

**CITY OF SALEM****MARCH 8, 2018****REGULAR MEETING OF THE CITY COUNCIL**

**“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](mailto:clapointe@saalem.com).**

A Regular Meeting of the City Council held in the Council Chamber on Thursday, March 8, 2018 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on March 6, 2018, at 10:49 A.M. This meeting is being taped and is live on S.A.T.V.

Councillors Milo and Dibble were recorded as absent.

Council President Gerard presided.

Councillor Furey moved to dispense with the reading of the record of the previous meeting. It was so voted.

President Gerard requested that everyone please rise to recite the Pledge of Allegiance.

**PUBLIC TESTIMONY**

1. Susan Kirby – 45 St. Peter Street – City Clerk position
2. Jeff Cohen – 12 Hancock Street – take from the table the ad-hoc committee
3. Christine Ross – 33 Pleasant Street – City Clerk position
4. Ben Winthrop – 3 Essex Street – City Clerk position
5. Tanya Stepasiuk – 20 Est Avenue #3 – City Clerk position
6. Judith Riley – 20 West Avenue – Resolution Early voting/same day registration
7. Scott Sternberg – 25 Pickman Road – City clerk position
8. Cheryl Rafuse – 84 Barton St. Apt. 1 – City Clerk position, Early voting
9. Fawaz Abusharkh – 4 Harrison Rd. – city clerk position

## CITY OF SALEM

MARCH 8, 2018

### REGULAR MEETING OF THE CITY COUNCIL

#### **(#49) - APPOINTMENTS TO THE SALEM AFFORDABLE HOUSING TRUST FUND BOARD**

Held from the last meeting, Mayor's appointment of the following to serve as members of the Salem Affordable Housing Trust Fund Board of Trustees with the following terms:

<u>Name</u>	<u>Address</u>	<u>Term to Expire</u>
Rebecca Curran	14 Clifton Ave., Salem	January 25, 2020
Mickey Northcutt	9 Northey St., Salem	January 25, 2020

Councillor McCarthy requested and received unanimous consent to suspend rule 29A.

Councillor Turiel moved to divide the question and take up each appointment separately. It was so voted.

The appointment of Rebecca Curran was confirmed by a roll call vote of 9 yeas, 0 nays, 2 absent. Councillors Dominguez, Flynn, Furey, Madore, McCarthy, Peterson, Sargent, Turiel and Gerard were recorded as voting in the affirmative. Councillors Dibble and Milo were recorded as absent.

The appointment of Mickey Northcutt was confirmed by a roll call vote of 9 yeas, 0 nays, 2 absent. Councillors Dominguez, Flynn, Furey, Madore, McCarthy, Peterson, Sargent, Turiel and Gerard were recorded as voting in the affirmative. Councillors Dibble and Milo were recorded as absent.

#### **(#137) – APPOINTMENT OF ANNIE SCOTT TO THE BEAUTIFICATION COMMITTEE**

Held from the last meeting, The Mayor's appointment of Annie Scott, to the Salem Beautification Committee for a term to expire on February 22, 2021, was confirmed by a roll call vote of 9 yeas, 0 nays, 2 absent. Councillors Dominguez, Flynn, Furey, Madore, McCarthy, Peterson, Sargent, Turiel and Gerard were recorded as voting in the affirmative. Councillors Dibble and Milo were recorded as absent.

Councillor Madore requested and received unanimous consent for suspension of the rules to allow Ms. Scott to speak.

## **CITY OF SALEM**

**MARCH 8, 2018**

### **REGULAR MEETING OF THE CITY COUNCIL**

#### **(#138) – APPOINTMENT OF NICK ANGERAMO TO THE YOUTH COMMISSION**

Held from the last meeting, the Mayor's appointment of Nick Angeramo, to the Salem's Youth Commission for a term to expire on May 12, 2019, was confirmed by a roll call vote of 9 yeas, 0 nays, 2 absent. Councillors Dominguez, Flynn, Furey, Madore, McCarthy, Peterson, Sargent, Turiel and Gerard were recorded as voting in the affirmative. Councillors Dibble and Milo were recorded as absent.

Councillor Madore requested and received unanimous consent for suspension of the rules to allow Mr. Angeramo to speak.

