

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

*Cheryl A. LaPointe  
City Clerk*



March 22, 2016

**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 24, 2016 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 24, 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@saalem.com](mailto:clapointe@saalem.com).**

A Regular Meeting of the City Council held in the Council Chamber on Thursday, March 24, 2016 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on March 22, 2016 at 11:33 A.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**

MARCH 24, 2016

HEARINGS

NONE

**MARCH 24, 2016**

**APPOINTMENTS AND REAPPOINTMENTS**

Held from the last meeting, the Mayor's appt. of Roberta Clement to serve as a member of the Cemetery Commission with a term to expire on February 11, 2019

Action Contemplated

Councillor Famico	Moved Confirmation by RCV	Yeas	Nays	Absent
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Held from the last meeting, the Mayor's appt. of Scott Sheehan to serve as a member of the City of Salem's Conservation Commission with a term to expire on March 10, 2019

Action Contemplated

Councillor McCarthy	Moved Confirmation by RCV	Yeas	Nays	Absent
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Held from the last meeting, the Mayor's appt. of Antonio Mataragas to serve as a member of the City of Salem's Planning Board with a term to expire on March 10, 2021

Action Contemplated

Councillor Dibble	Moved Confirmation by RCV	Yeas	Nays	Absent
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**MARCH 24, 2016**

**APPOINTMENTS AND REAPPOINTMENTS**

Mayor's appt. of John Young to serve as a member of the City of Salem's Commission on Disabilities with a term to expire on March 24, 2019

Councillor	Suspension of the Rules	Councillor	Objection
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Action Contemplated

Councillor Eppley	Held under the rules	Voted
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Mayor's appt. of Matthew Smith to serve as a member of the City of Salem's Redevelopment Authority with a term to expire on March 24, 2021

Councillor	Suspension of the Rules	Councillor	Objection
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Action Contemplated

Councillor Famcio	Held under the rules	Voted
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Mayor's reappt. of Beverly Moustakis to serve as a member of the Beautification Committee with a term to expire on April 1, 2019

Action Contemplated

Councillor Gerard	Moved Confirmation by RCV	Yeas	Nays	Absent
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**MARCH 24, 2016**

**APPOINTMENTS AND REAPPOINTMENTS**

Mayor's appt. of Jeffrey Gregorio to serve as a Constable with a term to expire on February 23, 2017

Action Contemplated

Councillor McCarthy

Received & Placed on File

Voted

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Mayor's reappt. of John Ray, III to serve as a Constable with a term to expire on April 1, 2019

Action Contemplated

Councillor McCarthy

Received & Placed on File

Voted

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Mayor's reappt. of Brian Davis to serve as a Constable with a term to expire on February 23, 2019

Action Contemplated

Councillor McCarthy

Received & Placed on File

Voted

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**MARCH 24, 2016**

**COMMUNICATIONS FROM THE MAYOR**

ORDER: Appropriation of \$150,325.00 from "Fund Balance Reserved for Appropriation – Free Cash" account to the "Police – Overtime" Account

Councillor Eppley	Suspension of the Rule	Councillor	Objection
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Action Contemplated

Councillor Eppley	Moved Ref. to Committee on Administration and Finance or Adoption	Voted
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ORDER: Appropriation of \$70,000.00 within the "Capital Outlay Renovations & Repairs" Account to be expended for the brownstone and brickwork repairs to the Salem Public Library

Councillor Eppley	Suspension of the Rule	Councillor	Objection
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Action Contemplated

Councillor Eppley	Moved Ref. to Committee on Administration and Finance or Adoption	Voted
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ORDER: Appropriation of \$25,000.00 from "Fund Balance Reserved for Appropriation – Free Cash" account to the "Veterans – Benefits" Account

Councillor Eppley	Suspension of the Rule	Councillor	Objection
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Action Contemplated

Councillor Eppley	Moved Ref. to Committee on Administration and Finance or Adoption	Voted
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**MARCH 24, 2016**

