

CITY OF SALEM

JULY 21, 2016

REGULAR MEETING OF THE CITY COUNCIL

City of Salem, Massachusetts

Office of the City Clerk

Cheryl A. LaPointe
City Clerk



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July 19, 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, July 21, 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

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“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, July 21, 2016 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on July 19, 2016 at 2:08 P.M. This meeting is being taped and is live on S.A.T.V.

Councillor Furey arrived at 7:20 P.M.

Council President Turiel presided.

Councillor Lovely 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 Milo requested and received unanimous consent for suspension of the rules to allow Peabody City Councillor to speak.
(Softball game Salem vs Peabody Thurs. August 18, 2016 at 6:00 PM Mack Park)

Councillor Turiel requested suspension of the rules to allow Mayor Driscoll to swear in new Police officers.

Councillor Famico requested a two (2) minute recess to allow the chamber to clear

PUBLIC TESTIMONY

1. Jeff Cohen – 12 Hancock St. – Home Rule Petition Spanish Ballots
2. Tim Jenkins – 18 Broad St. – Retirement Fund
3. John Carr – 7 River St. – Resolution F. W. Webb
4. Justin Whittier – 10 River St. – F. W. Webb
5. Tim Doggett – 9 Lynn Street - F. W. Webb Zoning
6. Meg Twoey – passed
7. Jennifer Firth – Historic Salem Inc. – Rezoning of F.W. Webb

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(#386) - APPOINTMENT OF MICHAEL QUIGLEY TO THE SALEM YOUTH COMMISSION

Held from the last meeting, the Mayor's appointment of Michael Quigley, 167 Kennedy Dr., Malden, to serve as a member of the Salem Youth Commission with a term to expire on June 23, 2017, was confirmed by unanimous roll call vote of 11 yeas, 0 nays, 0 absent. Councillors Dibble, Eppley, Famico, Furey, Gerard, Lovely, McCarthy, Milo, Ryan, Sargent and Turiel were recorded as voting in the affirmative.

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

(#387) – APPOINTMENT OF ALEXANDER MITCHELL- MUNEVAR TO THE BOARD OF REGISTRAR OF VOTERS

Held from the last meeting, the Mayor's appt. of Alexander Mitchell-Munevar, 123 North St., Salem, to serve as a member of the Board of Registrars of Voters with a term to expire on June 23, 2019, was confirmed by unanimous roll call vote of 11 yeas, 0 nays, 0 absent. Councillors Dibble, Eppley, Famico, Furey, Gerard, Lovely, McCarthy, Milo, Ryan, Sargent and Turiel were recorded as voting in the affirmative.

Councillor Gerard requested and received unanimous consent for suspension of the rules to allow Mr. Mitchell-Munevar to speak.

Councillor Furey moved that a City Seal be sent to Phil Saindon. It was so voted.

#420 – APPOINTMENT OF MARY LAUBY TO THE BOARD OF HEALTH

The Mayor's appointment of Mary Lauby, 8 Riverbank Rd., Salem, to serve as a member of the Board of Health with a term to expire on July 21, 2019, was held until the next meeting under the rules.

#421 – APPOINTMENT OF COLBY MILLER TO THE BEAUTIFICATION COMMITTEE

The Mayor's appointment of Colby Miller, 12 Winthrop St., Salem, to serve as a member of the Beautification Committee with a term to expire on July 21, 2019, was held until the next meeting under the rules.

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#422 – APPOINTMENT OF THOMAS DANILE AS THE CITY’S DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

The Mayor’s appointment of Thomas Daniel, 27 Pond St., Essex, to serve as the City of Salem’s Director of Planning and Community Development with a term to expire on January 31, 2018, was confirmed under suspension of the rules by unanimous roll call vote of 11 yeas, 0 nays, 0 absent. Councillors Dibble, Eppley, Famico, Furey, Gerard, Lovely, McCarthy, Milo, Ryan, Sargent and Turiel were recorded as voting in the affirmative.

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

#423 – APPOINTMENT OF ANDREW SCOGLIO TO THE SALEM CULTURAL COUNCIL

The Mayor’s appointment of Andrew Scoglio, 62 Leach St., Salem and Liam McCarthy, 1 Harbor St., Salem to the Salem Cultural Council (does not need Council Confirmation), was received and placed on file.

