to expire on January 14, 2019

Action Contemplated

| Councillor Lovely | Confirmation by RCV | Yeas | Nays | Abs |
|-------------------|---------------------|------|------|-----|
|-------------------|---------------------|------|------|-----|

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Mayor's reappt. of Richard Jagolta to serve as a member of the Board of Assessors with a term to expire on February 1, 2019

Action Contemplated

| Councillor Famico | Confirmation by RCV | Yeas | Nays | Abs |
|-------------------|---------------------|------|------|-----|
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**JANUARY 28, 2016**

**APPOINTMENTS AND REAPPOINTMENTS**

Mayor's reappt. of the following to serve as a members of the Cemetery Commission with their terms to expire on February 1, 2019

Patricia Donahue, 12 Dearborn Ln., Salem  
 Anthony O'Donnell, 35 Washington Sq., Salem  
 Joanne Mizioch, 11 Nursery St., Salem

Action Contemplated

| Councillor Gerard | Confirmation by RCV | Yeas | Nays | Abs |
|-------------------|---------------------|------|------|-----|
|-------------------|---------------------|------|------|-----|

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Mayor's reappt. of Donna Clifford to serve as a member of the Council on Aging with a term to expire on February 1, 2019

Action Contemplated

| Councillor Eppley | Confirmation by RCV | Yeas | Nays | Abs |
|-------------------|---------------------|------|------|-----|
|-------------------|---------------------|------|------|-----|

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Mayor's reappt. of the following to serve as members of the Public Art Commission with their terms to expire on January 31, 2018

Norene Gachignard, 16 Buchanan Rd., Salem  
 Lillian Hsu, 17 Cambridge St., Salem  
 J. Michael Sullivan, 10 Lee St., Salem

Action Contemplated

| Councillor Dibble | Confirmation by RCV | Yeas | Nays | Abs |
|-------------------|---------------------|------|------|-----|
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**JANUARY 28, 2016**

**APPOINTMENTS AND REAPPOINTMENTS**

Mayor's reappt. of Cindy Keegan to serve as a member of the Renewable Energy Task Force with a term to expire on February 1, 2019

Action Contemplated

|                   |                     |      |      |     |
|-------------------|---------------------|------|------|-----|
| Councillor Turiel | Confirmation by RCV | Yeas | Nays | Abs |
|-------------------|---------------------|------|------|-----|

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Mayor's reappt. of Christine Derby to serve as a Constable with a term to expire on June 28, 2017

Action Contemplated

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

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**JANUARY 28, 2016**

**COMMUNICATIONS FROM THE MAYOR**

ORDER: Appropriation of \$69,928.73 from “Retirement Stabilization – Vacation/Sick Leave Buyback” account for the contractual buyback for the following employees:

|                     |              |           |
|---------------------|--------------|-----------|
| Jeanine D’Entremont | School Dept. | 28,404.48 |
| Cynthia Georgelas   | School Dept. | 18,774.00 |
| Michael Pennell     | School Dept. | 22,750.25 |

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

Action Contemplated

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

ORDER: The Riverside Companies be granted a waiver, pursuant to City Ordinance Chapter 2-22 to conduct dredging operations adjacent to the Blaney Street Harborwalk on Sundays commencing January 31, 2016 and concluding no later than February 28, 2016.

Action Contemplated

|                     |                |       |
|---------------------|----------------|-------|
| Councillor McCarthy | Moved Adoption | Voted |
|---------------------|----------------|-------|



JANUARY 28, 2016

MAYOR'S INFORMATIONAL PAGE

NONE

**JANUARY 28, 2016**

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor Eppley

ORDER: that the monthly financial report dated December 31, 2015 be referred to the Committee on Administration and Finance.

Councillor Eppley

Moved Adopted

Voted

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Councillor Eppley

ORDER: that the Year to Date Budget Report dated October, November and December 2015 be referred to the Committee on Administration and Finance.

Councillor Eppley

Moved Adopted

Voted

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Councillor Gerard

ORDINANCE: amending Traffic, Ch 42, Sec. 50B Handicap Parking Foster Street easterly side starting at a point of 20 feet northeast of North Street and continuing for a distance of 20 feet in a north easterly direction.

