

CITY OF SALEM

APRIL 28, 2016

REGULAR MEETING OF THE CITY COUNCIL

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**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, April 28, 2016 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on April 26, 2016 at 12:17 P.M. This meeting is being taped and is live on S.A.T.V.

Councillor Furey was recorded as absent.

Council President Turiel presided.

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

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

Councillor McCarthy requested and received unanimous consent for suspension of the rules to allow the Mayor to swear in firefighter Scott Austin, Gerry Frechette, Thomas Brophy, Frank Defranco and Pat Tobin.

Councillor McCarthy requested a two-minute recess. There was no objection.

PUBLIC TESTIMONY

1. Jeff Cohen – 12 Hancock Street – Resolution for Senate Bill
2. Erin Dolan – 137a King St. Goveland – OTTA Sister City

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(#9) – HEARING ON A CONDUIT & TELECOMMUNICATION ANTENNAS ON LAFAYETTE ST. / NEW DERBY STREET

A hearing was held on the Order of Extenet Systems to install a conduit on Lafayette St./New Derby St. and construct and maintain telecommunications, including a fiber optic cable, a remote node and pole top antennas to one existing pole located in, across and over the same public ways.

Appearing in Favor:

Attorney Daniel Glissman – representative of Extenet Systems (Prince Lobel Tye) he stated this will be the fourth node. There is a capacity need for T-Mobile.

Councillor Dibble stated that 2 – 2 ½ blocks will be dug up and pole is at the corner can the existing conduit be used.

Attorney Glissman responded the only available fiber optics to lease is down the street.

Councillor McCarthy asked where is it? Is it near Orange Leaf?

Attorney Glissman stated yes

Councillor McCarthy stated that the pole was clean looking and he asked could it go closer to the Fire Station?

Attorney Glissman stated that the Fire Station was further away.

Councillor Dibble stated we need to know that the bolts are of Salem's standards. What about across from the Orange Leaf, it's a shorter distance and not outside windows.

Attorney Glissman stated that was a possibility we looked into it, we can move the installation across the street.

Councillor Famico asked the height of the pole.

Attorney Glissman stated twenty-nine (29) feet ten (10) inches to the top of the antenna, to the top of the pole is twenty-five (25) feet.

Councillor Famico had a question for the Assistant Solicitor is there city ownership?

Assistant Solicitor stated it's conditional upon City Agreements.

There was no one appearing opposed.

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Councillor Gerard moved that the hearing be closed. It was so voted.

Councillor Famico moved that the petition be granted conditional to agreement and look at the relocation of the pole on the corner where the bank is opposed to across the street where Orange Leaf is.

Councillor Dibble also added the condition that the applicant also meet with the City Engineer and that everything is in compliant with Salem standards.

It was so voted.

(#13) – HEARING MOBILITIE, LLC TO ATTACH EQUIPMENT TO POLE ON SUMMER ST.

A hearing was held on the Order of MOBILITIE, LLC to attach equipment on existing pole on Summer St.

Appearing in Favor:

Attorney Brian Grossman – representative for Mobilitie LLC. He stated that he is representing four (4) applications. Other petitions were withdrawn. This is a pole replacement to allow cable to be run internally. He stated they will work with the City for the appropriate agreement.

Councillor Famico stated that she wanted their word that the sidewalk is replaced and that they get an opening permit.

Bonnie Belair – American Tower stated that she doesn't have any interest in Salem. Salem needs to start a process and examine wireless.

Councillor Famico stated that we do have a revision to our ordinance which is in committee.

Councillor Dibble stated we learned that the pole is twelve (12) feet from a residential building.

Attorney Grossman stated it's no closer than twelve feet away from the building. Half the distance of a street is eighteen (18) feet.

Assistant Solicitor stated we have distributed revised plan to planning and engineering and there were no concerns.

There was no one appearing opposed.

Councillor Famico moved the hearing be closed. It was so voted.

Councillor Famico moved for approval with attachment agreement and compliance with Salem's regulations. It was so voted. Councillor Dibble was recorded as opposed.

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(#14) – HEARING MOBILITIE, LLC TO ATTACH EQUIPMENT TO EXISTING POLE BETWEEN POND ST. AND WASHINGTON ST.

