

**NOVEMBER 12, 2015**

**“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, November 12, 2015 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on November 10, 2015. This meeting is being taped and is live on S.A.T.V.

Absent were:

Council President Sargent presided.

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

VOTED

President Sargent 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**

**NOVEMBER 12, 2015**

**HEARINGS**

Communication from the Mayor relative to setting the Tax Rate for FY2016.

Councillor Turiel

Moved Receive & File

Voted

Public hearing on the issue of allocating the local property tax levy among the four (4) property classes for Fiscal Year 2016, and the residential, open space and small commercial exemptions.

President Sargent turned the Public Hearing over to the Assessor Deborah Jackson and the Board of Assessors.

Councillor Turiel

Moved that the Public Hearing be closed

Voted

**NOVEMBER 12, 2015****APPOINTMENTS AND REAPPOINTMENTS**

Mayor's reappt. of Gail Gambarini to serve as a member of the Conservation Commission with a term to expire on November 12, 2018

Action Contemplated

Councillor Gerard	Moved Confirmation by RCV	Yeas	Nays	Abs
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Mayor's reappt. of John Russell and Alice Williams to serve as members of the Council on Aging with their terms to expire on November 12, 2018

Action Contemplated

Councillor Milo	Moved Confirmation by RCV	Yeas	Nays	Abs
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Mayor's reappt. of Rick Lee (Unenrolled) to serve as a member of the Licensing Board with a term to expire on December 3, 2021

Action Contemplated

Councillor Siegel	Moved Confirmation by RCV	Yeas	Nays	Abs
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Mayor's reappt. of Jeffrey Barz-Snell, John Hayes, Rick Nye to serve as members of the Renewable Energy Task Force with their terms to expire on December 3, 2018

Action Contemplated

Councillor Turiel	Moved Confirmation by RCV	Yeas	Nays	Abs
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**NOVEMBER 12, 2015**

**APPOINTMENTS AND REAPPOINTMENTS**

Mayor's reappt. of Christopher Burke to serve as a Constable with the term to expire on November 28, 2018

Action Contemplated

Councillor Siegel

Moved Received & Filed

Voted

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**NOVEMBER 12, 2015**

**COMMUNICATIONS FROM THE MAYOR**

ORDER: Appropriation of \$1,700,000.00 from "Fund Balance – Free Cash" account to reduce the gross amount to be raised by taxation when FY2016 tax rate is set.

Councillor Turiel	Suspension of the Rule	Councillor	Objection
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Action Contemplated

Councillor Turiel	Moved Ref. to Committee on Administration and Finance or Adoption	Voted
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ORDER: Appropriation of \$64,669.60 from "Retirement Stabilization Fund – Vacation/sick leave buyback" account for the retirement of the following:

Gail Doherty	School Dept.	\$33,334.40
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Joyce Harrington	School Dept.	\$31,335.20
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Councillor Turiel	Suspension of the Rule	Councillor	Objection
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Action Contemplated

Councillor Turiel	Moved Ref. to Committee on Administration and Finance or Adoption	Voted
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**NOVEMBER 12, 2015**

**COMMUNICATIONS FROM THE MAYOR**

ORDER: Appropriation of \$41,150.00 from “Fund Balance – Free Cash” account to the “Planning – Contracted Services” account.

Councillor Turiel                      Suspension of the Rule                      Councillor                      Objection

Action Contemplated

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

ORDER: Appropriation of \$25,000.00 from “Capital Outlay – Renovations & Repairs” account to be expended for Lafayette Street Bike Lane Project.

Councillor Turiel                      Suspension of the Rule                      Councillor                      Objection

Action Contemplated

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

ORDER: Appropriation of \$25,000.00 from “Receipts Reserved – Salem of Lots” account to “Cemetery – Burial” account.

Councillor Turiel                      Suspension of the Rule                      Councillor                      Objection

Action Contemplated

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

**NOVEMBER 12, 2015**

**COMMUNICATIONS FROM THE MAYOR**

ORDER: Appropriation of \$25,000.00 from "Retirement Stabilization Fund – Vacation/ Sick leave Buyback" account to be expended for negotiated sick leave buyback.

