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, September 13, 2018 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on September 11, 2018, at 12:22 P.M. This meeting is being taped and is live on S.A.T.V.

Councillors absent:

Council President Gerard presided.

Councillor meeting.

moved to dispense with the reading of the record of the previous

VOTED

President Gerard 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, <u>must sign the roster in person</u> 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)

CITY COUNCIL

REGULAR MEETING

HEARINGS

NONE

CITY COUNCIL

REGULAR MEETING

APPOINTMENTS AND REAPPOINTMENTS

Held from the last meeting, the Mayor's appointment of Patrick Shea, 31 Highland St., Salem to the Zoning Board of Appeals with a term to expire on May 1, 2019

Action Contemplated					
Councillor Gerard	Moved Confirmation by RCV	Yeas	Nays	Abs	
The Mayor's appointment of Philip Koch to the Sustainability, Energy and Resiliency Committee with a term to expire on December 3, 2018					
Councillor	Suspension of the Rules	Councillor	Ob	Object	
Action Contemplated					
Councillor Turiel	Held under the rules				
The Mayor's appointment of Deborah Greel to the Licensing Board with a term to expire on December 3, 2021					
Councillor	Suspension of the Rules	Councillor	Ob	ject	
Action Contemplated					
Councillor Madore	Held under the rules				

CITY COUNCIL

REGULAR MEETING

<u>APPOINTMENTS AND REAPPOINTMENTS</u>

The Mayor's appointment of Rebecca	English to the Historical	Commission with	a term to expire or
March 1, 2019			

Councillor

Suspension of the Rules

Councillor

Object

Action Contemplated

Councillor Peterson

Held under the rules

The Mayor's appointment of Claudia Chuber to the Salem Housing Authority Board with a term to expire on July 19, 2023

Councillor

Suspension of the Rules

Councillor

Object

Action Contemplated

Councillor Gerard

Held under the rules

The Mayor's appointment of David Gauthier to the Cable Television and Technology Commission with a term to expire on September 13, 2020

Councillor

Suspension of the Rules

Councillor

Object

Action Contemplated

Councillor Flynn

Held under the rules

CITY COUNCIL

REGULAR MEETING

APPOINTMENTS AND REAPPOINTMENTS

The Mayor's appointment of Tyler Carlton to the Scholarship and Education Committee with a term to expire on June 1, 2019

Councillor

Suspension of the Rules

Councillor

Object

Action Contemplated

Councillor McCarthy

Held under the rules

The Mayor's appointment of Attorney Datanis Elias to the Board of Health with a term to expire on July 21, 2019

Councillor

Suspension of the Rules

Councillor

Object

Action Contemplated

Councillor McCarthy

Held under the rules

The Mayor's re-appointment of Gregory St. Louis to the Conservation Commission with a term to expire on September 13, 2021

Action Contemplated

Councillor Dibble

Moved Confirmation by RCV

Yeas

Nays

Abs

CITY COUNCIL

REGULAR MEETING

APPOINTMENTS AND REAPPOINTMENTS

The Mayor's re-appointment of Carly Naik to the Salem Public Art Commission with a term to expire on September 13, 2020

Action Contemplated

Councillor Madore

Moved Confirmation by RCV

Yeas

Nays

Abs

CITY COUNCIL

REGULAR MEETING

COMMUNICATIONS FROM THE MAYOR

ORDERED: That the sum of Three Hundred and Thirty-Two Thousand, Two Hundred and Twenty Five Dollars and Eight cents (\$332,225.08) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account to be expended for the FY 2019 contractual buybacks for a list of Police Officers in accordance with the recommendation of Her Honor the Mayor

Councillor suspension of the rules Councillor object

Action Contemplated

Councillor Turiel Moved Adoption Voted
Or Refer to Committee on Administration
And Finance under the rules

ORDERED: That the sum of Twenty Thousand Dollars (\$20,000.00) is hereby appropriated from the Receipts Reserved funds listed below to the Department of Public Services Burial Account in accordance with the recommendation of Her Honor the Mayor.

