

City Council Agenda 09/10/2015

“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@salem.com.

A Regular Meeting of the City Council held in the Council Chamber on Thursday, September 10, 2015 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on September 3, 2015 at 4:43 P.M. 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**

HEARINGS

ORDERED: Verizon to install conduits on Federal St.

IN FAVOR:

OPPOSED:

HEARING CLOSED:

ACTION CONTEMPLATED

COUNCILLOR FAMICO

MOVED

VOTED

APPOINTMENTS AND REAPPOINTMENTS

Mayor's appt. of Dr. Jeremy Schiller to serve as a member of the Salem Board of Health with a term to expire on March 1, 2018

Councillor

Suspension of the Rules

Councillor

Object

Action Contemplated

Councillor Famico

Held under the rules

Voted

Mayor's reappt. of Gregory St. Louis to the Salem Conservation Commission with a term to expire on September 15, 2018

Action Contemplated

Councillor Siegel Moved Confirmed by RCV Yeas Nays Abs

Mayor's appt. of Joseph Lamberti to serve as a Constable with the term to expire on September 4, 2016

Action Contemplated

Councillor Siegel Moved Received & Filed Voted

Mayor's reappt. of John Massa to serve as a Constable with the term to expire on August 8, 2018

Action Contemplated

Councillor Siegel Moved Received & Filed Voted

COMMUNICATIONS FROM THE MAYOR

BOND ORDER: Appropriation in the amount of \$2,250,000.00 for the purpose of capping and closing the ash landfill at the Salem Transfer Station

Councillor Turiel Suspension of the Rule Councillor Objection

Action Contemplated

Councillor Turiel Moved Adopted for First Passage by RCV

YEAS NAYS ABS

Appropriation of \$45,000.00 from "Receipts Reserved – Golf Course to "Golf Course Renovations" Account

Councillor Turiel Moved suspension of rules Councillor Object

Action contemplated

ORDER: City of Salem designate George E. Sansoucy, PE, LLC as a Special Municipal Employee per MGL Chapter 268A.

Councillor Siegel

Moved Adoption

Voted

ORDINANCE: amending Chapter 36 Solid Waste Management section 4 *Pickup of Large Items*, Section 5 *Residential Curbside Solid Waste and Recycling Collection*, section 6 *Collection Fee for Certain Residents* and section 8 *Collection Fee for Certain Commercial Establishments*.

Councillor Siegel

Moved Adoption for first passage
Or
Ref. to Comm. On Ordinances, Licenses
& Legal Affairs

Voted

COMMUNICATIONS FROM THE MAYOR

ORDER: City of Salem for public convenience and necessity of the inhabitants that certain parcels of land be taken for highway purposes all property owners identified as follows have donated each parcel.

Sq. Ft.	Location	Owner
107	72 Loring Ave.	Jefferson Trust
42	96 Broadway	Cornell Realty Trust
2	98 Broadway	Lima Petronio
73	259 Canal St.	259 Canal St. Trust
182	208 Canal St.	Enon Enterprises Inc.
146	130 Canal St.	Gallien, Darlene
74	120 Canal St.	Freedman, Arthur B.

53	203 Canal St.	Z&M Realty Trust
10	141 Canal St.	Morneau, Paul H.
3	101 Canal St.	Rockett, Linda
4	99 Canal St.	Petit, Mark
16	99 ½ Canal St.	Laskowski, Kazik
30	201 Canal St.	Coca Realty Trust
67	65 Canal St.	Southern New England Conference
63	51 Canal St.	51 Canal St. LLC
8	47 Canal St.	South Harbor Holdings LLC
118	1 Canal St.	Samari Group LLC
35	17 Canal St.	Brito Realty LLC

Councillor Siegel Moved Adoption by Roll Call vote

YEAS NAYS ABSENT

ORDER: Accept Easement from Salem State Assistance Corp. for property located at 265-285 Canal Street for the reconstruction of Canal Street

Councillor Siegel Moved Adoption by Roll Call vote

YEAS NAYS ABSENT

COMMUNICATIONS FROM THE MAYOR

ORDER: Grants of Easements for the reconstruction of Canal Street and its sidewalks over the following parcels of city land: parcel E-1 & SW-23 (212 Washington Street) and parcel SW-36 (267 Canal Street)

Councillor Siegel Moved Adoption by Roll Call vote

YEAS NAYS ABSENT

ORDER: City of Salem accepts a Quitclaim Deed from McDonald’s Corp. located at 150 Canal Street for the reconstruction of Canal Street.