Councillor Turiel	Suspension of the Rule	Councillor	Objection
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Action Contemplated

Councillor Turiel	Moved Ref. to Committee on Administration and Finance or Adoption	Voted
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ORDER: Appropriation of \$6,000.00 from "Receipts Reserved – Sale of Vaults" to "Cemetery – Burial" account.

Councillor Turiel	Suspension of the Rule	Councillor	Objection
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Action Contemplated

Councillor Turiel	Moved Ref. to Committee on Administration and Finance or Adoption	Voted
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RESOLUTION: to file and accept grants from the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs for the PARC Program for improvements to Mary Jane Lee Park

Action Contemplated

Councillor Turiel	Moved Ref. to Committee on Administration and Finance or Adoption	Voted
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**NOVEMBER 12, 2015**

**COMMUNICATIONS FROM THE MAYOR**

ORDER: to accept provisions of Section 4, Chapter 73, Acts of 1986 for additional tax exemptions for Fiscal Year 2016 such additional exemptions granted be 100% of the statutory exemption amount for qualification specified in Section 4, Ch. 73 of the Acts of 1986.

Councillor Turiel                      Moved Granted    Voted

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ORDER: Parking Ticket Amnesty Program from December 1, 2015 through December 23, 2015, by the City Collector.

Councillor Turiel                      Moved Granted    Voted

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Communication from the Mayor relative to the redevelopment of the former Universal Steel Property on Bridge Street.

Councillor Legault                      Moved Receive & File    Voted

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ORDER: Declare land on Bridge Street Lot 1, 52,491 sq. ft. and Parcel B, 1,260 sq. ft. the former Universal Steel property and parcel A, 2035 sq. ft. surplus property and that the surplus designation is conditional upon the placing of a permanent utility easement on Parcel A.

Councillor Legault                      Moved Adopted    Voted

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Discontinuance of a street, That the opinion of the City Council the public necessity and convenience require that a portion of a public street or way to be called Beckford Way should be discontinued.

Councillor Legault                      Moved Hearing Ordered  
March 3, 2015    Voted



**NOVEMBER 12, 2015**

**COMMUNICATIONS FROM THE MAYOR**

ORDER: Authorize the Mayor to enter into a Land Disposition Agreement with Sun King LLC to convey a portion of 297 Bridge St. and a second parcel located between 297 – 311 Bridge Street for \$990,000.00

Councillor Legault

Moved Adopted

Voted

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ORDER: Authorize the Mayor to convey portion of 297 Bridge Street to Sun King LLC with a permanent pedestrian and vehicular access for the benefit of 30-32 Beckford Street for the sum of \$10,001.00

Councillor Legault

Moved Adopted

Voted

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ORDINANCE: Amending the Zoning Map change for parcel of real property at 297-305 Bridge Street, and 297-311 Bridge Street and parcel B 311 Bridge Street.

Councillor Siegel

Moved Refer to Planning Board to schedule  
A joint public hearing with the City Council by  
Roll Call Vote

YEAS

NAYS

ABSENT

NOVEMBER 12, 2015

MAYOR'S INFORMATIONAL PAGE

NONE

**NOVEMBER 12, 2015**

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor Turiel

Determination of the percentage of total taxes to be borne by the four (4) classes of property;

ORDERED: That the City of Salem adopt a Residential Factor of \_\_\_\_% for Fiscal Year 2016

Councillor Turiel                      Moved for adoption by roll call vote

YEAS                      NAYS                      ABSENT

Councillor Turiel                      Moved for immediate reconsideration in the hopes it would not prevail

**OPEN SPACE EXEMPTION**

Councillor Turiel

ORDERED: That the City of Salem NOT adopt an OPEN SPACE EXEMPTION for Fiscal Year 2016.