From		<u>To</u>			Amount
R/Res Sale of Lots		DPS Burial			\$16,000.00
R/Res Sale of Vaul	ts	DPS Burial			\$ 4,000.00
				TOTAL	\$20,000.00
Councillor	suspension of the r	ules	Councillor		object
Action Contemplated					
Councillor Turiel	Move	d Adoption			Voted

And Finance under the rules

Or Refer to Committee on Administration

CITY COUNCIL

REGULAR MEETING

COMMUNICATIONS FROM THE MAYOR

ORDERED: That the sum of Three Thousand, Five Hundred and Fifty-Seven Dollars and Thirteen cents (\$3,557.13) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account to be expended for the FY 2019 contractual buyback for Joyce Stewart, Parking Garage Employee, in accordance with the recommendation of Her Honor the Mayor

Councillor suspension of the rules Councillor object

Action Contemplated

Councillor Turiel Moved Adoption Voted

Or Refer to Committee on Administration

And Finance under the rules

ORDERED: To accept the donation from Moose Lodge NO. 218 totaling Two Thousand One Hundred Dollars (\$2,100.00). These funds will be deposited into the Police K9 Donation Fund in accordance with the recommendation of Her Honor the Mayor

Action Contemplated

Councillor Turiel Moved Adopted Voted

CITY COUNCIL

REGULAR MEETING

MAYOR'S INFORMATIONAL PAGE

A Letter from the Mayor regarding the Carnival in October

Honorable Salem City Council Salem City Hall Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

This letter is being submitted to notify you that we will not be filing a request to accommodate the October carnival this year. For the last eleven years, we have scheduled the carnival as an important part of our Haunted Happenings public safety operations, but after conversations with members of the City Council, it is now apparent that there are not sufficient votes to adjust the Ordinances prohibiting carnivals on either Riley Plaza or Salem Common – the two locations deemed most suitable for such an event by the Salem Police Department.

I am disappointed we will be removing this important tool from the Salem Police Department's toolkit for October. In 2006, the last year before we instituted the carnival, there were close to 40 arrests in October; in 2007, the first year of the carnival that number fell to 15 (for the last several years, arrests have been in single digits). Since that time, we have continued to improve our public safety response to October, not simply by adding more officers or resources, but using programmatic strategies including music stages, concluding fireworks, and the carnival. These assets helped make October more of a family-friendly event, changing the nature of the visitors who came to the city, especially later in the month. The carnival is more than an amusement and was an especially important component in providing youth between 13 and 20 with a constructive activity, in a well-lit and easily monitored location.

We will adjust public safety planning and resource allocation accordingly, of course, but the other impact of removing the carnival will be the reduction of \$20,000 to \$30,000 in additional revenues the carnival generated to help support public safety costs.

While a final proposal was not presented to the City Council until July, believe me the process of studying the suitability of over a dozen sites had commenced months earlier. Unfortunately, we were not able to coalesce around one site and generate support among a majority of councilors to move forward.

We will take the next month to regroup with Salem Police, NEMLEC, and our other public safety partners, in order to develop a plan for managing the October season without this resource in place.

Action Contemplated

Councillor Madore

Moved Received & Filed

CITY COUNCIL

REGULAR MEETING

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Turiel

ORDERED: That the Monthly Financial Report dated June 30, 2018	3, be referred to the Committee
on Administration and Finance	

Action Contemplated

Councillor Turiel

Moved Adoption

Voted

Councillor Turiel

ORDERED: That the Monthly Financial Report dated July 31, 2018, be referred to the Committee on Administration and Finance

Action Contemplated

Councillor Turiel

Moved Adoption

Voted

Councillor Turiel

ORDERED: That the Year-To-Date Budget Report dated April - June 2018, be referred to the Committee on Administration and Finance

Action Contemplated

Councillor Turiel

Moved Adoption

CITY COUNCIL

REGULAR MEETING

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Madore

ORDERED: That the following streets be given temporary status as "Parking Prohibitions Towing Zones, Resident Sticker" parking from October 1 through October 31, 2018 to allow parking enforcement staff and police officers to enforce during the month of October.

- 1. Broad Street
- 2. Downing Street
- 3. Endicott Street
- 4. Hathorne Street
- 5. Margin Street
- 6. Mt. Vernon Street
- 7. Prescott Street
- 8. Summer Street
- 9. Winthrop Street
- 10. Union Street

Be it further ordered that the fine for violating the aforementioned temporary parking prohibitions during the month of October shall be \$15 on Monday, Tuesday, Wednesday, and Thursday, and \$40 Friday, Saturday, and Sunday.