**COMMUNICATIONS FROM THE MAYOR**

An Ordinance amending an Ordinance relative to Solid Waste Management Chapter 36  
Ch. 36 Sec. 6 – Collection Fee for certain residences

Subsection (a) is hereby amended by adding the following sentence at the end of the paragraph  
“Such fees may, at the owner’s option, be billed via electronic billing”

Subsection (c) is hereby amended by deleting the second sentence of the paragraph –  
“any fee not paid 30 days from the date of mailing of each bill may be lien to the property in the  
following fiscal years’ real estate bill”  
and replacing it with  
“any fee not paid 30 days from the date of electronic transmission or mailing of each bill may be  
lien to the property in the following fiscal years’ real estate bill”

Action Contemplated

Councillor McCarthy	Moved Adopted for first passage OR Refer to the Committee on Ordinances, Licenses and Legal Affairs	Voted
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An Ordinance amending an Ordinance relative to Water and Sewers, Chapter 46

Chapter 46 Article II, Division 1, Generally, Section 46-36 Due date and payment of bills.  
Section 46-36 is hereby amended by adding the following sentence as a new paragraph at the end  
of the existing two paragraphs:  
“Bills for water charges may, at the owner or watertaker’s option, be billed via electronic billing.”

Chapter 46 Article III, Division 4, Assessments, Section 46-232 – Payment of sewer use charges.

Section 46-232 is hereby amended by adding the following new paragraph (d) at the end of the  
section:  
“(d) Bills for sewer use charges may, at the sewer user’s option, be billed via electronic billing.”

Action Contemplated

Councillor McCarthy	Moved Adopted for first passage OR Refer to the Committee on Ordinances, Licenses and Legal Affairs	Voted
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MARCH 24, 2016

MAYOR'S INFORMATIONAL PAGE

NONE

**MARCH 24, 2016**

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor Dibble

ORDINANCE: amending Traffic, Ch. 42, Sec. 57A, "Parking Time Limited, Unmetered Zones" **Repeal** Lafayette Street, westerly side beginning 15 feet from Loring Ave. for a distance of 429 feet in a southerly direction as marked by signs, **2 hour parking**, 6:00 AM – 6:00 PM Monday – Friday (10/9/2008)

And replace with the following:

Lafayette Street, westerly side beginning 15 feet from Loring Ave. for a distance of 429 feet in a southerly direction as marked by signs, **1 hour parking**, 6:00 AM – 6:00 PM Monday – Friday

Action Contemplated

Councillor Dibble

Moved Adoption for first passage

Voted

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Councillor Turiel

ORDINANCE: amending Traffic, Ch. 42, Sec. 75, "Parking Prohibitions Towing Zone (Resident Sticker Parking) **Repeal** Ropes Street, Zone, E color orange, northerly side, beginning at the intersection with Washington Street and Ropes Street and proceeding **125 feet**. (5/26/87)

And replace with the following:

Ropes Street, Zone E, color orange, northerly side, beginning at the intersection with Washington Street and Ropes Street and proceeding **461 feet in a westerly direction**.

Action Contemplated

Councillor Turiel

Moved Adoption for first passage

Voted

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**MARCH 24, 2016**

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor Turiel

ORDER: That the Committee on Community and Economic Development co-posted with the Committee of the Whole meet for the purposes of establishing an ordinance, guidelines and parameters for permitting food trucks to operate in certain areas of Salem.

Action Contemplated

Councilor Turiel

Moved Adoption

Voted

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Councillor Eppley

ORDER: That the Monthly Financial Report dated February 29, 2016 be referred to the Committee on Administration and Finance.

Action Contemplated

Councillor Eppley

Moved Adoption

Voted

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Councillor McCarthy

ORDINANCE: amending Traffic, Ch. 42, Sec. 49, "Obedience to Isolated Stop Signs" Front Street, easterly traffic stop at Lafayette Street.