Councillor Siegel Moved Adoption by Roll Call vote
YEAS NAYS ABSENT

COMMUNICATIONS FROM THE MAYOR

Request from Mayor to meet with the City Council in Executive Session relative to litigation by Northside Carting regarding the Transfer Station. Conducting this discussion in an open meeting may have a detrimental effect on the litigation position of the City

Councillor Siegel Moved to hold an Executive Session
By roll call vote yeas nays absent

Following the Executive Session, the City Council shall reconvene in open session and continue the regular meeting by roll call vote

YEAS NAYS ABSENT

Following Executive Session:

Councillor Siegel Moved that the Regular meeting be continued Voted

MAYOR'S INFORMATIONAL PAGE

Request of Mayor to do a presentation of City Seals for the Salem Little League Williamsport All-Star Team.

Councillor Milo Moved receive & file

Voted

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Siegel

ORDINANCE: amending Traffic Ch. 42, Sec. 50B "Handicapped Zones, Limited Time" Boston Street in front of #29, for a distance of 20 feet, Handicap Parking, Tow Zone

Action Contemplated

Councillor Siegel Moved Adopted for first passage Voted

Councillor Siegel

ORDINANCE: amending Traffic Ch. 42, Sec. 50B "Handicapped Zones, Limited Time" Prescott Street in front of #10, for a distance of 20 feet, Handicap Parking, Tow Zone

Action Contemplated

Councillor Siegel Moved Adopted for first passage Voted

Councillor Turiel

ORDER: That the Monthly Financial Report dated June 30, 2015 be referred to the Committee on Administration and Finance.

Action Contemplated

Councillor Turiel Moved Adopted Voted

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Turiel

ORDINANCE: amending Traffic Ch. 42, Sec. 50B “Handicapped Zones, Limited Time” Washington Street, starting at a point twenty (20) feet northwest of the crosswalk and continuing for twenty (20) feet in a northwesterly direction, Handicap Parking Tow Zone.

Action Contemplated

Councillor Turiel Moved Adopted for first passage Voted

Councillor Turiel

ORDINANCE: amending Traffic by Repealing the following:

Ch. 42, Sec. 50B “Handicapped Zones Limited Time”

Ocean Avenue, southerly side, beginning 100 feet east of Lafayette Street, for a distance of 30 feet in a westerly direction, Tow Zone, 6:00 AM to 7:00 PM (10/4/1991).

Ocean Avenue, southerly side, beginning 70 feet east of Lafayette Street, for a distance of 30 feet in a westerly direction, Handicapped Parking, Tow Zone (7/10/1991)

and Sec. 50C “Handicapped Zones Bus Stop”

Ocean Avenue, southerly side, beginning 183 feet east of Lafayette Street, for a distance of 45 feet in a westerly direction, Handicapped Parking, Bus Stop (3/4/1991)

Action Contemplated

Councillor Turiel Moved Adopted for first passage Voted

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Turiel

ORDER: That the Monthly Financial Report dated July 31, 2015 be referred to the Committee on Administration and Finance.

Action Contemplated

Councillor Turiel

Moved Adopted

Voted

Councillor Turiel

ORDER: That the Year to Date Budget Report dated April, May and June 2015 be referred to the Committee on Administration and Finance.

Action Contemplated

Councillor Turiel

Moved Adopted

Voted

Councillor Gerard

ORDINANCE: amending Traffic Ch. 42, Sec. 74 "General Prohibition Towing Zone" Silver Street westerly side (odd numbered side) No Parking Tow zone in its entirety.

