

*City of Salem, Massachusetts
Office of the City Clerk*

*Ilene Simons
City Clerk*



January 21, 2020

MEETING NOTICE AND AGENDA

**“Know Your Rights Under the Open Meeting Law, M.G.L. c. 30A ss. 18-25, and
City Ordinance Sections 2-2028 through 2-2033.”**

The City Council will meet in the City Council Chamber on Thursday, January 23, 2020 at 7:00 P.M. to hold its regular meeting for the purpose of discussing any and all business.

The Agenda for this meeting is posted on the website and also listed below.

Very truly yours,

ATTEST:

ILENE SIMONS
CITY CLERK

CITY OF SALEM

JANUARY 23, 2020

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 23, 2020 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on January 21, 2020 at 2:56 P.M. This meeting is being taped and is live on S.A.T.V.

Councillors absent:

Council President McCarthy presided.

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

VOTED

President McCarthy 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)

CITY OF SALEM

JANUARY 23, 2020

CITY COUNCIL REGULAR MEETING

HEARINGS

NONE

CITY OF SALEM

JANUARY 23, 2020

CITY COUNCIL REGULAR MEETING

APPOINTMENTS AND REAPPOINTMENTS

Held from the last meeting, the Mayor's appointment of Douglas Bowker of 41 Forrester St. to the Sustainability, Energy and Resilience Committee with a term to expire on July 20, 2020.

Action Contemplated

Councillor Madore	Confirmation by RCV	Yeas	Nays	Abs
-------------------	---------------------	------	------	-----

The Mayor's reappointment of Ben Anderson to the Affordable Housing Trust Fund Board with a term to expire February 8, 2022

Action Contemplated

Councillor Turiel	Confirmation by roll call vote	Yeas	Nays	Abs
-------------------	--------------------------------	------	------	-----

The Mayor's reappointment of Mickey Northcutt of 9 Northey St #1 to the Affordable Housing Trust Fund Board with a term to expire January 25, 2022

Action Contemplated

Councillor Riccardi	Confirmation by roll call vote	Yeas	Nays	Abs
---------------------	--------------------------------	------	------	-----

The Mayor's reappointment of Noreen Gachignard of 16 Buchanan Rd to the Public Art Commission with a term to expire January 11, 2022

Action Contemplated

Councillor Dibble	Confirmation by roll call vote	Yeas	Nays	Abs
-------------------	--------------------------------	------	------	-----

CITY OF SALEM

JANUARY 23, 2020

CITY COUNCIL REGULAR MEETING

APPOINTMENTS AND REAPPOINTMENTS

The Mayor's reappointment of Emily Larson of 27 Turner St #1 to the Public Art Commission with a term to expire January 11, 2022

Action Contemplated

Councillor Turiel Confirmation by roll call vote Yeas Nays Abs

The Mayor's reappointment of Raymond Swartz of 30 Ocean Ave to the Bicycling Advisory Committee with a term to expire February 9, 2023

Action Contemplated

Councillor Turiel Confirmation by roll call vote Yeas Nays Abs

The Mayor's reappointment of Meaghan Leclerc of 10 Orchard St. #2 to the Salem Harbor Port Authority with a term to expire January 12, 2023

Action Contemplated

Councillor Riccardi Confirmation by roll call vote Yeas Nays Abs

Mayor's appointment and reappointment of the following to serve as Constables with their following terms to expire:

Name and Address:

Term to Expire on:

Mark J. Snider, 103 Boardman Ave, Melrose
James F. Danforth, 16 Wentworth Dr, Beverly
Fotis Plessas, 11 Hatzis Way, Lynn

December 2, 2021
February 1, 2023
December 28, 2021

Action Contemplated

Councillor Madore Moved Received and Filed Voted

CITY OF SALEM

JANUARY 23, 2020

CITY COUNCIL REGULAR MEETING

COMMUNICATIONS FROM THE MAYOR

ORDERED: The City of Salem, MA hereby adopts a Resolution authorizing the filing of applications with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for federal transportation assistance authorized by 49 U.S.C. Chapter 53; title 23, United States Code, or other federal statutes administered by the Federal Transit Administration.

