

CITY OF SALEM**MAY 24, 2018****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.”

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A Regular Meeting of the City Council held in the Council Chamber on Thursday, May 24, 2018 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on May 22, 2018, at 8:48 A.M. This meeting is being taped and is live on S.A.T.V.

All Councillors were present.

Council President Gerard presided.

Councillor Dibble 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. Jeff Cohen, 12 Hancock St., Salem – Ad-Hoc Search Committee for City Clerk
2. Doreen Wade, 10 Greenvew St., Framingham – Salem Willows Black Picnic
3. Lorelee Stewart, 7 Barnes Rd., Salem – Salem Housing Authority Appointment of the Mayor
4. Scott B. Sternberg, 25 Pickman Rd., Salem - Ad-Hoc Search Committee for City Clerk
5. Fara Wolfson, 25 Pickman Rd., Salem - Ad-Hoc Search Committee for City Clerk
6. Judith Reilly, 20 West Ave., Salem - Ad-Hoc Search Committee for City Clerk
7. Christine Ross, 33 Pleasant St., Salem - Ad-Hoc Search Committee for City Clerk
8. Mike Becker, 2 School St. Ct., Salem – B-1 Zoning
9. Fawaz Abusharkh, 4 Harrison Rd., Salem – Fire Chief Assessment Center & Mayor’s appointment to the Salem Housing Authority

CITY OF SALEM**MAY 24, 2018****REGULAR MEETING****(#284) – APPOINTMENT OF STAVROULA MEIMETEAS-ORFANOS AS SALEM'S ASSISTANT BUILDING INSPECTOR**

Held from the last meeting, the Mayor's appointment of Stavroula Meimeteas-Orfanos to serve as Assistant Building Inspector with a term to expire on September 14, 2019 was confirmed by unanimous roll call vote of 11 yeas, 0 nays, 0 Absent. Councillors Dibble, Dominguez, Flynn, Furey, Madore, McCarthy, Milo, Peterson, Sargent, Turiel and Gerard were recorded as voting in the affirmative.

(#285) – APPOINTMENT OF STEPHANIE HAGYARD AND TY HAPWORTH TO THE BEAUTIFICATION COMMITTEE

Held from the last meeting, the Mayor's appointments of Stephanie Hagyard 8 Pope St., Salem and Ty Hapworth of 6 Brown St., Salem to serve as a member of The Beautification Committee with their terms to expire on May 10, 2021 were confirmed by unanimous roll call vote of 11 yeas, 0 nays, 0 Absent. Councillors Dibble, Dominguez, Flynn, Furey, Madore, McCarthy, Milo, Peterson, Sargent, Turiel and Gerard were recorded as voting in the affirmative.

#320 – APPOINTMENT OF MATTHEW SMITH TO THE PLANNING BOARD

The Mayor's appointment of Matthew Smith 12 Northey St. to serve as a member of the Planning Board with a term to expire on May 24, 2023 was held until the next meeting under the rules.

#321 – APPOINTMENT OF JOHN BORIS TO THE AFFORDABLE HOUSING TRUST FUND BOARD

The Mayor's appointment of John Boris 5 Bedford St. to serve as a member of the Affordable Housing Trust Fund Board with a term to expire on May 24, 2020 was referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with Committee of the Whole.

#322 – APPOINTMENT OF ELIZABETH MCGOVERN TO THE SCHOLARSHIP AND EDUCATION COMMITTEE

The Mayor's appointment of Elizabeth McGovern 8 Lyme St. to serve as a member of the Scholarship and Education Committee with a term to expire on May 24, 2020 was held under the rules until the next meeting.

CITY OF SALEM**MAY 24, 2018****REGULAR MEETING****#323 – REAPPOINTMENT OF BARBARA SIROIS TO THE BEAUTIFICATION COMMITTEE**

The Mayor's reappointment of Barbara Sirois 2 Messervy St. to serve as a member of the Beautification Committee with a term to expire on May 24, 2021 was confirmed by unanimous roll call vote of 11 yeas, 0 nays, 0 Absent. Councillors Dibble, Dominguez, Flynn, Furey, Madore, McCarthy, Milo, Peterson, Sargent, Turiel and Gerard were recorded as voting in the affirmative.

#324 – REAPPOINTMENT OF CONSTANCE SORENSON TO SERVE AS A CONSTABLE

The Mayors reappt. of Constance M. Sorenson to serve as a Constable with a term to expire on April 23, 2021 was received and placed on file.