A hearing was held on the Order of MOBILITIE, LLC to attach equipment to an existing pole between Pond Street and Washington Street.

Appearing in favor:

Attorney Brian Grossman representative for Mobilitie LLC. Stated that the pole replacement will look similar and to accommodate equipment. The existing lumiers will be repurposed.

Councillor Dibble questioned how many feet away from any residence.

Attorney Grossman stated it is in compliance with FCC

Councillor Dibble stated he is opposed it is too close to a building.

Councillor moved approval contingent upon the Attachment Agreement and Right Away Agreement.

(#15) – HEARING MOBILITIE, LLC TO ATTACH EQUIPMENT TO EXISTING POLE BETWEEN HIGHLAND AVE. AND CLARK ST.

A hearing was held on the Order of MOBILITIE, LLC to attach equipment to an existing pole between Highland Ave. and Clark St.

Appearing in favor:

Attorney Brian Grossman representative for Mobilitie LLC. stated that the pole is a wooden pole and it is near a self-storage facility.

Councillor Dibble state we didn't get plans for how close the pole is to the nearest resident.

There was no one who appeared in opposition.

Councillor Lovely moved that the hearing be closed. It was so voted.

Councillor Lovely moved approval contingent upon the Attachment Agreement and Right Away Agreement.

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(#16) – HEARING MOBILITIE, LLC TO ATTACH EQUIPMENT TO EXISTING POLE BETWEEN PICKERING WAY AND CONGRESS ST.

A hearing was held on the Order of MOBILITIE, LLC to attach equipment to an existing pole between Pickering Way and Congress Street.

Appearing in favor:

Attorney Brian Grossman representative for Mobilitie LLC. Stated that the street light replacement across from Eastern Bank will be replaced and the pole and lumier will be repurposed.

No one appeared in opposition.

Councillor McCarthy moved that the hearing be closed. It was so voted.

Councillor McCarthy moved approval contingent upon the Attachment Agreement and Right Away Agreement.

(#213) – HEARING CELLCO PARTNERSHIP / DBA VERIZON WIRELESS WIRELESS ANTENNA FIXTURE TO EXISTING POLE AT 81 HIGHLAND AVENUE

A hearing was held on the Order of Cellco Partnership d/b/a Verizon Wireless to locate small cell wireless antennas and the necessary sustaining and protecting fixtures on an existing utility pole, located on a public way near 81 Highland Avenue.

Appearing in favor:

Attorney Chris Swiniarski representative for Cellco Partnership. This is for a single canister which is twenty-four (24) inches tall by fifteen (15) inches in diameter with an electrical meter cut off box. The reason for this petition is there is a demand for usage.

There was no one who appeared in opposition.

Councillor Lovely moved that the hearing be closed. It was so voted.

Councillor Lovely moved approval contingent upon the Attachment Agreement and Right Away Agreement.

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#263A – HEARING NATIONAL GRID FOR CONDUIT ON WASHINGTON ST. AT DODGE ST.

A hearing was held on the Order of National Grid to install Conduits on Washington Street at Dodge Street

Appearing in favor:

Sabitah Mahabier-Sheehy representative for National Grid, this is for the project at Dodge Street and Washington Street.

Councillor Famico asked if the work was done recently.

Ms. Mahabier-Sheehy stated no

Councillor Eppley stated that there is work in the point on Peabody Street that needs work. Can we put this order into committee until that gets done.

Councillor Sargent assumed the Chair.

Councillor Turiel stated that he is not in support to link the two projects together. An Order can be put in regarding the work that needs to be done at Peabody Street.

There was no one who appeared in opposition.

Councillor Eppley ask that the matter be tabled. There was no second on the motion.

Councillor Eppley moved to refer the matter to the Committee on Government Services. The motion was withdrawn.

Councillor Turiel moved the Order be granted. It was so voted.

