

NOVEMBER 15, 2018

CITY COUNCIL

REGULAR MEETING

“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 Ilene Simons at 978-619-5610 or isimons@salem.com.

A Regular Meeting of the City Council held in the Council Chamber on Thursday, November 15, 2018 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on November 13, 2018, at 9:09 A.M. This meeting is being taped and is live on S.A.T.V.

Councillors absent: Councillor Dominguez and Councillor Milo were both excused.

Council President Gerard presided.

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

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

PUBLIC TESTIMONY

1. Tim Clarke, 63 Riverview Ave., Danvers – 289 Derby Street Park

#665 – APPOINTMENT OF DAVID KUCHARSKY AS DIRECTOR OF TRAFFIC & PARKING

The Mayor’s appointment of David Kucharsky of 53 Rockaway Ave., Marblehead to serve as The City of Salem’s Director of Traffic and Parking with a term to expire on January 30, 2019 was confirmed under suspension of the rules by a roll call vote of 9 yeas, 0 nays, 2 absent. Councillors Dibble, Flynn, Furey, Madore, McCarthy, Peterson, Sargent, Turiel and Gerard were all recorded in the affirmative. Councillors Dominguez and Milo were recorded as absent.

Councillor McCarthy requested and received unanimous consent to suspend the rules to allow Mr. Kucharsky to speak.

NOVEMBER 15, 2018**CITY COUNCIL****REGULAR MEETING****#666 – APPOINTMENT OF CATHERINE MILLER TO THE DESIGN REVIEW BOARD**

The Mayor's appointment of Catherine R. Miller of 15 Warren St., Salem to serve as a member of the Design Review Board with a term to expire on March 1, 2021 was held until the next meeting under the rules.

#667 – APPOINTMENTS TO THE SALEM YOUTH COMMISSION

The Mayor's appointments of the following to serve as members of the Salem Youth Commission with their terms to expire was held until the next meeting under the rules.

<u>NAME</u>	<u>TERMS TO EXPIRE</u>
Shantel Alix Fernandez (Adult Member) 6 Hart St. #1 Lynn	Term to Expire: May 26, 2019
Luis Matos De Los Santos	Term to Expire: May 10, 2019
Diana Alushaj	Term to Expire: May 10, 2019
Abigail Clark	Term to Expire: May 11, 2020

#668 – APPOINTMENT OF JIMMI HEISEMAN TO THE ZONING BOARD OF APPEALS

The Mayor's appointment of Jimmi Heiserman of 51 Lafayette St.#205, Salem to the Zoning Board of Appeals with a term to expire on May 1, 2020 was held until the next meeting under the rules.

#669 – APPOINTMENT OF ANDREA COHEN AND CHRIS NAGLE TO THE DISABILITIES COMMISSION

The Mayor's reappointment submission of Andrea Cohen of 117 Highland Ave. to serve as a member of the Disabilities Commission has been withdrawn. Ms. Cohen indicated she will be stepping down from the commission as she is moving out of Salem.

The Mayor's reappointment of Chris Nagle of 11 Warren St. #2 Salem to the Disabilities Commission with a term to expire on November 15, 2021 was confirmed by a roll call vote of 9 yeas, 0 nays and 2 absent. Councillors Dibble, Flynn, Furey, Madore, McCarthy, Peterson, Sargent, Turiel and Gerard were all recorded in the affirmative. Councillors Dominguez and Milo were recorded as absent.

Councillor Peterson requested and received unanimous consent to suspend the rules to allow Mr. Nagle to speak.

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#670 – REAPPOINTMENTS OF JOHN RUSSELL & ALICE WILLIAMS TO COUNCIL ON AGING

The Mayor's reappointments of John Russell of 16 Memorial Drive and Alice Williams of 3 Cleveland Rd. Salem to the Council on Aging with a term to expire on November 15, 2021 was confirmed by a roll call vote of 9 yeas, 0 nays and 2 absent. Councillors Dibble, Flynn, Furey, Madore, McCarthy, Peterson, Sargent, Turiel and Gerard were all recorded in the affirmative. Councillors Dominguez and Milo were recorded as absent.

#671 – REAPPOINTMENT OF GAIL KUBIK TO THE CONSERVATION COMMISSION

The Mayor's reappointment of Gail Kubik of 48 Howard St Ext. Salem to the Conservation Commission with a term to expire on November 15, 2021 was confirmed by a roll call vote of 9 yeas, 0 nays and 2 absent. Councillors Dibble, Flynn, Furey, Madore, McCarthy, Peterson, Sargent, Turiel and Gerard were all recorded in the affirmative. Councillors Dominguez and Milo were recorded as absent.

#672 – REAPPOINTMENT OF JANINE LIBERTY TO THE PUBLIC ART COMMISSION

The Mayor's reappointment of Janine Liberty of 6 Maple Ave. Salem to the Public Art Commission with a term to expire on November 15, 2020 was confirmed by a roll call vote of 9 yeas, 0 nays and 2 absent. Councillors Dibble, Flynn, Furey, Madore, McCarthy, Peterson, Sargent, Turiel and Gerard were all recorded in the affirmative. Councillors Dominguez and Milo were recorded as absent.

