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CITY OF SALEM
NOVEMBER 21, 2019
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, November 21, 2019 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on November 19, 2019, at 3:31 P.M. This meeting is being taped and is live on S.A.T.V.

Councillors absent:

Council President Dibble presided.

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

VOTED

President Dibble 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)

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HEARINGS

ORDERED: Comcast to install a conduit on 231 Washington St.

APPEARING IN FAVOR:

APPEARING OPPOSED:

Councillor Madore

Moved the Hearing be Closed

Voted

Councillor Madore

Moved Granted

Voted

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APPOINTMENTS AND REAPPOINTMENTS

The Mayor's appointment of Rosa Ordaz of 13 Forest Avenue to the Zoning Board of Appeals with a term to expire May 1, 2020

Councillor Suspension of the Rules Councillor Objection

Action Contemplated

Councillor Turiel	Held Under the Rules OR Confirmation by roll call vote	Voted Yeas Nays Abs
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The Mayor's appointment of Gary Barrett of 51 Larchmont Road to the Licensing Board with a term to expire February 8, 2024

Councillor Suspension of the Rules Councillor Objection

Action Contemplated

Councillor Gerard	Held Under the Rules OR Confirmation by roll call vote	Voted Yeas Nays Abs
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COMMUNICATIONS FROM THE MAYOR

ORDERED: That the sum of Eight Hundred Seventy Three Thousand, Eight Hundred Fifty One and two cents (\$873,851.02) is hereby appropriated from the Stabilization Fund to the "Human Resources Retro Wages Account to cover the pay increases for the Police Patrolman Union Contract Settlement for FY2018, FY2019 and FY2020 in accordance with the recommendation of Her Honor the Mayor.

Councillor Peterson Suspension of the rules Councillor Objection

Action Contemplated

Councillor Peterson Moved Adoption Voted
OR Refer to Admin. & Finance Under the rules

ORDERED: That the sum of Five Hundred Twenty-Six Thousand, and Two Hundred Fifty Dollars (\$526,250.00) is hereby appropriated to the Public, Educational and Government (PEG) Access Enterprise Fund accounts listed below to be funded as set out in the Comcast of Massachusetts/New Hampshire, LLC Cable Television Renewal License. The request is in accordance with the recommendation of Her Honor the Mayor.

<u>Account</u>	<u>Description</u>	<u>Amount</u>
63003-5713	SATV Access Fees	\$495,000.00
63003-5713	Fiber Optic Upgrade	\$ 31,250.00
TOTAL		\$526,250.00

Councillor Peterson Suspension of the rules Councillor Objection

Action Contemplated

Councillor Peterson Moved Adoption Voted
OR Refer to Admin. & Finance Under the rules

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COMMUNICATIONS FROM THE MAYOR

ORDERED: That, because the transformer replacement project at Salem High School for which \$60,000.00 was appropriated pursuant to an order of the City Council passed June 26, 2014 and approved by the Mayor on July 1, 2014, which amount was raised pursuant to such order by issuing bond anticipation notes dated December 3, 2014 and permanently financed by issuing bonds dated December 2, 2015, was funded from other sources and has been completed, the remaining balance of \$60,000.00 borrowed therefore is hereby appropriated to pay costs of remodeling, reconstructing and making extraordinary repairs to the Salem High School Library, including all costs incidental and related thereto, pursuant to Section 20 of Chapter 44 of the Massachusetts General Laws.

Councillor Peterson Suspension of the rules Councillor Objection

Action Contemplated

Councillor Peterson Moved Adoption for First Passage by RCV
Yeas Nays Abs
OR Refer to Admin. & Finance Under the rules

ORDERED: That the sum of Twenty-Seven Thousand, One Hundred Fifty-four Dollars and Eighty Cents (\$27,154.80) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2020 contractual buyback listed below in accordance with the recommendation of Her Honor the Mayor.