(#214) – APPOINTMENT OF NANCY CROWDER TO BOARD OF HEALTH

Held from the last meeting, the Mayor's pt. of Nancy Crowder to serve as a member of the Board of Health with a term to expire on March 1, 2018, was confirmed by a roll call vote of 10 yeas, 0 nays 1 absent. Councillors Dibble, Eppley, Famico, Gerard, Lovely, McCarthy, Milo, Ryan, Sargent and Turiel were recorded as voting in the affirmative. Councillor Furey was recorded as absent.

Councillor Gerard moved for suspension of the rules to allow Ms. Crowder to speak. There was no objection.

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(#215) – APPOINTMENT OF DENISE BALFE TO THE BEAUTIFICATION COMMITTEE

Held from the last meeting, the Mayor's pt. of Denise Balfe to serve as a member of the Beautification Committee with a term to expire on April 14, 2019, was confirmed by a roll call vote of 10 yeas, 0 nays 1 absent. Councillors Dibble, Eppley, Famico, Gerard, Lovely, McCarthy, Milo, Ryan, Sargent and Turiel were recorded as voting in the affirmative. Councillor Furey was recorded as absent.

Councillor Gerard moved for suspension of the rules to allow Ms. Balfe to speak. There was no objection.

(#216) – APPOINTMENT OF MATT RUSTEIKA TO THE RENEWABLE ENERGY TASK FORCE

Held from the last meeting, the Mayor's pt. of Matt Rusteika to serve as a member of the Renewable Energy Task Force with a term to expire on April 14, 2019, was confirmed by a roll call vote of 10 yeas, 0 nays 1 absent. Councillors Dibble, Eppley, Famico, Gerard, Lovely, McCarthy, Milo, Ryan, Sargent and Turiel were recorded as voting in the affirmative. Councillor Furey was recorded as absent.

Councillor Famico moved for suspension of the rules to allow Mr. Rusteika to speak. There was no objection.

#263 – REAPPOINTMENT OF JAMES SHEA TO SALEM PARK & RECREATION COMMISSION

The Mayor's reappointment of James Shea to serve as a member of the Salem Park and Recreation Commission with a term to expire on May 1, 2021, was confirmed by a roll call vote of 10 yeas, 0 nays 1 absent. Councillors Dibble, Eppley, Famico, Gerard, Lovely, McCarthy, Milo, Ryan, Sargent and Turiel were recorded as voting in the affirmative. Councillor Furey was recorded as absent.

#264 – REAPPOINTMENT OF REBECCA CURRAN TO ZONING BOARD OF APPEALS

The Mayor's reappointment of Rebecca Curran to serve as a member of the Salem Zoning Board of Appeals with a term to expire on May 1, 2019, was confirmed by a roll call vote of 10 yeas, 0 nays 1 absent. Councillors Dibble, Eppley, Famico, Gerard, Lovely, McCarthy, Milo, Ryan, Sargent and Turiel were recorded as voting in the affirmative. Councillor Furey was recorded as absent.

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#265 – TRANSFER TO “COUNCIL ON AGING – ACTIVITIES”

The following Order recommended by the Mayor was adopted.

ORDERED: That the sum of Eight Thousand Five Hundred Dollars (\$8,000.00) is hereby transferred as listed below in accordance with the recommendation of Her Honor the Mayor.

#266 – EXEMPTION FOR CITY TREASURER TO SERVE PART-TIME AS DISTRICT TREASURER

The following Order recommended by the Mayor was adopted by a roll call vote of 10 yeas, 0 nays 1 absent. Councillors Dibble, Eppley, Famico, Gerard, Lovely, McCarthy, Milo, Ryan, Sargent and Turiel were recorded as voting in the affirmative. Councillor Furey was recorded as absent.

ORDERED: In accordance with Massachusetts General Law, Chapter 268A, Section 20(b) City Council hereby approves an exemption from Section 20 for City Treasurer Kathleen McMahan to also serve as a part-time District Treasurer for Essex Technical and Agricultural School District.

#267 – RESOLUTION SUPPORTING SENATE BILL 735 & HOUSE BILL 1577

The following Resolution recommended by the Mayor was adopted.

