

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

*Cheryl A. LaPointe
City Clerk*



Page 1

May 23, 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, May 25, 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

MAY 25, 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, May 11, 2017 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on May 23, 2017 at 1:10 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**

MAY 25, 2017

HEARINGS

NONE

MAY 25, 2017

APPOINTMENTS AND REAPPOINTMENTS

The Mayor's re-appt. of Mark Ianuzzi to serve as a Constable with a term to expire on April 12, 2020

Action Contemplated

Councillor Ryan

Moved Received & Filed

Voted

MAY 25, 2017

COMMUNICATIONS FROM THE MAYOR

Mayor submitting proposed Budget for Fiscal Year 2018 in the amount of \$155,449,979.00

Action Contemplated

Councillor Gerard	Moved to refer to the Committee on Administration & Finance co-posted With Committee of the Whole	Voted
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BOND ORDERS: the following for Fiscal Year 2018 General Fund Capital Improvement Program in accordance with MGL Chapter 44, Section 7:

FY18 CIP – Funded from Bond Premium for the sum of	\$510,388.00
FY18 CIP – Funded from Capital Leases for the sum of	\$503,600.00
FY18 CIP – Funded from Bond Authorization for the sum of	\$3,842,460.00

Action Contemplated

Councillor Gerard	Moved to refer the Bonds to the Committee on Administration & Finance co-posted with Committee of the Whole	Voted
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MAY 25, 2017

COMMUNICATIONS FROM THE MAYOR

BOND ORDERS: the following for Fiscal Year 2018 Water / Sewer Capital Improvement Program in accordance with MGL Chapter 44, Section 7 and/ or 8:

FY18 CIP – Funded from **Bond Premium** for the sum of \$651,799.00

FY18 CIP – Funded from **Bond Authorization** for the sum of \$500,000.00

Action Contemplated

Councillor Gerard	Moved to refer the Bonds to the Committee on Administration & Finance co-posted with Committee of the Whole	Voted
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Appropriation of \$290,000.00 as part of the Fiscal Year 2018 Capital Improvement Plan for the following:

City Hall Annex moving expenses	Building Insp.	\$60,000.00
General Building Maintenance	Fire	\$25,000.00
Park & Field Improvements	Recreation	\$25,000.00
City Wide Tree Inventory	Planning	\$30,000.00
Downtown Dev. Study	Planning	\$50,000.00
Lorax Tree Recommendation	DPS	\$75,000.00
Acoustic Choral Panels	School	\$25,000.00

Councillor	suspension of the rules	Councillor	object
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Action Contemplated

Councillor Gerard	Moved Adoption Or Ref. to Comm. on Administration & Finance	Voted
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MAY 25, 2017

COMMUNICATIONS FROM THE MAYOR

ORDER: That the City votes to modify each prior order of this Council that authorizes the borrowing of money to pay costs of capital projects to provide that in accordance with chapter 44, section 20 of the General Laws, the premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied.

Action Contemplated

Councillor Gerard

Moved Adoption

Voted

ORDER: In accordance with MGL Ch. 44, Sec. 53E 1/2 City Council authorize revolving funds for Fiscal Year 2018

Action Contemplated

Councillor Gerard

Moved Adoption

Voted

MAY 25, 2017

MAYOR'S INFORMATIONAL PAGE

NONE

MAY 25, 2017

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Gerard

ORDER: that the Monthly Financial Report dated April 30, 2017, be referred to the Committee on Administration and Finance.

Action Contemplated

Councillor Gerard

Moved Adoption

Voted

Councillor Milo

ORDER: That the regular meetings of the City Council, for the months of July and August be combined and held on Thursday, July 20, 2017.