<u>Name</u>	<u>Department</u>	<u>Amount</u>
Michael Lariviere	Police	\$27,154.80

Councillor Peterson Suspension of the rules Councillor Objection

Action Contemplated

Councillor Peterson Moved Adoption Voted
OR Refer to Admin. & Finance Under the rules

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COMMUNICATIONS FROM THE MAYOR

ORDERED: Upon payment of unpaid parking fine and the donation of two non-perishable items or canned goods to be donated to local food pantries, the City Collector shall waive, from December 1, 2019 – December 23, 2019, up to thirty dollars in late fees added to an unpaid parking fine, as provided in Section 17A of the City of Salem Traffic Code. The collector shall not waive any surcharge imposed by the Massachusetts Registry of Motor Vehicles if the Collector has notified the Registry of Motor Vehicles of an unpaid fine and a non-renewal of license and/or registration has been recorded by the Registry of Motor Vehicles.

Action Contemplated

Councillor Peterson	Moved Adoption	Voted
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ORDERED: The City Purchasing Agent is hereby authorized to solicit bids and lease, with the approval of the Mayor, no more than one-third of the city-owned lot at 297 Bridge Street for the period of November 28 though and including December 24, 2019, for the purpose of selling Christmas trees, wreathes, and similar holiday items.

Action Contemplated

Councillor Peterson	Moved Adoption	Voted
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The following Home Rule Petition submitted by the Mayor relative to Automated Enforcement of Speed Limit Violations in Designated School Zones Within the City of Salem

ORDERED: That a petition to the General Court, accompanied by a bill for authorization to employ automated enforcement of speed limit violations in designated school zones within the city of Salem as set forth below, be filed with an attested copy of this Order be, and hereby is, approved under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that the following legislation be adopted, except for amendments by the Senate or House of Representatives which conform to the intent of this home rule petition:

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COMMUNICATIONS FROM THE MAYOR

AN ACT authorizing the City of Salem to employ automated enforcement of speed limit violations in designated school zones within the city of Salem.

Be it enacted by the Senate and House of Representatives in General Court Assembled, and by the authority of the same as follows:

AUTOMATED ENFORCEMENT OF SPEED LIMIT VIOLATIONS IN DESIGNATED SCHOOL ZONES WITHIN CITY OF SALEM

Section 1. As used in this chapter, the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Automated Road Safety Camera System" shall mean an automated motor vehicle sensor device installed which produces digital photographs and may record the speed of each motor vehicle at the time it is operated in a manner that is in violation of traffic laws and regulations where the automated road camera safety system is located.

"Camera Enforceable Violation" shall mean a violation of the traffic laws which may be enforced by an automated road safety camera system, limited to exceeding the speed limit pursuant to section 17 or section 18 of chapter 90 while travelling in a designated school zone.

"City" shall mean the City of Salem, Massachusetts.

"Designated School Zone" shall mean within 300 feet of the real property comprising a public or private accredited preschool, accredited headstart facility, elementary, vocational or secondary school if the violation occurs between 5:00 a.m. and midnight, whether or not school is in

Section 2. (a) The City of Salem may employ an automated road safety camera system as a means of promoting traffic safety in a designated school zone, which may be fixed along any portion of any ways within a designated school zone its control, or within a designated school zone in the control of the commonwealth with written permission from the department of transportation and may impose a penalty on the owner of a motor vehicle for failure by the operator thereof to comply with traffic laws and regulations.

(b) The City may employ no more than two fixed automated road safety camera systems per designated school zone.

Section 3. (a) The maximum fine imposed for a violation issued pursuant to this chapter shall be twenty five dollars per violation. For violations issued pursuant to this chapter, except as provided in section 4, the owner or owners of a vehicle shall be liable for the fine, however, no owner of a vehicle shall be responsible for a violation issued pursuant to this chapter where the operator of the motor vehicle was issued a citation for the underlying violation in accordance with section 2 of chapter 90C of the General Laws. The city may send a written warning to the owner or owners in lieu of enforcement for the purpose of education.

