

**CITY OF SALEM**  
**OCTOBER 15, 2020**  
**CITY COUNCIL REGULAR MEETING**

A Regular Meeting of the City Council is being held remotely on Thursday, October 15, 2020 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on October 13, 2020 at 11:50 A.M. This meeting is being taped and is live on S.A.T.V.

All Councillors Present.

Council President McCarthy presided.

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

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

**#462.1 – MAYOR ADDRESS COUNCIL RELATIVE TO COVID-19 UPDATE**

Councillor Turiel requested and received unanimous consent for suspension of the rules to allow the Mayor to speak relative to an update on COVID and Halloween.

Mayor Driscoll commented on respect to Covid – We receive our data on Wednesdays from DPH (for the last 14 days prior). We are at a 1.2% positive rate for the number of testing being conducted and a 7.0% rate for the 14 days total for the last reporting period. Slight uptick from last report but overall less than State 8.7% positive. Daily tracking 5.6%. Uptick tied to cases at jail, daycare, elderly care facility and restaurant/uber driver. State extending testing through January 15, 2021. Sites may change but right now at the Salem High School and Old Town Hall. 363 test administered at Old Town Hall only 1 positive case. As of August 17, 2020, 10,686 tests Salem residents tested at Salem High with 67 positive cases. Overall, over 28,000 tests administered. Also testing waste water to see if specific spots. Also look at hospitalization. Only 3 people in the hospital with COVID and no one in ICU.

October planning as we move forward. Uneasy about the people coming. This is not the year to come. Pedestrian Mall biggest area of concern. Since businesses adhering to inside capacity causing long lines outside. May need to call audibles to make changes. Closed west entrance by PEM could only flow out. Installing barricades on mall to free up middle and que lines on side of barricade closest to store. People in middle section need to keep moving. Outside lower risk but close proximity for more than 10-15 minutes increases risk so trying to keep everyone moving. Working with merchants about advance ticketing and registration. Trouble with retail/browse shops where you really can't advance ticket. City Officials and State Officials rotating into businesses checking on compliance and plans and seeing strong compliance. All not

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meeting guidelines have been contacted. Removing tents and tables on the Mall to keep flow going.

As for Halloween, more details and stringent plans forthcoming.

Councillor Dibble 28,000 people tested some of those tested over and over again. How many Salem residents.

Mayor can tell who a Salem resident is, but doesn't tell you if same individual because just a snapshot in time. May not be positive one day but the next. Gives use good data and at 1.2 rate that is good.

Councillor Hapworth asked if we have any method of enforcing 6ft distance in ques besides marking on the grounds. Have we considered a curfew?

Mayor stated officials were out – ticketing business owners to encourage them to keep people in the lines to stay 6ft apart, work with business or close businesses that are not enforcing it. The behavior of people. Advance ticketing working the best. Everything is on the table including a curfew. Biggest challenge 1-4pm. Not night time activity. The nice long weather weekend brings out a lot of people. We are discouraging people from coming. 20 years of marketing to come to Salem has been working.

Councillor Prosniewski - Halloween this year on a Saturday and a full moon. In the past, fireworks would tell everyone to leave Salem. Anything this year to tell them party over? Keep going until the bar is closed. Any announcement system. What about the MBTA trains?

Mayor – not to get the party started. Board messaging not to come. Restrictions this year still being worked on. Cannot speak on them yet.

Councillor Madore – Could you speak more about messaging efforts to discourage visitors. City Alerts are sent to residents not visitors. What type of media for day trippers and non-residents?

Mayor – Messages going out through Destination Salem and to the Tri-States. Haunted Happening website advises you not to come. Message boards along Route 128 to spread message not to come. Other messages to get to the younger 20 something. News channels and press conferences. Media coverage, social media, message boards, etc.

Councillor Sargent – Is Haunted Happenings Cancelled or not Cancelled?

Mayor responded in August all HH events were cancelled. The things that are open are allowed with reduce occupancy. We cancelled the events, but people are still coming. Folks are coming because it's perceived as a low risk state and these things are open.

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Councillor Sargent stated we haven't told people HH cancelled so we are getting the same crowds. How can we control the crowds on Halloween night? No more than 50 people can gather outside. We denied 3 block parties. If HH is an outdoor event, people walking around How does this get by the Governors order?