#### **#171 – REAPPOINTMENTS TO THE SALEM CABLE TELEVISION & TECHNOLOGY COMMISSION**

The Mayor's reappointments of the following to serve as members of the Salem Cable Television & Technology Commission with their terms expiring on March 8, 2020, was confirmed by a roll call vote of 9 yeas, 0 nays, 2 absent. Councillors Dominguez, Flynn, Furey, Madore, McCarthy, Peterson, Sargent, Turiel and Gerard were recorded as voting in the affirmative. Councillors Dibble and Milo were recorded as absent.

Kevin Walker, 6 Moulton Ave., Salem  
Linda Vaughn, 38 Greenway Rd., Salem  
Laura DeToma Swanson, 1 Orange St., Salem  
Olle Duijvesteijn, 10 Mall St., Salem  
William Simons, 79 School St., Salem

#### **#172 – REAPPOINTMENTS TO THE DESIGN REVIEW BOARD**

The Mayor's reappointments of the following to the Salem Design Review Board with their terms to expire on February 22, 2021, was confirmed by a roll call vote of 9 yeas, 0 nays, 2 absent. Councillors Dominguez, Flynn, Furey, Madore, McCarthy, Peterson, Sargent, Turiel and Gerard were recorded as voting in the affirmative. Councillors Dibble and Milo were recorded as absent.

Ernest DeMaio, 289 Essex St., Salem  
David Jacquith, 81 Railroad Ave., Rowley  
Glenn Kennedy, 108 Leach St., Salem

**CITY OF SALEM**

**MARCH 8, 2018**

**REGULAR MEETING OF THE CITY COUNCIL**

**#173 – REAPPOINTMENTS OF DEPARTMENT HEADS**

The Mayor's reappointments of the following Department Heads with their terms to expire, was confirmed by a roll call vote of 9 yeas, 0 nays, 2 absent. Councillors Dominguez, Flynn, Furey, Madore, McCarthy, Peterson, Sargent, Turiel and Gerard were recorded as voting in the affirmative. Councillors Dibble and Milo were recorded as absent.

<b><u>Name</u></b>	<b><u>Department</u></b>	<b><u>Term to Expire</u></b>
Teresa Gove Arnold	Council on Aging	1/31/2020
Nina Bridgman	Assistant Finance Director/ Deputy Auditor	1/31/2020
Lisa Cammarata	Director of Human Resources	1/31/2020
Bonnie Celi	Collector and Parking Clerk/ Hearings Officer	1/31/2021
Thomas Daniel	Director of Planning and Community Development	1/31/2020
John Giardi	City Electrician	1/31/2020
David Knowlton	City Engineer	1/31/2020
Thomas St. Pierre	Director of Inspectional Services & Building Commissioner/ Code Officer	1/31/2020
Kathleen Winn	Assistant Planning Director	1/31/2020

Councillor McCarthy received unanimous consent for suspension of the rules to allow any department head to speak.

**CITY OF SALEM****MARCH 8, 2018****REGULAR MEETING OF THE CITY COUNCIL****#174 – APPROPRIATION TO “DPS – UTILITY SERVICE REPAIR & MAINTENANCE”**

The following Order recommended by the Mayor, was adopted under suspension of the rules.

ORDERED: That the sum of Two Hundred and Sixty-Five Thousand Dollars (\$265,000.00) is hereby appropriated from “Retained Earnings – Water/Sewer” account to the “DPS – Utility Service Repair & Maintenance” account in accordance with the recommendation of the Mayor.

**#175 – APPROPRIATION TO FUNDE TREE MAINTENANCE, REMOVALS AND PLANTINGS CITY WIDE**

The following Order recommended by the Mayor, was adopted under suspension of the rules.

ORDERED: That the sum of Forty-Eight Thousand Dollars (\$48,000.00) is hereby appropriated from the “Fund Balance – Free Cash” account to “DPS – Tree” account to fund additional tree maintenance, removals and plantings city-wide in accordance with the recommendation of Her Honor the Mayor.

**#176 – APPROPRIATION FOR “RETIREMENT STABILIZATION FUND – VACATION/SICK LEAVE BUYBACK” ACCOUNT**

The following Order recommended by the Mayor, was adopted under suspension of the rules.

ORDERED: That the sum of Eighteen Thousand Dollars (\$18,000.00) is hereby appropriated in the “Retirement Stabilization Fund – Vacation/Sick Leave Buyback” account to be expended for the negotiated sick leave buyback provision as needed in accordance with the recommendation of Her Honor the Mayor.