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COMMUNICATIONS FROM THE MAYOR

(b) A certificate, or a facsimile thereof, based upon inspection of photographs and data produced by an automated road safety camera system, and sworn to or affirmed by the police department or designee authorized to issue citations for violations of traffic laws and regulations, shall be prima facie evidence of the facts contained therein.

(c) A violation issued by the city shall not be made part of the operating record of the person upon whom such liability is imposed, nor shall such violation be considered a conviction of a moving violation of the motor vehicle laws for the purpose of determining a surcharge on a motor vehicle premium pursuant to section 113B of chapter 175 of the General Laws.

(d) The police department shall supervise and coordinate the administration of violations issued in conformance with this chapter. The police department shall have the authority to hire and designate such personnel as may be necessary or contract for such services to implement the provisions of this chapter.

(e) It shall be the duty of the police department or designee of a city to cause a notice of violation to the registered owner or owners of a motor vehicle identified in photographs produced by such device as evidence of a violation pursuant to this chapter. Such notice shall contain, but not be limited to, the following information: a copy of the aforementioned recorded images and other data showing the vehicle in the process of a camera enforceable violation; the registration number and state of issuance of the vehicle; the date, time and location of the violation; the specific camera enforceable violation charged; instructions for payment of the violation; instructions to contest the violation in writing; and instructions to obtain a hearing.

(f) In the case of a violation involving a motor vehicle registered under the laws of the Commonwealth, a notice of violation shall be mailed within 14 days of the violation to the address of the registered owner or owners as listed in the records of the registrar of motor vehicles. In the case of any motor vehicle registered under the laws of another state or country, such notice of violation shall be mailed within 21 days of the violation to the address of the registered owner or owners as listed in the records of the official in such state or country having charge of the registration of such motor vehicle. If said address is unavailable, it shall be sufficient for the police department or designee to mail a notice of violation to the official in such state or country having charge of the registration of such motor vehicle.

(g) A notice of violation shall be sent by first class mail in accordance with subsection (f) and shall include an affidavit form approved by the police department for the purpose of complying with subsection (b). A manual or automatic record of mailing processed by or on behalf of the police department in the ordinary course of business shall be prima facie evidence thereof, and shall be admitted as evidence in any judicial or administrative proceeding, as to the facts contained therein. Unless an owner or owners pay the fine or contest responsibility within 60 days of the violation, the provisions of subsection (l) will apply.

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(h) Any owner to whom a notice of violation has been issued shall not be liable for a violation under the provisions of this chapter if: the violation was necessary to allow the passage of an emergency vehicle; the violation was incurred while participating in a funeral procession; the violation was incurred during a period of time in which the motor vehicle was reported to the police department of any state, city or town as having been stolen and had not been recovered prior to the time the violation occurred; the operator of the motor vehicle was operating the motor vehicle under a rental or lease agreement and the owner of the motor vehicle is a rental or leasing company and has complied with the provisions of section 4 of this chapter; the operator of the motor vehicle was issued a citation for the underlying violation in accordance with section 2 of chapter 90C of the General Laws; or, the violation was necessary to comply with any other law or regulation governing the operation of a motor vehicle.

(i) Any motor vehicle owner to whom a notice of violation has been issued pursuant to this chapter may admit responsibility for such violation and pay the fine provided therein. Payment may be made personally or through a duly authorized agent, by appearing before the police department's designee during normal office hours, by mailing or online. Payment by mail shall be made by check, money order or credit card to the police department or city. Payment of the established fine and any applicable penalties shall operate as the final disposition of the violation. Payment by one motor vehicle owner shall operate as the final disposition of the violation as to all other motor vehicle owners of the same motor vehicle for the same violation.

(j) An owner may contest responsibility for a violation under this chapter in writing by mail or online. The owner shall provide the police department with a signed affidavit in a form approved by the police department, stating: the reason for disputing the violation; the full legal name and address of the owner of the motor vehicle; and the full legal name and address of the operator of the motor vehicle at the time the violation occurred. An owner may include signed statements from witnesses, which include the names and addresses of witnesses, supporting the owner's defense. Within 21 days of receipt, the police department or the hearing officer shall send the decision of the hearing officer, including the reasons for the outcome, by first class mail to the registered owner or owners. If the owner is found responsible for the violation, the owner shall pay the fine in the manner described in (i) within 14 days of the issuance of the decision or request further judicial review pursuant to section 14 of Chapter 30A of the General Laws.