#424 – CONSTABLES

The Mayor’s appointment of the following Constables and their terms to expire, was received and placed on file.

<u>Name</u>	<u>Term to Expire</u>
Kevin Carroll, 72 C Apple D’er Rd., Framingham	May 26, 2017
Scott Wesley Klotzbeecheer, 200 Manning St., 17B, Hudson	May 27, 2017
Joseph Chiumiento, 127 Woburn St., Reading	April 18, 2017
Devon Paul DiRosa, 5 Sasha Cir., Peabody	June 7, 2017

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#425 – APPROPRIATION TO SPECIAL REVENUE ACCOUNTS

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

ORDERED: That the sum of Nine Hundred Thousand (\$900,000.00) is hereby appropriated from the “Fund Balance – Free Cash” account to the following special revenue funds. This transfer is requested in accordance with the recommendation of Her Honor the Mayor.

Stabilization Fund	\$200,000.00
Capital Improvement Fund	\$200,000.00
Retirement Stabilization Fund	<u>\$500,000.00</u>
	\$900,000.00

#426 – TRANSFER TO SCHOOL DEPARTMENT – COLLECTIVE BARGAINING RESERVE

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

ORDERED: That the sum of Six Hundred Thousand (\$600,000.00) dollars is hereby appropriated from the “Stabilization Fund” to the “School Dept. – Collective Bargaining Reserve” Account to fund the settlement of the Salem Teacher’s Union Contract for FY2017 in accordance with the recommendation of Her Honor the Mayor.

#427 – APPROPRIATION TO RETIREMENT STABILIZATION FUND – VACATION / SICK LEAVE BUYBACK

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

ORDERED: That the sum of Two Hundred and Eighty-One Thousand, Seven Hundred and Thirty-One Dollars and Fifty-Two Cents (\$281,731.52) in the “Retirement Stabilization Fund – Vacation / Sick Leave Buyback” account to be expended for FY 2016 contractual buyback listed below in accordance with the recommendation of Her Honor the Mayor.

Patricia Mercier	School	20,382.27	
Thomas Tone	School	9,069.73	
Pamela Broderick	School	31,014.49	
Elizabeth Burke	School	35,509.66	
Alayne Fix	School	35,644.90	continued next page

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Continued:

Craig Jackson	School	32,281.51
Janis Lavine	School	32,281.51
Linda Luneau	School	15,507.24
Marianne Martineau	School	29,657.94
Carla Meagher	School	<u>30,382.27</u>
Total		281,731.52

#428 – APPROPRIATION FROM RETIREMENT STABILIZATION VACATION/SICK LEAVE BUYBACK ACCOUNT

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

ORDERED: That the sum of One Hundred and Fourteen Thousand, One Hundred and Ninety-Seven Dollars and Ninety-Seven Cents (\$114,197.97) in the “Retirement Stabilization Fund – Vacation / Sick Leave Buyback” account to be expended for FY 2016 contractual buyback listed below in accordance with the recommendation of Her Honor the Mayor.

Richard Gagnon	Police	49,687.20
Mark Fabiszewski	Police	21,214.66
Peter Baglioni	Police	<u>43,296.11</u>
Total		114,197.97

##429 – APPROPRIATIO FROM RETIREMENT STABILIZATION VACATION/SICK LEAVE BUYBACK ACCOUNT

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

ORDERED: That the sum of Eighty-Two Thousand, Six Hundred and Seventy-Five Dollars and Seventeen Cents (\$82,675.17) in the “Retirement Stabilization Fund – Vacation / Sick Leave Buyback” account to be expended for FY 2016 contractual buyback listed below in accordance with the recommendation of Her Honor the Mayor.

John Klientob	Fire	43,872.09
Jon Thomas	Fire	<u>38,803.08</u>
Total		82,675.17

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#430 – APPROPRIATION FROM “CAPITAL OUTLAY RENOVATION & REPAIRS ACCOUNT

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

ORDERED: That the sum of Sixty-Nine Thousand Nine Hundred and Eighty Dollars and Ninety-Seven Cents (\$69,980.97) is hereby appropriated within the “Capital Outlay Renovation & Repairs” account to be expended for the repair of the concrete flooring in the apparatus bay at Station 2 on North Street by the Fire Department in accordance with the recommendation of Her Honor the Mayor.