#673 – REAPPOINTMENT OF JOHN HAYES & RICHARD NYE TO THE SUSTAINABILITY, ENERGY AND RESILIENCY COMMITTEE

The Mayor's reappointments of Dr. John Hayes of 13 Hancock St., and Mr. Richard Nye of 5 Shore Ave Salem to the Sustainability, Energy and Resiliency Committee with a term to expire on November 15, 2021 was confirmed by a roll call vote of 9 yeas, 0 nays and 2 absent. Councillors Dibble, Flynn, Furey, Madore, McCarthy, Peterson, Sargent, Turiel and Gerard were all recorded in the affirmative. Councillors Dominguez and Milo were recorded as absent.

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#674 – APPROP. TO THE STABILIZATION, CIP & OPEB FUNDS

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

ORDERED: That the sum of Two Million, Six Hundred and Seventy-Seven Thousand, Two Hundred and Sixty-Nine Dollars (\$2,677,269.00) is hereby appropriated from General Fund Balance Reserved for Free Cash (1-3245) to the following special revenue funds. The amount of free cash to be transferred is per the City’s Financial Policies and in accordance with the recommendation of Her Honor the Mayor.

Stabilization Fund (8301) 20%	1,189,897.00
Capital Improvement Fund (2000) 20%	1,189,897.00
Other Post Employ Benefits (OPEB) (8313) 5%	297,475.00
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Total	2,677,269.00

#675 – APPROP. TO THE RETIREMENT STABILIZATION FUND

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

ORDERED: That the sum of Five Hundred Thousand Dollars (\$500,000.00) is hereby appropriated from General Fund Balance Reserved for Free Cash (1-3245) to the Retirement Stabilization fund. This transfer is requested in accordance with the recommendation of Her Honor the Mayor.

#676 – APPROP. FOR THE HVAC PROJECT AT THE SALEM PUBLIC LIBRARY

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

ORDERED: That the sum of Two Hundred and Two Thousand Dollars (\$202,000.00) is hereby appropriated within the “Capital Outlay Equipment” Fund 2000 to be expended for HVAC Project at the Salem Public Library in accordance with the recommendation of Her Honor the Mayor.

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#677 – APPROP. FOR REPLACEMENT OF TWO ELEVATORS AT THE MUSEUM PLACE GARAGE

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

ORDERED: That the sum of One Hundred Thousand Dollars (\$100,000.00) is hereby appropriated within the “Capital Outlay Equipment” Fund 2000 to be expended for replacement of the two elevators in the Museum Place Parking Garage in accordance with the recommendation of Her Honor the Mayor.

#678 – APPROP. TO PIONEER VILLAGE – CONTRACTED SERVICES

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

ORDERED: That the sum of Fifty Thousand Dollars (\$50,000.00) is hereby appropriated from the “Receipts Reserved – Witch House” account (24371-4800) to the “Pioneer Village – Contracted Services” Account (16532-5320) in accordance with the recommendation of Her Honor the Mayor.

#679 – APPROP. TO PARKING DEPARTMENT – CONTRACTED SERVICES

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

ORDERED: That the sum of Forty-Five Thousand Dollars (\$45,000.00) is hereby transferred from the “Parking Department Full-Time Salary” account (14811-5111) to the “Parking Department Contracted Services” Account (14812-5320) in accordance with the recommendation of Her Honor the Mayor.

#680 – APPROP. FOR RETIREMENT SICKLEAVE BUYBACK FOR EDWARD MORSE, SCHOOL DEPARTMENT EMPLOYEE

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

ORDERED: That the sum of Thirty-Four Thousand, Three Hundred and Four Dollars (\$34,304.00) be approved within the “Retirement Stabilization Fund-Vacation/Sick Leave Buyback” account (83113-5146) to be expended for the FY 2019 contractual buyback(s) of Edward Morse School Department in accordance with the recommendation of Her Honor the Mayor.

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#681 – DONATION FROM MACK PARK ASSOCIATION TO THE POLICE K-9 FUND

The following Order introduced by the Mayor was adopted.

ORDERED: To accept the donation from Mack Park Neighborhood Assoc. totalling Six Thousand Eight Hundred and Twenty-Two Dollars (\$6,822.00) to be deposited into the Police K9 in accordance with the recommendation of Her Honor the Mayor.

#682 – DONATION FROM FOOTPRINT TO THE PARK & RECREATION FUND

The following Order introduced by the Mayor was adopted.

ORDERED: That accept the donation from Footprint – Derby St. Mile Race totaling Three Thousand Six Hundred and Seventy Dollars and Seventeen Cents (\$3,670.17). These funds will be deposited into the Park & Recreation fund in accordance with the recommendation of Her Honor the Mayor.

#683 – UNPAID PARKING FINES AMNESTY PROGRAM (PEAS FOR FEES)

The following Order introduced by the Mayor was adopted.

