

DECEMBER 3, 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.**

A Regular Meeting of the City Council held in the Council Chamber on Thursday, December 3, 2015 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on December 1, 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**

DECEMBER 3, 2015

HEARINGS

ORDERED: National Grid to install conduits on Bridge/Planters Street.

IN FAVOR:

OPPOSED:

HEARING CLOSED:

ACTION CONTEMPLATED

COUNCILLOR FAMICO

MOVED

VOTED

DECEMBER 3, 2015**APPOINTMENTS AND REAPPOINTMENTS**

Mayor's appt. of Andrea Cohen to serve as a member of the Salem Disabilities Commission with a term to expire on December 3, 2018

Councillor	Suspension of the Rules	Councillor	Objection
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Action Contemplated

Councillor Siegel	Held under the Rules until the next meeting OR Confirmation by RCV		Voted
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Mayor's appt. of Steven Dwyer to serve as a member of the Salem Disabilities Commission with a term to expire on December 3, 2018

Councillor	Suspension of the Rules	Councillor	Objection
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Action Contemplated

Councillor Turiel	Held under the Rules until the next meeting OR Confirmation by RCV		Voted
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Mayor's reappt. of Lisa Lyons to serve as a member of the Beautification Committee with a term to expire on January 10, 2019

Action Contemplated

Councillor Famico	Moved Confirmation by RCV	Yeas	Nays	Abs
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DECEMBER 3, 2015

APPOINTMENTS AND REAPPOINTMENTS

Mayor's reappt. of Laurence Spang to serve as a member of the Historical Commission with a term to expire on January 10, 2019

Action Contemplated

Councillor McCarthy	Moved Confirmation by RCV	Yeas	Nays	Abs
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Mayor's reappt. of Craig Thomas to serve as a member of the Renewable Energy Task Force with a term to expire on December 3, 2018

Action Contemplated

Councillor Siegel	Moved Confirmation by RCV	Yeas	Nays	Abs
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RECEIVED AFTER THE DEADLINE OF TUESDAY NOON

Councillor Turiel Moved suspension of the rules to allow the matter to come before Council due to the late file (Rule Sec. 28A)

Councillor	sus. of rules	Councillor	Object
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Mayor submitting appointment of Richard Lobsitz to serve as a member of the Board of Commissioners of Trust Funds with a term to expire on April 1, 2023

Councillor Turiel	Held under the rules Until the next meeting		Voted
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DECEMBER 3, 2015

COMMUNICATIONS FROM THE MAYOR

ORDER: Appropriation of \$43,000.00 from "Receipts Reserved – Golf Course" account to "Golf Course – Equipment" 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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ORDER: Appropriation of \$40,000.00 from "Capital Outlay – Renovation & Repair" account to be expended for Lafayette Street Bike Lane Project.

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 \$35,000.00 from "Fund Balance – Free Cash" account to be expended to cover medical line item for officers injured on duty.

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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DECEMBER 3, 2015

COMMUNICATIONS FROM THE MAYOR

ORDER: Appropriation of \$19,125.00 from "Capital Outlay – Renovations & Repairs" account to be expended for wood chips/mulch fro 13 playgrounds

Councillor Turiel Suspension of the Rule Councillor Objection

Action Contemplated

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

Councillor Turiel Moved suspension of the rules to allow the matter to come before Council due to the late file (Rule Sec. 28A)

Councillor sus. of rules Councillor Object

ORDER: Appropriation of \$190,100.00 from "Capital Outlay – Renovation & Repair" account to be expended for upgrades to intersection at Loring Avenue & Lafayette Street.

Councillor Turiel Suspension of the Rule Councillor Objection

Action Contemplated

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

DECEMBER 3, 2015

COMMUNICATIONS FROM THE MAYOR

Councillor Turiel Moved suspension of the rules to allow the matter to come before Council due to the late file (Rule Sec. 28A)

Councillor	sus. of rules	Councillor	Object
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ORDER: Appropriation of \$190,100.00 from "Capital Outlay – Renovation & Repair" account to be expended to address the intersection of Loring Avenue and Lafayette Street

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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Councillor Turiel Moved suspension of the rules to allow the matter to come before Council due to the late file (Rule Sec. 28A)

Councillor	sus. of rules	Councillor	Object
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ORDER: Appropriation of \$131,000.00 from "Fund Balance – Free Cash" account to be expended to send 6 police officers to the Boston Police Academy

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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DECEMBER 3, 2015

COMMUNICATIONS FROM THE MAYOR

Councillor Turiel Moved suspension of the rules to allow the matter to come before Council due to the late file (Rule Sec. 28A)