Action Contemplated

Councillor Madore Moved Adopted Voted

CITY COUNCIL

REGULAR MEETING

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Madore

ORDERED: Salem youth organizations (e.g. Salem High School Music Boosters, Salem High School Football Boosters, Salem High School Drama Club and Salem Youth Football and others), are hereby authorized to staff the parking lot at 297 Bridge Street and collect a parking fee of \$20.00 per day on the following designated weekend and holiday dates:

- a) October 6, 7, 8
- b) October 13, 14
- c) October 20, 21
- d) October 27, 28

Organizations interested in staffing the lot are to schedule dates through the City of Salem's Traffic and Parking Department.

Action Contemplated

Councillor Madore	Moved Adopted	Voted

Councillor Madore

ORDERED: The City of Salem lot at the MBTA Station and the Church Street West lot shall be made available for use by Salem residents at no cost for weekends in October.

Action Contemplated

Councillor Madore Moved Adopted Voted

CITY COUNCIL

REGULAR MEETING

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Madore

ORDERED: Up to twenty-five (25) parking passes shall be issued by the Acting Director of Traffic and Parking to residents who demonstrate an emergency need for access to resident only parking in the month of October but live on a street that is not limited to resident parking, either annually or only in October.

Action Contemplated

Councillor Madore

Moved Adopted

Voted

Councillor Madore

ORDERED: That residents at the following addresses required to purchase parking passes at either the Museum Place Garage or South Harbor Garage shall be granted a temporary one (1) month parking pass, allowing them to park upon any street granted temporary resident only parking status between October 1 and October 31, either by order or by ordinance.

- 1. 7 Crombie Street (Bluestone Condominiums)
- 2. 11 Church Street (Essex Condominiums)
- 3. 281 Essex Street (Latitude Condominiums)
- 4. 51 Lafayette Street (Derby Lofts)
- 5. 50 St. Peter Street (Iron Bar Condominiums)
- 6. Townhouse Square Condos
- 7. 141 Washington Street

Action Contemplated

Councillor Madore

Moved Adopted

CITY COUNCIL

REGULAR MEETING

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Madore

An Ordinance to Amend an Ordinance relative to Traffic, Ch. 42 Sec. 10 "One Way Streets"

Section 1. Ch. 42, Section 10 is hereby amended by adding the following:

Brown Street – One Way Streets – from opposite 2 Brown Street to Washington Square West, one way in an easterly direction.

Washington Square North – One Way Streets – from 19 ½ Washington Square North to 2 Brown Street, one way in a southwesterly direction.

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

Action Contemplated

Councillor Madore

Moved Adopted for first passage

OR

Refer to Comm. on Ord., Lic. & Legal Affairs

Voted

Councillor Madore

An Ordinance to amend an Ordinance relative to traffic Ch. 42 Sec. 11 "Bus Stops and Section 56 "Parking Meter Zones Established"

Section 1. Ch. 42 Sec. 11 Bus Stops is hereby amended by repealing the following:

Washington Street – Bus Stops – easterly side, from a point beginning on the southerly side of Federal Street and Washington Street and proceeding thirty (30) feet in a southerly direction.

Washington Street – Bus Stops – easterly side, from a point beginning twenty (20) feet from the southerly side of Federal Street in a southerly direction to a point located twenty (20) feet from the northerly side of Church Street.

Section 2. Ch. 42, Sec 56 is hereby amended by replacing the following:

Washington Street – Parking Meter Zones Established – easterly side, from Church Street to Essex Street. Four (4) hour parking and replacing with

Washington Street – Parking Meter Zones Established – easterly side, from a point beginning sixty (60) feet north of Federal Street to Essex Street. Four (4) hour parking.

Section 3. This Ordinance shall take effect as provided by City Charter

Action Contemplated

Councillor Madore

Moved Adopted for first passage

OR

Refer to Comm. on Ord., Lic. & Legal Affairs

CITY COUNCIL

REGULAR MEETING

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Turiel

An Ordinance to Amend an Ordinance relative to traffic Ch. 42, Sec. 57A "Parking Time Limited: Unmetered Zones" **Section 1.** Section 57A of Article V be amended by repealing the following:

Loring Avenue – Parking Time Limited: Unmetered Zones – southeasterly side beginning at a point of forty (40) feet north of College Drive and continuing to the intersection of Linden Street and the marked crosswalk, excluding existing marked bus stops and handicap zones. Fifteen (15) minute parking only tow zone, Monday through Friday 7:00 A.M. to 4:00 P.M., or by special permit only issued by the Horace Mann Laboratory School (HMLS).