Mayor – Events are cancelled. Array of events have been cancelled. Cannot put a gate around the city and I cannot close businesses. Businesses are allowed to be opened with reduced occupancy. Long lines on the mall is the biggest challenge. Can't stop people coming from other states just like we go to NH or Maine. Essex Street is a public way it is a street. There is no order to say people cannot walk on street. Not excited to have people here. We are wrestling with we are a city well known for Halloween. We cancelled everything and advice people to have a plan.

**#462 – REAPPOINTMENT OF JANINE LIBERTY TO THE PUBLIC ART COMMISSION**

The Mayor's re-appointment of Janine Liberty of 6 Maple Ave. to the Public Art Commission with a term to expire November 15, 2022 was confirmed by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

**#463 – REAPPOINTMENT OF CARLY MCCLAIN TO THE ZONING BOARD OF APPEALS**

The Mayor's re-appointment of Carly McClain of 22 Albion to the Zoning Board of Appeals with a term to expire October 21, 2021 was confirmed by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

**#464 – \$1,110,000.00 APPROPRIATION OF UNUSED BOND PREMIUMS FOR FOREST RIVER PROJECT**

The following order submitted by the Mayor was adopted under suspension of the rules by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

ORDERED: That the sum of One Million, One Hundred and Ten Thousand Dollars (\$1,110,000.00) is hereby appropriated from unused and existing bond premiums to be applied to the first phase of the Forest River Outdoor Recreation and Nature Center Project in accordance with the recommendation of Her Honor the Mayor.

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**#465 – \$20,000.00 APPROPRIATION TO DPS BURIAL ACCOUNT**

The following order submitted by the Mayor was adopted under suspension of the rules by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

ORDERED: That the sum of Twenty Thousand Dollars (\$20,000.00) is hereby appropriated from the Receipts Reserved funds listed below to the Department of Public Services Burial Account (14112-5383) in accordance with the recommendation of Her Honor the Mayor.

From		To		Amount
2430-4800	R/Res Sale of Lots	14112-5383	DPS Burial	18,000.00
2431-4800	R/Res Sale of Vaults	14112-5383	DPS Burial	2,000.00
<b>Total</b>				<b>20,000.00</b>

**#466 – TEMPORARY RESIDENT STICKER PARKING FOR OCTOBER – CHESTNUT STREET**

The following Order introduced by Councillor Madore was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent. Immediate Reconsideration in hopes it does not prevail was denied.

ORDERED: That the following street be given temporary status as "Parking Prohibitions Towing Zone, Resident Sticker" parking from October 1 through October 31, 2020 to allow parking enforcement staff and police officers to enforce during the month of October.

1. Chestnut Street between Summer Street and Cambridge Street

Be it further ordered that the fine for violating the aforementioned temporary parking prohibitions shall be \$50.00 from Monday through Sunday in the month of October.

**#467 – CITY COUNCIL REGULAR MEETINGS FOR NOVEMBER AND DECEMBER**

The following Order introduced by Councillor Sargent was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

ORDERED: That the regular meetings of the City Council for the months of November and December 2020 be held on the following dates: November 19, 2020 and December 3, 2020.

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**#468 – DECLARE SURPLUS – 413 ESSEX STREET**

The following Order submitted by the City Solicitor was referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillor Turiel recused himself from this matter.

ORDERED: Parcel 1, a portion of 413 Essex Street, shown on the attached plan entitled “Plan of Land in Salem” prepared by Hancock Associates and consisting of 1,003 square feet is hereby declared surplus property as it is not needed for any municipal use.

Be it further Ordered that the City’s Director of Public Property/Building Commissioner is authorized to advertise Parcel 1 for sale by sealed bid.

**#469 – REFUND OF BUILDING PERMIT FEES FOR OWNERS OF 7 SCOTIA ST.**

The following refund request from the Director of Inspectional Services was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

Dear Council Members:

This Department issued a Building Permit for a swimming pool at 7 Scotia Street. The owner decided not to pull the permit and is requesting a refund of the permit fee in the amount of \$210.00.

I respectfully ask the Council to allow the City to refund this permit fee.

Sincerely,

Thomas St. Pierre  
Building Commissioner

**#470 – AFFORDABLE HOUSING TRUST FUND BOARD’S FY2020 ANNUAL REPORT**

The following Communication from Amanda Chiancola on behalf of the Affordable Housing Trust Fund Board submitting the Affordable Housing Trust Fund Board’s FY2020 annual report was received and filed.

