

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

*Cheryl A. LaPointe
City Clerk*



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November 14, 2016

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, November 17, 2016 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

NOVEMBER 17, 2016

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

**Assistive Listening System Now Available for City Council Meetings.
Those interested in utilizing these devices for meetings at 93 Washington Street may contact the City Clerk Cheryl LaPointe at 978-619-5610 or clapointe@salem.com.**

A Regular Meeting of the City Council held in the Council Chamber on Thursday, November 17, 2016 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on November 14, 2016 at 11:35 A.M. This meeting is being taped and is live on S.A.T.V.

Councillors absent:

Council President Turiel presided.

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

VOTED

President Turiel 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**

NOVEMBER 17, 2016

HEARINGS

NONE

NOVEMBER 17, 2016

APPOINTMENTS AND REAPPOINTMENTS

Held from the last meeting, the Mayor's appt. of Matthew O. Smith, 12 Northey St., to serve as the City of Salem's Traffic and Parking Executive Director for a two-year term to commence on November 14, 2016 and to expire on January 31, 2019

Action Contemplated

Councillor Famico	Moved Confirmation by RCV	Yeas	Nays	Abs
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NOVEMBER 17, 2016

COMMUNICATIONS FROM THE MAYOR

ORDER: Pursuant to Mass. General Law Ch. 79, the City Solicitor shall prepare and submit to Council all necessary documents for the taking by eminent domain for the City the property located at 289 Derby Street

Action Contemplated

Councillor McCarthy

Moved Adoption

Voted

BOND ORDER: for the sum of One Million Four Hundred Thousand Dollars (\$1,400,000) to pay costs for the following project Eminent Domain Taking of 289 Derby Street.

Action Contemplated

Councillor Eppley

Moved Adoption by Roll call vote

yeas,

nays

absent

Or Ref. to the Committee on Administration
& Finance co-posted with Comm. Of the Whole

ORDER: Donation of two non-perishable items or canned goods be donated to a local food pantry and the City Collector shall waive from Dec. 1 through Dec. 23, 2016 up to thirty dollars in late fees for unpaid parking fines but not waive any surcharge imposed by the RMV.
(peas for fees)

Action Contemplated

Councillor Eppley

Moved Adoption

Voted

NOVEMBER 17, 2016

COMMUNICATIONS FROM THE MAYOR

RESOLUTION: to file and accept grants with and from the Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs for the "Our Common Backyards Program" for improvements to McGlew Park

Action Contemplated

Councillor Gerard	Moved Adoption	Voted
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ORDER: authorize the Mayor to execute a Memorandum of Sale between the City of Salem and F.W. Webb Co. for the purchase of City property described as Lot 1, a 52,491 s.f. portion of subdivided lot at 297 Bridge Street for a purchase price of \$498,550.00.

Action Contemplated

Councillor Famico	Moved Adoption by RCV	YEAS,	NAYS,	ABSENT
	Or Ref. to the Committee on Administration & Finance co-posted with Comm. Of the Whole			

ORDER: In accordance with MGL c.40V, establish a Housing Development Zone in the downtown and Zone plan as part of the Commonwealth of Mass. Housing Development Incentive Program that incents the development of market rate housing in a zone established by an eligible municipality. The proposed zone: 65 Washington Street, 29 Federal Street, 15 Federal Street, 32-50 Federal Street and 252 Bridge Street.

(plan is on file for review at the City Clerk's office room 1, 93 Washington St. during normal business hours)

Action Contemplated

Councillor Milo	Moved to hold a Public Hearing on December 7, 2016 at 6:00 PM	Voted
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NOVEMBER 17, 2016

MAYOR'S INFORMATIONAL PAGE

NONE

NOVEMBER 17, 2016

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Eppley

ORDINANCE: amending Traffic Ch. 42, Sec. 50B "Handicap Parking Limited Time"
Ord Street, in front of #8 for a distance of twenty (20) feet. "Handicap Parking Tow Zone"

Action Contemplated

Councillor Eppley Moved Adoption for first passage Voted

Councillor Gerard

ORDINANCE: amending Traffic Ch. 42, Sec. 50B "Handicap Parking Limited Time"
Devereux Street, in front of #2 Devereux Street for a distance of twenty (20) feet. "Handicap Parking Tow Zone"