Action Contemplated

Councillor McCarthy

Moved Adoption for first passage

Voted

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**MARCH 24, 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 granting certain licenses has considered said matter and would recommend that the following licenses be granted

TAG DAYS: S.H.S. Softball, 4/10/16 and 5/16/16  
S.H.S Boys Basketball, 12/10/16, 12/17/16, 1/7/17, 1/14/17

Accept the Report	Voted
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Adopt the Recommendation	Voted
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Councillor Turiel offered the following report for the Committee of the Whole to whom was referred the matter of the reappointment of Mickey Northcutt to the Community Preservation Committee with a term to expire on March 1, 2019 has considered said matter and would recommend confirmation by Roll Call Vote

Accept the Report	Voted
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Adopt the Recommendation	Voted
<p>1. The Board of Directors shall have the authority to make any amendments to the Charter of the Corporation that are necessary to conform the Charter to the laws of the State of New York.</p> <p>2. The Board of Directors shall have the authority to make any amendments to the Bylaws of the Corporation that are necessary to conform the Bylaws to the laws of the State of New York.</p> <p>3. The Board of Directors shall have the authority to make any amendments to the Articles of Incorporation of the Corporation that are necessary to conform the Articles to the laws of the State of New York.</p> <p>4. The Board of Directors shall have the authority to make any amendments to the Certificate of Incorporation of the Corporation that are necessary to conform the Certificate to the laws of the State of New York.</p> <p>5. The Board of Directors shall have the authority to make any amendments to the Certificate of Organization of the Corporation that are necessary to conform the Certificate to the laws of the State of New York.</p> <p>6. The Board of Directors shall have the authority to make any amendments to the Certificate of Assumed Name of the Corporation that are necessary to conform the Certificate to the laws of the State of New York.</p> <p>7. The Board of Directors shall have the authority to make any amendments to the Certificate of Change of Name of the Corporation that are necessary to conform the Certificate to the laws of the State of New York.</p> <p>8. The Board of Directors shall have the authority to make any amendments to the Certificate of Change of Address of the Corporation that are necessary to conform the Certificate to the laws of the State of New York.</p> <p>9. The Board of Directors shall have the authority to make any amendments to the Certificate of Change of Principal Office of the Corporation that are necessary to conform the Certificate to the laws of the State of New York.</p> <p>10. The Board of Directors shall have the authority to make any amendments to the Certificate of Change of Principal Office of the Corporation that are necessary to conform the Certificate to the laws of the State of New York.</p>	<p>1. <input type="checkbox"/> Yes</p> <p>2. <input type="checkbox"/> Yes</p> <p>3. <input type="checkbox"/> Yes</p> <p>4. <input type="checkbox"/> Yes</p> <p>5. <input type="checkbox"/> Yes</p> <p>6. <input type="checkbox"/> Yes</p> <p>7. <input type="checkbox"/> Yes</p> <p>8. <input type="checkbox"/> Yes</p> <p>9. <input type="checkbox"/> Yes</p> <p>10. <input type="checkbox"/> Yes</p>

MARCH 24, 2016

COMMUNICATIONS FROM CITY OFFICIALS

NONE

**MARCH 24, 2016**

**PETITIONS**

Petition from McLane Middleton on behalf of Cellco Partnership d/b/a Verizon Wireless to locate small cell wireless antennas and the necessary sustaining and protecting fixtures on an existing utility pole, located on a public way near 81 Highland Avenue

HEARING ORDERD APRIL 14, 2016

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Request from W.T. Rich Company to shut down and reroute a portion of sidewalk along Bridge St.

Action Contemplated

Councillor Famico

Moved Granted

Voted

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Request from Salem Main Streets to close Front Street to vehicular traffic during the Salem Arts Festival on Saturday, June 4 and Sunday, June 5 from 10:00 A.M. to 6:00 P.M.