FINANCIAL REPORTING REQUIREMENTS

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According to Article Seventeenth of the City of Salem Affordable Housing Trust Fund Board's Declarations the Trust shall submit a report for each fiscal year to the City Council. The report should entail a summary of affordable housing programs or properties the Trust assisted along with a description of funds received and expended during the year.

**BOARD MEMBERS AND MEETINGS**

The Affordable Housing Trust Fund met nine (9) times during fiscal year 2020: July 22, 2019; August 22, 2019; September 10, 2019; December 3, 2019; January 7, 2020; March 3, 2020; April 7, 2020; May 5, 2020 and June 2, 2020.

The following individuals served as Board members of the Affordable Housing Trust Fund between the period of July 1, 2019 to June 30, 2020.

**Board Member/Term Expiration**

Mayor Kimberley Driscoll, Chair, January 1, 2022  
 Mickey Northcutt, Vice Chair, January 25, 2022  
 Ward 2 City Councillor, Christine Madore, December 31, 2019  
 Ward 7 City Councillor, Stephen Dibble - 2019 City Council President, December 31, 2019  
 At Large Councillor, Arthur Sargent III, December 31, 2019  
 Ward 1 Councillor and City Council President, Robert McCarthy, December 31, 2020  
 At Large Councillor, Ty Hapworth, December 31, 2020  
 Ward 3 Councillor, Patricia Morsillo, December 31, 2020  
 Ben Anderson, February 8, 2022  
 Rebecca Curran, January 25, 2022  
 John Boris, May 24, 2022  
 Cynthia Nina-Soto, March 14, 2020  
 Filipe Zamborlini, March 12, 2021

**DESCRIPTION AND SOURCE OF FUNDS RECEIVED**

The Affordable Housing Trust Fund did not receive any funds during Fiscal Year 2020.

**FUNDS EXPENDED**

The Trust's total funds at the start of fiscal year 2019 was \$11,212.56. The Affordable Housing Trust Fund appropriated \$5,000 to conduct a title review of 56 Memorial Drive, 77 Willson Street and 5R Fredrick Street, with the caveat the funds will be used for deed restricted affordable housing and repaid to the trust if the land is developed. Of the appropriated funds, \$4,766 was encumbered. At the end of fiscal year 2020, the trust fund has a balance of \$6,446.58.

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#### ACTIVITY

As noted above, the only funds appropriated in fiscal year 2020 were to conduct a title review of three publicly owned properties, as analyzing opportunities to use city owned land for affordable housing is a top priority of the Affordable Housing Trust Fund Board. Additional work that occurred throughout fiscal year 2020 include providing staff input and guidance on several affordable housing tools such as the Housing Development Incentive Program, the Municipal Reuse Overlay District Ordinance and the City's Consolidated Plan. The Affordable Housing Trust Fund Board also tracks that status of newly permitted housing units in Salem. The Affordable Housing Trust Fund Board spent a significant amount of time in fiscal year 2020 on the proposed inclusionary housing and the accessory dwelling unit ordinances, as further described below.

#### Inclusionary Housing Ordinance

The Affordable Housing Trust Fund Board discussed and worked on an inclusionary housing ordinance at nearly every Board meeting during fiscal year 2020. The Affordable Housing Trust Fund Board pursued data driven analysis to inform their recommendations with a goal of maximizing the number of affordable units and the depth of affordability.

Specifically, the AHTF wanted to understand the internal rate of return (IRR) for ownership units to ensure that projects would still be financially feasible if the ordinance were to require ownership affordable units at 60% of area median income (AMI). In addition, the Affordable Housing Trust Fund Board considered mortgage application data and an analysis of the price gap between market rate and affordable homeownership units to understand whether there are buyers for the deed-restricted affordable homeownership opportunities at 60% AMI or whether lending practices reduce this population to the point that the units would sit empty.

The Affordable Housing Trust Fund Board also considered the impact of an inclusionary housing ordinance on adaptive reuse projects and developed specific language that would provide flexibility in narrowly defined adaptive reuse projects. After several meetings working through the ordinance, the Affordable Housing Trust Fund Board recommended that the ordinance be submitted to the City Council.