Action Contemplated

Councillor Gerard Moved Adoption for first passage Voted

Councillor Lovely

ORDINANCE: amending Traffic Ch. 42, Sec. 50B "Handicap Parking Limited Time"
Wheatland Street, in front of #12 Wheatland Street for a distance of twenty (20) feet. "Handicap Parking Tow Zone"

Action Contemplated

Councillor Lovely Moved Adoption for first passage Voted

NOVEMBER 17, 2016

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Famico

ORDER: That no municipal garage or surface lot monthly or yearly passes be sold to any lodging establishment for the rotating of guests for the next 120 days, unless a new order is passed permitting their sale.

Action Contemplated

Councillor Famico

Moved Adoption

Voted

Councillor Famico

ORDER: That the Committee on Committee on Community and Economic Development meet to discuss the use of municipal garages and surface lots, including the eligibility for passes and the application process.

Action Contemplated

Councillor Famico

Moved Adoption

Voted

Councillor McCarthy

ORDER: That the following streets be given a temporary resident parking status through the end of the power plant construction, Derby St. from Blaney St. to Fort Ave., Webb St. from Fort Ave. to Derby St., and Fort Ave. from the intersection of Fort Ave. and Webb St. to number 39 Fort Ave.

Action Contemplated

Councillor McCarthy

Moved Adoption

Voted

NOVEMBER 17, 2016

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Sargent

ORDER: That the City of Salem check the safety record of any contractor or subcontractor before they are allowed to work on a City of Salem job site

Action Contemplated

Councillor Sargent

Moved Adoption

Voted

Councillor Sargent

ORDER: That the City Council Orders currently in the Committee of the Whole be referred to one of the five Committees of the City Council

Action Contemplated

Councillor Sargent

Moved Adoption

Voted

NOVEMBER 17, 2016**COMMITTEE REPORTS**

Councillor McCarthy 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 these licenses

TAG DAY S.H.S. Gymnastics, 1/29/17 & 2/12/17

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Eppley 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 order to authorize the Mayor to purchase property located at 289 Derby Street, on behalf of the City of Salem, for \$1.4 Million. Said land shall be subject to an open space preservation restriction has considered said matter and would recommend that the matter remain in committee

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Eppley 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 a Bond Oder in the amount of \$1,400,000 to be appropriated to pay costs for the Community Preservation Act Project - The acquisition of 289 Derby Street for recreation purposes and the payment of all costs incidental and related thereto has considered said matter and would recommend that the matter remain in committee

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Eppley 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 \$100,000 from CPA Funds to CPA-289 Derby St. Design & Costs has considered said matter and would recommend that the matter remain in committee

Accept the Report Voted

Adopt the Recommendation Voted

NOVEMBER 17, 2016

COMMITTEE REPORTS

Councillor Eppley 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 Order authorizing the Mayor to enter into a lease to own agreement to acquire a pump truck for the Salem Fire Department has considered said matter and would recommend (action unknown meeting took place after agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Turiel offered the following report for the Committee of the Whole to whom was referred the matter of the Disposition and Deed Restriction of City Owned parcel located a #297 Bridge Street has considered said matter and would recommend (action unknown meeting took place after agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Milo offered the following report for the Ad-Hoc Committee for Council Rules to whom was referred the matter to review the current rules, make recommendations and report back to full council has considered said matter and would recommend that the attached list of rules be adopted

Accept the Report Voted

Adopt the Recommendation Voted

NOVEMBER 17, 2016

COMMUNICATIONS FROM CITY OFFICIALS

Communication from the City Clerk informing the City Council That the Massachusetts Election Modernization Coalition awarded the City of Salem a Silver Medal Award for providing substantial Early Voting opportunities to its citizens.