WHEREAS, the Federal Transit Administrator has been delegated authority to award federal financial assistance for a transportation project;

WHEREAS, the grant or cooperative agreement for federal financial assistance will impose certain obligations upon the applicant, and may require the applicant to provide the local share of the project cost;

WHEREAS, the applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;

NOW, THEREFORE, BE IT RESOLVED BY THE SALEM CITY COUNCIL

1. That the Mayor is authorized to execute and file an application for federal assistance on behalf of the City of Salem, MA with the Federal Transit Administration for federal assistance authorized by 49 U.S.C. Chapter 53, title 23, United States Code, or other federal statutes authorizing a project administered by the Federal Transit Administration. (If the applicant is requesting Urbanized Area Formula Program assistance authorized by 49 U.S.C. 5307, either alone or in addition to other federal assistance administered by the Federal Transit Administration, the resolution should state whether the applicant is the designated recipient as defined by 49 U.S.C. 5307(a)(2), or whether the applicant has received authority from the designated recipient to apply for Urbanized Area Formula Program assistance.)
2. That the Mayor is authorized to execute and file with its applications the annual certifications and assurances and other documents the Federal Transportation Administration requires before awarding a federal assistance grant or cooperative agreement.
3. That the Mayor is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of the City of Salem, MA.

Action Contemplated

Councillor Madore

Moved Adoption by RCV

Yeas Nays Abs

CITY OF SALEM

JANUARY 23, 2020

CITY COUNCIL REGULAR MEETING

COMMUNICATIONS FROM THE MAYOR

ORDERED: That the members of the following boards are hereby designated as Special Municipal Employees under the Provisions of M.G.L. Chapter 268A:

Affordable Housing Trust Fund Board
Beautification Committee
Bicycling Advisory Committee
Board of Assessors
Cable Television & Technology Commission
Community Preservation Committee
Council on Aging Board
Cultural Council
Disabilities Commission
Public Art Commission
Recycling Committee
Sustainability, Energy and Resiliency Committee
Salem Harbor Port Authority
Scholarship and Education Committee
Traffic and Parking Commission
Tree Commission

Action Contemplated

Councillor Madore

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

Voted

CITY OF SALEM

JANUARY 23, 2020

CITY COUNCIL REGULAR MEETING

COMMUNICATIONS FROM THE MAYOR

RESOLUTION: ESTABLISHING THE CENTURY TREE PROGRAM

WHEREAS, the City of Salem was founded in 1626 and is among the oldest communities in the United States; and

WHEREAS, the City of Salem will celebrate its 400th anniversary in 2026; and,

WHEREAS, the City of Salem desires to honor its past and provide for the health and enjoyment of its citizens in the future through the beneficial effects of a replenished urban tree canopy;

THEREFORE, we, the Mayor and City Council of the City of Salem, do hereby establish the Century Tree Program, through which Salem residents may propose sites throughout the city where tall trees – Salem’s future heritage trees – may flourish without obstructions. Century Trees will be planted each year through 2026 within sight of public rights-of-way and labeled for posterity, in honor of the quadricentennial of the City of Salem.

Action Contemplated

Councillor Dibble

Moved Adoption

Voted

CITY OF SALEM

JANUARY 23, 2020

CITY COUNCIL REGULAR MEETING

MAYOR'S INFORMATIONAL PAGE

NONE

CITY OF SALEM

JANUARY 23, 2020

CITY COUNCIL REGULAR MEETING

MOTIONS, ORDERS AND RESOLUTIONS

Councillor Madore

ORDINANCE: to amend an Ordinance relative to Traffic

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

Section I. Amending Chapter 42, Section 50B – “Handicapped Zones, Limited Time” is hereby amended by adding the following:

Lathrop Street – One Handicapped Parking Space to be added in front of #18 Lathrop Street, beginning four (4) feet West of the driveway at 18 Lathrop Street, running west for twenty (20) feet.

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

Action Contemplated

Councillor Madore

Moved Adoption for first passage

Voted

Councillor Madore

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. Amending Chapter 42, Section 50B – “Handicapped Zones, Limited Time” is hereby amended by adding the following:

Warren Street – One Handicapped Parking Space to be added in front of #11 Warren Street, beginning twenty-four (24) feet East of the driveway at 11 Warren Street, running west for twenty (20) feet.

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

Action Contemplated

Councillor Madore

Moved Adoption for first passage

Voted

CITY OF SALEM

JANUARY 23, 2020

CITY COUNCIL REGULAR MEETING

COMMITTEE REPORTS

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

SECOND HAND
CLOTHING

Boston St Resale 134 ½ Boston St.
Re-Find, LLC 72 Washington St.

