

JANUARY 24, 2019

CITY COUNCIL

REGULAR MEETING

“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 Ilene Simons at 978-619-5610 or isimons@salem.com.

A Regular Meeting of the City Council held in the Council Chamber on Thursday, January 24, 2019 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on January 22, 2019, at 9:06 A.M. This meeting is being taped and is live on S.A.T.V.

Councillors absent:

Council President Dibble presided.

Councillor _____ moved to dispense with the reading of the record of the previous meeting.

VOTED

President Dibble requested that everyone please rise to recite the Pledge of Allegiance.

PUBLIC TESTIMONY

Public Testimony not to exceed 15 minutes

Public Testimony is not a public hearing or question and answer period

Name must be on roster 30 minutes prior to meeting

Agenda items only

How to Sign Up:

Anyone wishing to present testimony at a City Council meeting regarding a matter on the agenda, must sign the roster in person stating their name, address and subject matter. The Roster will be available in the City Clerk’s Office (Room 1) and may sign the roster From the time the agenda is posted until thirty (30) minutes prior to the start of the regular Council Meeting (by 6:30 p.m.). Only those on the roster may present testimony at the Meeting. (For complete rules for Public Testimony please refer to Council Rules Section 28C)

JANUARY 24, 2019

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REGULAR MEETING

HEARINGS

ORDERED: National Grid and Verizon to install a jointly owned pole on Harbor St.

Appearing in Favor:

Appearing Opposed:

Councillor McCarthy

Moved that the hearing be closed

Voted

Councillor McCarthy

Moved

Voted

JANUARY 24, 2019

CITY COUNCIL

REGULAR MEETING

APPOINTMENTS AND REAPPOINTMENTS

Mayor's reappointment of Michael Jaros of 20 Fowler St. Salem to the Bicycling Advisory Committee with a term to expire on February 11, 2022

Action Contemplated

Councillor Madore	Moved Confirmation by RCV	Yeas	Nays	Abs
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Mayor's reappointment of Richard Frank of 20 Central St #206 Salem to the Bicycling Advisory Committee with a term to expire on February 11, 2022

Action Contemplated

Councillor Madore	Moved Confirmation by RCV	Yeas	Nays	Abs
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Mayor's reappointment of Richard Jagolta of 41 Chestnut St to the Salem Board of Assessors with a term to expire on February 1, 2022

Action Contemplated

Councillor Madore	Moved Confirmation by RCV	Yeas	Nays	Abs
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JANUARY 24, 2019

CITY COUNCIL

REGULAR MEETING

APPOINTMENTS AND REAPPOINTMENTS

Mayor's reappointment of Ronald Harris of 5 Riverway Rd. to the Salem Cemetery Commission with a term to expire on February 11, 2022,

Action Contemplated

Councillor Dibble	Moved Confirmation by RCV	Yeas	Nays	Abs
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Mayor's reappointment of Patricia Donahue of 12 Dearborn Lane to the Salem Cemetery Commission with a term to expire on February 1, 2022,

Action Contemplated

Councillor Gerard	Moved Confirmation by RCV	Yeas	Nays	Abs
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Mayor's reappointment of Mary Anne Silva of 17 Sumner Rd. to the Salem Cemetery Commission with a term to expire on February 1, 2022,

Action Contemplated

Councillor Dibble	Moved Confirmation by RCV	Yeas	Nays	Abs
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JANUARY 24, 2019

CITY COUNCIL

REGULAR MEETING

APPOINTMENTS AND REAPPOINTMENTS

Mayor's reappointment of Donna Clifford of 26 Gables Circle. to the Salem Council on Aging with a term to expire on February 1, 2022,

Action Contemplated

Councillor Flynn	Moved Confirmation by RCV	Yeas	Nays	Abs
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Mayor's reappointment of Mikhaela Abreu to the Salem Youth Commission with a term to expire on January 25, 2020,

Action Contemplated

Councillor Dominguez	Moved Confirmation by RCV	Yeas	Nays	Abs
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JANUARY 24, 2019

CITY COUNCIL

REGULAR MEETING

COMMUNICATION FROM THE MAYOR

ORDER: To accept the donation from the Mack Park Association totaling One Thousand Two Hundred and Ninety Dollars (\$1,290.00) to be deposited into the K-9 Donation Fund

Action Contemplated

Councillor Peterson

Moved Adoption

Voted

ORDINANCE: Amending an Ordinance relative to mooring permits.