RESOLUTION:

A RESOLUTION SUPPORTING S.B. 735 AND H.B. 1577

Whereas: The City of Salem is a proud No Place for Hate Community; and

Whereas: The City of Salem is equally proud of its 100% score from the Human Rights Campaign’s Municipal Equality Index; and

Whereas: The City of Salem was among the first in Massachusetts to adopt a non-discrimination Ordinance protecting the equal rights of all its residents and visitors under the law, regardless of age, ancestry, color, disability, family status, gender identity or expression, military status, marital status, national origin, race, religion, sex or sexual orientation; and

Whereas: Senate Bill 735 and House Bill 1577 would extend those same protections for gender identity to all residents and visitors of this Commonwealth; and

Whereas: The City of Salem embraces the tenets of inclusivity and freedom that are the foundations of our democratic society;

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NOW, THEREFORE, BE IT RESOLVED

That the City Council of Salem, Massachusetts, does hereby support the expansion of Massachusetts non-discrimination laws to include gender identity and calls for the passage of Senate Bill 735 and House Bill 1577, which would update the Commonwealth's public accommodations law to ensure transgender individuals are protected from discrimination in public places.

#268 – RESOLUTION COMMONWEALTH DIAGNOSTIC INTERNATIONALS, INC. T.I.F.

The following Resolution recommended by the Mayor was referred to the Committee on Administration and Finance co-posted with Committee of the Whole.

RESOLUTION:

Whereas: Commonwealth Diagnostic International, Inc. (hereinafter "CDI") wishes to purchase and redevelop the building located at One Holyoke Square, Salem, MA, known as Assessor's Parcel ID 25-0574 into a corporate headquarters with life sciences manufacturing and office space; and

Whereas: The City of Salem (hereafter "CITY") is willing to grant tax concessions in return for a guarantee of the purchase One Holyoke Square in Salem, and redeveloping it into a +/- 52,000 sq. ft. corporate headquarters with life sciences manufacturing and office space, and the creation of employment opportunities for local workers;

Now, Therefore, Be It Resolved that the Salem City Council hereby

- Endorses the use of Tax Increment Financing as a tool to encourage economic development at One Holyoke Square, and;
- Provides for a tax exemption at One Holyoke Square for a period of five (5) years, beginning the first full fiscal tax year after Certificate of Occupancy is issued for the new building at One Holyoke Square in Salem in accordance with the schedule below:

Term	Exemption %
1	100%
2	80%
3	60%
4	40%
5	20%

Said exemption being in accordance with M.G.L. Chapter 23A, Section 3E, Chapter 40, Section 59, Section 5.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized, on behalf of the City, to enter into a Tax Increment Financing Agreement, a copy of which is attached hereto, with Commonwealth Diagnostics International, Inc.

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#269 – TAX INCREMENT FINANCING AGREEMENT

The following Order recommended by the Mayor was referred to the Committee on Administration and Finance co-posted with Committee of the Whole.

TAX INCREMENT FINANCING AGREEMENT
CITY OF SALEM, MASSACHUSETTS
and
COMMONWEALTH DIAGNOSTICS INTERNATIONAL, INC.

This agreement is made this _____ day of _____, 2016 by and between the CITY OF SALEM, a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts, having a principal place of business at City Hall, 93 Washington Street, Salem, Massachusetts, 01970, acting through the Mayor Kimberley Driscoll (hereinafter called “the CITY”) and Commonwealth Diagnostics International, Inc., a Massachusetts corporation with a principal place of business at 39 Norman Street, Salem, MA 01970 (hereinafter called “the COMPANY”). The base year for this Agreement will be FY2016. The exemptions associated with this Agreement will take effect upon the COMPANY’s receipt of a permanent certificate of occupancy for improvements made to the BUILDING. For exact location of site, refer to Attachment “Exhibit A.”