Councillor Turiel                      Moved for adoption by roll call vote

YEAS                      NAYS                      ABSENT

Councillor Turiel                      Moved for immediate reconsideration in the hopes it would not prevail

**NOVEMBER 12, 2015**

**MOTIONS, ORDERS, AND RESOLUTIONS**

**RESIDENTIAL EXEMPTION**

Councillor Turiel

ORDERED: That the City of Salem NOT adopt a RESIDENTIAL EXEMPTION for Fiscal Year 2016

Councillor Turiel                      Moved for adoption by roll call vote

YEAS                      NAYS                      ABSENT

Councillor Turiel                      Moved for immediate reconsideration in the hopes it would not prevail

**SMALL COMMERCIAL EXEMPTION**

Councillor Turiel

ORDERED: That the City of Salem NOT adopt a SMALL COMMERCIAL EXEMPTION for Fiscal Year 2016

Councillor Turiel                      Moved for adoption by roll call vote

YEAS                      NAYS                      ABSENT

Councillor Turiel                      Moved for immediate reconsideration in the hopes it would not prevail

**NOVEMBER 12, 2015**

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor Famico

ORDINANCE: amending Traffic Ch. 42, Sec. 75 “ Parking Prohibitions Towing Zone (Resident Sticker)” Gifford Court northerly side, Zone C, Color Green, Resident Sticker Parking only tow zone.

Action Contemplated

Councillor Famico

Moved Adopted for first passage

Voted

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Councillor Famico

ORDINANCE: amending Traffic Ch. 42, Sec. 74 “General Prohibitions Towing Zone” Gifford Court southerly side, “No parking, tow zone”.

Action Contemplated

Councillor Famico

Moved Adopted for first passage

Voted

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Councillor Siegel

ORDINANCE: amending Traffic Ch. 42, Sec. 50B “Handicap Parking Limited Time” is hereby amended by adding Norman Street in front of #24 for a distance of twenty feet. “Handicap Parking Tow Zone

Action Contemplated

Councillor Siegel

Moved Adopted for first passage

Voted

**NOVEMBER 12, 2015**

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor Turiel

ORDINANCE: amending Traffic Ch. 42, Sec. 50B "Handicap Parking Limited Time" is hereby amended by repealing Cabot Street in front of #33 for a distance of twenty feet. "Handicap Parking Tow Zone

Action Contemplated

Councillor Turiel	Moved Adopted for first passage	Voted
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Councillor Sargent

ORDER: That all late files be held over until the next City Council meeting unless a simple majority vote of the City Council rules that the file is an emergency.

Action Contemplated

Councillor Sargent	Moved Adopted or Ref. to Committee	Voted
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Councillor Sargent

ORDER: That the City Council hold a public hearing on the Council Order #632 concerning the creation of a Salem Harbor Port Authority.

Action Contemplated

Councillor Sargent	Moved Adopted or Ref. to Committee	Voted
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**NOVEMBER 12, 2015**

**MOTIONS, ORDERS, AND RESOLUTIONS**

Councillor Sargent

ORDER: That the City Council hold a public hearing on the Council Order #631 concerning the creation of a Parking Commission.

Action Contemplated

Councillor Sargent

Moved Adopted or  
Ref. to Committee

Voted

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Councillor Siegel/Turiel

ORDINANCE amending Traffic Handicap Parking Limited Time, Phelps Street in front of #10 for a distance of 20 feet.

Action Contemplated

Councillor Siegel/Turiel

Moved adopted for first passage

Voted

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**NOVEMBER 12, 2015****COMMITTEE REPORTS**

Councillor Siegel 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 a Home Rule Petition to grant one additional annual license for the sale of wine and malt beverages to be drunk on the premises for Vesuvios Corp., 2 Paradise Rd., has considered said matter and would recommend (Action unknown meeting took place after agenda deadline)

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 on Administration and Finance co-posted with the Committee of the Whole to whom was referred the matter of a Resolution for the City of Salem to enter into a Tax Increment Financing Agreement with the Hotel Salem Real Estate Holdings to purchase and redevelop the building at 203 Essex St. into a new 44 room boutique hotel has considered said matter and would recommend adoption by Roll Call Vote.

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 on Administration and Finance co-posted with the Committee of the Whole to whom was referred the matter of Entering into a Tax Increment Financing Agreement with the Hotel Salem Real Estate Holdings has considered said matter and would recommend adoption by Roll Call Vote

Accept the Report	Voted
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Adopt the Recommendation	Voted
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**NOVEMBER 12, 2015**

**COMMITTEE REPORTS**

Councillor McCarthy offered the following report for the Committee on Government Services co-posted with the Committee of the Whole to whom was referred the matter of a Home Rule Petition to Establish a Salem Harbor Port Authority has considered said matter and would recommend that the matter be sent to the full Council with a positive Recommendation and to be voted on by Roll Call Vote