#431 – APPROPRIATION FROM RETIREMENT STABILIZATION VACATION/SICK LEAVE BUYBACK ACCOUNT

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

ORDERED: That the sum of Sixty-Four Thousand, Five Hundred and Ninety Dollars and Fifty-Two Cents (\$64,590.52) in the “Retirement Stabilization Fund – Vacation / Sick Leave Buyback” account to be expended for FY 2016 contractual buyback listed below in accordance with the recommendation of Her Honor the Mayor.

Glen Beaudet	Fire	64,590.52
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#432 – APPROPRIATION FROM “CAPITAL OUTLAY RENOVATION & REPAIRS ACCOUNT

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

ORDERED: That the sum of Thirty-One Thousand Six Hundred and Forty-Five Dollars (\$31,645.00) is hereby appropriated within the “Capital Outlay Renovation & Repairs” account to be expended to renovate electrical posts in the RV field at Winter Island in accordance with the recommendation of Her Honor the Mayor.

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**#433 – TRANSFER FROM “HARBORMASTER – RECEIPTS RESERVED” TO
“HARBORMASTER – EQUIPMENT”**

The following Order recommended by the Mayor was adopted.

ORDERED: That the sum of Twenty-Five Thousand Dollars (\$25,000.00) is hereby appropriated from “Harbormaster – Receipts Reserved” account to “Harbormaster – Equipment” Account in accordance with the recommendation of Her Honor the Mayor.

**#434 - APPROPRIATION FROM RETIREMENT STABILIZATION VACATION/SICK LEAVE
BUYBACK ACCOUNT**

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

ORDERED: That the sum of Five Thousand, One Hundred and Thirty-Six Dollars and Seventy Cents (\$5,136.70) in the “Retirement Stabilization Fund – Vacation / Sick Leave Buyback” account to be expended for the FY2016 contractual buyback listed below in accordance with the recommendation of Her Honor the Mayor.

#435 – ACCEPT DONATION FROM SALEM MOOSE LODGE 218 FOR POLICE K-9 FUND

The following Order recommended by the Mayor was adopted.

ORDERED: To accept the donation listed below totaling Two Thousand and Two Hundred and Fifty-Five Dollars (\$2,255.00). These funds will be deposited into the Salem Police Department K-9 Fund as listed in accordance with the recommendation of Her Honor the Mayor.

Salem Moose Lodge 218	K-9 Donation Fund	2,255.00
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**#436 – CREATE REVOLVING FUND ACCOUNT FOR SOLAR RENEWABLE ENERGY
CERTIFICATE**

The following Order recommended by the Mayor was adopted.

ORDERED: That the City of Salem hereby requests the adoption of Solar Renewable Energy Certificate revolving fund in accordance with M.G.L. Chapter 44, Sec. 53E ½ which authorizes special purpose revolving funds in accordance with the recommendation of Her Honor the Mayor.

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#437 – HOME RULE PETITION FOR RAGAZZA HOSPITALITY GROUP

The following Order recommended by the Mayor was referred to the Committee of the Whole.

ORDERED: That a petition to the General Court, accompanied by a bill for a certain additional liquor license notwithstanding the provisions of Section 17 and 17A of Chapter 138 of the General Laws as set forth below, be filed with an attested copy of this Order be, and hereby is, approved pursuant to 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 intent of this home rule petition:

AN ACT authorized the City of Salem to grant one additional licenses for the sale of alcoholic beverages to be drunk on the premises.

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

SECTION 1. Notwithstanding section 17 and 17A of Chapter 138 of the General Laws, the licensing authority of the city of Salem may grant one additional license for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to Ragazza Hospitality Group, to be located at 41 Lafayette Street. The license shall be subject to all of said chapter 138 except section 17 and 17A.

The licensing authority shall not approve the transfer of the license to any other location but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

If the license granted pursuant to this act is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority which may then grant the license to a new applicant at the same location and under the same conditions as specified in this section.

SECTION 2. (a) The city of Salem shall charge a fee for the granting of an annual license for the sale of all alcoholic beverages pursuant to this act which shall be paid by the licensee at the time of issuance unless the licensing authority agrees to enter into an arrangement with the

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licensee which would enable the fee to be divided into multiple payments or prorated over multiple periods of time. If the city elects to accept prorated payments over time from a licensee, the option shall be made available, upon request, to all qualified applicants for a licensure.