WHEREAS, the COMPANY wishes to acquire and redevelop the +/- 54,000 square foot former Holyoke Mutual Fire Insurance Company building at One Holyoke Square in Salem; and

WHEREAS, the CITY is willing to grant tax concession in return for guarantee of the purchase and redevelopment of the +/- 54,000 square feet office building into a new corporate headquarters for the COMPANY and the creation of employment opportunities for local workers; and

WHEREAS, the Salem City Council resolved on _____, 2016, to allow the use of Tax Increment Financing as a tool to encourage economic development at One Holyoke Square in Salem; and

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties do mutually agree as follows:

A. THE COMPANY’S OBLIGATIONS

1. The COMPANY shall purchase and renovate a +/- 54,000 sq. ft. building at One Holyoke Square in Salem (herein after “the BUILDING”). The BUILDING is identified as Salem Assessor’s Parcel ID 25-0574. For an exact location of the BUILDING, refer to Attachment, “EXHIBIT A.”
2. During the life of the Agreement, if the COMPANY decides to sell the BUILDING or the business or to otherwise transfer control of the BUILDING or business and/or operations thereof, the COMPANY shall give the CITY at least three months written notice of said sale or transfer. Said notice shall be given by certified mail, return receipt requested, to the Mayor, City Hall, 93 Washington Street, Salem, Massachusetts, 01970.

B. THE CITY’S OBLIGATIONS

1. The CITY shall grant a tax increment financing exemption to the COMPANY in accordance with Massachusetts General Laws, Chapter 23A, Section 3E, Chapter 40, Section 59, and Chapter 59, Section 5. Said exemption shall be granted on the improvements to the BUILDING. Said exemption shall be valid for a period of Five (5) years, beginning with the first fiscal year that the COMPANY receives a permanent certificate of occupancy for the improvements made to the BUILDING. For the purposes of this AGREEMENT, the base value of the TIF will be the FY2016 assessed value of the BUILDING. The FY2016 assessed value of the BUILDING at One Holyoke Square is \$3,582,000. During each year of this Agreement,

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the COMPANY will pay taxes based on the portion of the value of the BUILDING which is not exempt under this Agreement.

2. The exemption schedule on the value of the BUILDING works as follows: for each of the Five (5) years of this AGREEMENT, the COMPANY will pay taxes on a percentage of the value of the BUILDING and be granted an exemption of a percentage of the full value of the BUILDING. In Year six (6), the COMPANY will pay taxes on the full value of the BUILDING.

<u>YEAR</u>	<u>EXEMPTION</u>
Year 1	100%
Year 2	80%
Year 3	60%
Year 4	40%
Year 5	20%

C. OTHER CONSIDERATIONS

1. This Tax Increment Financing Agreement shall be binding on all subsequent owners of the property. The CITY reserves the right to review and negotiate the Tax Increment Financing Agreement if the business activity ceases to be fully operational during the life of the Tax Increment Financing Agreement.
2. If the COMPANY decides to expand the BUILDING at any time during the life of the Tax Increment Financing Agreement, the CITY and the COMPANY may renegotiate the Tax Increment Financing Agreement to exempt all or part of the expansion from property taxes. The exact amount of that exemption will be determined at the time of the expansion.

Executed as sealed instrument on the day and year first above written.

CITY OF SALEM

COMMONWEALTH DIAGNOSTICS INTERNATIONAL, INC.

Kimberley Driscoll, Mayor

Brian Strasnick, President & Chief Executive Officer

#270 – REAPPOINTMENTS TO THE COMMUNITY PRESERVATION ACT COMMITTEE

Councillor Gerard introduced the following Order for reappointments which was confirmed by a roll call vote of 10 yeas, 0 nays 1 absent. Councillors Dibble, Eppley, Famico, Gerard, Lovely, McCarthy, Milo, Ryan, Sargent and Turiel were recorded as voting in the affirmative. Councillor Furey was recorded as absent.

ORDERED: That the City Council reappoint Ed Moriarity, Jr. and Kevin Cornacchio as members of the Community Preservation Act Committee for a term to expire May 23, 2018.

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#271 – MONTHLY FINANCIAL REPORT

Councillor Eppley introduced the following Order which was adopted.

ORDERED: That the Monthly Financial Report dated March 31, 2016 be referred to the Committee on Administration and Finance.

#272 – YEAR TO DATE BUDGET REPORT

Councillor Eppley introduced the following Order which was adopted.

ORDERED: That the Year to Date Budget Report dated January, February, and March be referred to the Committee on Administration and Finance.

#273 – LORAX TASKFORCE

Councillor Eppley introduced the following Order which was adopted.