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Madore 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 the Planning Board's recommendation for a Zoning Map Amendment of rezoning 355 & 373 Highland Ave. and 2, 3, 5, 6 and 10 Cedar Rd. from B2 and BPD to R3 (The Planning Board voted against the recommendation for approval of the zoning map amendment) has considered said matter and would recommend to the full Council to reject the Planning Board's negative recommendation. (See PB recommendation below)

Accept the Report Voted

Adopt the Recommendation Voted

Report of the Planning Board to City Council

Re: Proposed Zoning Map Amendment for Highland-Cedar-Barnes

December 16, 2019

At its meeting on November 21, 2019 the Planning Board discussed the proposed amendment to the Salem Zoning Ordinance to rezone the map for the following parcels of real property located at: 355 Highland Avenue (Assessor Map 7, Lot 46); 373 Highland Avenue (Assessor Map 7, Lot 58), 2 Cedar Road (Assessor Map 7, Lot 57), 3 Cedar Road (Assessor Map 7, Lot 47), 5 Cedar Road (Assessor Map 7, Lot 48), 6 Cedar Road (Assessor Map 7, Lot 56) and 10

CITY OF SALEM

JANUARY 23, 2020

CITY COUNCIL REGULAR MEETING

COMMITTEE REPORTS

Cedar Road (Assessor Map 7, Lot 55), from Business Highway (B2) and Business Park Development (BPD) districts to the Residential Multi-Family (R3) District.

The Planning Board voted against a recommendation for approval of the zoning map amendment with three (3) members opposed (Kirt Rieder, Noah Koretz, Matt Veno) to a recommendation and two (2) members in favor (Chair Ben Anderson, Helen Sides).

The members appreciate the petitioner's efforts in working proactively with neighbors and are generally supportive of housing. However, the members had concerns about how the map amendment could affect future development on Highland Avenue. As such, the members advised analyzing regulations regarding residential and commercial development as well as the transportation system along this corridor prior to an individual map amendment.

If you have any questions regarding this matter, please contact Tom Daniel, AICP, Director of Planning & Community Development, at 978-619-5685.

Yours truly,

Ben J. Anderson, Chair

In the year two thousand nineteen

An Ordinance to amend an Ordinance relative to a Zoning Map Change

Be it ordained by the City Council of the City of Salem. As follows:

Section I. In accordance with the requirements of Massachusetts General Laws, Chapter 40A, Section 5, that the parcels of real property located at 355 and 373 Highland Avenue and 2, 3, 5, 6 and 10 Cedar Road be rezoned and the City of Salem Zoning Map be amended from Business Highway (B2) and Business Park Development (BPD) districts to the Residential Multi-Family (R3) District.

Address

1. 355 Highland Avenue
2. 373 Highland Avenue
3. 2 Cedar Road

Assessor's Map and Lot Number

- Map 7, Lot 46
- Map 7, Lot 58
- Map 7, Lot 57

CITY OF SALEM

JANUARY 23, 2020

CITY COUNCIL REGULAR MEETING

- | | |
|------------------|---------------|
| 4. 3 Cedar Road | Map 7, Lot 47 |
| 5. 5 Cedar Road | Map 7, Lot 48 |
| 6. 6 Cedar Road | Map 7, Lot 56 |
| 7. 10 Cedar Road | Map 7, Lot 55 |

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

Action Contemplated

Councillor Madore

Moved

Voted

CITY OF SALEM

JANUARY 23, 2020

CITY COUNCIL REGULAR MEETING

COMMUNICATIONS FROM CITY OFFICIALS

NONE

CITY OF SALEM

JANUARY 23, 2020

CITY COUNCIL REGULAR MEETING

PETITIONS

A petition from Steve Kapantais to the City Council to address the current status of the City's Compliance to ADA Law and the recently released report regarding an ADA Transition Plan

Action Contemplated

Councillor Riccardi	Moved Refer to the Comm. on Public Health, Safety and the Environment Co-posted with the Comm. of the Whole	Voted
---------------------	---	-------

Petition from the Village Tavern to operate a seasonal Free shuttle Service in the downtown area i.e. May through November 1st (excluding the last two weekends in October) from 10:30 A.M. to dusk (or as needed) and to operate on the Essex Street Pedestrian Mall at all times

Action Contemplated

Councillor Madore	Refer to the Comm. on Ord., Lic. & Legal Affairs	Voted
-------------------	---	-------