**#177 – APPROPRIATION TO “PLANNING – CONTRACTED SERVICES” ACCOUNT**

The following Order recommended by the Mayor, was adopted under suspension of the rules.

ORDERED: That the sum of Two Thousand Five Hundred Dollars (\$2,500.00) is hereby appropriated from the “Fund Balance – Free Cash” account to the “Planning - Contracted Services” account for the City’s share of the NS Mobility Study in accordance with the recommendation of Her Honor the Mayor.

**CITY OF SALEM****MARCH 8, 2018****REGULAR MEETING OF THE CITY COUNCIL****#178 – RESOLUTION CALLING FOR EARLY VOTING AND SAME DAY REGISTRATION**

The following Resolution recommended by the Mayor, was adopted.

**A RESOLUTION CALLING FOR EARLY VOTING FOR ALL MASSACHUSETTS ELECTIONS  
AND FOR SAME DAY VOTER REGISTRATION**

Whereas: early voting was allowed by the Massachusetts legislature for the 2016 general election and resulted in over 3,200 Salem voters casting their ballot earlier than Election Day; and

Whereas: early voting makes voting easier and more accessible to voters who may not be able to go to a polling place on Election Day itself; and

Whereas: the City Clerk's staff and election office volunteers ably conducted the early voting effort in 2016; and

Whereas: same day voter registration has been shown to increase civic engagement and voter participation by reducing barriers to voter registration in the fifteen states and the District of Columbia where it is now in use; and

Whereas: automatic voter registration can further increase voter participation in elections without imposing additional significant challenges to local and state elections offices; and

Whereas: all residents benefit with voter participation and turnout is at its strongest;

NOW, THEREFORE, BE IT RESOLVED

1. That the City of Salem calls upon the Massachusetts legislature to extend early voting options for all local, state, and federal elections, and to provide resources to cities and towns to implement the same; and
2. That the City of Salem further calls upon the Massachusetts legislature act to institute same-day voter registration and automatic voter registration for our Commonwealth.

**CITY OF SALEM**

**MARCH 8, 2018**

**REGULAR MEETING OF THE CITY COUNCIL**

**#179 – MAYOR’S VETO OF AN ORDER ADOPTED FEBRUARY 22, 2018 BY CITY COUNCIL**

The Mayor’s VETO of an Order relative to a City Council Order which was adopted on February 22, 2018 relative to a meeting/feasibility study for an early childhood facility and elementary school on Salem State University Campus.

**NO ACTION FOR 7 DAYS UNDER THE CHARTER.**

**#180 – RAISE THE IRISH FLAG FOR ST. PATRICK’S DAY**

Councillor Flynn introduced the following Order which was adopted.

ORDERED: That the Director of Park, Recreation and Community Services raise the Irish Flag at Riley Plaza on March 13, 14, 15, 16 and 17<sup>th</sup>, 2018 in honor of St. Patrick’s Day.

**#181 – ORDINANCE TRAFFIC PARKING TIME LIMITED UNMETERED ZONE JEFFERSON AVENUE**

Councillor Peterson introduced the following Ordinance which was adopted for first passage.

In the year two thousand and eighteen

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. Chapter 42, Section 57A “Parking Time Limited Unmetered Zone”  
Jefferson Avenue, easterly side in front of #247 Jefferson Avenue, for a distance of twenty (20) feet, fifteen-minute (15) parking 6:00 AM to 10:00 PM as marked by a sign, one space.

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

**CITY OF SALEM****MARCH 8, 2018****REGULAR MEETING OF THE CITY COUNCIL****#182 – ORDINANCE TRAFFIC HANDICAP PARKING LIMITED TIME REPEAL LAUREL STREET**

Councillor Turiel introduced the following Ordinance which was adopted for first passage.

In the year two thousand and eighteen

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. Chapter 42 Section 50B “Handicap Parking Limited Time”

Repeal Laurel Street, northerly side starting at a point of twenty feet west of Hazel Street, and continuing in a westerly direction for a distance of twenty feet, Handicap Parking Tow Zone

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

**#183 – POWER & SULLIVAN REPORTS ON FEDERAL AWARD PROGRAM**

Councillor Turiel introduced the following Order, which was adopted.

ORDERED: That the Power & Sullivan Reports on Federal Award Program year ended June 30, 2017 be referred to the Committee on Administration and Finance.

