

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

*Cheryl A. LaPointe  
City Clerk*



May 10, 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, May 12, 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

**MAY 12, 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, May 12, 2016 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on May 10, 2016 at 9:15 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**

**MAY 12, 2016**

**HEARINGS**

ORDERED: Verizon to install conduits on Washington Street and Canal Street.

IN FAVOR:

OPPOSED:

HEARING CLOSED:

ACTION CONTEMPLATED

COUNCILLOR TURIEL

**MAY 12, 2016**

**APPOINTMENTS AND REAPPOINTMENTS**

Mayor's appt. of the following youth to serve as a members of the new Salem Youth Commission with the following terms to expire on:

Councillor	Suspension of the Rules	Councillor	Objects
<u>Name</u>		<u>Term to expire on</u>	
Nick Angeramo		May 12, 2019	
Ruby Cheresnowsky		May 12, 2018	
Jorge Gomez Frometa		May 12, 2018	
Aiyana Lilly		May 12, 2019	
Jared Lubas		May 12, 2018	
Jacob McGrath		May 12, 2017	
Ishmael Telemaco		May 12, 2017	

Action Contemplated

Councillor Held under the Rules

---

**MAY 12, 2016**

**COMMUNICATIONS FROM THE MAYOR**

ORDER: Appropriation of \$155,508.00 from “Capital Outlay Equipment” Account to be expended to purchase a new aerial lift truck for the Department of Public Services

Councillor	Suspension of the Rules	Councillor	Objects
------------	-------------------------	------------	---------

Action Contemplated

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

ORDER: Appropriation of \$58,171.84 from the “Retirement Stabilization Fund – Vacation/Sick Leave Buyback” for the retirement of Charles Campanora from the Fire Dept. and David Parsons from DPS

Councillor	Suspension of the Rules	Councillor	Objects
------------	-------------------------	------------	---------

Action Contemplated

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

**MAY 12, 2016**

**COMMUNICATIONS FROM THE MAYOR**

ORDER: Appropriation of \$33,000.00 from the "Fund Balance Reserved for Appropriation – Free Cash" to the Police accounts listed below:

Police Training and Education	\$15,000.00
Police Medical	\$18,000.00

Councillor	Suspension of the Rules	Councillor	Objects
------------	-------------------------	------------	---------

Action Contemplated

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

ORDER: Appropriation of \$4,500.00 from the "Capital Outlay Renovations and Repairs" Account to be expended for the purchase and installation of rail road crossing mat on Bridge Street by the Public Services Department

Councillor	Suspension of the Rules	Councillor	Objects
------------	-------------------------	------------	---------

Action Contemplated

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

MAY 12, 2016

COMMUNICATIONS FROM THE MAYOR

ORDER: To accept a total donation of \$37,048.00 (in labor, materials and cash) for the McGrath Park Concession Stand from the numerous vendors listed below:

- Adams Screen Enclosures of Salem
- Beverly Overhead Garage Door Co. of Beverly
- Caponigro Construction Co. of Swampscott
- Little Poland Neighborhood of New Britain, CT
- DiBiase Homes of Lynnfield
- EMR Drywall Inc. of Salem
- M&M Roofing Contractors of Salem
- March and Martin Insulation of Salem
- Murphy's Restaurant and Pub of Salem
- Salem Youth Soccer of Salem

Action Contemplated

Councillor Eppley	Moved Adopted	Voted
-------------------	---------------	-------

ORDER: To accept a donation of \$1,200.00 from the Christopher Columbus Golf League to Park and Recreation Department to aid in the maintenance and improvements of the Golf Course

Action Contemplated

Councillor Eppley	Moved Adopted	Voted
-------------------	---------------	-------

ORDER: To accept M.G.L. Chapter 44 Section 53E ½ to establish a revolving fund for Derby Square/Artists Row

Action Contemplated

Councillor Eppley	Moved Adoption Or Refer to Comm. On A&F	Voted
-------------------	--	-------

**MAY 12, 2016**

**COMMUNICATIONS FROM THE MAYOR**

ORDER: To adopt an Act for a Home Rule Petition for an additional liquor license for the sale of alcoholic beverages to be drunk on the premises of 203-209 Essex Street, Hotel Salem Op Co., LLC

Action Contemplated

Councillor McCarthy	Moved Adoption by Roll Call Vote Or Refer to the Comm. On Ord., Lic. & Legal Affairs	Yeas	Nays	Absent
---------------------	--	------	------	--------

---

ORDER: To adopt an Act for a Home Rule Petition for an additional liquor license for the sale of alcoholic beverages to be drunk on the premises of 125 Washington Street, Odd Fellows Restaurant, LLC.

