

**JANUARY 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](mailto:clapointe@salem.com).**

A Regular Meeting of the City Council held in the Council Chamber on Thursday, January 14, 2016 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on January 7, 2016 at 3:30 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 14, 2016**

**HEARINGS**

ORDERED: Extenet Systems to install a conduit on Lafayette St./New Derby Street and construct and maintain telecommunications wires and appurtenances, including 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

VOTED

---

JANUARY 14, 2016

HEARINGS

ORDERED: MOBILITIE, LLC to install a pole between Forrester Street and Emerton Street

IN FAVOR:

OPPOSED:

HEARING CLOSED:

ACTION CONTEMPLATED

COUNCILLOR FAMICO

MOVED

VOTED

---

JANUARY 14, 2016

HEARINGS

ORDERED: MOBILITIE, LLC to install a pole between Lynch Street and Perkins Street

IN FAVOR:

OPPOSED:

HEARING CLOSED:

ACTION CONTEMPLATED

COUNCILLOR MCCARTHY

MOVED

VOTED

---

JANUARY 14, 2016

HEARINGS

ORDERED: MOBILITIE, LLC to install a pole between Essex Street and Becket Street

IN FAVOR:

OPPOSED:

HEARING CLOSED:

ACTION CONTEMPLATED

COUNCILLOR MCCARTHY

MOVED

VOTED

---

JANUARY 14, 2016

HEARINGS

ORDERED: MOBILITIE, LLC to attach equipment to existing pole on Summer Street

IN FAVOR:

OPPOSED:

HEARING CLOSED:

ACTION CONTEMPLATED

COUNCILLOR FAMICO

MOVED

VOTED

---

JANUARY 14, 2016

HEARINGS

ORDERED: MOBILITIE, LLC to attach equipment to existing pole between Pond Street and Washington Street

IN FAVOR:

OPPOSED:

HEARING CLOSED:

ACTION CONTEMPLATED

COUNCILLOR TURIEL

MOVED

VOTED

---

JANUARY 14, 2016

HEARINGS

ORDERED: MOBILITIE, LLC to attach equipment to existing pole between Highland Ave. and Clark Street

IN FAVOR:

OPPOSED:

HEARING CLOSED:

ACTION CONTEMPLATED

COUNCILLOR LOVELY

MOVED

VOTED

---



JANUARY 14, 2016

HEARINGS

ORDERED: MOBILITIE, LLC to attach equipment to existing pole between Pickering Way and Congress Street

IN FAVOR:

OPPOSED:

HEARING CLOSED:

ACTION CONTEMPLATED

COUNCILLOR MCCARTHY

MOVED

VOTED

---

**JANUARY 14, 2016**

**APPOINTMENTS AND REAPPOINTMENTS**

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

Action Contemplated

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

---

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

---

Held from the last meeting, Mayor's appt. of Richard Lobsitz to serve as a member of the Board of Commissioners of Trust Funds with a term to expire on April 1, 2023

Action Contemplated

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

---

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

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

Action Contemplated

Councillor Gerard	Held under the Rules until the next meeting	Voted
-------------------	---	-------

---

**JANUARY 14, 2016****APPOINTMENTS AND REAPPOINTMENTS**

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

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

Action Contemplated

Councillor Gerard	Held under the Rules until the next meeting		Voted
-------------------	--	--	-------

---

Mayor's appt. of William Legault to serve as a member of the Disabilities Commission with a term to expire on January 14, 2019

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

Action Contemplated

Councillor Gerard	Held under the Rules until the next meeting		Voted
-------------------	--	--	-------

---

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

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

Action Contemplated

Councillor Famico	Held under the Rules until the next meeting		Voted
-------------------	--	--	-------

---

**JANUARY 14, 2016**

**APPOINTMENTS AND REAPPOINTMENTS**

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

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

Action Contemplated

Councillor Lovely	Held under the Rules until the next meeting		Voted
-------------------	--	--	-------

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

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

Action Contemplated

Councillor McCarthy	Held under the Rules until the next meeting		Voted
---------------------	--	--	-------

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

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

Action Contemplated

Councillor Famico	Held under the Rules until the next meeting		Voted
-------------------	--	--	-------

JANUARY 14, 2016APPOINTMENTS AND REAPPOINTMENTS

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

Councillor                      Suspension of the Rules                      Councillor                      Objection

Action Contemplated

Councillor Lovely                      Held under the Rules  
until the next meeting                      Voted

---

Mayor's appt. of Clint Larrabee to serve as a Constable with a term to expire on November 17, 2016