Councillor	sus. of rules	Councillor	Object
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ORDER: Appropriation of \$130,000.00 from "Capital Outlay – Renovation & Repairs" account to be expended to purchase 3 new vehicles for the Public Works Department

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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Councillor Turiel Moved suspension of the rules to allow the matter to come before Council due to the late file (Rule Sec. 28A)

Councillor	sus. of rules	Councillor	Object
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ORDER: Appropriation of \$100,000.00 from "Capital Outlay – Renovation & Repairs" account to be expended to address repairs to citywide sidewalks and tree stumps

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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DECEMBER 3, 2015

MAYOR'S INFORMATIONAL PAGE

NONE

DECEMBER 3, 2015

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Turiel

ORDER: that the monthly financial report dated October 31, 2015 be referred to the Committee on Administration and Finance.

Councillor Turiel

Moved Adopted

Voted

Councillor Siegel

ORDER: That the Committee on Administration and Finance meet to discuss with the Finance Director relative to adding an additional column to the Operating Budget Book to reflect the percent change variance on personnel salaries and expense lines

Councillor Siegel

Moved Adopted

Voted

DECEMBER 3, 2015

COMMITTEE REPORTS

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

- 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

Accept the Report	Voted
Adopt the Recommendation	Voted

Councillor Siegel offered the following report for the Committee on Ordinances, Licenses and Legal Affairs to whom was referred the matter of placing a limit on the number of taxi cab licenses has considered said matter and would recommend that the matter remain in committee and be carried over into the next year

Accept the Report	Voted
Adopt the Recommendation	Voted

Councillor Siegel offered the following report for the Committee on Ordinances, Licenses & Legal Affairs to whom was referred matters in Committee has considered said matter and would recommend that Rule 31B is suspended and the enclosed matters be brought forward into 2016

Accept the Report	Voted
Adopt the Recommendation	Voted

DECEMBER 3, 2015**COMMITTEE REPORTS**

Councillor Turiel offered the following report for the Committee on Administration and Finance to whom was referred the matter of a \$25,000.00 appropriation within the "Capital Outlay Renovation & Repair" Account to be expended for the Lafayette Street Bike Lane Project has considered said matter and would recommend (action unknown meeting took place after the 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 & Finance to whom was referred matters in Committee has considered said matter and would recommend that Rule 31B is suspended and the enclosed matters be brought forward into 2016

Accept the Report	Voted
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Adopt the Recommendation	Voted
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Councillor Eppley offered the following report for the Committee on Public Health, Safety & Environment co-posted with the Committee of the Whole to whom was referred the matter of discussing a plan to repair 92 gas leaks in the City has considered said matter and would recommend that the matter remain in Committee and be carried over into the next year

Accept the Report	Voted
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Adopt the Recommendation	Voted
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Councillor Eppley offered the following report for the Committee on Public Health, Safety & Environment to whom was referred matters in Committee has considered said matter and would recommend that Rule 31B is suspended and the enclosed matter be brought forward into 2016

Accept the Report	Voted
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Adopt the Recommendation	Voted
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DECEMBER 3, 2015

COMMITTEE REPORTS

Councillor McCarthy offered the following report for the Committee on Government Services to whom was referred matters in Committee has considered said matter and would recommend that Rule 31B is suspended and the enclosed matters be brought forward into 2016

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Sargent offered the following report for the Committee of the Whole to whom was referred matters in Committee has considered said matter and would recommend that Rule 31B is suspended and the enclosed matters be brought forward into 2016

Accept the Report Voted

Adopt the Recommendation Voted

DECEMBER 3, 2015

COMMUNICATIONS FROM CITY OFFICIALS

None

DECEMBER 3, 2015

PETITIONS

Petition from Extenet Systems to install a conduit on Lafayette St./New Derby Street and construct and maintain telecommunications wires and appurtenances, including fiber optic cable, a remote node and pole top antennas to one existing pole located in, across and over the same public ways

HEARING ORDERED JANUARY 14, 2016

Petition from MOBILITIE, LLC to install a pole between Forrester Street and Emerton Street

HEARING ORDERED JANUARY 14, 2016

Petition from MOBILITIE, LLC to install a pole between Lynch Street and Perkins Street

HEARING ORDERED JANUARY 14, 2016

Petition from MOBILITIE, LLC to install a pole between Essex Street and Becket Street

HEARING ORDERED JANUARY 14, 2016

Petition from MOBILITIE, LLC to attach equipment to existing pole on Summer Street and Route 114