**#184 – COMPREHENSIVE ANNUAL REPORT FOR FISCAL YEAR ENDING JUNE 30, 2017**

Councillor Turiel introduced the following Order, which was adopted.

ORDERED: That the Comprehensive Annual Report for Fiscal Year Ended June 30, 2017 be referred to the Committee on Administration and Finance.



**CITY OF SALEM****MARCH 8, 2018****REGULAR MEETING OF THE CITY COUNCIL****#185 – POSTING OF CITY CLERK JOB DESCRIPTION**

Councillor Sargent withdrew the following order.

ORDERED: That the posting for the job description for the City Clerk's position be removed from the City's website and all other external postings.

Also to keep the process open and transparent that the enclosed job description for the City Clerk's position be referred to the Committee on Ordinances, Licenses and Legal Affairs for review and recommendations and to be reported back to the City Council for a vote of the full Council.

**#186 – STATUS OF SEA WALLS**

The following Order was received after the deadline of Tuesday noon.

Councillor McCarthy introduced the following Order, which was referred to the Committee on Public Health, Safety and Environment co-posted with Committee of the Whole.

ORDERED: That the Committee on Public Health, Safety and Environment co-posted with Committee of the Whole meet to discuss the status of the sea walls in the City of Salem and that the City Engineer and the Mayor or her representative be invited. Also that in a copy of the structure assessment report be provided to the members.

**#187 – SHOVELING NEEDS FOR SENIOR CITIZENS, HANDICAP AND SPECIAL NEEDS RESIDENTS**

The following Order was received after the deadline of Tuesday noon.

Councillor Furey introduced the following Order, which was referred to the Committee on Government Services.

ORDERED: That the Committee on Government Services meet to discuss shoveling needs of the Senior Citizens/Handicapped or special needs, to have a universal list of shovelers to avoid fines. Invited to the meeting representatives from the DPW, Council on Aging, Boys & Girls Club, Police Department and Mayor's office.

**CITY OF SALEM**

**MARCH 8, 2018**

**REGULAR MEETING OF THE CITY COUNCIL**

**#188 – (#85, #168) GRANTING LICENSES**

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses and Legal Affairs. It was voted to accept the report and adopt the recommendation.

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 that the following licenses be granted

SECOND HAND  
CLOTHING

Modern Millie, 3 Central St., Salem

TAG DAYS

S.H.S MCJROTC, 3/10/18, 3/25/18, 4/14/18, 4/29/18,  
5/6/18, 5/13/18, 6/9/18

**#189 – (#146) APPROPRIATION TO REPLACE TWO ELEVATORS AT MUSEUM PLACE MALL GARAGE**

Councillor Turiel offered the following report for the Committee on Administration and Finance co-posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation.

The Committee on Administration and Finance co-posted with Committee of the Whole to whom was referred the matter of an appropriation in the amount of \$250,000.00 within the Capital Outlay Renovation & Repairs account for the replacement of two elevators at Museum Place Parking Garage has considered said matter and would recommend approval

**#190 – (#147) APPROPRIATION FOR ADDITIONAL COSTS AT 98 WASHINGTON STREET**

Councillor Turiel offered the following report for the Committee on Administration and Finance co-posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation.

The Committee on Administration and Finance co-posted with Committee of the Whole, to whom was referred the matter of an appropriation in the amount of \$80,901.48 within the Capital Outlay Renovation & Repairs account to be expended for additional costs at 90 Washington Street has considered said matter and would recommend approval

## CITY OF SALEM

MARCH 8, 2018

### REGULAR MEETING OF THE CITY COUNCIL

#### **#191 – TAX EXEMPTION AGREEMENT WITH 65 WASHINGTON STREET LLC**

Councillor Turiel offered the following report for the Committee on Administration and Finance co-posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation.

The Committee on Administration and Finance co-posted with the Committee of the Whole to whom was referred the matter of discussing the Tax Exemption Agreement between the City of Salem and 65 Washington Street LLC for a period of five years has considered said matter and would recommend approval.

#### **#192 – JOINTLY OWNED POLE ON SWAMPSCOTT ROAD**

A hearing was ordered for March 22, 2018 on the petition from National Grid and Verizon to install 1 JO pole and relocate 1 JO pole on Swampscott Road.

#### **#193 – #194 LICENSE APPLICATIONS**

The following license applications were granted.