(b) Any fee collected by the city of Salem for a license granted under this act which is greater than the amount of the fee charged for an annual renewal of a similar license issued by the city, shall be deposited into the city's economic development account and expended by it in a manner consistent with the purposes of this account.

SECTION 3. This act shall take effect upon its passage

#438 – RESOLUTION DISPOSITION OF FORMER UNIVERSAL STEEL PARCEL AND REZONING

The following Resolution recommended by the Mayor was adopted by a roll call vote of 9 yeas, 2 nays, 0 absent. Councillors Dibble, Eppley, Famico, Furey, Gerard, McCarthy, Milo, Ryan and Turiel were recorded as voting in the affirmative. Councillor Lovely and Sargent were recorded as voting in the negative.

RESOLUTION:

A RESOLUTION REGARDING THE DISPOSITION OF THE FORMER UNIVERSAL STEEL PARCEL AND THE REZONING OF 293 BRIDGE STREET AND 297 BRIDGE STREET

Whereas: F.W. Webb has presented an alternative plan for their expansion project and the reuse of the former Universal Steel property at 297 Bridge Street that reduces the size and changes the location of the construction in response to neighbors' concerns; and

Whereas: F.W. Webb will establish a deed restriction preventing any future construction on 297 Bridge Street, in addition to the existing Activity and Use Limitation; and

Whereas: F.W. Webb has committed to participating in a Design Review Board review of their plans, even if 293 Bridge Street is rezoned as B-4; and

Whereas: A parking lot is not allowed use in the R-2 zone, but is allowable as an accessory use in the B-4; and

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Whereas: F.W. Webb has requested their current property be rezoned to be consistent with the proposed B-4 zone at 297 Bridge Street given that the lots will merge under the alternative proposal and the B-4 zone is consistent with the current and historical use of the building by F.W. Webb on this lot; and

Whereas: F.W. Webb has indicated an interest in working with the City on a transfer of the parcel at 311 Bridge Street (Alpha Auto site) for municipal use as neighborhood open space, parking, etc.; and

Whereas: the unimproved public way of Beckford Way will remain a public way and not be discontinued under the alternative plan; and

Whereas: F.W. Webb is one of Salem's oldest continually operating businesses having been a part of our community for over seven decades; and

Whereas: The Salem City Council has already voted to designate 297 Bridge Street as being surplus; and

NOW, THEREFORE, BE IT RESOLVED

1. That the City Council of Salem, Massachusetts, hereby expresses its support of the Administration disposing of the property at 297 Bridge Street (formerly the Universal Steel Site) via a tax title public auction process, as allowed and specified under the applicable sections of Chapter 60 of the Massachusetts General Laws; and
2. That the City Council hereby expresses its support for rezoning the property at 279 Bridge Street (formerly the Universal Steel site) via a tax title public auction process, as allowed and specified under the applicable sections of Chapter 60 of the Massachusetts General Laws; and
3. That the City Council hereby expresses its support for the subdivision of Parcel B from 297 Bridge Street (as shown on the attached plan) and to allow it to remain in the R-2 Zone and be separately auctioned for the benefit of the neighborhood/abutters.
4. That the City Council hereby expresses its support for the Administration working with F.W. Webb to obtain a transfer/acquisition of the Alpha Auto site to the City of Salem.

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#439 – ORDINANCE AMENDING ZONING MAP FOR PARCELS AT 293 BRIDGE ST. AND 297 BRIDGE ST.

The following Ordinance recommended by the Mayor, was referred to the Planning Board to schedule a joint public hearing with the City Council.

In the year two thousand and sixteen

An Ordinance to amend an Ordinance relative to a Zoning Map change

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

Section 1. The parcel of real property situated at 293 Bridge Street, City Assessor's Map and Lot No. 26-0634, currently zoned North River Canal Corridor (NRCC), be rezoned to Business Wholesale and Automotive (B-4).

Section 2. A 52,491 s.f. portion of real property situated at 297 Bridge Street, City Assessor's Map and Lot No. 26-0635, currently zoned Residential Two-Family (R-2) and shown as Lot 1 on a plan entitled "Plan of Land 297-305 Bridge Street, Salem" prepared by North Shore Survey Corp., dated July 12, 2016 and on file with the City Clerk, be rezoned to Business Wholesale and Automotive (B-4).