Action Contemplated

Councillor Famico

Moved Granted

Voted

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An Invitation to attend the Vietnam War Commemoration to honor and mark the 50<sup>th</sup> Anniversary of the final day that U.S. troops were on the ground in Vietnam, Monday, March 28, 2016 at 6:30 P.M. at Riley Plaza

Action Contemplated

Councillor Eppley

Received & Placed on File

Voted

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**MARCH 24, 2016****PETITIONS**

An Invitation from the Second Corps Cadets Veterans Association to attend the 379<sup>th</sup> Anniversary of the First Muster on April 2, 2016 – The events will begin at 9:00 AM at St. Peter's Church and finishing with a March to Salem Common at 10:30 The muster will conclude with a pass-in-review followed by a collation at the K of C Hall

Action Contemplated

Councillor Eppley

Received & Placed on File

Voted

the Following License Application:

**PUBLIC GUIDES:**

Jesse Kamien, 6 Netherwood Rd., Windham, NH  
 Philip Weinstein, 13 Station Rd., Salem  
 Joel Cassidy, 35 March St., Salem  
 John Flanagan, 38 Bayview Ter., Danvers  
 Michael Vitka, 384 Essex St., Salem

**TAXI OPERATORS:**

Alfredo Pina, 13 Center St., Peabody  
 Juan Carlos Espinal Sr., 203 Washington St., Salem  
 Bienverdo Gil, 32 Perkins St., Salem  
 Tirsson Ozoria, 20 Peabody St., Salem  
 Jose Baez, 29 Perkins St., Salem  
 Miguel Vasquez, 100 Lafayette St., Salem

Action Contemplated

Councillor McCarthy

Moved Granted

Voted

**MARCH 24, 2016**

**PETITIONS**

The Following License Applications:

SEAWORM: Mike Sanchez, 31 Preston St., Wakefield

TAG DAYS: S.H.S. Winter Colorguard & Percussion Ensemble, May 1, 2016  
S.H.S. Music Dept., June 11, 2016  
S.H.S. Boys Soccer, Aug. 27, 2016, Sept. 10, 2016 & Oct. 1, 2016

Action Contemplated

Councillor McCarthy	Moved Referred to Comm. on Ordinances Licenses & Legal Affairs	Voted
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The Following Bonds:

CONSTABLES: Brian F. Davis, 21 Oakhurst St., Ipswich  
Jeffrey Greogorio, 48 Tremont St., Peabody

Action Contemplated

Councillor McCarthy	Moved Referred to Comm. on Ord., Licenses & Legal Affairs & Returned Approved	Voted
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**MARCH 24, 2016**

**UNFINISHED BUSINESS**

ORDER for the discontinuance of a public way known as Beckford Way (aka Beckford Street extension).

Councillor Famico	Moved Approval by roll call vote	yeas	nays	absent
	Or			
	Refer to Committee on			

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SECOND PASSAGE ordinance amending Traffic Ch. 42, Sec. 57A, "Parking Time Limited Unmetered Zones Loring Avenue 40 feet north of College Drive to the intersection of Linden Street 15 min. parking Mon.-Fri. 7 AM – 4 PM

Action Contemplated

Councillor Dibble	Moved second and final passage	Voted
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SECOND PASSAGE ordinance amending Traffic Ch. 42, Sec. 57A, "Parking Time Limited Unmetered Zones" Lafayette Street southerly to property line of 410 Lafayette St. 1 hour parking Mon. – Fri. 6 AM to 5 PM

Action Contemplated

Councillor Dibble	Moved second and final passage	Voted
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**MARCH 24, 2016**

**UNFINISHED BUSINESS**

SECOND PASSAGE ordinance amending Traffic, Ch. 42, Sec. 75 “Parking Prohibitions Towing Zones (Resident Sticker Parking) Lafayette Street 20 feet north of Raymond Avenue continuing northerly for 410 feet to #410 Lafayette Street, Mon. – Fri. 6 AM to 8 PM

Action Contemplated

Councillor Dibbel	Moved second and final passage	Voted
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On the motion of Councillor	the meeting adjourned at	P.M.
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