PUBLIC GUIDES	Anton "The Magician" James Andresen, 3181 Mura Del Prato Ave., NV Tim Maguire, 28 High St., Salem Courtney Reardon, 35 Old Acres Rd., CT Michael Vitka, 384 Essex St., Salem Julio Mota, 88 Newton Ave., Lynn John Flanagan, 38 Bayview Ter., Danvers Laura Dandaneau, 21 Andrew St., Salem						
TAXI CABS/LIMOUSINE	<table> <tr> <td data-bbox="521 1585 1128 1627">Americab Taxi Inc., 92 Jackson St., Salem</td><td data-bbox="1193 1585 1526 1627">(9 Taxicabs/ 5 Limos)</td></tr> <tr> <td data-bbox="521 1627 1128 1669">Salem Taxi, 30 Church St., Salem</td><td data-bbox="1193 1627 1526 1669">(9 Taxicabs/ 5 Limos)</td></tr> <tr> <td data-bbox="521 1669 1128 1694">Witch City Taxi Inc., 32B Palmer St., Salem</td><td data-bbox="1193 1669 1526 1694">(11 Taxicabs)</td></tr> </table>	Americab Taxi Inc., 92 Jackson St., Salem	(9 Taxicabs/ 5 Limos)	Salem Taxi, 30 Church St., Salem	(9 Taxicabs/ 5 Limos)	Witch City Taxi Inc., 32B Palmer St., Salem	(11 Taxicabs)
Americab Taxi Inc., 92 Jackson St., Salem	(9 Taxicabs/ 5 Limos)						
Salem Taxi, 30 Church St., Salem	(9 Taxicabs/ 5 Limos)						
Witch City Taxi Inc., 32B Palmer St., Salem	(11 Taxicabs)						

## CITY OF SALEM

**MARCH 8, 2018**

### REGULAR MEETING OF THE CITY COUNCIL

#### **#195 - #196 LICENSE APPLICATIONS**

The following license applications were referred to the Committee on Ordinances, Licenses and Legal Affairs.

PAWNBROKER                      Salem Loan & Jewelry, 133 Washington St., Salem

TAG DAY                              S.H.S. Girls Soccer, 9/15/18 & 10/13/18

#### **#197 - #198 CLAIMS**

The following Claims were referred to the Committee on Ordinances, Licenses and Legal Affairs.

CLAIMS                              Nancy Tracy, 22 Juniper Ave., Salem  
James Libby, 8C Elm St., Peabody

#### **#199 – BOND**

The following Bond was referred to the Committee on Ordinances, Licenses and Legal Affairs and returned approved.

SIGN BOND                      Boston Street Crossing. LLC, 43 Boston St., Salem

#### **(#153) - LAID ON THE TABLE ORDER FOR AN AD-HOC COMMITTEE TO REVIEW APPLICATIONS FOR THE CITY CLERKS POSITION**

Should the following Order laid on the Table at the last Council meeting now be taken from the table. The matter was taken from the table by a roll call vote of 6 yeas, 3 nays, 2 absent. Councillors Dominguez, Madore, McCarthy, Peterson, Turiel and Gerard were recorded as voting in the affirmative. Councillors Flynn, Furey and Sargent were recorded as voting in the negative. Councillors Dibble and Milo were recorded as absent.

**CITY OF SALEM****MARCH 8, 2018****REGULAR MEETING OF THE CITY COUNCIL**

ORDERED: That an AD-HOC Committee be formed for the purpose of reviewing applications and to interview candidates for the replacement of the City Clerk due to the vacancy in accordance with Chapter 2, Section 2-68 of the City of Salem Ordinances.

Councillor Sargent amended to add after the word "Committee" put of the City Councillors and refer the matter to the Committee on Ordinances, Licenses and Legal Affairs. Motion did not carry.

Councillor Turiel amended that the Committee be formed of City Councillors and Solicitor or Assistant Solicitor and the Human Resource Director as non-voting members. The motion was withdrawn.

Councillor Turiel moved that the Committee and voting members should be exclusively from the City Council. The motion was withdrawn.

Councillor McCarthy moved that the matter be referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole to establish the process. It was so voted.

On the motion of Councillor Furey the meeting adjourned at 9:10 P.M.

ATTEST:

CHERYL A. LAPOINTE  
CITY CLERK