

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

*Cheryl A. LaPointe
City Clerk*



Page 1

October 25, 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, October 27, 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

OCTOBER 27, 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.**

A Regular Meeting of the City Council held in the Council Chamber on Thursday, October 27, 2016 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on October 25, 2016 at 8:58 A.M. This meeting is being taped and is live on S.A.T.V.

Councillors absent:

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**

OCTOBER 27, 2016

HEARINGS

HEARING CONTINUED: Request from Domino's located at 4 Canal Street for extended hours of operation. The amended requested hours will be from 10:30 A.M. until 2 A.M. Saturday through Friday, 7 days per week

IN FAVOR:

OPPOSED:

Hearing Closed:

Action Contemplated

Councillor Turiel

Moved Granted

Voted

OCTOBER 27, 2016

HEARINGS

Request from Target, located at 227 Highland Ave., to request a one-day extension of store hours on Friday, November 25, 2016, the day after Thanksgiving, to open sometime after 12:000 AM for this day only. Target normally opens on Fridays at 8:00 A.M.

IN FAVOR:

OPPOSED:

Hearing Closed:

Action Contemplated

Councillor Lovely

Moved Granted

Voted

OCTOBER 27, 2016

APPOINTMENTS AND REAPPOINTMENTS

Held from the last meeting, the Mayor’s appt. of Attorney Tanya Stepasiuk, 10 Burnside St., to serve as a member of the Traffic and Parking Commission with a term to expire on October 13, 2017

Action Contemplated

Councillor Famico Moved Confirmation by RCV Yeas Nays Abs

Mayor’s appt. of Matthew O. Smith, 12 Northey St., to serve as the City of Salem’s Traffic and Parking Executive Director for a two-year term to commence on November 14, 2016 and to expire on January 31, 2019

Councillor Suspension of the Rules Councillor Objection

Action Contemplated

Councillor Famico Held under the Rules Voted

OCTOBER 27, 2016

COMMUNICATIONS FROM THE MAYOR

Appropriation of \$35,058.42 from Retirement Stabilization Fund – Vacation /Sick Leave Buyback Account for the contractual buy back of Michael Fecteau of the Police Department.

Councillor suspension of the rules Councillor Object

Action Contemplated

Councillor Eppley Moved Adoption Voted
Or refer to the Committee on Administration
& Finance

ORDER: to authorize the Mayor to enter into a lease agreement with Ferrara Fire Apparatus, Inc. to the lease-purchase of a custom fire pump truck for the Fire Department

Action Contemplated

Councillor Eppley Moved Adoption Voted
Or Ref. to the Committee on Administration
& Finance co-posted with Comm. Of the Whole

OCTOBER 27, 2016

MAYOR'S INFORMATIONAL PAGE

NONE

OCTOBER 27, 2016

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Eppley

ORDER: that the Year to Date Budget Report dated July, August and September 2016 be referred to the Committee on Administration and Finance

Action Contemplated

Councillor Eppley

Moved Adoption

Voted

Councillor Eppley

ORDER: that the Monthly Financial Report dated September 30, 2016 be referred to the Committee on Administration and Finance.

Action Contemplated

Councillor Eppley

Moved Adoption

Voted

Councillor Furey

ORDER: That the regular meetings of the City Council for the months of November and December be held on Thursday, November 17, 2016 and Thursday, December 1, 2016

Action Contemplated

Councillor Furey

Moved Adoption

Voted

OCTOBER 27, 2016

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Lovely

ORDINANCE: amending Traffic Ch. 42, Sec. 50B "Handicap Parking Limited Time"
Broad Street, in front of #57 for a distance of twenty (20) feet. "Handicap Parking Tow Zone"

Action Contemplated

Councillor Lovey Moved Adoption for first passage Voted

Councillor Turiel

ORDINANCE: amending Traffic Ch. 42, Sec. 50B "Handicap Parking Limited Time"
Repeal Geneva Street, in front of #1 for a distance of twenty (20) feet. "Handicap Parking Tow Zone" (5/28/13)