Councillor Gerard

Moved Adoption for first passage

Voted

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**JANUARY 28, 2016**

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor Lovely

ORDINANCE: amending Traffic, Ch 42, Sec. 57A Parking Time Limited unmetered zones, Bertuccio Avenue and continuing for a distance of 81 feet in a north westerly direction, 15 minute parking only.

Councillor Lovely

Moved Adoption for first passage

Voted

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Councillor Lovely

ORDER: that a 60 day trial period on a traffic recommendation for Bertuccio Avenue for Resident Sticker Parking southerly side between Calabrese Street and Jefferson Avenue and northerly side Starting at a point 101 feet northwest of Jefferson Avenue and continuing in a north westerly direction to Calabrese Street

Councillor Lovely

Moved Adopted

Voted

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**JANUARY 28, 2016**

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor Furey

ORDERED: That the meetings of the qualified voters of the City of Salem be held in the several voting precincts in the City at the polling places designated hereinafter on **Tuesday, March 1, 2016**, for the purpose of casting votes in the Presidential Primary Officers for the election of candidates of political parties for the following office:

PRESIDENTIAL PREFERENCE.....FOR THIS COMMONWEALTH  
STATE COMMITTEE MAN.....SECOND SENATORIAL DISTRICT  
STATE COMMITTEE WOMAN.....SECOND SENATORIAL DISTRICT  
WARD COMMITTEE.....CITY OF SALEM

AND BE IT FURTHER ORDERED: That the following places be and hereby are designated as polling places for said meetings:

|              |   |
|--------------|---|
|              | <b>WARD ONE</b>   |
| PRECINCT ONE | Bentley School, Memorial Drive                          |
| PRECINCT TWO | Community Room, 135 Lafayette Street                    |
|              | <b>WARD TWO</b>   |
| PRECINCT ONE | St. John's Parish Hall, St. Peter Street                |
| PRECINCT TWO | St. John's Parish Hall, St. Peter Street                |
|              | <b>WARD THREE</b>                                       |
| PRECINCT ONE | Salem High School Auditorium, 77 Willson Street         |
| PRECINCT TWO | Salem High School Auditorium, 77 Willson Street         |
|              | <b>WARD FOUR</b>  |
| PRECINCT ONE | Witchcraft Heights School Gymnasium, 1 Frederick Street |
| PRECINCT TWO | Witchcraft Heights School Gymnasium, 1 Frederick Street |
|              | <b>WARD FIVE</b>  |
| PRECINCT ONE | Saltonstall School Auditorium, 211 Lafayette Street     |
| PRECINCT TWO | Saltonstall School Auditorium, 211 Lafayette Street     |
|              | <b>WARD SIX</b>   |
| PRECINCT ONE | Bates School, Liberty Hill Avenue                       |
| PRECINCT TWO | Park and Recreation Dept., Mack Park                    |
|              | <b>WARD SEVEN</b>                                       |
| PRECINCT ONE | Salem State Enterprise Center, 121 Loring Avenue        |
| PRECINCT TWO | Salem State Enterprise Center, 121 Loring Avenue        |

AND BE IT FURTHER ORDERED: That the polls at said meetings be opened at 7:00 a.m. and closed at 8:00 p.m. and that the City Clerk be instructed to post this notice as required by law.

Given under our hands this 28<sup>th</sup> day of January, 2016.

Councillor Furey

Moved Adopted

Voted

**JANUARY 28, 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 a granting certain licenses has considered said matter and would recommend the following licenses be granted

|                       |  |
|-----------------------|--|
| JUNK DEALER:          | A&H Auto Exchange, 15 Robinson Rd., Salem  |
| SECOND HAND CLOTHING: | Boston St. Resale, 134 ½ Boston St., Salem<br>Modern Millie, 3 Central St., Salem              |
| SECOND HAND VALUABLE: | Salem Coin & Jewelry, 149 North St., Salem<br>Witch City Consignment, 301 Essex St., Salem     |
| TAG DAYS:             | S.H.S. Marine JROTC, 2/21/16, 3/19/16, 3/26/16, 4/16/16,<br>4/17/16, 4/23/16, 5/21/16, 5/28/16 |

Accept the Report Voted

Adopt the Recommendation Voted

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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 amending an ordinance relative to the Senior Tax Work Off Program (action unknown meeting took place after the Agenda deadline.)