ORDERED: Upon payment of an unpaid parking fine and the donation of two non-perishable items or canned goods to be donated to local food pantries, the City Collector shall waive, from December 1, 2018 – December 20, 2018, up to thirty dollars in late fees added to an unpaid parking fine, as provided in Section 17A of the City of Salem Traffic Code.

The Collector shall not waive any surcharge imposed by the Massachusetts Registry of Motor Vehicles if the Collector has notified the Registry of Motor Vehicles of an unpaid fine and a non-renewal of license and/or registration has been recorded by the Registry of Motor Vehicles.

#684 – FREE PARKING FOR SMALL BUSINESS SATURDAY

The following Order introduced by the Mayor was adopted.

ORDERED: The City Council hereby authorizes free parking in municipal garage, lots, and meters on November 23 and November 24, 2018 in support of Small Business Saturday.

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#685 – TO SELL CHRISTMAS TREES AT THE UNIVERSAL STEEL PARKING LOT FROM NOVEMBER 23RD THROUGH DECEMBER 24, 2018

The following Order introduced by the Mayor was adopted contingent upon the City Solicitor's opinion that the City of Salem is not in violation of the AULS nor is the City open to liability.

ORDERED: The City Purchasing Agent is hereby authorized to solicit bids and lease, with the approval of the Mayor, no more than one-third of the city-owned lot at 297 Bridge Street for the period of November 23 through and including December 24, 2018, for the purpose of selling Christmas trees, wreathes, and similar holiday items.

#686 – ORDINANCE TO AMEND AN ORDINANCE RELATIVE TO SOLID WASTE MANAGEMENT

The following Ordinance introduced by the Mayor was referred to the Committee on Ordinances, Licenses and Legal Affairs co- posted with the Committee of the Whole.

In the Year Two Thousand and Eighteen

An Ordinance to amend an ordinance relative to solid waste management.

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

Section 1. Chapter 36 is hereby amended as follows:

- 1) Section 36-4 Pickup of Large Items is hereby amended by deleting the first paragraph in its entirety and replacing it with the following:
 - a) Up to two bulk items such as mattresses and furniture shall be collected by appointment by the City's solid waste collection contractor during the resident's recycling pick-up week.
 - b) E-Waste, including computers and televisions, and appliances may be recycled at quarterly collection events scheduled by the City Engineer. A fee may be charged for the disposal of certain e-waste items.
- 2) Section 36-4 is further amended by deleting the first phrase of the second paragraph, "Items from demolishing or refurbishing properties such as ductwork, furnaces, radiators" and replacing it with "Construction and demolition debris including asphalt, bricks, concrete and other masonry materials, soil, rock, wall coverings, drywall, plumbing fixtures, insulation, roofing shingles, plate glass, metal, wood waste, electrical wires"
- 3) Section 36-5 Residential Curbside Solid Waste and Recycling Collection is hereby amended by deleting the first paragraph in its entirety and replacing it with the following:

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“The City shall provide weekly municipal curbside solid waste and bi-weekly recycling collection to all owner-occupied residential units and non-owner occupied rental units, limited to six or less unit buildings, serviced by the municipal collection contract at the time this section is adopted.”

- 4) Section 36-5 Residential Curbside Solid Waste and Recycling Collection is hereby further amended by deleting, with the third paragraph of this section, the phrase “including paper, cardboard, aluminum containers, recyclable paper, metal, glass and single polymer plastics.”
- 5) Section 36-6 Collection Fee for Certain Residents is hereby amended by adding the following to end of the first sentence in Section 36-6 (f):
“ if evidence of ownership and an affidavit is filed with the City Engineer within 90 days of purchase of property or change in deed.”
- 6) Section 36-8 Collection Fee for Certain Commercial Establishments is hereby amended by adding the phrase “per commercial unit” at the end of the first sentence of this section.
- 7) Section 36-7 Commercial curbside solid waste and recycling collection is hereby amended by deleting the second paragraph in its entirety and inserting it as a new Section 36-9 entitled “Penalties.” This paragraph is further amended by deleting the word “section” as it appears in the first sentence and replacing it with the word “chapter.”

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

#687 – ORDINANCE AMENDING TRAFFIC – CH. 42, SEC. 57B, PARKING TIME LIMITED, OFF STREET PARKING AREAS

The following Ordinance introduced by the Mayor was adopted for first passage. Councillor Sargent was recorded as opposed.

In the year Two Thousand and Eighteen

An Ordinance to amend an ordinance relative to parking

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

Section 1. Chapter 42, Article V. Parking, Sec. 57B - *Parking time limited; off-street parking areas* is hereby amended by inserting the following new paragraph:

“Any off-street parking area on which a kiosk or multi-space meter is utilized for parking fees, including the parking lots on Church Street (W), Crombie Street, 297 Bridge Street and Bridge Street adjacent to 13 Howard Street shall be enforced Monday through Saturday 8:00 am to 6:00 pm and on Sunday Noon to 6:00 pm. Parking shall be free on Sundays for Salem residents, verified via automobile registration.”