Action Contemplated

Councillor Lovey Moved Adoption for first passage Voted

Councillor Turiel

ORDINANCE: amending Traffic Ch. 42, Sec. 50B "Handicap Parking Limited Time"
Repeal Wisteria Street, in front of #9A for a distance of twenty (20) feet. "Handicap Parking Tow Zone" (6/18/14)

Action Contemplated

Councillor Turiel Moved Adoption for first passage Voted

OCTOBER 27, 2016

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Turiel

ORDINANCE: amending Traffic Ch. 42, Sec. 56 "Parking Meters, Zones Established"
Washington Street Municipal lot in front of 203-209 Washington Street for meters 683, 682, 681, 680, 703 and 202, thirty (30) minute parking 8:00 AM – 6:00 PM, Monday through Saturday

Action Contemplated

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|-------------------|----------------------------------|-------|
| Councillor Turiel | Moved Adoption for first passage | Voted |
|-------------------|----------------------------------|-------|

Councillor Turiel

ORDINANCE: amending Traffic Ch. 42, Sec. 75, "Parking Prohibited Tow Zone (Resident Sticker)"
Lafayette Street, Zone B, color red, from #339 to #441 Lafayette Street to be included to obtain resident sticker parking permits.

Action Contemplated

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|-------------------|----------------------------------|-------|
| Councillor Turiel | Moved Adoption for first passage | Voted |
|-------------------|----------------------------------|-------|

Councillor Turiel

ORDER: That the following rules of the City Council be amended as follows:

Sec. 22. - Numbering members' seats; determining seat; changing seat.

The seats of the members of the council shall be numbered from one upwards, beginning at the left of the president's chair, and be determined the president at the beginning of each Council year, and no member shall change his seat but by permission of the president.

Sec. 26. - Appointment of chairperson when into committee of whole.

When the council shall determine to go into committee of the whole, the president shall take the chair or appoint a member to do so.

Sec. 27. - Rules when in committee of the whole.

The rules of proceeding in committees shall also be observed in committee of the whole, so far as they are applicable; but a motion to rise, report progress, and ask leave to sit again shall be first in order, and shall be decided without debate; and the previous question shall not be moved.

Action Contemplated

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|-------------------|----------------|-------|
| Councillor Turiel | Moved Adoption | Voted |
|-------------------|----------------|-------|

OCTOBER 27, 2016

COMMITTEE REPORTS

Councillor Eppley offered the following report for the Committee on Administration & Finance co-posted with the Committee of the Whole to whom was referred the matter of an order to authorize the Mayor to purchase property located at 289 Derby Street, on behalf of the City of Salem, for \$1.4 Million. Said land shall be subject to an open space preservation restriction has considered said matter and would recommend (action unknown meeting took place after agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Eppley offered the following report for the Committee on Administration & Finance co-posted with the Committee of the Whole to whom was referred the matter of a Bond Oder in the amount of \$1,400,000 to be appropriated to pay costs for the Community Preservation Act Project - The acquisition of 289 Derby Street for recreation purposes and the payment of all costs incidental and related thereto has considered said matter and would recommend (action unknown meeting took place after agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Eppley offered the following report for the Committee on Administration & Finance co-posted with the Committee of the Whole to whom was referred the matter of an appropriation of \$100,000 from CPA Funds to CPA-289 Derby St. Design & Costs has considered said matter and would recommend (action unknown meeting took place after agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

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 Creating an Ordinance relative to reducing the use of plastic bags in Salem has considered said matter and would recommend that the ordinance be adopted for first passage

Accept the Report Voted

Adopt the Recommendation Voted

OCTOBER 27, 2016

COMMITTEE REPORTS

Councillor Turiel offered the following report for the Committee of the Whole to whom was referred the matter of the Disposition and Deed Restriction of City Owned parcel located a #297 Bridge Street has considered said matter and would recommend (action unknown meeting took place after agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Turiel offered the following report for the Committee of the Whole to whom was referred the matter the Home Rule Petitions to convert seasonal liquor licenses to annual licensed and grant additional liquor licenses for the sale of all alcoholic beverages to be drunk on the premises has considered said matter and would recommend the following:

One (1) additional license for the sale of all alcoholic beverages to be drunk on the premises of Merchant Hotel located at 148 Washington St. be Granted;

One (1) additional license for the sale of wine and malt beverages to be drunk on the premises to Brew on the Grid Salem located at 217 Essex St. be Granted

To convert a currently issued seasonal license for the sale of all alcoholic beverages to be drunk on the premises currently issued to Bonchon located at 299 Essex St. be Granted

To convert a currently issued seasonal license for the sale of all alcoholic beverages to be drunk on the premises currently issued to Flatbread located at 311 Derby St. be withdrawn

Granting of 5 additional licenses for the sale of all alcoholic beverages to be drunk on the premises to establishments located within the B5 Central Business District, The Entrance Corridor Overlay Zoning Districts or Derby and Congress Street Remain in Committee

Accept the Report Voted

Adopt the Recommendation Voted

OCTOBER 27, 2016

COMMITTEE REPORTS

Councillor Turiel offered the following report for the Committee of the Whole to whom was referred the matter the Home Rule Petitions to grant 5 additional liquor licenses for the sale of all alcoholic beverages to be drunk on the premises to establishments located within the B5 Central Business District, The Entrance Corridor Overlay Zoning Districts on Derby and Congress Street has considered said matter and would recommend (action unknown meeting took place after agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

OCTOBER 27, 2016

COMMUNICATIONS FROM CITY OFFICIALS

NONE

OCTOBER 27, 2016**PETITIONS**

Request from the Residents of Beach Ave. (from Cheval Ave. to Juniper Ave.) to hold a block party on November 11, 2016 from 7:00 A.M. to 11:00 A.M. to rededicate the WWII memorial in that neighborhood

Action Contemplated

Councillor McCarthy

Moved Granted

Voted

The Following License Applications:

LIMOUSINE: Salem Taxi Company, 30 Church St., Salem

PUBLIC GUIDES: Amy Sheridan, 1 Manning St., Ipswich

TAXI OPERATORS: Luis Maldonado Sanchez, 5 Porter St. Ct., Salem
 Khris Joel Lara, 159 Boston St., Salem
 Lucia Planco, 14 Beacon St., Lawrence
 Samuel Miring, 14 Beacon St., Lawrence
 Frizgerald Hilaire, 14 Dow St., Salem
 Joel Perez, 64 Harbor St., Salem
 Eliazar Sosa-Garcia, 9 Salem St., Salem
 Ramon Reyes, 42 Park St., Salem
 Angel Castillo, 2 Prince St. Pl., Salem

Action Contemplated

Councillor McCarthy

Moved Granted

Voted

OCTOBER 27, 2016

PETITIONS

The Following License Application:

TAXI OPERATOR: Sigfredo Pena, 3 Harris St., Peabody

Action Contemplated

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| Councillor McCarthy | Moved Denied | Voted |
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Hearing Request from Sigfredo Pena on the denial of his taxi operator license

Action Contemplated

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| Councillor McCarthy | Refer to Comm. on Ord., Lic. & Legal Affairs to hold an Executive Session | Voted |
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The Following Bonds:

CONSTABLE: Michael Panneton, 19 Greenlawn Ave., Salem

Action Contemplated

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| Councillor McCarthy | Refer to Comm. on Ord., Lic. & Legal Affairs & Returned Approved | Voted |
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OCTOBER 27, 2016

UNFINISHED BUSINESS

SECOND PASSAGE ordinance amending the Zoning Map for the parcel located at 293 Bridge Street from NRCC to B-4 and 297 Bridge Street from R-2 to B-4.

Action Contemplated

Councillor Famico Moved Adoption for second and final passage
By roll call vote

YEAS NAYS ABSENT

SECOND PASSAGE ordinance amending Traffic Ch. 42, Sec. 50B Handicap Parking Repeal Cabot Street

Action Contemplated

Councillor Turiel Moved Adoption for second and final passage Voted

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