And replacing it with the following:

Loring Avenue – Parking Time Limited: Unmetered Zones – southeasterly side beginning at a point of forty (40) feet north of College Drive and continuing to the intersection of Linden Street and the marked crosswalk, excluding existing marked bus stops and handicap zones. Four (4) hour parking as marked by signs, Monday through Friday, 8:00 A.M. to 8:00 P.M.

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

Action Contemplated

Councillor Turiel

Moved Adopted for first passage

OR

Refer to Comm. on Ord., Lic. & Legal Affairs

Voted

Councillor McCarthy

An Ordinance to amend an Ordinance relative to traffic Ch. 42 Sec. 11 "Bus Stops Section 1. Ch. 42, Sec.11 Bus Stops is hereby amended by repealing the following:

Congress Street Bridge – Bus Stops – outbound, southeasterly direction for a distance of one hundred sixty (160) feet starting at the beginning of the Bridge curbing. Near 26 Congress Street. Tour Bus Parking only, Tow Zone.

And replacing it with

Congress Street Bridge – Bus Stops – outbound, southeasterly direction for a distance of one hundred sixty (160) feet starting one hundred fifty (150) feet from the beginning of the Bridge curbing. Tour Bus Parking only, Tow Zone.

Section 2. Ch. 42, Sec. 11 Bus Stops is hereby amended by adding the following:

Congress Street – Bus Stop – Inbound, northwesterly direction for a distance of fifty (50) feet beginning eightysix (86) feet from the intersection of Peabody Street. Tour Bus Parking Only. Tow Zone.

Section 3. This Ordinance shall take effect as provided by City Charter

Action Contemplated

Councillor McCarthy

Moved Adopted for first passage

ssage Voted

OR

Refer to Comm. on Ord., Lic. & Legal Affairs

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 a taxi operator hearing request for Jael Pena has considered said matter and would recommend deadline

Accept the Report

Voted

Adopt the Recommendation

Voted

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses & Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of waiving a city ordinance Ch. 24 Sec. 18, Circuses and Carnivals prohibited within Riley Plaza to enable Fiesta Shows to hold a carnival at Riley Plaza from 10/9-11/2/18 has considered said matter and would recommend a negative recommendation (denial)

Accept the Report

Voted

Adopt the Recommendation

Voted

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses & Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter to allow short-term rental in the City of Salem has considered said matter and would recommend no recommendation

Accept the Report

Voted

Adopt the Recommendation

CITY COUNCIL

REGULAR MEETING

COMMITTEE REPORTS

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses & Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter to amend an ordinance relative to set fines for violations of the short-term rental ordinance in the City of Salem has considered said matter and would recommend that the ordinance be adopt as amended for first passage

Accept the Report

Voted

Adopt the Recommendation

Voted

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses & Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter to amend an ordinance relative to Declaring Lot 2 of 289 Derby St. as surplus and to further convey Lot 2 to the Salem Redevelopment Authority has considered said matter and would recommend (action unknown meeting took place after agenda deadline)

Accept the Report

Voted

Adopt the Recommendation

CITY COUNCIL

REGULAR MEETING

COMMUNICATIONS FROM CITY OFFICIALS

The following Ordinance was introduced by the City Solicitor

In the year two thousand and Eighteen

An Ordinance to amend an Ordinance relative to Greenlawn Cemetery

Section 1. Sec. 16-68. – Form of deed for sale of new lots is hereby amended by adding the following immediately after the last sentence in the "FIFTH" paragraph:

"The City also reserves the right to remove any extraneous matter found at or around a grave site to include items such as flags, pennants, sports paraphernalia, articles of childhood, personal pictures and photographs, religious and other extraneous materials not in keeping with the dignity and reverence of a final resting spot for all. The removal of such items will occur immediately upon discovery by Cemetery Personnel. The only exception to this will be permanent veteran's markers officially sanctioned by the federal or state government."

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

CITY COUNCIL

REGULAR MEETING

PETITIONS

Petition from National Grid to install a conduit on Dodge Street

HEARING ORDERED SEPTEMBER 27, 2018

Petition from New Cingular Wireless PCS, d/b/a AT&T for grant of location for Telecommunications Wires and Wireless Attachments and Appurtenances on an existing non-city owned pole located at 250 Highland Ave. and to install conduits or direct bury cables

HEARING ORDERED SEPTEMBER 27, 2018

Petition from New Cingular Wireless PCS, d/b/a AT&T for grant of location for Telecommunications Wires and Wireless Attachments and Appurtenances on an existing non-city owned pole located at 31 Symonds St. and to install conduits or direct bury cables