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(k) An owner may request a hearing to contest responsibility for a violation. A hearing request shall be made in writing by mail or online. Upon receipt of a hearing request, the police department shall schedule the matter before hearing officer. Said hearing officer may be an employee of the police department of the city or such other person or persons as the police department may designate. Written notice of the date, time and place of said hearing shall be sent by first class mail to each registered owner. The hearing shall be informal, the rules of evidence shall not apply, and the decision of the hearing officer shall be final subject to judicial review as outlined by section 14 of Chapter 30A of the General Laws. Within 21 days of the hearing, the police department or the hearing officer should send the decision of the hearing officer, including the reasons for the outcome, by first class mail to the registered owner or owners. If the owner is found responsible for the violation, the owner shall pay the fine in the manner described in (i) within 14 days of the issuance of the decision or request further judicial review pursuant to section 14 of Chapter 30A of the General Laws.

(l) If an owner to whom a notice of violation has been issued either fails to pay the fine in said notice in accordance with subsection (i), or is found responsible for the violation and does not pay the fine in accordance with subsection (j) or subsection (k), the police department shall notify the registrar of motor vehicles who shall place the matter on record. Upon receipt of the registrar of five or more of such notices, the registrar shall not issue or renew such owner's motor vehicle registration until after notification from the police department that all fines owed pursuant to this chapter have been paid. It shall be the duty of the police department to notify the registrar forthwith that such case has been so disposed; provided, however, that certified receipt of full and final payment from the police department shall also serve as legal notice to the registrar that said violation has been disposed of in accordance with this chapter. The certified receipt shall be printed in such form as the registrar of motor vehicles may approve.

Section 4. (a) Notwithstanding section 3 of this chapter, if the registered owner of a motor vehicle in receipt of a notice of violation is a person or entity engaged in the business of leasing or renting motor vehicles, and such motor vehicle was operating under a rental or lease agreement at the time of a violation, then the provisions of this section shall be applicable, and the registered owner shall not be liable for any unpaid fines; provided, however, that such owner has complied with the procedures of this section.

(b) The police department shall give to the registered owner notice in writing of each violation in which a motor vehicle owned by such owner is involved, as set forth in section 3.

(c) Within 45 days of the violation, the registered owner shall furnish to such department or designee in writing the name and address of the lessee or rentee of such motor vehicle at the time of the violation; the lessee's or rentee's driver's license number, state of issuance of such driver's license and the lessee's or rentee's date of birth.

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(d) Such department or designee shall thereupon issue a notice of violation to such lessee or rentee in the form prescribed by section 3 and the lessee or rentee shall be liable for the violation.

(e) If such lessee or rentee to whom a notice of violation has been issued either fails to pay the fine in accordance with subsection (i) of section 3, or fails to receive a favorable adjudication of said notice in accordance with subsection (j) of section 3, or subsection (k) of section 3, the police department or designee shall notify the registrar of motor vehicles who shall place the matter on record. Upon notification to the registrar of five or more of such notices under this section, it shall be the duty of the registrar to suspend and not renew the license to operate a motor vehicle of such lessee or rentee or suspend the right to operate of a lessee or rentee not licensed in this commonwealth until after notification from the Salem police department that all fines, taxes and penalties owed by such owner pursuant to either this chapter, have been disposed of in accordance with this chapter. It shall be the duty of the police department to notify the registrar forthwith that such case has been so disposed; provided, however, that certified receipt of full and final payment from the police department shall also serve as notice to the registrar that said violation has been disposed of in accordance this chapter. The certified receipt shall be printed in such form as the registrar of motor vehicles may approve.

