

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

*Cheryl A. LaPointe
City Clerk*



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January 24, 2017

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 26, 2017 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:

CHERYL A. LAPOINTE
CITY CLERK

JANUARY 26, 2017

REVISED

“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, January 26, 2017 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on January 24, 2017 at 8:56 A.M. This meeting is being taped and is live on S.A.T.V.

Councillors absent:

Council President Milo presided.

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

VOTED

President Milo 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**

JANUARY 26, 2017

HEARINGS

ORDERED: National Grid to relocate two poles at #401-405 Bridge St.

IN FAVOR:

OPPOSED:

Councillor Famico

Moved Hearing Closed

Voted

Action Contemplated

Councillor Famico

Moved Granted

Voted

JANUARY 26, 2017

APPOINTMENTS AND REAPPOINTMENTS

Held from the last meeting, the Mayor's appointment of Col. Meaghan Leclerc, Esq., 10 Orchard Street, to the Salem Harbor Port Authority for a three (3) year term to expire January 12, 2020

Action Contemplated

Councillor Gerard	Moved Confirmation by RCV	Yeas	Nays	Abs
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The Mayor's reappointment of Grace Harrington to serve as a member of the Salem Redevelopment Authority with a term to expire on January 26, 2022

Action Contemplated

Councillor Furey	Moved Confirmation by RCV	Yeas	Nays	Abs
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Mayor's appointment and reappointment of the following Constables with the following terms to expire:

<u>Name</u>	<u>Term to Expire</u>
Eugene Ayott	January 1, 2018
Dana Hagan	December 6, 2017
Ronald Bertheim	February 25, 2020
Clint Larrabee	January 1, 2020
Mark McGrath	January 22, 2020
James Barina	January 3, 2020

Action Contemplated

Councillor Ryan	Moved Received & Filed	Voted
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JANUARY 26, 2017

COMMUNICATIONS FROM THE MAYOR

Appropriation of \$250,000.00 from “Capital Outlay – Renovation & Repair” account to be expended for design phase for Essex Street Roadway Improvement Project by the Engineering Department.

Councillor suspension of rules Councillor object

Action Contemplated

Councillor Gerard Moved Adoption Voted

Appropriation of \$52,423.12 from “Retirement Stabilization Fund – Vacation/Sick Leave Buyback” account to be expended for the following contractual buyback:

Carol Amodeo	School Dept.	\$23,423.40
Anthony Mento	School Dept.	<u>\$28,999.72</u>
		\$52,423.12

Councillor suspension of rules Councillor object

Action Contemplated

Councillor Gerard Moved Adoption Voted

Appropriation of \$50,000.00 from “Retained Earnings – Water/Sewer Fund” account to “Water – Contracted Services” account for Wilson Road Pump Station Retrofit.

Councillor suspension of rules Councillor object

Action Contemplated

Councillor Gerard Moved Adoption Voted

JANUARY 26, 2017

COMMUNICATIONS FROM THE MAYOR

Appropriation of \$2,000.00 from “Fund Balance Reserve for Appropriation – Free Cash” account to the “Planning Board – Advertising” account

Councillor	suspension of rules	Councillor	object
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Action Contemplated

Councillor Gerard	Moved Adoption	Voted
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ORDER: to accept the donation of \$1,300.00 from the Friends of the Council on Aging to be deposited into the Salem Council on Aging Fund.

Action Contemplated

Councillor Gerard	Moved Adoption	Voted
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JANUARY 26, 2017

MAYOR'S INFORMATIONAL PAGE

NONE

JANUARY 26, 2017

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Gerard

ORDINANCE: amending Traffic Ch. 42, Sec. 50B Handicap Parking Limited Time, Mason Street in front of #107, for a distance of twenty (20) feet, Handicap Parking Tow Zone.

Action Contemplated

Councillor Gerard

Moved Adoption for first passage

Voted

Councillor Eppley

ORDINANCE: amending Traffic Ch. 42, Sec. 50B Handicap Parking Limited Time, Repeal Langdon Street in front of #3, for a distance of twenty (20) feet, Handicap Parking Tow Zone. (5/28/2009)

Action Contemplated

Councillor Eppley

Moved Adoption for first passage

Voted

Councillor Eppley

ORDER: That the City Council rules 30 and 31 be amended such that each Councillor (with the exception of the President) shall serve at least two subcommittees, one of which must be either the Committee on Administration and Finance or the Committee on Ordinances, Licenses and Legal Affairs. These amendments shall take effect on January 1, 2018

Action Contemplated

Councillor Eppley

Moved Adoption

Voted

JANUARY 26, 2017

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Sargent

ORDER: That the Committee on Ordinances, Licenses and Legal Affairs and the Parking and Traffic Commission meet to review and recommend the bus parking rules, regulations, and City Ordinances.