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

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#688 – ORDINANCE AMENDING CH. 2, SEC. 1031, YOUTH COMMISSION COMPOSITION

The following Ordinance introduced by the Mayor was adopted for first passage.

In the year Two Thousand and Eighteen

An Ordinance to amend an Ordinance relative to the Youth Commission Composition

Section 1. Chapter 2 Sec. 2-1031. - *Composition; appointment, term; filling of vacancies* of Chapter 2, Article IV. - Boards, Commissions, Committees and Authorities, Division 17 – Youth Commission is hereby amended by inserting a new second sentence as follows:

“Two alternate members shall also be appointed to serve for a term of one year.”

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

#689 – ORDINANCE AMENDING TRAFFIC CH. 42, SEC. 75 – RESIDENT STICKER PARKING, HALLOWEEN STREETS

The following Ordinance introduced by the Mayor was referred to the Committee on Ordinances, Licenses and Legal Affairs co- posted with the Committee of the Whole.

In the Year Two Thousand and Eighteen

An Ordinance to amend an Ordinance relative to Parking, Ch. 42, Sec. 75 – Parking prohibitions towing zone (resident sticker) of Chapter 42-Traffic is hereby amended by adding the following streets to the list of streets restricting parking to residents only from October 1st to November 1st:

HALLOWEEN, RESIDENT PARKING	PARKING PROHIBITIONS TOWING ZONE (RESIDENT STICKER)	Becket Avenue, Broad Street, Bridge Street from Howard Street to Oliver Street, Cambridge Street, Chestnut Street, Dalton Parkway, Downing Street, Endicott Street, Essex Street from Summer Street to Boston Street, Flint Street from Essex Street to Broad Street, Federal Street from North Street to Boston Street, Fort Avenue from Webb Street to and including 39 Fort Avenue, Hathorne Crescent, Hathorne Place, Hathorne Street, High Street, Lemon St. Court, Margin Street – west side only, Mt. Vernon Street, Northey Street, Oliver Street, Phelps Street, Pratt Street, Prescott Street, Stearns Place,
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		Summer Street, Union Street, Vale Street, Ward Street, Williams Street, Winthrop Street, and any other street the Police Chief deems necessary. Resident Parking, October 1 to November 1.
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Section 2. This Ordinance shall take effect as provided by City Charter

#690 – THE CITY OWNED PARKING LOT ADJACENT TO THE MBTA COMMUTER RAIL KNOWN AS THE “CRESECENT LOT”, 252 BRIDGE STREET, BE DECLARED SURPLUS

Received After the Deadline of Tuesday Noon under suspension of the rules.

The following Order recommended by the Mayor was referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole due to the late file.

ORDER: That the City-Owned Parking Lot adjacent to the MBTA Commuter rail station, known as the “crescent lot”, 252 Bridge Street, Assessor’s Map 26, Lot 408, is hereby declared surplus property as it is not needed for any municipal use.

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#691 – PROCLAMATION OF THE 100TH ANNIVERSARY OF THE SIGNING OF THE ARMISTICE TO END WWI

Councillor Furey assumed the chair.

Councillor Gerard introduced the following order which was adopted.

ORDERED: That the attached letter from Sicario Wilcock, State President of the National Society Children of the American Revolution and President of the Judge Samuel Holten Chapter in Danvers, to proclaim November 11th at 11:00 A.M. as a memorable day in history as it marks the 100th Anniversary of the day when the Armistice was signed to end World War I, be received and filed.

Mrs. Beth Gerard
City Council President
49 Larchmont Road
Salem, MA 01970

Dear Mrs. Gerard,

As you probably know, this November 11 at 11:00 marks the 100 anniversary of the day when the armistice was signed to end World War I. I am the Massachusetts State President for the National Society Children of the American Revolution (N.S.C.A.R.) and am also president of our Judge Samuel Holten Chapter in Danvers. Would it be possible for the City to issue a proclamation to recognize this memorable day in history? I know that the DAR, our parent organization, is asking churches to ring the church bells at that hour as well. I don't think City Hall has a bell. My grandmother said that they used to have a whistle that they blew when there was no school, but I think that bells are probably more appropriate.

Thank you for your help.

Sincerely,
Sicario Wilcock
State President, M.S.C.A.R.
Judge Samuel Holten Chapter President, C.A.R.

Councillor Gerard resumed the chair.

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#692 – ORDINANCE AMENDING TRAFFIC – REPEAL PERKINS STREET, HANDICAP PARKING

Councillor McCarthy introduced the following ordinance which was adopted for first passage

In the year Two Thousand and Eighteen

An Ordinance to Amend an Ordinance relative to Traffic, Ch. 42, Sec. 50B, “Handicap Zones, Limited Time”

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

Section 1. **Repeal** Handicap Parking Space, Perkins Street, in front of #36 Perkins Street, for a distance of twenty (20) feet, “Handicap Zones, Limited Time”.

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

#693 – ORDINANCE AMENDING TRAFFIC – SCHEDULE OF FINES

Councillor McCarthy introduced the following ordinance which was referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole.