CITY OF SALEM

JANUARY 23, 2020

CITY COUNCIL REGULAR MEETING

PETITIONS

The Following License Applications:

PUBLIC GUIDES:

James Morfis Gass, 123 Lynn St. Peabody
Tammy Harrington 48 Federal St, Salem
Don Warnock 1 Fortune Way, Salem
Robert Gautreau Jr. 3 Warren St., Stoneham
Christine Remus 13 Merrimac St., Amesbury
Carole Hartling 37 Peach Highlands, Mhead
John Feeley Jr. 26 South Shore Rd, Holbrook
Lauren White 111 Foster St, Peabody
David Harris 3 Buford Rd, Peabody
Linda Harris 3 Buford Rd, Peabody
Rebecca Parry 2 Wallace Rd, Marblehead
Mollie Stewart 1 Gerrish Pl, Salem
Kalif Melanson 32 Mt. Washington Av, Malden
William Clemens 49 Summer St, Danvers
Christine Gandolfi-Piper 40 Aborn St, Peabody
Brigitta Amsler 286 Ocean Ave, Marblehead
Kevin Blanchette 111 Foster St, Peabody
Robin Glynn 96 Lane Rd, Chester NH
Jessica November 14 Cambridge St, Salem
Vijay Joyce 115 Prospect St, Gloucester
Alicia Diozzi 40 English St, Salem
Ronald Olson 50 Stoney Brook Rd, Mhead
John T. Higgins 71 Governors Rd, Milton
Terri Saunders 3 ½ Essex St, Salem
Jonathan Reardon 14A Pope St, Salem
Charles Galvin 5 Warren St, Salem
Julia Gleason 28 Stockbridge St, Cohasset
Frederic Norton 5 ½ Holly St, Salem
John Flanagan 38 Bay View Ter, Danvers

Action Contemplated

Councillor Madore

Moved Granted

Voted

CITY OF SALEM

JANUARY 23, 2020

CITY COUNCIL REGULAR MEETING

PETITIONS

The Following License Applications:

SECOND HAND
VALUABLES:

The Record Exchange 256 Washington St, Salem
Jacqueline Satin 69 Wharf St, Salem
ecoATM, LLC 450 Highland Ave, Salem

TAG DAYS:

SHS Winter Cologuard and Percussion Ensemble, 3/21/20
SHS Concert Band and Wind Ensemble, 5/9/20

Action Contemplated

Councillor Madore

Moved referred to the Comm. on
Ord., Lic. & Legal Affairs

Voted

The Following Drainlayers:

Geosearch, Inc, 99 Osgood Rd, Sterling
Fragale Building Corp, 3 Craig Rd, Action
Meninno Construction, 76 Oakville St, Lynn
WL French Excavating, 14 Sterling Rd, N Billerica
PV Barone Corp, 18 Central St, Winthrop

Action Contemplated

Councillor Madore

Moved Granted

Voted

CITY OF SALEM

JANUARY 23, 2020

CITY COUNCIL REGULAR MEETING

PETITIONS

The Following Claims:

Paul Montero 25 Appleby Rd, Salem
Endis Soto 1000 Loring Ave, Salem
Ruthann Burns 61 Robinson St, Lynn
Wendy McSweeney 6 Settlers Way, Salem
Rebecca Jablonowski 16 Pearl St, Salem
Judith Haley Wilkins 194 Jefferson Ave, Salem
Susan Elouche 20 Francis Rd, Salem
Roger Martin 202 Jefferson Ave, Salem
Patricia Murphy 27 Foster St, Salem
Laurie Donaher 51 Lafayette St, Salem
Meaghan Reckis 2 Scenic Terr, Salem
Amy O'Keefe 22 Circle Hill Rd, Salem
Scratch Kitchen 245 Derby St, Salem

Action Contemplated

Councillor Madore

Moved referred to the Comm. on
Ord., Lic. & Legal Affairs

Voted

The Following Bonds:

CONSTABLE:

Fotis Plessas, 1 Hatzis Way, Lynn

Action Contemplated

Councillor Madore

Moved referred to the Comm. on
Ord., Lic. & Legal Affairs and
returned approved

Voted

CITY OF SALEM

JANUARY 23, 2020

CITY COUNCIL REGULAR MEETING

UNFINISHED BUSINESS

NONE

On the motion of Councillor

the meeting adjourned at

P.M.