Councillor Famico

Moved Receive & File

Voted

NOVEMBER 17, 2016**PETITIONS**

Request from Robert Feeley, President of Feeley, McAnespie, Inc., to alter construction hours at 23 Memorial Drive (Bentley Academy) to work on Sundays as necessary to maintain schedule of roof replacement work from November 19, 2016 through December 31, 2016 before temperatures fall below 25 degrees

Action Contemplated

Councillor McCarthy

Moved Granted

Voted

Petition from Craig S. Strasnick, President, Common Ground Enterprises, to rename "Holyoke Square" to "Common Ground Square"

Action Contemplated

Councillor Famico

Moved

Voted

Communication from Michael Weiss, Manager, 15 Robinson Road LLC, informing the Council of a change in name and ownership for a Junk Dealers License for the remainder of 2016. Current Junk Dealer License issued to A&H Auto Exchange, 15 Robinson Road to 15 Robinson Road LLC, 15 Robinson Road.

Action Contemplated

Councillor McCarthy

Moved Received & Placed on File

Voted

Request from Wicked Running Club to hold a road race (Wicked Frosty Four) on January 1, 2017 and use of city streets

Action Contemplated

Councillor McCarthy

Moved Granted

Voted

NOVEMBER 17, 2016**PETITIONS**

Request from North Shore Medical Center to hold their annual walk on June 25, 2017 and use to city streets

Action Contemplated

Councillor McCarthy

Moved Granted

Voted

The Following License Applications:

PUBLIC GUIDES: Michael Metzger, 634 Woodlands Way, Abington
Susan Metger, 25 Shepard St., Marblehead

Action Contemplated

Councillor McCarthy

Moved Granted

Voted

The Following License Applications:

JUNK DEALER: 15 Robinson Road, LLC, 15 Robinson Road

TAG DAYS: S.H.S. Winter Track, 1/15/17 & 2/4/17
S.H.S. Girls Lacrosse, 4/8/17 & 5/13/17

Action Contemplated

Councillor McCarthy

Refer to Comm. on Ord., Lic. &
Legal Affairs

Voted

NOVEMBER 17, 2016

PETITIONS

The Following Claims

Eric Reardon, 10 Connors Rd., Salem
 Mohammed Ali, 10 ½ Mason St., Salem
 Linda Kent, 56 Ward St., Salem
 Linda Gonzales, 7 Leavitt Ct., Salem

Action Contemplated

Councillor McCarthy

Refer to Comm. on Ord., Lic. &
 Legal Affairs

Voted

The Following Bonds:

SIGN: The Witchery, LLC, 246 Essex St., Salem
 Louise Michaud Photographer, 222 Derby St., Salem

Action Contemplated

Councillor McCarthy

Refer to Comm. on Ord., Lic. &
 Legal Affairs & Returned Approved

Voted

NOVEMBER 17, 2016

UNFINISHED BUSINESS

SECOND PASSAGE ordinance amending the Zoning Map for the parcel located at 293 Bridge Street from NRCC to B-4 and 297 Bridge Street from R-2 to B-4.

(Due to Salem News not printing an ad for second passage which is necessary per MGL Second Passage Vote must be taken again)

Action Contemplated

Councillor Famico Moved Adoption for second and final passage
By roll call vote

YEAS

NAYS

ABSENT

SECOND PASSAGE ordinance amending Traffic Ch. 42, Sec. 50B Handicap Parking Repeal Broad Street

Action Contemplated

Councillor Lovely Moved Adoption for second and final passage Voted

SECOND PASSAGE ordinance amending Traffic Ch. 42, Sec. 50B Handicap Parking Repeal Repeal Geneva Street

Action Contemplated

Councillor Turiel Moved Adoption for second and final passage Voted

NOVEMBER 17, 2016**UNFINISHED BUSINESS**

SECOND PASSAGE ordinance amending Traffic Ch. 42, Sec. 50B Handicap Parking Repeal
Wisteria Street

Action Contemplated

Councillor Turiel Moved Adoption for second and final passage Voted

SECOND PASSAGE ordinance amending Traffic Ch. 42, Sec. 75 Resident Sticker Parking
Lafayette Street

Action Contemplated

Councillor Turiel Moved Adoption for second and final passage Voted

SECOND PASSAGE ordinance amending Ch. 14, Sec. Article VII Disposable Plastic Bags in retail
establishments

Action Contemplated

Councillor Gerard Moved Adoption for second and final passage Voted

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