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

Section 1. Chapter 10 is hereby amended by striking the third sentence of Section 10-24(d) in its entirety and replacing it with the following:

“Renewal applications received or postmarked after April 15 shall result in a late fee of \$30.00 being assessed.”

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

Action Contemplated

Councillor McCarthy

Moved Adoption for first passage
OR Refer to the Comm. on Ord., Lic. &
Legal Affairs

Voted

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CITY COUNCIL

REGULAR MEETING

MAYOR'S INFORMATIONAL PAGE

NONE

JANUARY 24, 2019

CITY COUNCIL

REGULAR MEETING

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Peterson

ORDER: That the Fiscal Year Monthly Financial Report dated, December 31, 2018 be referred to the Committee on Administration and Finance

Action Contemplated

Councilor Peterson

Moved Adoption

Voted

Councillor Peterson

ORDER: That the Fiscal Year-to-Date Budget Report dated, October, November and December, 2018 be referred to the Committee on Administration and Finance

Action Contemplated

Councilor Peterson

Moved Adoption

Voted

Councillor Gerard

ORDER: That the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole meet to discuss the creation of an Ordinance relative to the treatment and rights of domesticated animals in Salem.

Action Contemplated

Councilor Gerard

Moved Adoption

Voted

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CITY COUNCIL

REGULAR MEETING

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Furey

RESOLUTION:

WHEREAS: Veronica Malionek is celebrating her 100th Birthday, today, January 24, 2019; and

WHEREAS: She was born in Chelsea, Massachusetts and has been a resident of Salem for over 60 years; and

WHEREAS: Veronica is one of six children, she is a loving sister to Catherine, Joe, Henry, Chester and Steve

WHEREAS: She became the wife of the late Stanley Malionek and this marriage was blessed with two sons, Tony and Steve and in addition to being a loving mother she is also a doting Aunt to numerous nieces and nephews; and

WHEREAS: In addition to her duties as wife, mother, sister and aunt, she worked for Daniel Lowe's in Salem and has been an active member in the Polish Legion of American Veterans Ladies Auxiliary, the Holy Rosary Sodality at St. John's Church, and as a Poll Worker for the City of Salem; and

NOW THEREFORE, BE IT RESOLVED: That the Salem City Council wishes Veronica Malionek a very Happy 100th Birthday; and

AND BE IT FURTHER RESOLVED: That this resolution be made a matter of record of these proceedings and that a suitable copy along with a City Seal be presented to Veronica Malionek at her birthday celebration this weekend where she will be honored by her Friends and Family

Action Contemplated

Councillor Furey

Moved Adoption

Voted

JANUARY 24, 2019

CITY COUNCIL

REGULAR MEETING

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Furey

ORDER: That the Committee on Public Health, Safety and the Environment co-posted with the Committee of the Whole meet to discuss bathroom facilities by private owners, non-profits and the city itself for the overall use and maintenance all year round for tourists, employees and the general public. And that the following be invited: Mayor or Rep., Board of Health Representative, Marketing and Tourism, MBTA, National Park Service, Chamber of Commerce, Park Department, Salem Redevelopment Authority

Action Contemplated

Councillor Furey

Moved Adoption

Voted

Councillor Gerard

ORDER: Request that the City Solicitor provide the City Council with an update on the Land in Dispute on Franklin Street.

Action Contemplated

Councillor Gerard

Moved Adoption

Voted

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CITY COUNCIL

REGULAR MEETING

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Peterson

WHEREAS, a Massachusetts household would need to earn an hourly wage of \$28.64, or work 95 hours per week at the state's \$12 per hour minimum wage, in order to afford rent on a modest 2-bedroom home; and

WHEREAS, there are 299,505 extremely low income (ELI) renter households in Massachusetts that earn at or below 30% of Area Median Income (AMI), or \$28,923 annually; and

WHEREAS, there are only 46 rental homes affordable and available for every 100 ELI renter households across the Commonwealth; and

WHEREAS, 60% of ELI renter households are severely cost burdened, spending more than half their incomes on monthly rent; and

WHEREAS, households experiencing a severe housing cost burden are 50% more likely than those not experiencing a cost burden to face an eviction due to nonpayment of rent; and

WHEREAS, for the lowest income households, eviction often leads directly to the experience of homelessness; and

WHEREAS, 20,068 Massachusetts residents experienced homelessness on any given night in 2018; and

WHEREAS, the most effective solution for preventing eviction and homelessness is to help at-risk households remain stably housed; and