#325 – FISCAL YEAR 2019 PROPOSED OPERATING BUDGET AND FIVE-YEAR CAPITAL IMPROVEMENT PLAN

The Mayor submitted the proposed Fiscal Year 2019 Operating Budget in the amount of \$162,160,297.00 and Capital Improvement Plan 2019-2023 which was referred to the Committee on Administration and Finance co-posted with the Committee of the Whole. (See below for full letter)

RE: Submission of the Proposed Fiscal Year 2019 City Budget

Ladies and Gentlemen of the Council:

Enclosed please find the proposed FY2019 operating and capital budgets for the City of Salem and the Salem Public Schools. The proposed budgets reflect a balanced and responsible spending plan for our community that continues to invest in the critical quality of life, public infrastructure, and education needs that help make Salem the hub of the North Shore and such an attractive place to live, visit, do business, and raise a family. I believe this budget will continue to strengthen our community and recommend its adoption for the coming fiscal year.

The proposed FY2019 budget totals \$162,160,297, an increase of 3.59% over the FY2018 budget. This includes increases to fixed costs that are largely not in our control, as well as enhancements in school, public works, and public safety operating budgets. These increases in fixed costs – items such as benefits, pension and retirement costs, insurance, state assessments, snow and ice deficit, and debt payments – constitute about 54% of the budget increase this year.

Our schools' budget will increase by \$771,857 (1.3%) as we continue our commitment to giving our schools and our teachers the resources they need to help our children succeed. This does not include school-related costs that appear elsewhere in the budget, such as unemployment costs, debt for school building projects, and so forth.

The enterprise fund budgets (water, sewer, and trash) will increase by \$826,443 (5.14%) due to increases in assessments for these services. Because of the need to invest in our aging water/sewer infrastructure, including the cost of major projects such as the Canal Street flood control project, we are recommending a \$0.33 increase in residential water rates, from \$2.98 to \$3.31 and a \$0.44 increase in commercial water rates, from \$4.04 to \$4.48. Residential sewer rates are recommended to increase by \$0.63, from \$6.08 to \$6.71 and commercial sewer rates to

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increase by \$0.95, from \$9.21 to \$10.16. Our large commercial sewer users would see an increase of \$1.22 in their rate, from \$11.79 to \$13.01. The FY2019 Capital Improvement Plan (CIP) is also included as part of this budget, as are the associated bond orders for this important plan. I am proud that we instituted a practice of including a forward-looking capital plan in our budget each year as a responsible and transparent way of planning for future obligations while meeting present-day needs to best serve Salem residents.

The inclusion of a CIP and a financial forecast was not always standard practice for Salem, of course. It is one more way we have professionalized and improved how the City of Salem operates. It is hard to imagine that when I first took office, we walked into a City Hall carrying a \$3.5 million deficit from the prior administration. From having nothing in our rainy-day stabilization fund when we took office, we today have over \$6.5 million in that fund thanks to permanent, prudent finance policies that we have worked collectively with the Council to put in place. From having a dismal bond rating, today we have the highest bond rating in our City's history, for four years running. As you may know, four years ago, Salem's bond rating was upgraded by Standard & Poor's to AA. We have maintained that rating since then and the agency, in their most recent report, stated:

"We view the city's management as strong, with good financial policies and practices... Salem regularly monitors revenues and expenditures and makes conservative budget assumptions based on a five-year trend. The city council and mayor engage in regular budget surveillance and receive monthly budget-to-actual and investment reports... The city also has a multiyear financial plan that identifies future issues, leading to revenue and expenditure decisions with a long-term perspective. Structural balance is a clear goal in the decision-making process."

All of these facts are a reflection of our dedication to policies that foster positive economic growth, stable financial management practices, and sustainable and transparent budgeting. Since 2006 we have implemented professional financial management standards and the share of our budget that is our debt payment was reduced by a third. We were able to accomplish this by leveraging outside funds, such as grants – around \$120 million worth over the last twelve years – and by being responsible, thoughtful, and prudent with tax dollars.

Not only do our sound fiscal practices ensure public funds are being managed to the highest standards, they also allow us to realize financial gains. Better bond ratings mean we can refinance existing debt at the lower interest rates accessible to us, saving money. We were also able to save taxpayers' dollars through innovations like LED street light conversions, leveraging state grants for rooftop solar to lower electric bills at our schools, electrical aggregation to bring down electricity rates for consumers, and more.