Action Contemplated

Councillor Gerard

Moved Adopted for first passage

Voted

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor McCarthy

ORDER: That the meetings of the qualified voters of the City of Salem be held in all precincts in the city at the polling places designated hereinafter on Tuesday, September 29, 2015 for the purpose of casting votes in the City Preliminary Election for the nomination of candidates for the following offices:

Councillor of Wards Three and Six: for the term of two years

AND BE IT FURTHER ORDERED: That the following places be and hereby are designated as polling places for said meetings:

Ward Three
PRECINCT ONE Salem High School Auditorium, 77 Willson Street
PRECINCT TWO

Ward Six
PRECINCT ONE Bates School, Liberty Hill Avenue

AND BE IT FURTHER ORDERED: That the polls at said meetings be opened at 7:00 a.m. and closed at 8:00 p.m. and that the City Clerk be instructed to post this notice as required by law.

Action Contemplated

Councillor McCarthy	Moved Adopted by roll call vote		
	YEAS	NAYS	ABSENT

Councillor Milo

ORDINANCE: amending Traffic Ch. 42, Sec. 50B "Handicapped Zones, Limited Time" Highland Avenue in front of #60, for a distance of 20 feet, Handicap Parking, Tow Zone

Action Contemplated

Councillor Milo	Moved Adopted for first passage	Voted
	<u>MOTIONS, ORDERS, AND RESOLUTIONS</u>	

Councillor Milo

ORDER: That the City Council meet with National Grid to discuss a plan to repair 92 natural gas leaks in the City of Salem and that the matter is referred to the Committee on Public Health, Safety and Environment co-posted with Committee of the Whole. Invited Mayor or her representative and a representative from National Grid.

Action Contemplated

Councillor Milo	Moved Adopted	Voted
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COMMITTEE REPORTS

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

SECOND HAND CLOTHING: Laurabelle's Boutique, 52 Highland Ave., Salem

SECOND HAND VALUABLE: RAD Corporation, 63A Wharf St., Salem

Accept the Report

Voted

Adopt the Recommendation

Voted

COMMUNICATIONS FROM CITY OFFICIALS

NONE

PETITIONS

Request from the House of Seven Gables to close the end of Turner Street on Sunday, September 22, 2015 for the Taste of Gables Event

Action Contemplated

Councillor McCarthy Moved Granted Voted

Letter from the North Shore Old Car Club informing the Council about their car show on Saturday, September 12, 2015 with a rain date of Sunday, September 13, 2015

Action Contemplated

Councillor Famico Moved Received & Filed Voted

Request from Janet Puleo to hold a road race (CDH Awareness) and use of city streets on Saturday, October 3, 2015 starting at 9:00 A.M.

Action Contemplated

Councillor Turiel Moved Voted

Request from the Salem YMCA to hold a road race (Witch City 5K – Kids Fun Run) and use of city streets on Saturday, October 17, 2015 starting at 9:00 A.M.

Action Contemplated

Councillor McCarthy Moved Voted

PETITIONS

Request from B&S Event Management to hold a road race (Devil's Chase) and use of city streets on Saturday, October 31, 2015 starting at 8:00 A.M.

Action Contemplated

Councillor McCarthy Moved Voted

Request from North Shore Medical Center to hold their annual Cancer Walk and use of city streets on June 26, 2016 starting at 8:30 A.M.

Action Contemplated

Councillor McCarthy Moved Voted

Request from residents of Larchmont Road to hold a Block party on Saturday, September 12, 2015 from 2:00 P.M. - 8:00 P.M.

Action Contemplated

Councillor Gerard Moved Granted Voted

PETITIONS

The Following License Applications:

LIMOUSINE: 809 Transportation Corp., 55 Butler St., Salem (1 Limo)

PUBLIC GUIDES: Dominic Lavorante, 171 Loring Ave., Salem
 Carl Hans Muller, 39 Dodge St., Beverly
 Kathryn Rutkowski, 2 Essex St., Salem
 Alexis Mears, 15B Gardner St., Salem
 Rebecca Ferrari, 8 Barton Sq., Salem
 Edgar Martin Del Campo, 9 Pickering Way, Salem
 Rita parisi, 43 Merrimac St., Amesbury
 Shana Clore, 190 Bridge St., Salem
 Allison French, 3 Becket Ave., Salem
 Peter Debnam, 184 Atlantic St., Gloucester