Action Contemplated

Councillor Sargent

Moved Adoption

Voted

Councillor Sargent

ORDER: That the Committee on Ordinances, Licenses and Legal Affairs and the Parking and Traffic Commission meet to review and recommend that the bus parking spaces on Holyoke Square be changed back to vehicle parking spaces (Petitions attached)

Action Contemplated

Councillor Sargent

Moved Adoption

Voted

Councillor Lovely

ORDER: That the Committee on Administration and Finance meet with the Finance Director to discuss the possibility of implementing open checkbook for the city's finances.

Action Contemplated

Councillor Lovely

Moved Adoption

Voted

JANUARY 26, 2017

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Lovely

ORDER: That the City Solicitor prepare a Home Rule Petition for a beer and wine package store license for the business known as Castle Hill Minimart located at 280 Jefferson Avenue.

Action Contemplated

Councillor Lovely

Moved Adoption

Voted

JANUARY 26, 2017**COMMITTEE REPORTS**

Councillor Ryan 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 granting the following licenses

SEAWORM:	Jose Machado, 138 Lynnfield St., Peabody Tomohiro Shiraishi, 58 Everett St., Boston Michael Sanchez, 31 Preston St., Wakefield
SECOND HAND CLOTHING:	Modern Millie, 3 Central St., Salem Re-Find, 244 Essex St., Salem Re-Find, 72 Washington St., Salem
SECOND HAND VALUABLE:	Once & Again, 45 Bridge St., Salem Game Zone, 270 Essex St., Salem RJ Coins and Jewelry, 68 Wharf St., Salem Witch City Consignment, 301 Essex St., Salem
TAG DAYS:	S.H.S. Percussion Ensemble & Winter Guard, 2/18/17 S.H.S. Concert Band & Wind Ensemble, 5/6/17 Salem Little League, 5/20/17, 6/10/17 & 7/8/17

Accept the Report	Voted
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Adopt the Recommendation	Voted
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Councillor Ryan 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 City of Salem Assessor's Affidavit Forms that were mailed to property owners relative to content, information requested and retention has considered said matter and would recommend that the matter remain in committee

Accept the Report	Voted
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Adopt the Recommendation	Voted
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JANUARY 26, 2017

COMMITTEE REPORTS

Councillor Ryan offered the following report for the Committee on Ordinances, Licenses and Legal Affairs to whom was referred the matter of a Junk Dealer License Application submitted by Newark Recycled Fibers/North Shore Recycling has considered said matter and would recommend that the matter remain in committee

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Ryan offered the following report for the Committee on Ordinances, Licenses and Legal Affairs to whom was referred the matter of a hearing request by Jael Pena on the denial of his taxi operator license has considered said matter and would recommend that his license be granted contingent upon good monthly statements from the Probation Dept. to Officer Page

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Ryan offered the following report for the Committee on Ordinances, Licenses and Legal Affairs to whom was referred the matter of a hearing request by Oscar Garcia on the denial of his taxi operator license has considered said matter and would recommend that his license be granted with the condition upon the licensee having no violations within a year per the Police Chief or her designee

Accept the Report Voted

Adopt the Recommendation Voted

JANUARY 26, 2017

COMMITTEE REPORTS

Councillor Ryan offered the following report for the Committee on Ordinances, Licenses and Legal Affairs to whom was referred the matter of a hearing request by Juan Reynoso on the denial of his taxi operator license has considered said matter and would recommend that his license be granted (Licensee will bring court record to Officer Page)

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Gerard offered the following report for the Committee on Administration & Finance co-posted with the Committee of the Whole to whom was referred the matter of an appropriation of \$35,000.00 from the "Fund Balance – Free Cash" to "Planning – Contracted Services for a New Salem Bicycle Share Program has considered said matter and would recommend (action unknown meeting took place after agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Dibble offered the following report for the Committee on Community and Economic Development co-posted with Committee of the Whole to whom was referred the matter of Housing Development Incentive Program and setting of a public hearing date (action unknown meeting took place after agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

JANUARY 26, 2017

COMMUNICATIONS FROM CITY OFFICIALS

Communication from City Clerk Cheryl LaPointe submitting the Municipal Election Calendar for 2017.

Action contemplated

Councillor Sargent

Moved Adoption

Voted

JANUARY 26, 2017

PETITIONS

Request from Iberdrola to conduct maintenance and safety work on Sundays (not construction work) and to work a full second shift to end by Midnight on weekdays and Saturdays.