Section 3. This Ordinance shall take effect as provided by City Charter.

#440 - FEMA FLOOD INSURANCE RATE MAPS WITH REVISION OF THE FLOOD MAP

The Mayor submitted information relative to Applied Coastal Research & Engineering study of the FEMA flood Insurance rate maps with revision of the flood map to FEMA to remove a number of private properties from the flood zone. (full text can be viewed in the city clerk's office during normal business hours)

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#441 – ORDINANCE TRAFFIC, GENERAL PROHIBITION TOW ZONE, FRANCIS ROAD

Councillor Lovely 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, Ch. 42 Sec. 74 “General Prohibition Tow Zone”

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

Section 1. Francis Road, westerly side beginning at the southernmost property line of number 26 Francis Road and continuing in a southerly direction to Bertuccio Avenue, “No Parking Tow Zone”

Section 2. Francis Road, easterly side beginning at the southernmost property line of number 23 Francis Road and continuing in a southerly direction to Bertuccio Avenue, “No Parking Tow Zone”

Section 3. This Ordinance shall take effect as provided by City Charter

#442 – SIXTY DAY TRIAL FOR STOP SIGN ON WILLSON ROAD

Councillor Lovely introduced the following Order, which was adopted.

ORDER: That a trial of up to sixty (60) days on the following Traffic recommendation, Chapter 42, Section 49 “Obedience to Isolated Stop Sign”, Willson Road northerly bound traffic on Willson Road stop a Cottage Street.

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#443 – ORDINANCE AMENDING ZONING MAP FOR JEFFERSON AVENUE

Councillor Lovely introduced the following Ordinance, which was referred to the Planning Board to schedule a joint public hearing with the City Council.

In the year two thousand and sixteen

An Ordinance to amend an ordinance relative to Zoning

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

Section I. Chapter 8.2 - ENTRANCE CORRIDOR OVERLAY DISTRICT (ECOD)

8.2.1 Purpose. The purpose of the *Entrance Corridor* Overlay District (ECOD) is to augment underlying zoning regulations in designated areas to:

- 1 Protect and enhance the major *entrance* ways into the City; and
2. Ensure that such areas are improved in a manner which is in the best interest of the City.

8.2.2 Applicability. The ECOD shall be established along the *corridors* designated on the zoning map. The boundaries of the overlay shall be interpreted as following the rear lot lines of properties fronting on the *corridor* or along a line one hundred fifty (150) feet from the centerline of the *corridor*, whichever is less.

1. Properties within such district shall be controlled by the regulations of the underlying zoning districts, except as hereunder specified. In instances of conflicting requirements, the restrictions listed below shall prevail.
2. The requirements of this section shall not apply to Planned Unit Development (PUD) proposals, or those development proposals which are required to obtain a site plan review special permit.

8.2.3 Requirements. The following requirements shall apply to all properties in the ECOD:

1. Curb cuts. Only one (1) curb cut of no greater than twenty-four (24) feet shall be permitted for all residential uses. A maximum of two (2) curb cuts no greater than twenty-four (24) feet each shall be permitted for all commercial uses.
2. Mechanical equipment and refuse storage areas. No refuse storage areas or mechanical equipment areas shall be located in a front yard, nor within twenty-five (25) feet of the front lot line of the side yard. Such areas shall be screened from all public ways, parking areas, residential land uses and open space areas.

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8.2.4 Fences. In order to maintain and maximize aesthetic views and sight lines, all fences along the front and side lot lines shall comply with the following standards:

1. No fence along front or side lot line shall be more than four (4) feet in height, as measured from the curb level of the street, or average grade elevation of the land where the fence is to be located, whichever is deemed appropriate.
2. Chain link and wire fences are prohibited along front and side lot lines.
3. Any fence constructed within an ECOD shall require a fence permit issued by the City building department.