In the Year Two Thousand and Eighteen

An Ordinance amending an ordinance relative to Traffic Chapter 42, Section 17A, “Schedule of Fines re: Penalties”

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

Section 1. By repealing and replacing the following within Section 17A, Schedule of Fines re: Penalties of Article I:

Section 13B

Repealing \$15.00 fine – Fire lane

And replacing it with: \$50.00 fine – Fire lane

Section 14

Repealing \$15.00 fine – Within twenty feet of a corner

And replacing it with: \$25.00 fine – Within twenty feet of a corner

Section 50

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Repealing \$25.00 fine – Upon a crosswalk
And replacing it with: \$50.00 fine – Upon a crosswalk

Repealing \$25.00 fine – Upon a sidewalk
And replacing it with: \$50.00 fine – Upon a sidewalk

Repealing \$15.00 fine – Alongside or opposite street excavation
And replacing it with: \$25.00 fine – Alongside or opposite street excavation

Repealing \$15.00 fine – Less than twelve feet of unobstructed lane
And replacing it with: \$25.00 fine – Less than twelve feet of unobstructed lane

Section 51

Repealing \$15.00 fine – In front of a schoolhouse
And replacing it with: \$25.00 fine – In front of a schoolhouse

Section 51C

Repealing \$15.00 fine – Emergency snow artery
And replacing it with: \$25.00 fine – Emergency snow artery

Section 52

Repealing \$15.00 fine – Bus stop
And replacing it with: \$50.00 fine – Bus stop

Section 53

Repealing \$15.00 fine – Taxi
And replacing it with: \$25.00 fine – Taxi

Section 75

Repealing \$15.00 fine/\$40.00 fine on Friday, Saturday and Sunday during month of October for violation of Parking Prohibitions Towing Zone (Resident Sticker)
And replacing it with: \$25.00 fine – Parking Prohibitions Towing Zone (Resident Sticker) \$50.00 fine – Parking Prohibitions Towing Zone (Resident Sticker) during months of September and October

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

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#694 – ORDINANCE AMENDING TRAFFIC, OSGOOD STREET, HANDICAP PARKING

Councillor Madore introduced the following ordinance which was adopted for first passage.

In the year Two Thousand and Eighteen

An Ordinance to Amend an Ordinance relative to Traffic, Ch. 42, Sec. 50B, “Handicap Parking Zones, Limited Time”

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

Section 1. Osgood Street, in front of #54 Osgood Street, for a distance of twenty (20) feet, “Handicap Zones, Limited Time”.

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

#695 – ORDINANCE AMENDING TRAFFIC, BROADWAY, RESIDENT STICKER AND PARKING TIME LIMITED, UNMETERED ZONES

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

In the Year Two Thousand and Eighteen

An Ordinance to amend an ordinance relative to Traffic Chapter 42, Section 75, “Parking Prohibitions Towing Zone (Resident Sticker)” and Chapter 42, Section 57A, “Parking Time Limited; Unmetered Zones” by adding the following:

Section 1. Chapter 42, Section 75, “Parking Prohibitions Towing Zone (Resident Sticker)”

Broadway – Parking Prohibitions Towing Zone (Resident Sticker) – Zone E, Color Orange, northeasterly side starting at the intersection with Loring Avenue and ending at the intersection with Canal Street.

Broadway – Parking Prohibitions Towing Zone (Resident Sticker) – Zone E, Color Orange, southwesterly side starting at the intersection with Loring Avenue and ending at the intersection with Canal Street, 6:00PM to 8:00AM.

Section 2. Chapter 42, Section 57A, “Parking Time Limited; Unmetered Zones”

Broadway – Parking Time Limited: Unmetered Zones – southwesterly side starting at the intersection with Loring Avenue and ending at the intersection with Canal Street, two (2) hour parking 8:00AM to 6:00PM.

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

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#696 – ORDINANCE AMENDING TRAFFIC, WEBSTER AND PLEASANT ST., HANDICAP PARKING

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

In the year Two Thousand and Eighteen

An Ordinance to amend an Ordinance relative to Traffic, Chapter 42, Section 50B, "Handicap Parking Zone, Limited Time"

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

SECTION 1. From the Corner of Pleasant Street and Webster Street, on Webster Street, beginning forty (40) feet from the corner, in an easterly direction for a distance of twenty (20) feet, "Handicap Parking Zone, Limited Time"

SECTION 2. This ordinance shall take effect as provided by City Charter

#697 – NAMING OF VETERANS SQUARE FOR SGT. BENIOT FRANCOEUR

Councillor Turiel introduced the following Order which was adopted.

ORDERED: That the corner of Lafayette Street and Ocean Avenue be designated as a Veteran's Square in honor of US Army Signal Sergeant Beniot Francoeur.