Action Contemplated

Councillor McCarthy                      Received & Placed on File                      Voted

---

Mayor's reappt. of David Desrosiers to serve as a Constable with a term to expire on November 20, 2018

Action Contemplated

Councillor McCarthy                      Received & Placed on File                      Voted

---

**JANUARY 14, 2016**

**COMMUNICATIONS FROM THE MAYOR**

ORDER: Appropriation of \$19,969.99 from "Retirement Stabilization – Vacation/Sick Leave Buyback" account for the contractual buyback for the following employees:

Joan Pelletier	School Dept.	\$15,657.99
Joan Bick	School Dept.	\$ 4,312.00

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

Action Contemplated

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

ORDER: Appropriation of \$15,424.44 from "Retirement Stabilization – Vacation/Sick Leave Buyback" account for the contractual buyback for the following employee:

Jacqueline Grimes	Council on Aging	\$15,424.44
-------------------	------------------	-------------

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

Action Contemplated

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



**JANUARY 14, 2016**

**COMMUNICATIONS FROM THE MAYOR**

Accept donation from Employee Directed Giving, Cummings Properties in honor of Ms. Anne Olenio of Salem to be deposited into the Fire Donation Fund.

Action Contemplated

Councillor Eppley

Moved Adoption

Voted

---

ORDER: 60 day trial parking restrictions on the SSU campus side of Loring Avenue and Lafayette Street in an effort to improve traffic conditions

Councillor Dibble

Moved Adoption

Voted

---



JANUARY 14, 2016

MAYOR'S INFORMATIONAL PAGE

NONE

**JANUARY 14, 2016**

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor McCarthy

ORDER: That the attached tag day application from Salem Youth Football and Cheering for January 17, 2016 and February 20, 2016 be granted

Councillor McCarthy

Moved Adopted

Voted

---

Councillor Eppley

ORDER: that the monthly financial report dated November 30, 2015 be referred to the Committee on Administration and Finance.

Councillor Eppley

Moved Adopted

Voted

---

Councillor Eppley

ORDINANCE: amending Traffic, Ch 42, Sec. 50B Handicap Parking in front of #6 Ober Street for a distance of 20 feet, Handicap Parking Tow Zone.

Councillor Eppley

Moved Adoption for first passage

Voted

---

Councillor Eppley

ORDINANCE: amending Traffic, Ch 42, Sec. 50B Handicap Parking in front of #2 Amanda Way for a distance of 20 feet, Handicap Parking Tow Zone.

Councillor Eppley

Moved Adoption for first passage

Voted

---

**JANUARY 14, 2016**

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor Eppley

ORDER: that the Committee on Public Health, Safety and Environment co-posted with the Committee of the Whole meet to discuss the need for a city-wide tree census and ongoing maintenance and replacement plan for trees.

Councillor Eppley

Moved Adopted

Voted

---

Councillor Eppley

ORDER: that the Committee on Government Services co-posted with Committee of the Whole meet to discuss accessibility of voters and the Salem polls on election day, early voting and any language barriers.

Councillor Eppley

Moved Adopted

Voted

---

Councillor Eppley

ORDER: that the Committee on Administration and Finance co-posted with Committee of the Whole meet to discuss amending ordinance relative to pay for the City Council solely for the purpose of separating any future increase in pay for the Mayor from any further increase in pay for the City Council.

Councillor Eppley

Moved Adopted

Voted

---

JANUARY 14, 2016

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Milo

ORDER: that the Committee of the Whole meet to discuss amending City Council Rule 28A:

All matters submitted for the City Council for action must be received by the city clerk not later than fifty-five (55) hours and replace with “**close of business day on the Thursday**” prior to the regularly scheduled council meeting.

Councillor Milo

Moved Adopted

Voted

Councillor Milo

ORDINANCE amending Senior Citizen Tax Work Off Abatement Program, Chapter 2, Section 2-2052 by amending the following:

- (a) Last sentence: The maximum amount which can be earned by any participant in the program is **delete \$750 and replace with \$1,000** during any fiscal year.
- (b) Upon completion of work by the participants, the city shall abate his or her property taxes for an amount no greater than **delete \$750 and replace with \$1,000** per year.
- (c) In each fiscal year, no more than **delete 25 and replace with 30** individuals shall be allowed to participate in this program.
- (d) First sentence: In the event that more than **delete 25 and replace with 30** individuals are interested in participating in the program, then participants shall be selected from a lottery of individuals who meet the eligibility criteria set forth in subsections (1) and (b) herein.