Accept the Report Voted

Adopt the Recommendation Voted

Councillor McCarthy offered the following report for the Committee on Government Services co-posted with the Committee of the Whole to whom was referred the matter of an Ordinance to Amend an Ordinance relative to Traffic and Parking by deleting in its entirety the Parking Department Board, Chapter 2, Article VIII, Division 2 and the Transportation Advisory Commission, Chapter 2, Article IV, Division 12 and replace it with creating a new Traffic and Parking Commission (full text can be viewed at the City Clerk's Office during normal business hours) has considered said matter and would recommend that the matter remain in committee

Accept the Report Voted

Adopt the Recommendation Voted

**NOVEMBER 12, 2015**

**COMMUNICATIONS FROM CITY OFFICIALS**

None

**NOVEMBER 12, 2015****PETITIONS**

Petition from National Grid to install conduits on Bridge/Planters Street.

HEARING ORDERED DECEMBER 3, 2015

Request from AFSCME Council 93 Local 1818 to meet with Council to discuss public safety issues regarding three vehicles belonging to the City of Salem Department of Public Services that are currently on the road

Action Contemplated

Councillor Eppley	Moved Refer to the Committee on Public Health, Safety & Environment	Voted
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Request from Wal-Mart, 450 Highland Ave., to extend its hours of operation on Friday, November 27<sup>th</sup>, (Black Friday) only. Normal working hours are 7AM to 10PM; Wal-Mart is seeking to open up at 1:00 A.M the morning of Friday, November 27<sup>th</sup> until 10:00 P.M.

Action Contemplated

Councillor Eppley	Moved Granted	Voted
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The Following License Applications:

PUBLIC GUIDES:	Frances Marrow, 12 Strawberry Hill Lane, Danvers Jonnet Holladay, 4 Longfellow Place, Boston Carol Weitzman, 4206 Woodbridge Rd., Peabody
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TAXI OPERATORS:	Cirilo Brache, 57 Harbor St., Salem Stephen Reddy, 35 Alden St., Provincetown
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Action Contemplated

Councillor Siegel	Moved Granted	Voted
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**NOVEMBER 12, 2015****PETITIONS**

The Following License Applications:

JUNK DEALER: Newark Recycled Fibers, North Shore Recycling,  
53 Jefferson Ave., Salem

SEAWORMS: Timothy Lynch, 28 Anawan Ave., Saugus  
Paul Lynch, 28 Anawan Ave., Saugus

SECOND HAND VALUABLE Glass And Etc., 180 Essex St., Salem  
Jacqueline A. Satin (Antiques Gallery) 69 Wharf St., Salem  
Tobie's Jewelry, 142 Washington St., Salem  
Game Zone, 270 Essex St., Salem  
Once and Again, 45 Bridge St., Salem  
Olde Naumkeag Antiques, 1 Hawthorne Blvd., Salem

TAG DAY: S.H.S. Boys Basketball, 12/13/15, 1/10/16, 1/24/16 & 2/6/16

Councillor Siegel	Moved Referred to Comm. on Ord., Lic. & Legal Affairs	Voted
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The Following Claims:

Cathy McGreg, 6 White St., Salem  
Marcia Kalman, 35A First St., Salem

Action Contemplated

Councillor Siegel	Moved Referred to Comm. on Ord., Lic. & Legal Affairs	Voted
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**NOVEMBER 12, 2015**

**PETITIONS**

The Following Bonds:

SIGNS:

Bon Chon, 299 Essex St., Salem  
Castle Hill Mini Mart, 280 Jefferson Ave., Salem

Action Contemplated

Councillor Siegel

Moved Referred to Comm. on Ord., Lic. &  
Legal Affairs and Returned Approved

Voted

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**NOVEMBER 12, 2015**

**UNFINISHED BUSINESS**

SECOND PASSAGE Ordinance amending Traffic Ch. 42, Sec. 75 Resident Sticker Parking Summit Street.

Action Contemplated

Councillor Turiel                      Moved Adoption for second & final passage                      Voted

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SECOND PASSAGE Ordinance amending Traffic Ch. 42, Sec. 51B "Parking Prohibited at certain times on certain streets" Ocean Avenue

Action Contemplated

Councillor Gerard                      Moved Adoption for second & final passage                      Voted

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