(#648) - (#643) – DECLARING LOT 2 OF 289 DERBY STREET SURPLUS AND CONVEYANCE TO THE SALEM REDEVELOPMENT AUTHORITY

Held from last meeting, Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses & Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of Declaring Lot 2 of 289 Derby Street and conveying Lot 2 to the Salem Redevelopment Authority for consideration of Ten Dollars has considered said matter and would recommend a favorable recommendation to the full council. It was voted to accept the report and adopt the recommendation by roll call vote.

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Lot 2 of 289 Derby Street was declared surplus by a roll call vote of 8 yeas, 1 nay and 2 absent. Councillors Dibble, Flynn, Furey, Madore, McCarthy, Peterson, Turiel and Gerard were all records as voting in the affirmative. Councillor Sargent was recorded as voting in the negative. Councillors Dominguez and Milo were recorded as absent.

Further, Lot 2 of 289 Derby Street was conveyed to the SRA for Ten Dollars (\$10.00) by a roll call vote of 8 yeas, 1 nay, 2 absent. Councillors Dibble, Flynn, Furey, Madore, McCarthy, Peterson, Turiel and Gerard were all records as voting in the affirmative. Councillor Sargent was recorded as voting in the negative. Councillors Dominguez and Milo were recorded as absent.

A motion for immediate reconsideration in hopes it does not prevail was denied.

#698 - (#658) – GRANTING LICENSES

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses & Legal Affairs to whom was referred the matter of granting certain licenses has considered said matter and would recommend that the following license be granted. It was voted to accept the report and adopt the recommendation.

TAG DAY: S.H.S Boys Basketball – 11/18/2018, 11/25/2018

#699 - (#21) – ORDINANCE AMENDING PUBLIC GUIDES

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses & Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of amending an Ordinance relative to Public Guides Chapter 40, Article II, Division I, has considered said matter and would recommend a positive recommendation to the full council. It was voted to accept the report and amend the Ordinance to include Higginson Square in paragraph 3 subsection (8).

The following Ordinance was adopted as amended for first passage

In the year Two Thousand and Eighteen

An Ordinance to amend an Ordinance relative to public guides

Be it Ordained by the City Council of the City of Sale, as follows:

Section I. Chapter 40 – Tourism and Public Marketing, Article II, Division I. Generally is hereby amended by:

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- 1) Inserting within the examination Section 40-27 (a) the phrase “and requirements of this Ordinance” at the end of the first sentence of this sub-section
- 2) Inserting within the prohibition section 40.30 (3) the phrase “obstructs pedestrian access on a sidewalk, or leads a tour across or into a street open to vehicular traffic on a route other than a designated crosswalk” at the end of this sub-section
- 3) Insert the following new prohibited conduct immediately following Section 40.36 (6):
 - “(7) Conduct a tour exceeding the tour participant limit and/or security/staff oversight requirements as such may be established for public safety purposes by the Chief of Police;
 - (8) Utilize a voice amplification device on Brown Street, Howard Street, Brown Street Court, Kimball Court and Higginson Square;
 - (9) Utilize Candles or any other item with a flame on a tour; or
 - (10) Conduct a tour on the grounds of 33 Proctor Street.”

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

#700 - (#321) – APPOINTMENT OF JOHN BORIS TO THE AFFORDABLE HOUSING TRUST FUND BOARD

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses & Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of the appointment of John Boris to the Affordable Housing Trust Fund Board has considered said matter and would recommend a positive recommendation to the full council to confirm the appointment by roll call vote. It was voted to accept the report and adopt the recommendation by a roll call vote of 9 yeas, 0 nays and 2 absent. Councillors Dibble, Flynn, Furey, Madore, McCarthy, Peterson, Sargent, Turiel and Gerard were all recorded in the affirmative. Councillors Dominguez and Milo were recorded as absent.

Councillor McCarthy requested and received unanimous consent to suspend the rules to allow Mr. Boris to speak.

NOVEMBER 15, 2018

CITY COUNCIL

REGULAR MEETING

#701 – (#155) – REVIEW OF SALEM AFFORDABLE HOUSING TRUST ORDINANCE

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses & Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of reviewing the Salem Affordable Housing Trust Ordinance along with Council Order #65 and report back to the full Council regarding recommendations for possible changes to the Ordinance has considered said matter and would recommend no recommendation. It was voted to accept the report and adopt the recommendation.

#702 – (#65) – ORDINANCE AMENDING CH. 2, SEC. 1005 – POWERS AND DUTIES OF THE AFFORDABLE HOUSING TRUST FUND BOARD OF TRUSTEES

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses & Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of an ordinance amending the Affordable Housing Trust Fund Board of Trustees has considered said matter and would recommend a positive recommendation. It was voted to accept the report and adopt the ordinance for first passage (see below)

In the year Two Thousand and Eighteen

An Ordinance to amend an ordinance relative to the Affordable Housing Trust Fund Board of Trustees

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

SECTION 1. Sec. 2-1005. – Powers and Duties of Chapter 2, Article IV, Div. 14 – Affordable Housing Trust Fund Board of Trustees is hereby amended by adding the following new power and duty:

“(17) To study, evaluate, and recommend policies, programs, practices, ordinances, and similar measures to increase and maintain the availability of affordable and workforce housing in the City of Salem.”