HEARING ORDERED SEPTEMBER 27, 2018

Petition from New Cingular Wireless PCS, d/b/a AT&T for grant of location for Telecommunications Wires and Wireless Attachments and Appurtenances on an existing non-city owned pole located at 27 Liberty Hill Ave. and to install conduits or direct bury cables

HEARING ORDERED SEPTEMBER 27, 2018

CITY COUNCIL

REGULAR MEETING

PETITIONS

Communication from Joao Silva, owner of Boston Street Resale, located at 134 $\frac{1}{2}$ Boston Street to inform the City Council that the ownership of the Second-Hand Clothing store has changed to Maria Silva but the store name has remained the same

Action Contemplated				
Councillor McCarthy	Moved Received & Filed	Voted		
Request from the residents of Winter Street to hold a block Party on September 15, 2018 from 2:00pm – 8:00pm, with a rain date of September 22, 2018				
Action Contemplated				
Councillor Madore	Moved Granted	Voted		
Request from Friends of Northshore Education Consortium to hold a road race (Festivus 5K for Autism) and use of city streets on December 9, 2018				
Action Contemplated				
Councillor Turiel	Moved Granted	Voted		

CITY COUNCIL

REGULAR MEETING

PETITIONS

The Following License Applications:

Witch City Taxi, 92 Jackson Street, Salem (2 Limo's) LIMOUSINE/TAXI CAB:

Salem Taxi, 30 Federal Street, Salem (1 Taxi)

Gwendolyn Robinson, 18 Conant St., Salem PUBLIC GUIDES:

Amanda Rivera-Dixey, 2 Ober St., Salem Molly Morrow, 23 Osborne St., Peabody Rachel Sherman, 15 Short St., Gloucester

Sarah Black, 8 Cross St., Salem

Ashley Rogers, 231 Lafayette St., Salem Matthew Laramie, 2 Majority Ln., Woburn Paige Welch, 90 Faith Dr., Hampstead, NH Sarah Michaud, 13 Becket St., Salem

Julia Gleason, 28 Stockbridge St., Cohasset, MA Nathan Neihardt-King, 221 Lafayette St., Salem

Steven Pepin, 39 Shore Drive Apt. D, Peabody TAXI OPERATORS:

Dorian Conoa, 18 Beckford Ave., Revere

Victor Rodriguez, 52 Peabody St. Apt 1L, Salem

Rafael Espinal, 43 Childs St., Lynn Wade Durkee, 116 Lafayette St., Salem

Clint Desa, 21 Roslyn St., Salem

Marlon Reyes-Polance, 24 Shore Dr., Peabody

VEHICLE FOR HIRE:

OPERATORS ONLY

Roger Fruggiero 11 Berrywood Lane, Salem

Action Contemplated

Councillor McCarthy

Moved Granted

CITY COUNCIL

REGULAR MEETING

PETITIONS

The Following License Applications:

TAG DAYS: S.H.S. Girls Basketball 12/16/2018, 1/5/2019 & 1/19/2019

S.H.S. Girls Lacrosse 3/23/2019, 4/13/2019 & 5/11/2019

S.H.S. Baseball 4/6/2019, 4/27/2019 & 5/18/2019

Action Contemplated

Councillor McCarthy Refer to Comm. on Ord., Lic. & Voted

Legal Affairs

The Following Claims: Brian Kisiel, 54 Hinston Rd., Woburn

Kevin Ramsay, 82 Linden St., Salem Sean Brennan, 10 Robinson Rd., Beverly Michael & Danielle Libby, 9 Outlook Hill, Salem Tristan Smith, 282 Washington St., Salem

Vickie-Anne Tsoutsouras, 139 Haverhill St., Rowley

Action Contemplated

Councillor McCarthy Refer to Comm. on Ord., Lic. & Voted

Legal Affairs

The Following Drainlayer/Contract Operator Licenses:

EKB Equipment LLC, 14 Pine St., Danvers

Action Contemplated

Councillor McCarthy Moved Granted Voted

CITY COUNCIL

REGULAR MEETING

PETITIONS

The Following Bonds:

DRAINLAYER: EKB Equipment LLC, 14 Pine St., Danvers

Action Contemplated

Councillor McCarthy Refer to Comm. on Ord., Lic. & Voted

Legal Affairs & Returned Approved

CITY COUNCIL

REGULAR MEETING

UNFINISHED BUSINESS

<u>NONE</u>

On the motion of Councillor

the meeting adjourned at

P.M.