Councillor Milo

Moved Adoption for first passage  
or Ref. to the Comm. On Ordinance, Licenses  
& Legal Affairs

Voted

**JANUARY 14, 2016**

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor Famico

ORDER: That the Committee on Ordinances, Licenses and Legal Affairs meet to discuss having the City Solicitor draft an amendment to the Ordinance relative to Resident Sticker Parking limiting eligibility for resident sticker parking stickers to any unit that receives relief from the Zoning Board of Appeal on parking requirements with associated condition requiring the developer to purchase municipal garage passes.

Councillor Famico

Moved Adopted

Voted

---

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

SEAWORMS:	Jose Machado, 138 Lynnfield St., Peabody Eduardo C. Santos, 4 Collins St., Peabody Tomo Shiraishi, 58 Everett St., E. Boston
SECOND HAND CLOTHING:	Re-Find, 244 Essex St., Salem Re-Find, 72 Washington St., Salem
SECOND HAND VALUABLE:	RJ Coins and Jewelry, LLC., 68 Wharf St., Salem

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 discussing and reviewing the matters in the committee that were carried forward from 2015 to 2016 to determine what should remain and what should be discharged has considered said matter and would recommend (action unknown meeting took place after the 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 adding an additional column to the Operating Budget Book to reflect percent change or dollar variance on individual personnel salaries and expense lines has considered said matter and would recommend (action unknown meeting took place after the Agenda deadline.)

Accept the Report	Voted
-------------------	-------

Adopt the Recommendation	Voted
--------------------------	-------

---

**JANUARY 14, 2016**

**COMMITTEE REPORTS**

Councillor Eppley offered the following report for the Committee on Administration and Finance to whom was referred the matter of the year-to-date and monthly budget reports that are in committee to get an overview and understanding of the reports and to discuss if they shall be kept or discharged has considered said matter and would recommend (action unknown meeting took place after the Agenda deadline.)

Accept the Report Voted

Adopt the Recommendation Voted

---

JANUARY 14, 2016

COMMUNICATIONS FROM CITY OFFICIALS

NONE



**JANUARY 14, 2016****PETITIONS**

Petition from Comcast to install a conduit from Crombie Street to 28 Norman Street

HEARING ORDERED JANUARY 28, 2016

---

Petition from Tim Haigh, owner of Bambolina Restaurant, to close Liberty Street on Saturday, February 20, 2016 from 1pm to 5pm, (setup and breakdown at 11am and 6pm), for the purpose of holding a private party that will include food, beer and non-alcoholic beverages. Tickets will be sold in advance

Action Contemplated

Councillor McCarthy

Moved

Voted

---

An invitation from No Place for Hate AND Salem State University to attend the MLK Vigil and Freedom March on Monday, January 18, 2016 beginning at 4:30 pm at SSU and use of city streets, Loring Avenue, from North Campus to South Campus

Councillor Dibble

Moved

Voted

---

The Following License Applications:

PUBLIC GUIDES:            John J. Feeley Jr., 26 South Shore Rd., Holbrook  
                                   Hannah Diozzi, 20 Pleasant St., Salem  
                                   Amey Butler, 14 Hunt St., Danvers  
                                   Scott Aden, 14 Shore Dr., Winthrop  
                                   Karen Rutkowski, 2 Essex St., Salem  
                                   Allan Dorrington, 1000 Lexington St., Waltham  
                                   Nancy Sweeter, 60 Burley St., Danvers  
                                   Carole Hartling, 37 Peach Highlands, Marblehead  
                                   David Harris, 3 Buford Rd., Peabody  
                                   Linda Harris, 3 Buford Rd., Peabody

License Applications Continued Next Page

**JANUARY 14, 2016****PETITIONS****The Following License Applications Continued:**

**PUBLIC GUIDES:**  
**CONT'D**

Brigitta Amsler, 286 Ocean Ave., Marblehead  
James Morfis-Gass, 123 Lynn St., Peabody  
Christine Gandolfi-Piper, 40 Aborn St., Peabody  
Francis Pelletier, 40 Village Rd., Middleton  
Leo Ward, 31 Crescent Ave., Beverly  
Lynne Lenker, 31 Vernon St., Lowell  
Rita Parisi, 43 Merrimac St., Amesbury  
Kenneth Glover, 20 Essex St., Beverly  
Deborah Pantazelos, 8 Michael Dr., Danvers  
David Breen, 215 Ocean St., Lynn  
John Alabiso, 2 Buxton St., Peabody  
Nicholas Pierce, 67 Monument Ave., Swampscott  
Holly Travis, 6 Naples Rd., Salem  
Robert Kieran, 14 Tremont St., Salem  
Bob Gautreau, 34 Pine St., Methuen  
Joyce Harrington, 27 Grant Rd., Salem  
Cynthia Haigh, 4 Brackett St., Milton  
Cheryl McDonald, 61 Pierce Ave., Dorchester  
Nancy Mades-Byrd, 190 Bridge St., Salem  
Ronald K. Olson, 154 Lafayette St., Marblehead  
Peter Quinn, 12 Summer St., Salem  
Maxfield Sklar, 56 Ward St., Salem  
William Clemens, 49 Summer St., Danvers