SECTION 2. This ordinance shall take effect as provided by City Charter.

NOVEMBER 15, 2018

CITY COUNCIL

REGULAR MEETING

#703 – (#588) – EXPANSION OF EXISTING HDIP ZONE TO INCLUDE ADDITIONAL PARCELS

Councillor Dibble offered the following report for the Committee on Community and Economic Development co-posted with the Committee of the Whole to whom was referred the matter of discussing the expansion of the HDIP Zone to include additional parcels has considered said matter and would recommend that a public hearing be held on November 29, 2018 at 6:30 P.M. It was voted to accept the report and adopt the recommendation.

#704 – (#589) – HDIP ZONE AMENDMENT PROPOSAL

Councillor Dibble offered the following report for the Committee on Community and Economic Development co-posted with the Committee of the Whole to whom was referred the matter of discussing the HDIP Zone Amendment Proposal has considered said matter and would recommend that a public hearing be held on November 29, 2018 at 6:30 P.M. It was voted to accept the report and adopt the recommendation.

#705 – RESIGNATION OF KEVIN CORNACCHIO FROM THE COMMUNITY PRESERVATION COMMITTEE

Councillor Dibble moved that the following communication from city official be received and placed on file and that the council proceed to fill this vacancy.

Communication from Jane A. Guy, Assistant Community Development Director on behalf of the Community Preservation Committee, regarding the resignation letter from Kevin Cornacchio from the Community Preservation Committee.

Councillor Furey mad a motion to send a letter of thanks and city seal to Kevin Cornacchio. It was so voted.

NOVEMBER 15, 2018

CITY COUNCIL

REGULAR MEETING

#706 – COMMUNICATION FROM SRA DIRECTOR REGARDING TRANSFER OF OWNERSHIP OF THE “CRESCENT” SHAPED LOT AT THE MBTA STATION TO THE SRA

Received After the Deadline of Tuesday Noon under suspension of the rules.

The following Communication from the SRA Executive Director, Tom Daniel, was referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole due to the late file.

Ladies and Gentlemen of the City Council:

I am writing on behalf of the Salem Redevelopment Authority (SRA) to follow up on the transfer of the crescent shaped lot at the MBTA commuter rail station (252 Bridge Street) to the SRA. You may recall we noted this in our September 27, 2018 correspondence and discussed it at our joint meeting held on October 2, 2018.

At the SRA's meeting on November 14, 2018, the Board voted unanimously to formally request the City Council declare the property surplus and transfer it to the SRA.

The reuse of the court buildings is a shared priority of the SRA and the City. The SRA has concluded that the chance of successfully reusing the court buildings will be increased if the crescent lot is included in the disposition process.

Since the SRA does not own the lot, the City would need to transfer ownership to the SRA to include the property in the disposition process. This is consistent with what the City did for the former police station and the old Salem jail. As is the case with the other public parking lots owned by the SRA, the City would continue to collect the parking revenue.

We know the reuse of the court buildings will be difficult. Our progress will be incremental and will require on-going collaboration between the SRA and City along with state partners, neighbors, community and preservation groups. We see the transfer of the crescent lot as an important next step in advancing our shared goal of having these significant and treasured buildings put into active use.

Sincerely,
Tom Daniel
SRA Executive Director

NOVEMBER 15, 2018

CITY COUNCIL

REGULAR MEETING

#707 – BOYS AND GIRLS CLUB WILD TURKEY ROAD RACE

Request from the Boys and Girls Club to hold their annual Wild Turkey 5K Run and use of city streets on Thursday, November 22, 2018 was granted

#708 – PUBLIC GUIDE LICENSE APPLICATIONS

The Following Public Guide License Applications were granted.

PUBLIC GUIDES:

- Rory O'Brien, 20 West Ave #3 Salem, MA
- Brian Sims, 23 Jackson St. Salem, MA
- Rebecca Parry, 2 Wallace Rd. Marblehead, MA
- Richard Jacobson, 72 Country Club Was Ipswich, MA
- Seth Mascolo, 40 English St. Salem, MA
- Susan Metzger, 25 Shepard St. Marblehead, MA
- Michael Metzger, 634 Woodlands Way. Abington, MA

#709 – SECOND HAND VALUABLE LICENSE APPLICATIONS

The Following Second Hand Valuable License Applications were referred to the Committee on Ordinances, Licenses and Legal Affairs.

SECOND HAND VALUABLES:

- Moon Baby Hair & Wares 302 B Essex St. Salem, MA
- Old Naumkeag Antiques 1 Hawthorne Blvd Salem, MA
- Game Zone 276 Essex St. Salem, MA

#710 – DRAINLAYER / CONTRACT OPERATOR LICENSE APPLICATION

The Following Drainlayer/Contract Operator License Application was granted

The Warren Co. 18 Lovell Rd. Lynnfield, MA

NOVEMBER 15, 2018

CITY COUNCIL

REGULAR MEETING

#711 - #714 – CLAIMS

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

Andrew Glaser 114 Bridge St. Salem, MA
Edward Morneau 68A Wharf St. Salem, MA
William Dowd 8 ½ Curtis St. Salem, MA
Michelle MacAdams 15 Felt St., Salem, MA

#715 – BOND

The Following Bond were referred to the Committee on Ordinances, Licenses and Legal Affairs and Returned Approved.