Section 5. No speed limit violation shall be issued unless the vehicle exceeds the speed limit by at least five miles per hour.

Section 6. (a) The city shall install a sign notifying the public that an automated road safety camera system is in use at each location of said camera.

(b) The city shall make a public announcement and conduct a public awareness campaign of use of automated road safety camera systems beginning at least 30 days before the enforcement program is in use. The city may install but not activate automated road safety camera systems during said time period.

Section 7. (a) The compensation paid to the manufacturer or vendor of the automated road safety camera system as authorized herein shall be based on the value of the equipment or services provided and shall not be based on the number of traffic citations issued or the revenue generated by the systems.

(b) Verification that the automated road safety camera system and any appurtenant traffic control signals are correctly calibrated shall be made by a professional engineer registered in the commonwealth.

Section 8. (a) Photographs and other recorded evidence shall only be captured when a camera enforceable violation occurs. Photographs and other recorded evidence shall be destroyed within 48 hours of the final disposition of a violation.

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(b) No photographs taken in conformance with this chapter shall be discoverable in any judicial or administrative proceeding other than a proceeding held pursuant to this chapter without a court order. No photograph taken in conformance with this chapter shall be admissible in any judicial or administrative proceeding other than in a proceeding to adjudicate liability for such violation of this chapter without a court order. A court shall order a release of a photograph taken in conformance with this chapter only where the photograph tends to establish or undermine a finding of a moving violation and the violation is material as to a finding of civil or criminal liability.

(c) Photographs and other personally identifying information collected by the city pursuant to this chapter are not public record.

(d) No automated road safety camera system shall be utilized in such a manner as to take a frontal view photograph of a motor vehicle.

Section 9. This act shall take effect upon its passage.

Action Contemplated

Councillor McCarthy	Moved Adoption by RCV OR Refer to Comm. on Ord., Lic. & Legal Affairs	Yeas	Nays	Abs
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MAYOR'S INFORMATIONAL PAGE

NONE

CITY OF SALEM
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MOTIONS, ORDERS AND RESOLUTIONS

Councillor Dibble

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 repealing the following:

Chandler Road – **REPEAL** the Handicapped Parking Space in front of #26 Chandler Road

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

Action Contemplated

Councillor Dibble

Moved Adoption for first passage

Voted

Councillor Flynn

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 75 – “Parking prohibitions towing zone (resident sticker)” by repealing the following:

Highland Avenue – **REPEAL** - ZONE D-COLOR YELLOW-westerly side, beginning at the intersection of Proctor Street and continuing in a southerly direction for a distance of three hundred (300) feet. Resident Sticker Parking only. (12/14/92)

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

Action Contemplated

Councillor Flynn

Moved Adoption for first passage

Voted

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MOTIONS, ORDERS AND RESOLUTIONS

Councillor Flynn

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 75 – “Parking prohibitions towing zone (resident sticker)” by adding the following:

Heritage Drive – ZONE D-COLOR YELLOW- both sides, from the intersection with Highland Avenue, proceeding in a northwesterly direction for a distance of one hundred (100) feet. No visitor passes shall be issued for qualifying addresses on this street.

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

Action Contemplated

Councillor Flynn

Adoption for first passage

Voted

Councillor McCarthy

Ordered: That Parking at all City owned lots, garages, and on-street spaces shall be free of charge on the following days:

1. Thursday, November 28
2. Friday, November 29
3. Saturday, November 30
4. Tuesday, December 24
5. Wednesday, December 25

Action Contemplated

Councillor McCarthy

Moved Adoption for first passage

Voted

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MOTIONS, ORDERS AND RESOLUTIONS

Councillor Madore

ORDERED: That a hearing for National Grid to install a conduit on Lynde St. be held at the next regular City Council Meeting on December 5, 2019.

Action Contemplated

Councillor Madore

Moved Adoption

Voted



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COMMITTEE REPORTS

Councillor McCarthy 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.