Ashley Rogers, 231 Lafayette St., Salem
Jessie Homans, 257 Washington St., Salem
Lynne Lenker, 31 Vernon St., Lowell
Ariana Yates, 10 Loring Ave., Salem
Peter Quinn, 12 Summer St., Salem
Thomas Derosier, 3 Hubbard Rd., Marblehead
Allan Dorrington, 1000 Lexington St., Waltham
Kristen MacKenzie, 4 First St., Salem
Molly Morrow, 104 Bridge St., Salem
Oliver Prato, 2 Wisteria St., Salem
Tim Maguire, 28 High St., Salem
David Chaves Jr., 190 Bridge St., Salem
Katelyn Gordon, 4 Shillaber St., Salem
Mark Legere, 7 Spring St., Salem

TAXI OPERATORS: Nicolas Diaz, 61 Congress St., Salem
 Janis Fuentes, 56 Veterans Memorial Dr., Peabody
 Jose Rosario, 119 Henry Ave., Lynn

Action Contemplated

Councillor Siegel Moved Granted Voted

PETITIONS

The Following Licenses

LIMOUSINE Caribe Taxi Co., 71 Harbor St., Salem (Owner Jorge Elias)

Action Contemplated

Councillor Siegel Moved Denied Voted

Hearing Request from Jorge Elias on the denial of his Limousine License

Action Contemplated

Councillor Siegel Moved referred to the Comm. on Voted
 Ord., Lic. & Legal Affairs to hold an
 Executive Session

The Following Licenses

TAG DAYS: SHS Marine JROTC, 9/27, 10/29, 10/30, 11/21 & 11/22/15
 SHS Hockey, 12/6/15, 12/20/15 & 1/9/16

Action Contemplated

Councillor Siegel	Moved Refer to Comm. on Ord. Lic. & Legal Affairs	Voted
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The Following Drainlayer/Contract Operator Licenses:

D'Allessandro Corp., 41 Ledin Dr., Avon
J.H. Lynch & Sons, 50 Lynch Pl., Cumberland, RI

Action Contemplated

Councillor Siegel	Moved Granted	Voted
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PETITIONS

The Following Claims:

Orlando Carrion, 13 Edwards St., Beverly
Marjorie Zaltman, 15 Tanglewood Ln., Salem
Max Fusi, 232 Atlantic Ave., Marblehead
Elaine Tavis, 56 Highland Ave., Salem

Subrogated	Thomas George Assoc. (for Anna Lyons), PO Box 30, E. Northport, NY Matthew Moccia, Esquire (for Marguerite Mailloux) 546 Main St., Haverhill
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Action Contemplated

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

CONSTABLE: Joseph Lamberti, 77 Argyle Rd., Braintree

DRAINLAYER: D'Allessandro Corp., 41 Ledin Dr., Avon
J.H. Lynch & Sons, 50 Lynch Pl., Cumberland, RI

SIGN: Vallier LLC dba Caramel, 281 Essex St., Salem

Action Contemplated

Councillor Siegel	Moved Referred to Comm. on Ord., Lic. & Legal Affairs and Returned Approved	Voted
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UNFINISHED BUSINESS

SECOND PASSAGE Ordinance amending Ch. 10, Sec. 10-4 "Harbormaster's Appointment, Term, Powers and Duties, and Compensation

Action Contemplated

Councillor Siegel	Moved Adoption for second & final passage	Voted
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SECOND PASSAGE Ordinance amending Traffic Ch. 42, Sec. 50B "Handicap Parking Limited Time" Phelps Street

Action Contemplated

Councillor Siegel	Moved Adoption for second & final passage	Voted
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SECOND PASSAGE Ordinance amending Traffic Ch. 42, Sec. 49 "Obedience to Isolated Stop Sign" Witchcraft Road

Action Contemplated

Councillor Eppley	Moved Adoption for second & final passage	Voted
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SECOND PASSAGE Ordinance amending Traffic Ch. 42, Sec. 50B "Handicapped Zones, Limited Time" North Street

Action Contemplated

Councillor Gerard	Moved Adoption for second & final passage	Voted
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UNFINISHED BUSINESS

SECOND PASSAGE Ordinance amending Traffic Ch. 42, Sec. 50B "Handicapped Zones, Limited Time" Barr Street

Action Contemplated

Councillor Gerard

Moved Adoption for second & final passage

Voted

On the motion of Councillor

the meeting adjourned at

P.M.