WHEREAS, the Massachusetts Department of Transitional Assistance (DTA) operated a successful rent arrearage program until 2003 that provided low income families with cash assistance to pay back rent, helping 96% of those who received assistance remain in their homes and avoid becoming homeless;

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Salem that the City of Salem endorses the RAAP Campaign to restore the statewide rent arrearage assistance program and prevent homelessness; and

BE IT FURTHER RESOLVED that the City of Salem joins with the Massachusetts Coalition for the Homeless in urging State Senator Joan Lovely, State Representative Paul Tucker, and all members of the 191st General Court of the Commonwealth of Massachusetts to cosponsor House Docket 2395, introduced by Representative Marjorie Decker of Cambridge, and actively work to advance the bill to through the legislative process.

Action Contemplated

Councillor Peterson

Moved Adoption

Voted

JANUARY 24, 2019

CITY COUNCIL

REGULAR MEETING

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Dibble

ORDER: That the corner of Lafayette Street and Raymond Road be named Gray Square in honor of US Army Lt. Richard J. Gray.

Action Contemplated

Councilor Dibble	Moved Adoption	Voted
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Councillor McCarthy

ORDER: That the Committee on Ordinances, Licenses and Legal Affairs meet and discuss the City's practices around posting and towing and the Police Chief or her representative, Ray Jodoin from DPS and the City Solicitor be invited.

Action Contemplated

Councilor McCarthy	Moved Adoption	Voted
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Councillor Flynn

ORDINANCE: In the year two thousand and nineteen

An Ordinance to amend an Ordinance relative to traffic

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

Section 1. Chapter 42, Section 50B "Handicap Parking, Limited Time"

Grove Street, beginning approximately 20 feet east-southeast from the corner where Grove Street turns southwest in front of #73 Grove St., running for a distance of forty (40) feet, 2 spaces

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

Action Contemplated

Councilor Flynn	Moved Adoption for first passage	Voted
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REGULAR MEETING

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Dominguez

In the year two thousand and nineteen

An Ordinance to amend an Ordinance relative to traffic

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

Section 1. Chapter 42 Section 50B "Handicap Parking Limited Time"
Hathorne Street, in front of #70 for a distance of twenty feet, Handicap Parking Tow Zone

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

Action Contemplated

Councillor Dominguez	Moved Adoption for first passage	Voted
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Councillor McCarthy

ORDER: That the attached Tag Day license application for Salem High School Swimming & Diving Team dated January 26 & 27, 2019 be granted

Action Contemplated

Councillor McCarthy	Moved Adoption	Voted
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JANUARY 24, 2019

CITY COUNCIL

REGULAR MEETING

COMMITTEE REPORTS

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses & Legal Affairs to whom was referred the matter of granting certain licenses has considered said matter and would recommend that the following license be granted.

- SEAWORM: Tomo Shiraishi, 104 Wharf St., Salem
- SECOND HAND VALUABLES: Boston Street Resale, 134 ½ Boston St, Salem
- TAG DAYS: Salem Youth Football & Cheering 10/12/19 & 10/19/19
 Salem Little League 6/1/19, 6/15/19 & 7/13/19
 SHS Band Winter Colorguard 2/2/2019
 SHS Band Wind Ensemble 6/2/2019

Accept the Report	Voted
Adopt the Recommendation	Voted

Councillor Peterson 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 Compensation for the Mayor has considered said matter and would recommend (action unknown meeting took place after agenda deadline)

Accept the Report	Voted
Adopt the Recommendation	Voted

JANUARY 24, 2019

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REGULAR MEETING

COMMUNICATIONS FROM CITY OFFICIALS

NONE

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CITY COUNCIL

REGULAR MEETING

PETITIONS

The Following License Applications:

LIMOUSINE: Conga Transportation, 320 Lafayette St., Salem (1 Limo)
Boston Limo Ride 3 Barnes Ave., Salem (1 Limo)

PUBLIC GUIDES Melissa Nierman, 26 R Chestnut St., Salem
Robert Anthony 27 Charter St., Apt 902 Salem
Robert Lease 12 Mount Vernon St., Salem
Laura Dandaneau 21 Andrew St. #1, Salem
Christine Gandolfi-Piper 40 Aborn St., Peabody
Brian McCarron 14 Lyman St., Beverly
Brenda Canady 19 Center St., Danvers, MA
Janet Daugherty 26 Quartermaster Row, S. Yarmouth