TAG DAY: S.H.S Wrestling December 1, 2019

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Peterson offered the following report for the Committee on Administration and Finance co-posted with the Committee of the Whole to whom was referred Resolution the Mayor to execute a Tax Increment Exemption Agreement between the City of Salem and Harbor Point Properties, LLC, has considered said matter (Action unknown meeting held after Agenda Deadline.)

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Dominguez offered the following report for the Committee on Community and Economic Development co-posted with the Committee of the Whole to whom was referred Amending the HDIP Zone to all districts in the city has considered said matter (Action unknown meeting held after Agenda Deadline.)

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Flynn offered the following report for the Committee on Government Services co-posted with the Committee of the Whole to whom was referred petition from Residents of Conant St. to be repaved has considered said matter (Action unknown meeting held after Agenda Deadline.)

Accept the Report Voted

Adopt the Recommendation Voted

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COMMITTEE REPORTS

Councillor Flynn offered the following report for the Committee on Government Services co-posted with the Committee of the Whole to whom was referred a new drainage pipe at Footprint has considered said matter (Action unknown meeting held after Agenda Deadline.)

Accept the Report	Voted
Adopt the Recommendation	Voted

Councillor Flynn offered the following report for the Committee on Government Services co-posted with the Committee of the Whole to whom was referred meeting with Friends of Greenlawn to discuss ways to help and also space availability has considered said matter (Action unknown meeting held after Agenda Deadline.)

Accept the Report	Voted
Adopt the Recommendation	Voted

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COMMUNICATIONS FROM CITY OFFICIALS

The City Solicitor submitting an Ordinance relative to Tap Boards

An Ordinance to amend an ordinance relative to obstructions in sidewalks.

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

Section 1. Section 38-8 Obstructing sidewalks with articles within Chapter 38 Streets and Sidewalks is hereby amending by adding a new paragraph at the end of this section as follows:

“The Director of Inspectional Services/Building Inspector shall ensure that when public or private work may potentially impact pedestrian mobility on a public sidewalk, there shall be established rules and/or permitting to ensure safe, unobstructed pedestrian passage. Such rules and permitting shall require, at a minimum, the installation of a continuous non-malleable opaque surface running at ground level along temporary structures including scaffolding and construction fences. The non-malleable opaque surface, hereinafter referred to as a “tapboard,” must be placed along the inside of the pedestrian walkway. Any portion of a temporary structure with hand rails or other barriers blocking pedestrian passage must have a tapboard at ground level. The tapboard shall be no less that 14 inches in height, one inch in depth and placed no more than one inch above ground unless otherwise approved by the Director of Inspectional Services/Building Inspector or designee.”

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

Action Contemplated

Councillor Peterson/McCarthy	Moved Adopted for First Passage	Voted
	OR	
	Refer to the Comm. on Ord., Lic. & Legal Affairs	

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COMMUNICATIONS FROM CITY OFFICIALS

A Resolution from the City Planner relative to:

A RESOLUTION TO FILE AND ACCEPT GRANTS WITH AND FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS FOR THE PARC PROGRAM FOR IMPROVEMENTS TO PALMER COVE PARK

Whereas: Palmer Cove Park is by and far a community wide asset and the preservation and improvements to this facility are a City priority as evidenced in the most recent Open Space and Recreation Plan; and

Whereas: The Palmer Cove Park renovation will greatly enhance this facility with improved waterfront access and gathering areas, new paths, a relocated and expanded community garden, new trees, new parking spaces, etc.;

Whereas: This overall cost and fiscal budget constraints prevented the City from proceeding forward with implementation of the project; and

Whereas: The project was instead viewed as feasible only when fiscal resources were available, with the intention of securing grant funding, when and if available, to assist in this effort; and

Whereas: The Executive Office of Energy and Environmental Affairs (EOEEA) is offering reimbursable grants to cities and towns to support the preservation and restoration of urban parks through the PARC Program, Chapter 933 Acts of 1977, as amended; and