Action Contemplated

Councillor Milo

Moved Adoption

Voted

MAY 25, 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 license

SECOND HAND
VALUABLE:

Moon Baby, 302 Essex St., Salem

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 discussing the Compensation of School Committee Members has considered said matter and would recommend amending an Ordinance relative to the relative School Committee Compensation for First Passage by Roll Call Vote to read as follows:

In the year Two thousand and Seventeen

An Ordinance to amend an Ordinance relative to School Committee Compensation

Be it ordained by the City Council of the City of Salem, as follows:

Section 1. Chapter 2, Division 11. School Committee, Section 2-956 - *Compensation of Members* shall be deleted in its entirety and replaced with the following:

“Sec. 2-956. Compensation of members. Commencing January 15, 2018, members of the school committee, with the exception of the mayor, shall receive annually for their expenses a stipend equal to 6% of salary of the mayor in effect on January 15th of each year. This stipend shall be paid to members in four equal installments in January, April, July, and October of each calendar year. During the first four months of the city council's biennial organization, the matter of the school committee's compensation shall be reviewed by the city council committee on administration and finance and a recommendation reported to the city council no later than the first meeting in May. The committee shall recommend the compensation of the school committee members for the subsequent two fiscal years.”

Section 2. This ordinance shall take effect as provided by City Charter.

Accept the Report Voted

Adopt the Recommendation Voted

MAY 25, 2017

COMMITTEE REPORTS

Councillor Ryan offered the following report for the Committee on Ordinances, Licenses and Legal Affairs to whom was referred a hearing request from Joselito Gomez regarding the denial of his taxi operator license has considered said matter and would recommend granting his taxi operator license

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 discussing the Exemption of the Mass. Conflict of Interest Law for the Mayor to serve as the state appointee to the Salem Housing Authority 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 Famico offered the following report for the Committee on Public Health, Safety and Environment co-posted with the Committee of the Whole to whom was referred the matter of discussing an Ordinance relative to Signs and Billboards has considered said matter and would recommend that the matter remain in committee

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Famico offered the following report for the Committee on Public Health, Safety and Environment to whom was referred the matter of discussing current issues related to the establishment of recreational marijuana outlets in Salem and would recommend that the matter remain in committee

Accept the Report Voted

Adopt the Recommendation Voted

MAY 25, 2017

COMMUNICATIONS FROM CITY OFFICIALS

The following Appropriations submitted by Jane Guy on behalf of the Community Preservation Committee.

Appropriation of \$644,500.00 to CPA Funds for Fiscal Year 2018 for a list of projects.

Councillor suspension of the rules Councillor object

Action Contemplated

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

Appropriation of \$632,500.00 to CPA Funds for Fiscal Year 2018 from a list of city accounts

Councillor suspension of the rules Councillor object

Action Contemplated

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

Communication from the Traffic & Parking Commission for proposed repeal of Traffic Ordinances and incorporating them within the Traffic & Parking Commissions regulations.

Action Contemplated

Councillor Ryan Moved Adoption Voted
Or
Ref. to Comm. on Ordinances, Licenses & Legal Affairs

MAY 25, 2017

COMMUNICATIONS FROM CITY OFFICIALS

Communication from the Board of Registrars in accordance with Salem City Charter Section 38, the Board of Registrar of Voters has 14 days from the date objections were filed against certified petitions, to transmit a copy of its decision to the City Council. Due to ongoing hearings the final decision will be transmitted by May 24, 2017 in order to be compliant with the City Charter Section 42 to allow the City Council to reconsider such measure or part thereof.

Councillor Ryan

Moved to receive & file

Voted

MAY 25, 2017

PETITIONS

Petition from McLane Middleton on behalf of Celco Partnership d/b/a Verizon Wireless for a grant of location to install one (1) wireless antenna in the public right of way on the existing Verizon Telecommunications/National Grid Utility Pole at 120 Margin Street

HEARING ORDERED JUNE 8, 2017

Invitations from the Salem Veterans Council to the City Council to attend the annual Memorial Day Parade and Ceremony of Remembrance on Monday, May 29, 2017

Action Contemplated

Councillor Ryan

Moved Received and Filed

Voted

Communication from Salem Wreaths Across America informing the Council of date changes to their Carnival to be held at the Salem Willows, Park and Rec Commission approved new dates), will be held on August 28, 2017 – September 4, 2017 (dates include setting up and breaking down actual carnival dates 8/30-9/3) from Noon – 10:00 P.M. (Original dates granted June 28 – July 2 at the Salem Willow form 9:00 A.M. to 10:00 P.M.)

Action Contemplated

Councillor McCarthy

Moved

Voted

Request from the Residents on Bertuccio Ave. to hold a block party (corner of Bertuccio Ave & Jefferson Ave.) on May 28, 2017 from Noon to 8:00 P.M.