Accept the Report Voted

Adopt the Recommendation Voted

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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 \$5,000 transfer from "Dept. of Public Services – Full Time Salary" to "Dept. of Public Services – Contracted Services (action unknown meeting took place after the Agenda deadline.)

Accept the Report Voted

Adopt the Recommendation Voted

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**JANUARY 28, 2016**

**COMMITTEE REPORTS**

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 parking issues on Howard Street has considered said matter and would recommend that the matter remain in committee

Accept the Report Voted

Adopt the Recommendation Voted

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JANUARY 28, 2016

COMMUNICATIONS FROM CITY OFFICIALS

NONE

**JANUARY 28, 2016**

**PETITIONS**

A request from B&S Fitness to hold the Kevin O'Boyle 5K run/walk and use of city streets on August 20, 2016

Councillor Turiel

Moved

Voted

The Following License Applications:

**PUBLIC GUIDES:**

- Patrick Curran, 9 Rockland Rd., Danvers
- Robert Sant Fournier, 5 Crescent Court, Beverly
- Charles Galvin, 5 Warren St., Salem
- Ryan Travis, 6 Naples Rd., Salem
- Joseph Amato, 78 Marshall St., Medford
- William Jeffrey Page, 65 ½ Essex St., Salem
- Thomas Vallor, 100 Washington St., Salem
- Seth Kamer-Mascolo, 40 English St., Salem
- Jeffrey Howard, 14 Proctor St., Gloucester
- Brenda Canady, 11 Glover St., Salem
- Molly Morrow, 104 Bridge St., Salem

**TAXI OPERATORS:**

- Rudy Francisco de Jesus, 38 Walsh Ave., Peabody
- Alberto Guerrero, 14 Mason St., Salem
- Rafael Pena, 14 Cherry St., Salem
- Jose Rafael Pena, 78 Palmer St., Salem
- Cirilo Brache, 57 Harbor St., Salem
- Antonio Fernandez, 230 Jefferson Ave., Salem
- Mateo Calderon, 6 Grant St., Beverly
- Francisco Jimenez, 135 Lafayette St., Salem
- George Lugo, 99 Tremont St., Salem
- Oscar Gutierrez, 34 Prince St., Salem
- Jose Benito Collado, 46 Peabody St., Salem
- Juan Franco Baez, 38 Prince St., Salem
- Miguel Pimentel, 16 March St., Salem
- David Beauchamps, 16 Ward St., Salem
- Jorge Guerrero, 50 Palmer St., Salem
- Jose Fabian, 60 Dow St., Salem
- Roberto Disla, 19 Nichols St., Salem
- Johnny Fabian, 52 Ward St., Salem

Action Contemplated

Councillor McCarthy

Moved Granted

Voted



**JANUARY 28, 2016****PETITIONS**

The Following License Application:

TAXI OPERATOR: Francisco Gonzalez, 11 Harrison Ave., Salem

Action Contemplated

|                     |              |       |
|---------------------|--------------|-------|
| Councillor McCarthy | Moved Denied | Voted |
|---------------------|--------------|-------|

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Hearing Request from Francisco Gonzalez on the denial of his taxi operator license

Action Contemplated

|                     |  |       |
|---------------------|--|-------|
| Councillor McCarthy | Moved Referred to the Comm. On<br>Ord., Lic. & Legal Affairs to hold an<br>Executive Session | Voted |
|---------------------|--|-------|

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The Following License Applications:

PAWNBROKER: Salem Loan & Jewelry, 133 Washington St., Salem

SECOND HAND  
VALUABLE: Five Hands Curiosity Shoppe, 55 Lafayette St., Salem  
Hedrington's, 61 Wharf St., Salem