Whereas: The project will cost a total of \$722,957.86

NOW, THEREFORE, BE IT

1. That the Mayor be and is hereby authorized to file and accept grants from the Executive Office of Energy and Environmental Affairs; and
2. That the Council hereby appropriates \$722,957.86 to implement the project, to be reimbursed up to a maximum amount of \$400,000 by the Executive Office of Energy and Environmental Affairs; and
3. That the Mayor be and is hereby authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of this grant to be administered by the Department of Planning and Community Development; and
4. That Palmer Cove Park is dedicated to park purposes under M.G.L. chapter 45, section 3; and
5. That this resolution shall take effect upon the EOEEA's announcement of the awarding of said PARC Grant and be null and void in the event no grant is awarded.

Action Contemplated

Councillor McCarthy

Moved Adoption by RCV

Yeas

Nays

Abs

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PETITIONS

A petition from Crown Castle NG East, LLC to install a conduit at Highland Ave at Traders Way.

HEARING ORDERED December 5, 2019

A petition from the Interim School Superintendent, Kathleen Smith to provide an update on the Salem Public Schools to the City Council.

Action Contemplated

Councillor Dibble

Moved Received and Filed

Voted

The Following License Applications:

PUBLIC GUIDES:

- Beth O'Grady 27 Williams St., Salem
- Heide Hasselmann 2 Cranberry Hill, Duxbury
- Carol Weitzman 4206 Woodbridge Rd., Peabody
- William Sano 35 Daniels St., Salem
- Seth Mascolo 40 English St., Salem
- Michael Metzger 6 Bell Dr., Whitman
- Susan Metzger 25 Shepard St., Marblehead
- Tyler Carlton 92 Ocean Ave. #2, Salem
- Richard Jacobson 72 Country Club Way, Ipswich
- Joan Marie Pagliuca 31 Winthrop St., Dedham
- Rory O'Brien 20 West Ave., Salem
- Jonnet Holladay 4 Longfellow Pl., Boston
- Nancy Sweeter 60 Burley St., Danvers
- Brian Sims 23 Jackson St., Salem
- Anne Harrington 6 Steele St., Stoneham
- Abigail Russell 37 Forest St., Wakefield
- Karen Scalia 29RR Upham St., Salem
- Mark Scalia Jr. 29RR Upham St., Salem
- Elisabeth DiCicco 40 Revere St Apt 6, Boston

TAXI CAB/LIMOS:

- Witch City Taxi 92 Jackson St (1 Taxi Cab)
- Americab Taxi 92 Jackson St (7 Limos)

Licenses cont'd next page

CITY OF SALEM
NOVEMBER 21, 2019
CITY COUNCIL REGULAR MEETING

PETITIONS

License Continued:

TAXI OPERATORS: Sandy Jaques 47 Aborn St., Peabody
 Valentina Rodriguez 135 Lafayette St., Salem
 Luz Sanchez Santiago 117 Congress St., Salem
 Angelo Ramirez 7 Liberty Hill Ave., Salem

Action Contemplated

Councillor McCarthy Moved Granted Voted

The Following License Applications:

JUNK DEALER: 15 Robinson Rd., LLC 15 Robinson Rd

SECOND HAND VALUABLES: Tobies Jewelry 140 Washington St
 RJ Coins and Jewelry 68 Wharf St.
 Glass and Etc. 180 Essex St.
 Olde Naumkeag Antiques 1 Hawthorne Blvd
 Game Zone 270 Essex St.

SEAWORMS: Jose Machado 5 Marion Ave., Beverly

Action Contemplated

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

CITY OF SALEM
NOVEMBER 21, 2019
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PETITIONS

The Following Drainlayers:

- DiBiase Corp., 749 Lowell St. Lynnfield, MA
- Geologic Earth Exploration 7 Sherwood Dr., Norfolk, MA
- McGrath Enterprises 28 Oakville St., Lynn, MA
- R.B. Strong Excavating 122 Western Ave., Gloucester, MA
- The Warren Co. 18 Lovell Rd., Lynnfield, MA
- Pitt Pipeline Co. 25 Sullivan Rd., Billerica, MA
- Village Construction Co. 51 Wharf St., Salem, MA
- J Masterson CVonstruction 46 Prince St., Danvers
- Spencer Contracting 67 Foster St., Peabody
- J Desenco Co., 338 Howard St., Brocton
- Delulis Brothers Construction 31 Collins St Ter., Lynn
- Atlantic Paving Corp., 119R Foster St., Peabody

Councillor McCarthy	Moved Granted	Voted
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The Following Claims:

- Kevin Reid 7 Ugo Rd., Salem
- Jessica Christel 47 Endicott St., Salem
- Abdelghani Jaadouni 12 Raymond Rd., Salem
- Benjamin St. Peter 50 Cambridge Rd., Woburn
- Christopher Urban 5231 Town Walk Dr Hamden, CT
- Christy Evans 1 Harrod St., Salem
- Dr. Margaret Green 2 Electronics Ave., Danvers
- Maureen O'Hare Mercer 436 Lafayette St., Salem
- Yasi & Yasi 2 Salem Green, Salem
- Janet Kerwin 12 Dahlea Ave., Peabody
- Barbara Mann 29 Endicott St., Salem

Action Contemplated

Councillor McCarthy	Moved referred to the Comm. on Ord., Lic. & Legal Affairs	Voted
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CITY OF SALEM
NOVEMBER 21, 2019
CITY COUNCIL REGULAR MEETING

UNFINISHED BUSINESS

SECOND PASSAGE OF AN ORDINANCE:

An Ordinance to amend an Ordinance relative to Traffic

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: Cross Street – One Handicapped Parking Space to be added in front of #3, starting sixty (60) feet from the corner and continuing in a southerly direction for a distance of twenty (20) feet, “Handicapped Zones, Limited Time”

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

Action Contemplated

Councillor Madore Moved Adoption for second and final passage Voted

SECOND PASSAGE OF AN ORDINANCE:

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 50A – “Handicapped Parking Zones” is hereby amended by adding the following: Peabody Street –in front of #38, for a distance of twenty (20) feet, “Handicapped Parking Zones”

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

Action Contemplated

Councillor McCarthy Moved Adoption for second and final passage Voted

CITY OF SALEM
NOVEMBER 21, 2019
CITY COUNCIL REGULAR MEETING

UNFINISHED BUSINESS

SECOND PASSAGE OF AN ORDINANCE:

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 50A – “Handicapped Parking Zones” is hereby amended by adding the following: Peabody Street –in front of #46, for a distance of twenty (20) feet, “Handicapped Parking Zones”

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

Action Contemplated

Councillor McCarthy	Moved Adoption for second and final passage	Voted
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SECOND PASSAGE OF AN ORDINANCE:

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 50A – “Handicapped Parking Zones” is hereby amended by adding the following: Washington Street –in front of #280, for a distance of twenty (20) feet, “Handicapped Parking Zones”

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

Action Contemplated

Councillor Turiel	Moved Adoption for second and final passage	Voted
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CITY OF SALEM
NOVEMBER 21, 2019
CITY COUNCIL REGULAR MEETING

UNFINISHED BUSINESS

SECOND PASSAGE OF AN ORDINANCE:

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 74 – “General Towing Zone” is hereby amended by adding the following: Lafayette Street –in front of #249 as marked by sign, Monday through Friday, 8:00 A.M. to 6:00 P.M. “Tow Zone, Doctor’s Office Only”
Section II. This Ordinance shall take effect as provided by City Charter.

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

Action Contemplated

Councillor Turiel Moved Adoption for second and final passage Voted

SECOND PASSAGE OF AN ORDINANCE:

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 74 – “General Towing Zone” is hereby amended by adding the following: Lafayette Street –in front of #156 as marked by sign, Monday through Friday, 8:00 A.M. to 5:00 P.M. “Tow Zone, Doctor’s Office Only”

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

Action Contemplated

Councillor Turiel Moved Adoption for second and final passage Voted

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