**TAXI OPERATORS:**

Manuel Toribio, 8 Rope St., Salem  
Edwin Calderon, 8 Raymond Rd., Salem  
Jean Francois, 2 Posdick Terrace, Lynn  
Julio Jimenez, 16 Eastman Park, Peabody  
Cristhian Nunez, 11 Mason St., Salem  
Hipolito Ozoria, 10 Porter St., Salem  
Andrew Smith, 69 North Common St., Lynn  
Guillermo Javier, 32 Rainbow Ter., Salem  
Eladio Pena, 38 Peabody St., Salem  
Erasmus Berroe, 50 Palmer St., Salem  
Rafael Mora, 5A Ropes St., Salem  
Juan Nunez, 11 Mason St., Salem  
Andrio Coceres, 16 March St., Salem

Action Contemplated

Councillor McCarthy

Moved Granted

Voted

**JANUARY 14, 2016****PETITIONS**

The Following License Applications:

JUNK DEALER: A&H Auto Exchange, 15 Robinson Rd., Salem

SECOND HAND CLOTHING: Boston St. Resale, 134 ½ Boston St., Salem  
Modern Millie, 3 Central St., Salem

SECOND HAND VALUABLE: Salem Coin & Jewelry, 149 North St., Salem  
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,  
4/17/16, 4/23/16, 5/21/16, 5/28/16

Action Contemplated

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

The Following Drainlayer/Contract Operator Licenses:

Atlantic Paving, 119R Foster St., Peabody  
Bartlett and Steadman, R67 Village St., Marblehead  
Cahill Excavation Development, 9 Shortell Ave., Beverly  
Caruso Corp., 320 Charger St., Revere  
Ciciotti Construction, 145 Burrill St., Swampscott  
D&M Civil, Inc., 189 North Main St., Middleton  
DiBiase Corp., 749 Lowell St., Lynnfield  
Geologic Earth Exploration, 7 Sherwood Dr., Norfolk  
J. Derenzo Co., 338 Howard St., Brockton  
James T. Lynch Construction, 77 Lowell Junction Rd., Andover  
Marois Brothers, Inc., 115 Blackstone River Rd., Worcester  
Meninno Construction Co., 76 Oakville St., Lynn  
Mirra Co., 6 Norino Way, Georgetown  
Peterson Construction, 210 Broadway, Lynn

License Applications Continued Next Page

**JANUARY 14, 2016****PETITIONS****The Following License Applications Continued:**

DRAINLAYER:                   Pumel Enterprise, 5 Fairview Rd., Salem  
                                       R.B. Strong Excavating, 122 Western Ave., Gloucester  
                                       Rooter-Man, 13 Littles Lane, Peabody  
                                       TDS, Inc., 2 Peter Dr., Sterling  
                                       Thomas Mackey & Sons, 58 Broadway, Salem  
                                       WES Construction, 650 Industrial Dr., Halifax

Action Contemplated

Councillor McCarthy

Moved Granted

Voted

---

**The Following Claims:**

Elizabeth Silva, 27 Sable Rd., Salem  
 Mary White, 81 Linden St. Salem  
 Jeff Cohen, 12 Hancock St., Salem

SUBROGATED:   H. Drew Romanovitz, PLLC (for Kenneth Patenaude), 25 Lynde St., Salem

Action Contemplated

Councillor McCarthy

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

Voted

---

**JANUARY 14, 2016**

**PETITIONS**

The Following Bonds:

CONSTABLE: Clint Larrabee, 19 Station Rd., Salem

DRAINLAYERS: J. Derenzo Co., 338 Howard St., Brockton  
James T. Lynch Construction, 77 Lowell Junction Rd., Andover

SIGN: Edward D. Jones & Co., L.P., 320 Derby St., Salem

Action Contemplated

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

---

JANUARY 14, 2016

UNFINISHED BUSINESS

NONE

On the motion of Councillor

the meeting adjourned at

P.M.