8.2.5 Parking Areas. All parking areas of more than twelve (12) spaces shall be arranged and landscaped to properly screen vehicles from adjacent properties and streets. The requirements for such landscaping are as follows:

1. Landscaping shall include one (1) tree of three and one-half-inch to four-inch caliper for each three (3) parking spaces. Trees shall be planted in plant beds bounded by six-inch granite curbing.
2. No plant bed shall be less than fifteen (15) square feet, and no dimension of such plant bed shall be less than three (3) feet.
3. A planting strip of no less than three (3) feet wide shall separate vehicles parked face to face in a parking area. Such planting strip shall include one (1) three and one-half-inch to four-inch caliper tree every twenty-seven (27) feet, in line with striping and other appropriate landscaping.

8.2.6 Signage. A sign review committee, comprised of the following members, shall be established for the purpose of reviewing all signage proposed for the ECOD; Building Commissioner or designee; and City Planner or designee; and representative of the Salem Redevelopment Authority.

1. The sign review committee shall review the size, location, type of material and design of all signs located within an ECOD.
2. The sign review committee shall follow the Salem Sign Ordinance, except that the sign review committee shall be allowed to limit the size of all signs within an ECOD to one-half (½) the size which is allowed in the underlying zone.
3. Approval by a simple majority of this committee is required prior to a sign permit being granted by the City.

8.2.7 Site Plan Review. All new construction over two thousand (2,000) square feet in nonresidential uses shall be required to be reviewed and approved under the provisions of site plan review by the Planning Board.

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#444 – ELECTION ORDER

Councillor Furey introduced the following Order, which was adopted

ORDERED: That the meetings of the qualified voters of the City of Salem be held in the several voting precincts in the city at the polling places designated hereinafter on **Thursday, September 8, 2016** from 7:00 A.M. to 8:00 P.M. for the purpose of casting votes in the State Election for the candidates of political parties for the following offices:

REPRESENTATIVE IN CONGRESS.....SIXTH CONGRESSIONAL DISTRICT
COUNCILLOR.....FIFTH DISTRICT
SENATOR IN GENERAL COURT.....SECOND ESSEX DISTRICT
REPRESENTATIVE IN GENERAL COURT.....SEVENTH ESSEX DISTRICT
SHERIFF.....ESSEX COUNTY

FURTHER ORDERED: That the following places be and hereby are designated as polling places for said voting:

WARD ONE

PRECINCT ONE Bentley School, Memorial Drive
PRECINCT TWO 135 Lafayette St. Apts. Community Room

WARD TWO

PRECINCT ONE & TWO St. Johns Church, St. Peter's Street

WARD THREE

PRECINCT ONE & TWO Salem High School Auditorium, 77 Willson St.

WARD FOUR

PRECINCT ONE & TWO Witchcraft Heights School Gymnasium,
1 Frederick St.

WARD FIVE

PRECINCT ONE & TWO Saltonstall School, 211 Lafayette St.

WARD SIX

PRECINCT ONE Bates School, Liberty Hill Avenue
PRECINCT TWO Mack Park, Tremont Street

WARD SEVEN

PRECINCT ONE & TWO Salem State Enterprise Ctr., 121 Loring Ave.

FURTHER ORDERED: That the polls for said voting be opened at 7:00 A.M. and closed at 8:00 P.M. and that the City Clerk be instructed to post this notice as required by law.

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#445 – MONTHLY FINANCIAL REPORT

Councillor Eppley introduced the following Order which was adopted.

ORDERED: That the Monthly Financial Report dated June 30, 2016, be referred to the Committee on Administration and Finance.

#446 – YEAR TO DATE BUDGET REPORT

Councillor Eppley introduced the following Order which was adopted.

ORDERED: That the Year to Date Budget Report dated April, May, and June, be referred to the Committee on Administration and Finance.

#447 – ORDINANCE TRAFFICE, HANDICAPPED ZONE, LIMITED TIME, PRESCOTT STREET

Councillor Lovely 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, Ch. 42 Sec. 50B, "Handicapped Zones, Limited Time"

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

Section 1. Repeal Prescott Street in front of #10, for a distance of 20 feet. (9/24/2015)

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

#448 – ORDINANCE TRAFFIC PARKIUNG PROHIBITED CERTAIN STREETS, JEFFERSON AVENUE

Councillor Lovely 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, Ch. 42 Sec. 51 "Parking Prohibited on certain streets"

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

Section 1. Repeal Jefferson Avenue easterly side, for a distance of seven hundred and sixty (760) feet from Colonial Road in a northerly direction.
(7/3/68 DPW 5-94)

And replace with the following:

Section 2. Chapter 42, Section 74, “General Prohibitions, Tow Zone”
Jefferson Avenue, easterly side, for a distance of three hundred and ninety (390) feet from Colonial Road in a northerly direction,

Section 3. Chapter 42, Section 74, “General Prohibitions, Tow Zone” **Repeal Jefferson Avenue**, easterly side, beginning at Colonial Road, for a distance of five miles, in a southerly direction, to the end of Margin Street. “No Parking Tow Zone” (6/27/2002)

Section 4. This Ordinance shall take effect as provided by City Charter.