ORDER: That the Leaf-Oriented Resiliency and Arboricultural Expansion (LORAX) Taskforce shall be formed and charged with the providing expert and resident input and recommendations for:

- 1) A comprehensive city-wide master plan for tree maintenance, replanting & augmentation of our urban forest
- 2) Utility/feasibility of city-wide GPS tree inventory
- 3) Alternative resources for funding and in kind donations
- 4) Identification of suggested and/or necessary staffing supplementation/realignment
- 5) Identification of suggested and/or necessary ordinance changes

Specific areas of inquiry for the Taskforce shall include: flooding abatement; climate change responsiveness; and, preference in planting successful native species.

Members of the LORAX Taskforce shall consist of the following:

Kirt Reider (Planning Board)

Mayor or her designee

Two members of the City Council (to be appointed by the Council President one as the chair)

Salem Tree Warden/Arborist

DPS Director or his designee

One member of the Cemetery Commission

One member of the Parks and Recreation Commission

SPS Superintendent or her designee

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One member of the Neighborhood Improvement Advisory Council
One member of the South Salem Neighborhood Association
One member of the Salem Sound Coast Watch

#274 – ORDINANCE AMENDING TRAFFIC HANDICAP PARKING BRIDGE STREET

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

In the year two thousand and sixteen

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"

Bridge Street, in front of #93 Bridge Street for a distance of twenty (20) feet. "Handicap Parking only, Tow Zone"

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

#275 – TAG DAY APPLICATION

Councillor McCarthy introduced the following Ordinance which was adopted.

ORDERED: That the attached Tag Day License Application for Salem Little League for the dates of May 8, 2016, June 4, 2016 and June 18, 2016 be granted

#276 – (#256 - #257) 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

SEAWORMS:	Jose Bettencourt, 54 Fulton St., Peabody Robert Bettencourt, 54 Fulton St., Peabody Jerrold Houghton, 158 Park St., Lynn
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TAG DAY:	S.H.S. Volleyball Boosters, Sept. 24, 2016 & Oct. 15, 2016
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#277 – (#232) ORDINANCE AMENDING CH. 12 FOR TELECOMMUNICATIONS

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 an Ordinance Amending Chapter 12, Article III by adding a new section for Tele-Communication attachments has considered said matter and would recommend that the matter remain in committee.

#278 – (#631) ORDINANCE AMENDING TRAFIC AND PARKING – DIRECTOR'S TITLE

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation

The Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of an Ordinance Amending Traffic and Parking Section 2 only relative to the appointment, title and responsibilities of the Traffic and Parking Executive Director has considered said matter and would recommend refer to the full Council with no recommendation.

- Adopted to refer the matter back to the Committee on Ordinances, Licenses and Legal Affairs co-posted with Committee of the Whole
- A motion to invoke rule Section 38 to bring out of the Committee on Government Services co-posted with Committee of the Whole Section 1 of the Ordinance, was discharged by a roll call vote of 10 yeas, 0 nays, 1 absent.
- Adopted to refer Section 1 of the Ordinance to the Committee on Ordinances, Licenses and Legal Affairs co-posted with Committee of the Whole

#279 – (#224) APPROPRIATION FOR POLICE PATROLMAN CONTRACT SETTLEMENT

Councillor Eppley 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 a \$300,000 appropriation from "Free Cash" to the "HR – Collective Bargaining Reserve" account to fund the police patrolmen contract settlement has considered said matter and would recommend adoption.

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#280 – (#45) GUIDELINES FOR CELL SITES AND ALL TELE-COMMUNICATION APPLICATIONS

Councillor Famico offered the following report for the Committee on Government Services co-posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation.

The Committee on Government Services co-posted with the Committee of the Whole to whom was referred the matter of guidelines for cell sites and all tele-communication applications has considered said matter and would recommend that the matter be referred to the full council.

#281 – (#39) CITY WIDE TREE CENSUS, MAINTENANCE & REPLACEMENT PLAN

Councillor Gerard offered the following report for the Committee on Public Health, Safety, and Environment co-posted with the Committee of the Whole.