TAG DAYS: Veterans of Foreign Wars, 5/27/16, 5/29/16, 5/30/16, 11/8-11/11/16  
Salem Veterans Council, 7/1-7/4/16  
Disabled American Veterans, 5/19/16, 5/20/16, 5/22/16, 11/4-11/7/16

Action Contemplated

|                     |  |       |
|---------------------|--|-------|
| Councillor McCarthy | Moved Referred to Comm. on Ord., Lic. &<br>Legal Affairs | Voted |
|---------------------|--|-------|

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**JANUARY 28, 2016**

**PETITIONS**

The Following Drainlayer/Contract Operator Licenses:

Joseph P. Cardillo & Sons, 1 Melvin St., Wakefield  
 Caruso & McGovern Constrution, 1 Industrial Way, Georgetown  
 J.H. Lynch & Sons, 50 Lynch Place, Cumberland, RI  
 Roto Rooter, 175 Maple St., Stoughton  
 The Dow Co. Inc., 1112 Broadway Rd., Dracut

Action Contemplated

Councillor McCarthy

Moved Granted

Voted

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The Following Claims:

Eric Easley, 89 Boston St., Salem

Action Contemplated

Councillor McCarthy

Moved Referred to Comm. on Ord., Lic. &  
 Legal Affairs

Voted

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The Following Bonds:

DRAINLAYERS:

J.H. Lynch & Sons, 50 Lynch Place, Cumberland, RI  
 Delulis Brothers Construction Co., Inc. 31 Collins St., Ter., Lynn

SIGN:

Melt Ice Cream, LLC, 60 Washington St., Salem

Action Contemplated

Councillor McCarthy

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

Voted

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**JANUARY 28, 2016**

**UNFINISHED BUSINESS**

**ORDER** to declare a parcel of land as surplus 52,491 square feet and Parcel B containing approximately 1,260 square feet (former Universal Steel property) located at 297-305 Bridge Street and Parcel A containing approximately 2,035 square feet with a condition of a permanent utility easement on Parcel A.

Action Contemplated

Due to the scheduled public hearing on January 26, 2016 action is unknown and is based upon the outcome of the hearing whether closed or continued.

Councillor Famico

Moved Approval

Voted

**ORDER** that the City Council discontinue a public way known as Beckford Way (aka Beckford Street extension).

Action Contemplated

Due to the scheduled public hearing on January 26, 2016 action is unknown and is based upon the outcome of the hearing whether closed or continued.

Councillor Famico

Moved Approval by roll call vote  
(requires 8 votes)

YEAS

NAYS

ABSENT

**JANUARY 28, 2016**

**UNFINISHED BUSINESS**

ORDER to convey a portion of 297 Bridge Street approximately 1,260 square feet as shown as Parcel B (former Universal Steel) to Sun King LLC with a permanent pedestrian and vehicular access on the entire parcels for the benefit of 30-32 Beckford Street for the sum of \$10,001.00.

Action Contemplated

Due to the scheduled public hearing on January 26, 2016 action is unknown and is based upon the outcome of the hearing whether closed or continued.

Councillor Famico

Moved Approval by roll call vote  
(requires 8 votes)

YEAS

NAYS

ABSENT

ORDER authorize Mayor to enter into a Land Disposition Agreement with Sun King LLC to convey a portion of 297 B ridge Street approximately 52,491 square feet and a second parcel located between 297 and 311 Bridge Street approximately 2,035 square feet Parcel A with a permanent utility easement for the sum of \$990,000.00

Action Contemplated

Due to the scheduled public hearing on January 26, 2016 action is unknown and is based upon the outcome of the hearing whether closed or continued.

Councillor Famico

Moved Approval by roll call vote  
(requires 8 votes)

YEAS

NAYS

ABSENT

**JANUARY 28, 2016**

**UNFINISHED BUSINESS**

SECOND PASSAGE ordinance amending Traffic Chapter 42, Sec. 50B Handicap Parking Amanda Way

Councillor Eppley

Moved second and final passage

Voted

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SECOND PASSAGE ordinance amending Traffic Chapter 42, Sec. 50B Handicap Parking Ober Street

Councillor Eppley

Moved second and final passage

Voted

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On the motion of Councillor

the meeting adjourned at

P.M.