HEARING ORDERED JANUARY 14, 2016

Petition from MOBILITIE, LLC to attach equipment to existing pole between Pond Street and Washington Street

HEARING ORDERED JANUARY 14, 2016

DECEMBER 3, 2015**PETITIONS**

Petition from MOBILITIE, LLC to attach equipment to existing pole between Highland Ave. and Clark Street

HEARING ORDERED JANUARY 14, 2016

Petition from MOBILITIE, LLC to attach equipment to existing pole between Pickering Way and Congress Street

HEARING ORDERED JANUARY 14, 2016

Request from T.R. Ramsdell/Wicked Running Club to hold a road race (Wicked Frosty Four) and use of city streets on January 1, 2016

Action Contemplated

Councillor McCarthy

Moved

Voted

Request from B&S Fitness to hold a race (Black Cat 10 & 20 miler) and use of city streets on March 12, 2016

Action Contemplated

Councillor Famico

Moved

Voted

Request from HAWC to hold its annual walk and use of city streets on April 24, 2016

Action Contemplated

Councillor Famico

Moved

Voted

DECEMBER 3, 2015**PETITIONS**

Request from Antonio Mirtre, Project Director, Iberdrola Energy Projects, Inc. (EPC Contractor for the new Salem Harbor Energy Center Construction) to allow work hours to include occasional Sundays from 7:00 A.M. to 5:00 P.M. Current work hours are 6:00 A.M. to 5:00 P.M. five to six days per week and occasional major concrete pours have started as early as 2:00 A.M. and 4:00 A.M. Some operations starting at the end of 1Q16 will require multiple shifts as contemplated in the Construction Management Plan.

Action Contemplated

Councillor McCarthy

Moved

Voted

The Following License Applications:

PUBLIC GUIDES:

Michael Metzger, 634 Woodlands Way, Abington
 Susan Metzger, 25 Shepard St., Marblehead
 Abigail Russell, 37 Forest St., Wakefield
 Rory O'Brien, 1 Courageous Court, Salem
 William Sano, 35 Daniels St., Salem

Action Contemplated

Councillor Siegel

Moved Granted

Voted

The Following License Applications:

SEAWORMS:

Jose Machado, 138 Lynnfield St., Peabody
 Eduardo C. Santos, 4 Collins St., Peabody
 Tomo Shiraishi, 58 Everett St., E. Boston

SECOND HAND
 CLOTHING:

Re-Find, 244 Essex St., Salem
 Re-Find, 72 Washington St., Salem

SECOND HAND
 VALUABLE:

RJ Coins and Jewelry, LLC., 68 Wharf St., Salem

Action Contemplated

Councillor Siegel

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

Voted

DECEMBER 3, 2015**PETITIONS**

The Following Drainlayer/Contract Operator Licenses:

Dilulis Brothers Construction Co., 31 Collins St. Terrace, Lynn
 JJ O'Brien & Sons, Inc. 5 Fern St., Waltham
 James W. Flett Co., Inc., 800 Pleasant St., Belmont
 N. Granes & Sons, Inc., 59 Jefferson Ave., Salem
 Spencer Contracting, 350 Main St., Boxford
 Village Construction Co, 57 Wharf St., Salem
 WL French Excavating Corp., 3 Survey Circle, N. Billerica

Action Contemplated

Councillor Siegel

Moved Granted

Voted

The Following Claims:

Cynthia Johnson, 13 River St., Salem
 Jill El-Ashkar, 212 Canal St., Salem
 Ryan Blaney, 39 Main St., Salisbury

Action Contemplated

Councillor Siegel

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

Voted

DECEMBER 3, 2015**UNFINISHED BUSINESS**

SECOND PASSAGE Ordinance amending Traffic Ch. 42, Sec. 75 Resident Sticker Parking Gifford Court.

Action Contemplated

Councillor Famico Moved Adoption for second & final passage Voted

SECOND PASSAGE Ordinance amending Traffic Ch. 42, Sec. 74 "General Prohibitions Towing Zone" Gifford Court, southerly side.

Action Contemplated

Councillor Famico Moved Adoption for second & final passage Voted

SECOND PASSAGE Ordinance amending Traffic Ch. 42, Sec. 50B "Handicap Parking Limited Time" Norman Street.

Action Contemplated

Councillor Famico Moved Adoption for second & final passage Voted

SECOND PASSAGE Ordinance amending Traffic Ch. 42, Sec. 50B "Handicap Parking Limited Time" Repeal Cabot Street.

Action Contemplated

Councillor Turiel Moved Adoption for second & final passage Voted

DECEMBER 3, 2015

UNFINISHED BUSINESS

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

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