#449 – ORDINANCE TRAFFIC, PARKING PROHIBITED TOWING ZONE (RESIDENT STICKER) BERTUCCIO AVENUE

Councillor Lovely introduced the following Ordinance which was referred to the Committee on Ordinances, Licenses and Legal Affairs.

In the year two thousand and sixteen

An Ordinance to amend an Ordinance relative to Traffic, Ch. 42 Sec. 75 “Parking Prohibited Towing Zone (Resident Sticker)”

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

Section 1. Bertuccio Avenue, Zone D, color Yellow, southerly side between Calabrese Street and Jefferson Avenue, resident parking only, tow zone northerly side starting at a point 101 feet from Jefferson Avenue and continuing to Calabrese Street, resident sticker parking only tow zone.

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

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#450 – (#414) 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 VALUABLE: RAD Jewelers, 63A Wharf St., Salem

#451 – (#402) AMENDING TRAFFIC ORDINANCE FOR HEAVY VEHICLES

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses and Legal Affairs co-posted with 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 Committee of the Whole to whom was referred the matter of discussing, reviewing and revising the Traffic Ordinance relative to Ch. 42 Sec. 45 – Heavy Vehicles Prohibited – Certain Streets has considered said matter and would recommend adoption for first passage.

#452 - (#403) AMENDING ORDINANCE CH. 14 SEC. 44 – AIR PUMPS

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses and Legal Affairs co-posted with 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 Committee of the Whole to whom was referred the matter of discussing, reviewing and revising the City Ordinance relative to Ch. 14 Sec. 44 – Operative Air Pump required to store fuel has considered said matter and would recommend adoption as amended for first passage.

#453 – (#165) DRAFTING HOME RULE PETITION FOR SPANISH LANGUAGE BALLOTS

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

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The Committee on Ordinances, Licenses and Legal Affairs co-posted with Committee of the Whole to whom was referred the matter of drafting a Home Rule Petition allowing for the use of Spanish language ballots in the City of Salem has considered said matter and would recommend the matter remain in committee.

#454 – (#234) MEMORANDUM OF UNDERSTANDING BY SALEM STATE UNIVERSITY STUDENTS

Councillor Gerard offered the following report for the Committee on Public Health, Safety and Environment co-posted with Committee of the Whole. It was voted to accept the report and adopt the recommendation.

The Committee on Public Health, Safety and Environment co-posted with Committee of the Whole to whom was referred the matter of the Memorandum of Understanding submitted by Salem State University Students relative to Clean Energy has considered said matter and would recommend the matter remain in Committee

#455 – (#394) REVIEW REVISED PLANS FOR F.W. WEBB

Councillor Turiel offered the following report for the Committee of the Whole. It was voted to accept the report and adopt the recommendation.

The Committee of the Whole to whom was referred the matter of reviewing the revised plans for F.W. Webb has considered said matter and would recommend that the matter remain in committee.

#456 – (#393) TWENTY YEAR LEASE FOR CITY HALL ANNEX

Councillor Turiel offered the following report for the Committee of the Whole. It was voted to accept the report and adopt the recommendation by a roll call vote of 9 yeas, 2 nays, 0 absent.

The Committee of the Whole to whom was referred the matter of discussing the Twenty (20) Year Lease for the City Hall Annex located at 90 Washington St. has considered said matter and would recommend Approval as amended.

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#457 – APPROPRIATION WITHING CPA FUNDS FOR FY2017 PROJECTS

A communication and Order from Jane Guy, Assistant Community Development Director submitting an Order for an appropriation within the CPA Funds for FY 2017 for Phase II restoration of the Salem Common Fence in the amount of \$8,000, was received and filed and the appropriation was adopted under suspension of the rules.