#### ADU Ordinance

The Affordable Housing Trust Fund Board framed the metrics of a proposed tax incentive and loan program, both of which would be supplemental to the accessory dwelling unit ordinance.

#### Advocacy Efforts

The Affordable Housing Trust Fund Board also leveraged its capacity as an affordable housing advocate in fiscal year 2020. The Affordable Housing Trust Fund Board advocated that the Community Preservation Authority prioritize affordable housing when considering their funding awards and wrote a letter of support for the City of Salem Council on Aging Board's Community Preservation Application for rental relief. Lastly, the Affordable Housing Trust Fund Board advocated for the City Council to adopt both the Inclusionary Zoning and Accessory Dwelling Unit ordinances.

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**#471 – #474 - LICENSE APPLICATIONS**

The Following License Applications were granted.

PUBLIC GUIDES: Mia Fantaci Hale 3 Reliance Row, Salem  
Jonathan Michael Ferreira 62 Elm St., Somerville, MA  
Zach Weeks 123 North St. #2, Salem, MA

TAXI OPERATORS: Cesar Santana 47 Collins St., Lynn

VEHICLE FOR HIRE (2 LICENSES / 2 ALTERNATE): Salem Trolley, 8 Central St., Salem

VEHICLE FOR HIRE – OPERATORS ONLY: Roger Fruggiero 11 Berrywood Ln., Salem

**#475 - #476 – CLAIMS**

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

Michaia Orlov 16 Good Hope Lane, Salem  
Linda Ferrarresso, 67 Aurora Lane, Salem

**(#449) – TRAFFIC ORDINANCE AMENDING HANDICAP PARKING – SALEM ST.**

The Second and Final Passage of the following Ordinance amending Traffic was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

***In the Year Two Thousand and Twenty***

*An Ordinance* to amend an Ordinance relative to Traffic, Ch. 42. Sec. 50B

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

**Section 1.** Amending Chapter 42, Section 50B – “Handicap Zones, Limited Time” is hereby amended by adding the following:

One HP parking space to be added on, Salem Street in front of #28 on the West side, beginning four (4) feet north of the driveway at 28 Salem Street, running north for twenty (20) feet “Handicapped Zones, Limited Time.”

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



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**(#450) – TRAFFIC ORDINANCE AMENDING HANDICAP PARKING – LEACH ST.**

The Second and Final Passage of the following Ordinance amending Traffic was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

***In the Year Two Thousand and Twenty***

*An Ordinance* to amend an Ordinance relative to Traffic, Ch. 42. Sec. 50B

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

**Section 1.** Amending Chapter 42, Section 50B – “Handicap Zones, Limited Time” is hereby amended by adding the following:

One HP parking space to be added on, Leach Street on the North side, starting four (4) feet from the driveway at 15 Leach Street, running east for twenty (20) feet “Handicapped Zones, Limited Time.”

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

**(#451) – TRAFFIC ORDINANCE AMENDING HANDICAP PARKING – APPLETON STREET**

The Second and Final Passage of the following Ordinance amending Traffic was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

***In the Year Two Thousand and Twenty***

*An Ordinance* to amend an Ordinance relative to Traffic, Ch. 42. Sec. 50B

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

**Section 1.** Amending Chapter 42, Section 50B – “Handicap Zones, Limited Time” is hereby amended by adding the following:

One HP parking space to be added on, Appleton Street on the East side, beginning fifty-six (56) feet South of the intersection of Nursery Street, running South for twenty (20) feet “Handicapped Zones, Limited Time.”

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

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**(#452) - TRAFFIC ORDINANCE AMENDING HANDICAP PARKING – REPEAL -  
BARTON STREET**

The Second and Final Passage of the following Ordinance amending Traffic was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

***In the Year Two Thousand and Twenty***

*An Ordinance* to amend an Ordinance relative to Traffic, Ch. 42. Sec. 50B

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

**Section 1.** Amending Chapter 42, Section 50B – “Handicap Zones, Limited Time” is hereby amended by repealing the following:

Repeal – Barton Street, in front of #13 ½ Barton Street, for a distance of twenty (20) feet “Handicapped Zones, Limited Time.” (1/11/18)

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

On the motion of Councillor Sargent the meeting adjourned at 8:05 P.M.

ATTEST:

ILENE SIMONS  
CITY CLERK