DRAINLAYER: The Warren Co. 18 Lovell Rd. Lynnfield, MA

#716 (#641) – NOTICE OF RECONSIDERATION – NATIONAL GRID ORDER

Councillor Sargent and Councillor Gerard's gave notice of reconsideration of the following Order:

The following Order was originally adopted by a unanimous roll call vote of 11 yeas, 0 nays, and 0 absent:

Ordered: That the National Grid Gas Company shall halt all non-emergency gas work in the City of Salem. This Order shall remain in place until the lockout of National Grid Gas workers is over.

The Motion for reconsideration was passed by a roll call vote of 8 yeas, 1 nay, 2 absent. Councillors Dibble, Flynn, Furey, Madore, McCarthy, Peterson, Sargent and Gerard were all recorded in voting in the affirmative. Councillor Turiel was recorded as voting in the negative. Councillors Dominguez and Milo were recorded as absent.

The motion to refer the following order to Government Services co-posted with the Committee of the Whole was adopted. Councillor Furey and Turiel were recorded as opposed.

Ordered: That the National Grid Gas Company shall halt all non-emergency gas work in the City of Salem. This Order shall remain in place until the lockout of National Grid Gas workers is over.

NOVEMBER 15, 2018

CITY COUNCIL

REGULAR MEETING

(#486) - SECOND PASSAGE AMENDING ZONING RELATIVE TO SHORT TERM RENTALS

The matter of second and final passage of an Ordinance to amend an Ordinance relative to Zoning regarding Short-Term Rentals, Section 3.0 – Table of Principal and Accessory Uses and Sec. 10.0 – Definitions was then taken up. The Ordinance was adopted for second and final passage by a roll call vote of 9 yeas, 0 nays, 2 absent. Councillors Dibble, Flynn, Furey, Madore, McCarthy, Peterson, Sargent, Turiel and Gerard were all recorded in the affirmative. Councillors Dominguez and Milo were recorded as absent.

In the year two thousand and eighteen

An Ordinance to amend an Ordinance relative to Zoning

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

Section 3.0 Table of Principal and Accessory Uses

Amend *Section 3.0 Table of Principal and Accessory Uses* to include the following new uses:

The following uses shall be permitted as set forth in the Table of Principal and Accessory Use Regulations.

	RC	R1	R2	R3	B1	B2	B4	B5	I	BPD	NRCC
Non-Owner Occupied Short-Term Rentals	N	N	BA	BA	BA	BA	BA	BA	N	N	BA

Section 10.0 Definitions

Amend *Section 10.0 Definitions* to include the following new definitions:

Non-Owner-Occupied Short-Term Rental: A dwelling unit where the owner does not live in either the unit, the building, or otherwise on the property and which was being used as a Short-Term Rental prior to the date the general ordinance, Chapter 15 Short-Term Rentals, was filed with the City Clerk for consideration by the City Council.

Short-Term Rental: A Short-Term Rental is the use of a dwelling unit for residential occupancy for a period of fewer than thirty (30) consecutive calendar days for a fee. A Short-Term Rental may or may not be facilitated through an online booking agent.

NOVEMBER 15, 2018

CITY COUNCIL

REGULAR MEETING

(Due to back to back meetings on 10/11/18 and 10/18/18 due to early voting the first passages of the above did not have enough time to be advertised for 7 days prior to the 10/18/18 meeting in accordance with the City Charter, therefore, second passage of this Zoning Ordinance has been placed on this agenda)

(#622) – SECOND PASSAGE AMENDING TRAFFIC – PARKING PROHIBITED, REPEAL COUSINS STREET

The matter of second and final passage of an Ordinance to amend an Ordinance relative to traffic, Ch. 42, Sec. 51, “Prohibited Parking on Certain Streets” – Cousins Street, Repeal was then taken up. The Ordinance was adopted for second and final passage.

In the year two thousand and ***Eighteen***

An Ordinance to amend an Ordinance relative to Traffic, Chapter 42, Section 51, “Parking Prohibited on Certain Street”

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

SECTION 1. Chapter 42, Section 51- “Parking Prohibited on Certain Streets” is hereby amended by repealing the following:

Repeal Cousins Street – Parking Prohibited – easterly side

SECTION 2. This ordinance shall take effect as provided by City Charter

(Due to back to back meetings on 10/11/18 and 10/18/18 due to early voting the first passages of the above did not have enough time to be advertised for 7 days prior to the 10/18/18 meeting in accordance with the City Charter, therefore, second passage of this Zoning Ordinance has been placed on this agenda)

On the motion of Councillor Furey the meeting adjourned at 9:50 P.M.

ATTEST:

ILENE SIMONS
CITY CLERK