Action Contemplated

Councillor McCarthy	Moved Adoption by Roll Call Vote Or Refer to the Comm. On Ordinances, Licenses & Legal Affairs	Yeas	Nays	Absent
---------------------	--	------	------	--------

---

ORDINANCE: to Amend an Ordinance relative to Ch. 42 Traffic Section 17A Fines – Handicap Parking by deleting the \$100.00 fine for parking in an area designated for handicapped parking and replacing it with a fine of \$300.00 for parking in an area designated for handicap parking

Action Contemplated

Councillor McCarthy	Moved Adoption for First Passage OR Refer to the Comm. On Ordinances, Licenes & Legal Affairs	Voted
---------------------	---	-------

---



MAY 12, 2016

MAYOR'S INFORMATIONAL PAGE

NONE

**MAY 12, 2016**

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor Gerard

ORDINANCE: to amend an Ordinance relative to Traffic Chapter 42, Section 50B, "Handicap Parking Zone, Limited Time" – Repeal North Street, #117, for a distance of twenty (20) feet, No Parking Tow Zone, Handicap Parking Only

Action Contemplated

Councillor Gerard

Moved Adoption for First Passage

Voted

Councillor Famico

ORDINANCE: to amend an Ordinance relative to Chapter 42 Sec. 11 - Tour bus parking and Sec. 56 - Parking meters (to view all changes copy of entire ordinance can be reviewed in City Clerk's Office during normal working hours)

Action Contemplated

Councillor Famico

Moved Adoption for First Passage  
Or Refer to Comm. On Ord., Lic. &  
Legal Affairs

Voted

**MAY 12, 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:                      Polish Legion of Americans, August 9, 2016  
S.H.S. Marching Band, December 3, 2016

Accept the Report                      Voted

Adopt the Recommendation              Voted

---

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 an Ordinance Amending Traffic and Parking relative to the Commission and the Director in its entirety has considered said matter and would recommend that the amended Ordinance be adopted for first passage

Accept the Report                      Voted

Adopt the Recommendation              Voted

---

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 Resolution for Commonwealth Diagnostics International, Inc. to purchase a building located at One Holyoke Square and to use a TIF to encourage economic development has considered said matter and would recommend (action unknown meeting took place after Agenda deadline)

Accept the Report                      Voted

Adopt the Recommendation              Voted

---

**MAY 12, 2016**

**COMMITTEE REPORTS**

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 adopting a Tax Increment Financing (TIF) Agreement between the City of Salem and Commonwealth Diagnostic Inc. for a period of five years has considered said matter and would recommend (action unknown meeting took place after Agenda deadline)(if adopted needs RCV)

Accept the Report                      Voted  
Adopt the Recommendation              Voted

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 adopting an Order for the FY17 Budget for the Community Preservation Act funds as follows:

ORDER: Appropriation of \$595,000.00 to CPA Funds in FY 2017 as follows:

2001	CPA-General Admin-Expenses	25,750.00
2001	CPA-General Admin-Stipends	4,000.00
2001	CPA-General Admin-Reserves	386,750.00
2002	CPA-Open Space- Reserves	59,500.00
2003	CPA-Historical Preservation – Resv.	59,500.00
2004	CPA-Community Housing-Resv.	59,500.00
<b>Total</b>		<b>595,000.00</b>

has considered said matter and would recommend (action unknown meeting took place after Agenda deadline)

Accept the Report                      Voted  
Adopt the Recommendation              Voted

**MAY 12, 2016**

**COMMUNICATIONS FROM CITY OFFICIALS**

A communication from the Cemetery Commission requesting an Ordinance to Amend an Ordinance relative to prohibiting dogs in historic cemeteries by inserting a new section as follows be adopted:

“Section 16-5 – Dogs Prohibited from certain historic cemeteries.

Dogs, excluding service dogs leashed and in control of the owner, are prohibited in four historic cemeteries, Broad Street, Charter Street, Howard Street and the Quaker Cemetery, also known as Friends’ Cemetery, on Essex Street.”

Councillor Gerard

Moved Adoption for first Passage  
Or referred to the Committee on  
Public Health, Safety & Environment

Voted

---

**MAY 12, 2016**

**PETITIONS**

Request from Iberdrola to continue their extended hours Monday through Friday until 10:00 P.M.

Action Contemplated

Councillor McCarthy

Moved Granted

Voted

---

Request from the residents of Winter and Oliver Streets to hold a Block Party (at 24 Winter Street Rear of House – Oliver Street) on June 4, 2016 from Noon until 10:00 P.M.

Action Contemplated

Councillor Famico

Moved Granted

Voted

---

The Following License Applications:

PUBLIC GUIDES:           Richard Anderson, 76 Essex St., Salem

Action Contemplated

Councillor McCarthy

Moved Granted

Voted

---

**MAY 12, 2016****PETITIONS**

The Following License Applications:

TAG DAYS: Salem Firefighters, 6/6/16, 8/5/16 & 10/14/16  
SHS Girls Soccer, 9/17/16 & 10/22/16

Action Contemplated

Councillor McCarthy	Moved Referred to Comm. on Ordinances Licenses & Legal Affairs	Voted
---------------------	---	-------

---

The Following Claims:

Shirish Rajbhandari, 320 Lafayette St., Salem  
Lauren Cleveland, 15 Forest Ave., Salem  
Gayle Bastarache, 74 Essex St., Salem

Action Contemplated

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

---

MAY 12, 2016

UNFINISHED BUSINESS

SECOND PASSAGE of an Ordinance amending an Ordinance relative to Traffic, Ch. 32, Sec. 50B, "Handicap Parking, Limited Time" Bridge Street in front of #93 for a distance of 20 feet.

Action Contemplated

Councillor Famico                      Moved adoption for second and final passage                      Voted

SECOND PASSAGE of an Ordinance amending an Ordinance relative to Zoning for Section 10.0, Definition for Tasting Room

Councillor McCarthy                      Moved Adoption as amended for second and final passage by  
roll call vote    Yeas                      Nays                      Absent

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