TAXI OPERATORS Joan Reynaldo Moya 38 Prince St., Salem
Clint Desa 21 Roslyn St., Apt 2, Salem
Jose Lopez 16 Mason St. Apt 2, Salem
Ana Iris Espaillat 296 Washington St. Apt 4, Salem
Bienvenido Vicioso-Gil 52 Dow St. Apt 41, Salem
Welkins Vicioso 52 Dow St. Apt 43, Salem
Reynaldo Martinez 34 Hollingsworth St., Lynn
Anthony Garcia 81 Salem Rd. Unit 53, Billerica
Johnny Fabian 52 Ward St. Apt 1-2, Salem
Lao Rosario 71 Palmer St. Apt 1, Salem
Driss Eljadid 31 Barnes Ave., Salem
Ramon Guzman 20 S. Elm At. Apt 1, Salem
Oscar Garcia 39 Endicott St. Apt 7, Salem
Christopher Vazquez Matos 248 Lafayette St. Apt 7, Salem
Dorian Conga 18 Bickford Ave., Revere

Action Contemplated

Councillor McCarthy

Moved Granted

Voted

JANUARY 24, 2019**CITY COUNCIL****REGULAR MEETING****PETITIONS**

The Following License Applications:

SECOND HAND VALUABLES: Witch City Consignment 301 Essex St, Salem

TAG DAYS: Salem VFW 5/24/2019 – 5/27/2019; 11/8/2019 – 11/11/2019
 Disables American Veterans 5/17/ – 5/19/2019; 11/1/2019 – 11/3/2019
 Salem Veterans Council 7/1/2019 – 7/4/2019

Action Contemplated

Councillor McCarthy	Refer to Comm. on Ord., Lic. & Legal Affairs	Voted
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The Following Drainlayer/Contract Operator License Application:

Caruso Corp. 320Charger St., Revere
 Peterson Construction 210 Broadway, Lynn
 DiBiase Corporation 749 Lowell St., Lynnfield
 McGrath Enterprises 28 Oakville St., Lynn

Action Contemplated

Councillor McCarthy	Moved Granted	Voted
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The Following Claims: Raila Sciolette 133 Atlantic Ave., Marblehead
 Verizon PO Box 60770 Oklahoma City, OK

Action Contemplated

Councillor McCarthy	Refer to Comm. on Ord., Lic. & Legal Affairs	Voted
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JANUARY 24, 2019

CITY COUNCIL

REGULAR MEETING

UNFINISHED BUSINESS

SECOND PASSAGE: An Ordinance Amending an Ordinance relative to 14 – Use of Disposable Bags at Retail Business Establishments

ORDINANCE: Amend an ordinance relative to enforcement of Ch. 14, Article VII. – Use of Disposable Plastic Bags at Retail Business Establishments.

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

Section 1. Chapter 14 is hereby amended by striking the last sentence of Section 14-503 in its entirety and replacing it with the following:

“This article may be enforced by any police officer, enforcement officer or agent of the board of health, licensing department or the City Engineer or his or her designees.”

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

Action Contemplated

Councillor McCarthy	Moved Adoption for second and final passage	Voted
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SECOND PASSAGE: An Ordinance Amending an Ordinance relative to Traffic Ch. 42 Sec. 57A

ORDINANCE: Amending Traffic Chapter 42, Section 57A, “Parking Time limited, Unmetered Zone, Grove Street, beginning 266’ South of RR Crossing and running 70’ SSE, three parking space in front of the building known as 28 Goodhue Street (the parking spaces are actually on Grove St.) 15-minute time-limited parking between the hours of 7:00 A.M. and 9:00 P.M

Action Contemplated

Councillor Gerard	Moved for second and final passage	Voted
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JANUARY 24, 2019

CITY COUNCIL

REGULAR MEETING

UNFINISHED BUSINESS

Second Reading of an Order to amend the Rules and Orders of the City Council by adding the following:

Section 30A. Committee of the Whole

The Committee of the Whole shall consist of all members of the Council, and be chaired by the President or their designee, and shall meet separately when required to address matters before it.

Action Contemplated

Councillor Turiel

Moved Adopted (2/3 vote will be required)

Voted

Second Reading of an Order to amend the Rules and Orders of the City Council by adding the following:

Section 22. Numbering members' seats; determining seats; changing seat

Shall be deleted in its entirety and replaced with the following:

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/her seat but by permission of the President

Action Contemplated

Councillor Turiel

Moved Adopted (2/3 vote will be required)

Voted

On the motion of Councillor

the meeting adjourned at

P.M.