In our budgeting practices, the taxpayers of Salem have always been foremost in mind, and FY2019 is no different. This budget both recognizes the impact of property taxes on residents and meets their demands for investments in the local services they need and rely upon every day. We have received the Government Finance Officers Association's (GFOA) highest accolades for fiscal transparency for the last decade.

We have been able to be respectful of taxpayers, while also investing in critical local needs. In the FY2019 budget you will find an expanded focus on priority areas identified by the administration, the City Council, and residents through our annual resident survey. These include planning ahead for forthcoming police retirements to ensure our ranks remain strong and fully staffed, investing in critical infrastructure including parks, sidewalks, roadways, and our water/sewer system, supporting our efforts to tackle problem properties by expanding inspections, planning for new services, activities, and programs at the new Community Life Center opening in just a few months, focusing on addressing our housing challenges, and increasing our coordination and preparation for the local impacts of climate change. In conjunction, this coming year we expect to offer several policy changes intended to help address the affordability of local housing, continue efforts to reduce traffic congestion and encourage mode shift in transit, and continue the push to end homelessness and hunger in Salem. These are bold objectives, but I am confident that working in collaboration with the City Council and community partners we can accomplish them.

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All of these goals, of course, are taking place in a context of community and financial trends that we must take into consideration. Whether it is housing needs, fears about growth, the opioids epidemic, changing demographics, or a changing climate, our community is facing many challenges that require strategic and sensible leadership. On the financial side, we are seeing reductions in net aid from the state due to the state's lack of full funding for charter school reimbursements and an inequitable PILOT agreement with SED. Rising health care costs are impacting both the public and private sector, and we are facing the challenge of OPEB and pension liabilities, not to mention costly sick-leave buybacks, agreed to decades ago, but impacting our retirement stabilization fund now.

We have worked hard to tackle these challenges by allocating funds to reserve and stabilization accounts to plan for the future and by taking actions like entering into the state Group Insurance Commission (GIC) to reduce increases in health insurance costs, and annually reassessing the cost-effectiveness of that choice. However, the financial challenges presented by these fixed cost centers are still very real and have a real effect on our ability to fund other services and needs.

You will notice that we are projecting enhanced parking revenues in FY2019 as part of this year's revenue and expenditure program. Following a number of months of comprehensive analysis of utilization and comparable community rates, the staff of the Traffic and Parking Department are recommending changes to rates in some lots and meters, and in the garages.

Salem's parking rates have been unadjusted for almost a decade, one of the few City fees to be so unmodified, even though many of these charges are borne by non-residents and despite the fact that over the last few years we have invested heavily in our parking facilities, repaving the Church Street lots, installing more kiosks and other technologies to add convenience for parkers, overhauling the Museum Place Garage stairwells, electrical and life safety systems, and, shortly, the elevators, and more. To carry out large scale improvements and maintenance efforts such as these, without corresponding adjustments to the revenues directly collected at those facilities, is not sustainable in the long term.

This rate restructuring proposal is currently before the Traffic and Parking Commission for their review, and we hope to have their final recommendations filed with you before the end of June. The proposed rates will be directly based on utilization and desirability of parking in various locations, which has changed considerably since most of the current rates were adopted almost a decade ago through our old parking plan. As called for in that study, higher demand and utilized parking should incur a higher rate, where less valuable parking locations benefit from a lower rate that encourages greater utilization.

Ultimately, our goal is to also encourage mode shift in order to generate fewer private vehicle trips into our downtown. To that end we are:

- continuing to pursue the South Salem commuter rail stop to service SSU and NSMC;
- working to add a second passenger ferry after successfully receiving a \$3.4 million federal grant;
- utilizing private sponsors to expand our Zagster bike share system to dozens of more racks and added more bikes;
- striping additional bike lanes throughout downtown later this year thanks to a state grant;
- finalizing the intra-shuttle feasibility study which we anticipate will lead to another transit option in our community and neighborhoods;
- continuing the free Salem Trolley rides for Salem residents for a sixth year;
- expanding the October shuttle launched last year to cut down on downtown congestion;
- enhancing our harbor shuttle service to add a stop in Marblehead this year.

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The FY2019 budget maintains our dedication to fiscal responsibility while also strengthening our community. I am proud of our collective efforts to limit impacts on Salem taxpayers while also providing much needed services to constituents. This is possible due to our collective attentiveness to City finances, as well as our ongoing efforts at identifying efficiencies in the delivery of services. Our fiscal practices have resulted in not only affirmation of our historic high AA bond rating, but also our regular receipt of recognitions and awards from the GFOA. Lastly, beyond budgets another key factor in enhancing our local economy is the large number of public and private investments in our community. These developments enhance our short and long term economic growth, add to our tax base and generate revenues and jobs that improve our overall community. We cannot provide the services and improvements that our constituents rightly demand and deserve, without new growth.