ORDERED: That Eight Thousand Dollars (\$8,000.00) is hereby appropriated within the CPA Funds for the FY 2017 to the accounts listed below in accordance with the recommendation of the Community Preservation Committee. This is an amendment to the original submission in FY2016.

<u>FY</u>	<u>Fund</u>	<u>Fund Name</u>	<u>Description</u>	<u>Amount</u>
2017	2001	CPA General Funds	Salem Common Fence Repair	8,000.00
Councillor Eppley		Moved suspension of the rules	Councillor	Object

#458 – JOINT POLE LOCATION

A hearing was ordered for September 27, 2016 on the petition from Verizon and Mass. Electric to install one new jointly-owned pole on the northerly side of Silver Street.

#459 – CONDUIT

A hearing was ordered for September 27, 2016 on the petition from National Grid to install a conduit on Washington St.

#460 – BLOCK PARTY

A request from the residents of 70-74 Moffatt Road to hold a Block Party on July 23, 2016 from 10:00 A.M. to 10:00 P.M. was granted.

#461 – BLOCK PARTY

A request from the residents of Orchard St. to hold a Block Party between Dearborn and Foster Streets on September 24, 2016 from 4:00 P.M. to 10:00 P.M. was granted.

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#462 – EXTENDED HOUR OF OPERATION FOR PARANORMAL

A request from Paranormal Salem to extend their hours of operation to 11:30 P.M. was granted with the condition it is allowed up to November 1st.

#463 – #467 LICENSE APPLICATIONS

The following license applications were granted

PUBLIC GUIDES: Kevin Stirnweis, 26 Ruby Ave., Marblehead
Ellen Damsky, 4 Proctor St., Salem
Sarah Coflan, 8 Northey St., Salem
Allison French, 3 Becket Ave., Salem
Sam Baltrusis Jr., 445 Artisan Way, Somerville
Mark Legere, 30 Dolloff Ave., Beverly

TAXI CAB: Sunshine Car Service, 153 Newbury St., Peabody

TAXI OPERATORS: Ramon Espinal, 12 Mt. Vernon St., Salem
Rex Kent, 42 Maple Ave., Swampscott
Julio DeJesus Jr., 25 Loris Rd., Peabody
Ramon Romero, 26 Dow St., Salem
Robert Towler, 10 Howard St., Salem

VEHICLE FOR HIRE: Salem Trolley, 8 Central Street, Salem (6 Trolleys)

**VEHICLE FOR HIRE:
OPERATOR ONLY** Stephen Mark MacDonald, 146 Eastern Ave., Essex

#468 – LICENSE APPLICATION

The following license application was denied.

TAXI OPERATOR: Miguel Baez, 62 Perkins St., Salem

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#469 - BONDS

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

CONSTABLE: Kevin Carroll, 72 C Apple D'er Rd., Framingham
Scott Wesley Klotzbeeher, 200 Manning St., 17B, Hudson
Joseph Chiumiento, 127 Woburn St., Reading
Devon Paul DiRosa, 5 Sasha Cir., Peabody

(#399) – SECOND PASSAGE ORDINANCE “PARKING PROHIBITED” REPEAL HOWARD STREET

The matter of second passage of an Ordinance amending Traffic, Ch. 42, Sec. 51B “Parking Prohibited”, Repeal Howard Street and Ch. 42, Sec. 75 “Parking prohibited Resident Sticker” Repeal Howard Street was then taken up. It was adopted for second and final passage.

(#400) – SECOND PASSAGE ORDINANCE “TOWING ZONES”, JEFFERSON AVENUE

The matter of second passage of an Ordinance amending Traffic, Ch. 42, Sec. 74 “Towing Zones” Jefferson Avenue westerly side from 356 to Preston Road was then taken up. It was adopted for second and final passage.

(#401) – SECOND PASSAGE ORDINANCE “TOWING ZONES” SUMNER ROAD

The matter of second passage of an ORDINANCE to amending Traffic Ch. 42, Sec. 74 “Towing Zones” Sumner Road was then taken up. It was adopted for second and final passage.

On the motion of Councillor Sargent the meeting adjourned at 10:06 P.M.

ATTEST:

CHERYL A. LAPOINTE
CITY CLERK