Action Contemplated

Councillor McCarthy	Moved	Voted
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The Following License Applications:

PUBLIC GUIDES:	David Pszenny, 21 Thomas Cir., Salem William Page, 65 ½ Essex St., Salem Molly Morrow, 104 Bridge St., Salem Ronald K. Olson, 50 Stony Brook Rd., Marblehead John J. Feeley Jr., 26 South Shore Rd., Holbrook Allison French, 3 Becket Ave., Salem Melissa Nierman, 26R Chestnut St., Salem Scott Harris, 181 Federal St., Salem John Higgins, 71 Governors Rd., Milton Robert Anthony, 27 Charter St., Salem Kenneth Glover, 20 Essex St., Beverly Tyler Carlton, 34 Park St., Salem Joseph Amato, 78 Marshall St., Medford Jesse Kamien, 6 Netherwood Rd, Windham, NH David Scott, 8 Eagan Pl., Peabody Robert Hawkins, 54 Dartmouth St., Watertown David Breen, 215 Ocean St., Lynn Rita Parisi, 43 Merrimac St., Amesbury
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Action Contemplated

Councillor Ryan	Moved Granted	Voted
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JANUARY 26, 2017

PETITIONS

The Following License Applications:

JUNK DEALER: Excel Recycling, LLC, 99 Margin St., Salem

TAG DAYS: Nathaniel Bowditch School, Girl's & Boy's Basketball, 3/5/17
DAV #84, May 19, 21, 22, 2017 and November 23-25, 2017
VFW, May 26-29, 2017 & November 9-12, 2017
Salem VET Council, July 1-4. 2-17

Action Contemplated

Councillor Ryan	Refer to Comm. on Ord., Lic. & Legal Affairs	Voted
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The Following Drainlayer/Contractor Operator Licenses:

Ciciotti Construction, 145 Burrill St., Swampscott
D&M Civil Inc., 30 Log Bridge Rd., Middleton
DiBiase Corp., 749 Lowell St., Lynnfield
EKB Equipment, LLC, 9 Forest Ln., Manchester
J. Derenzo Co., 338 Howard St., Brockton
K&B Excavating, 105 Mason St., Salem
McGrath Enterprises, 28 Oakville St., Lynn
Mirra Co. Inc., 6 Norino Way, Georgetown
Raffaele Construction Corp., 21 Elm Pl., Swampscott
WES Construction, 650 Industrial Dr., Halifax

Action Contemplated

Councilor Ryan	Moved Granted	Voted
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JANUARY 26, 2017

PETITIONS

The Following Claims:

Edward Curtin, 10 Orchard Ter., Salem
George Levasseur Jr., 30 Essex St., Salem
Cristina Nuncio, 11 ½ Sutton Ave., Salem
Pamela Ryan, 11 Locust St., Salem

Action Contemplated

Councillor Ryan	Refer to Comm. on Ord., Lic. & Legal Affairs	Voted
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The Following Bonds:

CONSTABLES:	Eugene Ayott, 11 Pickwick Rd, Marblehead Dana Hagan, 21 Roman Ave., Danvers Clint Larrabee, 19 Station Rd., Salem
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DRAINLAYERS:	K&B Excavating, 105 Mason St., Salem McGrath Enterprises, 28 Oakville St., Lynn
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Action Contemplated

Councillor Ryan	Refer to Comm. on Ord., Lic. & Legal Affairs & Returned Approved	Voted
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JANUARY 26, 2017

UNFINISHED BUSINESS

Councillor Lovely

SECOND PASSAGE ORDINANCE ZONING to include Jefferson Avenue in the entrance corridor overlay district

Action Contemplated

Councillor Lovely Moved Adoption for second and final passage

Councillor Dibble

SECOND PASSAGE ORDINANCE ZONING to include Paradise Road in the entrance corridor overlay district

Action Contemplated

Councillor Dibble Moved Adoption for second and final passage

Councillor Famico

SECOND PASSAGE ORDINANCE amending Traffic Ch. 42, Sec. 50B "Handicap Parking Limited Time" Repeal Federal Street in front of #102.

Action Contemplated

Councillor Famico Moved Adoption for second and final passage Voted

JANUARY 26, 2017

UNFINISHED BUSINESS

Councillor Famico

SECOND PASSAGE ORDINANCE amending Traffic Ch. 42, Sec. 50B “Handicap Parking Limited Time” Pleasant Street in front of #9

Action Contemplated

Councillor Famico	Moved Adoption for second and final passage	Voted
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On the motion of Councillor	the meeting adjourned at	P.M.
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