Action Contemplated

Councillor Lovely

Moved Granted

Voted

MAY 25, 2017

PETITIONS

Request from the Residents on Linden St. to hold a block party on Saturday, June 24, 2017 from 4:00 P.M. to 8:00 P.M. with a rain date of Sunday June 25, 2017

Action Contemplated

Councillor Turiel

Moved Granted

Voted

The Following License Applications:

PUBLIC GUIDES:

Jeremy Murphy, 12 Michigan Ave., Lynn
Beverly Strauss, 10 Chestnut St., Salem

TAXI OPERATORS:

Juan Carolos Roman, 9233 Crane Brook Way, Peabody
Alberto DeLacruz, 146 Shore Dr., Peabody
Antonio Fernandez, 230 Jefferson Ave., Salem
Mauro Fernandez, 78 Palmer St., Salem
Miguel Vasquez, 100 Lafayette St., Salem
Radames Toribio, 38 Prince St., Salem
Jean Marcel Benjamin, 16 Leach St., Salem
Dana McPhee, 14 South St., Salem

VEHICLE FOR HIRE
OPERATORS ONLY:

Jeffrey Trott, 21B Andrew t., Salem
Douglas Pilkington, 1102 The Heights at Cape Ann, Gloucester
Mark Gauthier, 40 Oak Avenue, Peabody
Tammy Harrington, 21 Chase St., Beverly
Michael Green, 298 Lynnfield St., Lynn
Stephen MacDonald, 146 Eastern Ave., Essex
Ronald Olson, 50 Stony Brook Rd., Marblehead
Edward Murphy, 4 Paradise Rd., Ipswich

Action Contemplated

Councillor Ryan

Moved Granted

Voted

MAY 25, 2017

PETITIONS

The Following License Applications:

TAXI OPERATOR: Daniel Moya, 29 Park St., Salem

Action Contemplated

Councillor Ryan

Moved Denied

Voted

The Following License Applications:

SECOND HAND VALUABLE: Moody Interiors, 3 Harrison Ave., Beverly

TAG DAY: S.H.S. Girls Volleyball, 9/16/17, 10/21/17

Action Contemplated

Councillor Ryan

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

Voted

The Following Drainlayers/Contract Operator License Application:

E.B. Rotondi & Sons, Inc., 21 Manison St., Stoneham

Action Contemplated

Councillor Ryan

Granted

Voted

MAY 25, 2017**PETITIONS**

The Following Claims:

Jackie Ingemi, 4 Griffin Rd., Peabody
 Marilyn Segal, 10 Devereux Ter., Marblehead
 Mark Spignesi, 300 Andover St. Suite 110, Peabody
 Jeffrey Bunnell, 46 Spring View Ave., Lynn

Subrogated

Electric Insurance (for Martha Liversage), 75 Sam Fonzo Dr., Beverly

Action Contemplated

Councillor Ryan

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

Voted

The Following Bonds:

CONSTABLE:

Mark Ianuzzi, 29 Granite St., Peabody

DRAINLAYER:

E.B. Rotondi & Sons, Inc., 21 Manison St., Stoneham

SIGNS:

Moon Baby Beauty Parlor, 302B Essex St., Salem
Witch City Wicks, 302A Essex St., Salem

Action Contemplated

Councillor Ryan

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

Voted

MAY 25, 2017

UNFINISHED BUSINESS

RECONSIDERATION:

Of an Order for National Grid to install conduit and two manholes on Bridge Street.

Councillor Famico

Moved

Voted

TABLED FROM THE LAST MEETING:

SECOND PASSAGE Ordinance amending Ch. 2 Sec. 2-2064 – Creation of an Inclusionary Advisory Commission

Action Contemplated

Councillor Ryan

Moved second & final passage

Voted.

SECOND PASSAGE Ordinance amending Traffic Ch. 42 Sec. 74 Tow Zone, Tremont Street.

Action Contemplated

Councillor Gerard

Moved second & final passage

Voted.

MAY 25, 2017

UNFINISHED BUSINESS

SECOND PASSAGE Ordinance amending Traffic Ch. 42 Sec. 50 – Repeal Handicap Parking Dow Street

Action Contemplated

Councillor McCarthy Moved second & final passage Voted.

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

Action Contemplated

Councillor Famico Moved second & final passage Voted

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