The Committee on Public Health, Safety, and Environment co-posted with the Committee of the Whole to whom was referred the matter of a City Wide Tree Census and ongoing maintenance and long term replacement plan has considered said matter and would recommend that the matter remain in committee and that an Order for a Task Force be submitted.

#282 – COMMUNICATION FROM THE HEALTH AGENT RELATIVE TO THE OVERDOSE EPIDEMIC

A communication from Larry Ramdin, Health Agent, requesting to address the City Council relative to the opiate overdose epidemic currently gripping our city and country and how to recognize the signs of an overdose, the administration of Naloxone and its availability and impact on reversing an opiate overdose was received and filed.

#283 – (#131) COMMUNICATION FROM THE PLANNING BOARD

A communication the Planning Board submitting their recommendation relative to a Zoning Ordinance Amendment for Section 10.0, Definition for Tasting Room was received and filed.

(#131) The following Ordinance was adopted for first passage by a roll call vote of 10 yeas, 0 nays, 1 absent. Councillors Dibble, Eppley, Famico, Gerard, Lovely, McCarthy, Milo, Ryan, Sargent and Turiel were recorded as voting in the affirmative. Councillor Furey was recorded as absent.

In the year two thousand and sixteen

An Ordinance to amend an Ordinance relative to Zoning

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

Section 1. Section 10.0 – Definition of the City of Salem Zoning Ordinance is hereby amended by deleting the following sentence found within the definition of *Tasting Room*:

“A tasting room may not be greater than thirty-three (33) percent of the main building’s gross square footage.”

And replacing it with:

“A tasting room may not be greater than fifty (50) percent of the main building’s gross square footage. A seasonal tasting area, e.g. patio or deck, shall not be included in calculating the tasting room’s square footage.”

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

#284 – APPROPRIATION TO THE COMMUNITY PRESERVATION ACT FUNDS FOR FY17

Communication from Jane A. Guy, Assistant Community Development Director for adoption of an Order for the FY17 Budget for the Community Preservation Act funds was referred to the Committee on Administration and Finance co-posted with Committee of the Whole.

ORDERED: That Five Hundred and Ninety-Five Thousand Dollars (\$595,000.00) is hereby appropriated to the CPA Funds in FY 2017 to the accounts listed below in accordance with the recommendation of Her Honor the Mayor.

2001	CPA-General Admin-Expenses	25,750.00
2001	CPA-General Admin-Stipends	4,000.00
2001	CPA-General Admin-Reserves	386,750.00
2002	CPA-Open Space- Reserves	59,500.00
2003	CPA-Historical Preservation – Resv.	59,500.00
2004	CPA-Community Housing-Resv.	59,500.00
Total		595,000.00

#285 – PETITION FROM VERIZON FOR A CONDUIT ON WASHINGTON ST. AND CANAL ST.

A hearing was ordered for May 12, 2016 on the petition from Verizon to install conduits on Washington Street and Canal Street.

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#286 – REQUEST FOR BIKE RACE

A request from Dan Shuman to hold a bike race (Witches Cup) and use of city streets on August 10, 2016 as well as serve and consume beer and wine in the Common was granted.

#287 – PETITION TO MEET WITH COUNCIL RELATIVE TO OTA JAPAN SISTER CITY OF SALEM

A petition from Erin Dolan to meet with the City Council to discuss the City of Salem and Ota's Sister City Relationship as well as receiving funding and increasing participation in the program was referred to the Committee of the Whole.

#288 – LICENSE APPLICATIONS

The following License Applications were granted.

PUBLIC GUIDES: Beth Crowley, 7 Forrester St., Salem
 Benjamin Phillips, 89 Webb St., Salem

#289 – #290 LICENSE APPLICATIONS

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

TAG DAYS: Polish Legion of Americans, August 9, 2016
 S.H.S. Marching Band, December 3, 2016

#291 – DRAINLAYER / CONTRACT OPERATOR LICENSE APPLICATION

The following Drainlayer/Contract Operator License was granted.

Hamilton Construction, 338 Grapevine Rd., Wenham

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#292 - BOND

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

DRAINLAYER: Hamilton Construction, 338 Grapevine Rd., Wenham

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

ATTEST:

CHERYL A. LAPOINTE
CITY CLERK