

City of Salem, Massachusetts



**"Know Your Rights Under the Open Meeting Law, M.G.L. c. 39 §23B, and City Ordinance Sections 2-2028 through 2-2033."**

The City Council Committee on Ordinances, Licenses & Legal Affairs coposted with the Committee of the Whole

met in the Council Chamber on Wednesday, September 28, 2011 at 6:30 P.M.

for the purpose of discussing the matter(s) listed below. Notice of this meeting was posted on September 23, 2011 at 9:08 A.M.

(This meeting is being recorded.)

**ATTENDANCE**

ABSENT WERE: C O'Keefe excused absence

**SUBJECT(S)**

- #348 of 2010 Meet to discuss Ch. 24 Sec. 24-19 Use of alcohol on Public Property (COPOSTED)
- #533 Ordinance Amending Ch. 12 Maintenance of Structures & Property (COPOSTED )
- #534 Ordinance Amending Stormwater Management Ch. 37 (OLLA ONLY)
- #590 Discuss Segway Companies Operating Practices for October (COPOSTED)

*See Attached Exhibit A  
for all action taken*

## APPENDIX A

### To be attached to Committee on Ordinances, Licenses and Legal Affairs Committee Report dated 9/28/11

**Committee Members Present: Lovely, Sargent, Pelletier, Sosnowski**

**Committee Members Absent: O'Keefe excused absence**

**Committee of the Whole Members Present: McCarthy**

**The committee discussed the following posted agenda items:**

Ordinance amending Stormwater Mgt

\*Use of Alcohol on public property

\*Ordinance amending Maintenance of Structures and Property

\*Meet with Segway companies to discuss and review plans and practices for October

INVITED: Solicitor, Building Inspector, Segway Companies

**Order #      \*Meet with Segway companies to discuss and review plans/practices for October**

Witch City Segway appeared – Jeff Langone and partner

Salem SegGliders did not appear

C. McCarthy Opened the discussion

Problem with segways operating on sidewalks impeding pedestrians

Jeff Langone explained his operation

On sidewalk when possible

Not possible to jump the curb into the street when approaching pedestrians

Occasionally ride behind pedestrians slowly as to not disturb pedestrians

Operate 3-4 tours/day but it varies

Some pedestrians unhappy and express unhappiness

Jeff states he apologizes and goes on his way

October they are cutting out 2 hour tours and going to 1 hour tours

Will not pre-book for last two weekends of October

Don't want unhappy customers and bad reviews

Two hour tours go to the Willows and gives more extensive history at attractions

One hour tour does not

C. Pelletier Stated that other company came through crosswalk at Federal/North into traffic

Disturbed that Salem SegGliders did not appear

Wants to make sure that tour guides cannot go faster than walking speed

Motion to amend ordinance to add B.(3) Company name to be on logo and/or on segways

Motion withdrawn – will wait until after October season to make any changes if necessary

C.Sosnowski Is there an approved route?

Witch City Yes but sometimes do not follow route when bad weather  
Go down Webb Street instead  
Presently go down Collins Cove walkway to Andrew Street to Common  
Just received permission from SPD to operate during October

C. Sargent Catch 22 – too fast on sidewalks – too slow in street but likes segways in the city

Witch City Cost is \$6000 each – probably won't see too many privately owned

C. Lovely Will visit Salem SegGliders to see why they did not appear and remind them of ordinance and special permit requirement for October

C. Pelletier Motion that matter remain in committee

C.Sosnowski Second

All in Favor None Opposed Voted

**Order # \*Ordinance amending Maintenance of Structures and Property**

Solicitor Opened the discussion

Still requires determination whether city adopted state law related as required

B. I. This is the Lynn ordinance and Lynn BI thinks it is helping immensely there

C. McCarthy Inquired about fines

B.I. Fines under 21D tickets

Committee Questioned who gets notice

B.I. Collector has list of lenders, etc. who should get notice

Collector's office gets notices of all foreclosure notices

Collector can then send ordinance as lenders, etc. are identified via foreclosures

C.Sosnowski Great ordinance

C. Pelletier Motion matter remain in committee solicitor to report back with changes for 10/12/11 meeting

C.Sosnowski Second

All in Favor None Opposed Voted

**Order # \*Use of Alcohol on public property**

C.Sosnowski Opened the discussion

This matter came about because of allowing alcohol on the Common  
P&R interpreting the ordinance that they are authorized to permit alcohol under "or any private land, building, structure or place without consent of the owner or person in control thereof."

Mike doesn't think so

Beth asked what about Winter Island

Mike said WI not technically under P&R

Beth agrees that the sentence is private but P&R currently permits alcohol

C. Lovely agrees

C. Pelletier Permitting of alcohol in parks presently goes to P&R and Licensing Board

Committee Consensus to keep ordinance as is

C.Sosnowski Motion to discharge from committee with no recommendation

C. Pelletier Second

All in Favor None Opposed Voted

**Order # Ordinance amending Stormwater Mgt**

Solicitor Opened the discussion

Suggested that the draft ordinance be circulated to whole council and planning department

C. Pelletier Looking for changes to 37-4(b) Planning Board should NOT be able to make changes without city council approval

Solicitor She will clarify the intent of this section to allow Planning Board to make rules and regs

C. Pelletier Would like more info on Waiver

C.Sosnowski Motion that matter remain in committee

C. Pelletier Second

All in Favor None Opposed Voted

**Meeting date(s) and subject matter(s) and invitees may change due to unforeseen circumstances. Please refer to the City's meeting calendar for official meeting postings.**

**Motion C. Pelletier to adjourn.**

**All in favor None opposed Approved**

**Meeting was adjourned at 8:01PM**