In FY2019 we will continue to strive to exceed the service level expectations of our constituents, while simultaneously ensuring fiscal prudence in all expenditures. The mission of City government in Salem is to provide open, honest, and pro-active services effectively and efficiently, focusing on the needs of today, with a vision for the future. In order to accomplish this, the proposed budget aligns operations with short-term and long-term strategic goals and objectives, while maintaining necessary fiscal controls and a careful attention to our financial forecasts in our budgeting. This is a challenging balance to strike, but I believe the proposed budget accomplishes just that.

Balancing the City's budget with fewer state and federal resources is no easy task and I appreciate the hard work and cooperation our Department heads have put into the preparation of this year's budget. I cannot say enough about the efforts made by our Finance Department, led by Finance Director Laurie Giardella. The department's efforts ensured that the budget was ready for submission and in compliance with the high standards we set for ourselves pursuant to

GFOA Distinguished Budget guidelines. We are one of only a handful of Massachusetts communities who annually qualify for both a Certificate of Excellence for our Comprehensive Annual Financial Reporting (CAFR) and a Distinguished Budget Award from the GFOA.

I believe the proposed FY2019 budget before you today represents a strong commitment to the people we are all fortunate enough to have been elected to serve. It continues our balanced and responsible approach to city finances and budgets. It invests in continuing to make Salem a safe city, a welcoming city, a city with schools in which we can all take pride – in short, a forward-looking and livable city for all. I recommend adoption of the proposed FY2019 budget, CIP, and other associated budgetary Orders and I look forward to working with you in the coming weeks to enact this proposed spending plan in order to continue strengthening and improving our great City.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem

CITY OF SALEM**MAY 24, 2018****REGULAR MEETING****#326 – AUTHORIZE REVOLVING FUNDS FOR FISCAL YEAR 2019**

The following Order recommended by the Mayor was adopted.

ORDERED: That the Salem City council vote, pursuant to the provisions of MGL Chapter 44, Section 53E ½ to authorize the establishment of the revolving funds for FY 2019 as herein described. Expenditures from said funds shall not exceed the amount of funds received in the respective accounts or as authorized as stated, shall come from any funds received by the respective boards for performing services, shall be used solely for the purpose of implementing the programs delineated and shall be approved by a majority vote of any respective boards in accordance with the recommendation of Her Honor the Mayor.

Department	Fund Name	Fund #	Programs & Purposes	Type of Receipts Credited	Authorization for Spending	FY 2019 Budget Request Maximum Annual Expenditures
COA	COA Programs	2374	To defray program costs including instructors, presenters, entertainment, decorations, food, etc.	Revenues and fees charged for programs	COA Director and Mayor	\$ 80,000.00
Electrical	R/A Telecom	2376	To fund public information technology, telecommunication and electrical initiatives and projects	Application fees and rental revenue from telecommunications attachments pursuant to sections 12-125 and 12-170 of the City Ordinances	City Electrician and Mayor	\$ 50,000.00
Fire	R/A Local Emergency Planning Comm	2433	Training and special equipment needed to respond to hazardous materials incidents per CH 21E	Fees charged to persons spilling or releasing hazardous materials	Fire Chief and Mayor	\$ 5,000.00
Fire	R/A Confined Space Drills	2449	Confined space training for Firefighters.	Fee charged to Dominion Power Plant to cover OT costs for Firefighter Confined Space Drill training.	Fire Chief and Mayor	\$ 10,000.00
Harbormaster	Boat/Float Storage	2368	To fund Capital items for Harbormaster and to fund maintenance costs of equipment.	Fees charged for boat and float storage at Winter Island and Kernwood Marina	Harbormaster and Mayor	\$ 35,000.00

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Department	Fund Name	Fund #	Programs & Purposes	Type of Receipts Credited	Authorization for Spending	FY 2019 Budget Request Maximum Annual Expenditures
Health	Health Clinics	2364	To support vaccination program and other health promotion activities of the Health Department	Reimbursements from vaccination programs	Health Agent and Mayor	\$ 20,000.00
Mayor	Special Events	2361	To cover expenses for July 4th and Haunted Happenings events.	Funding from RFP's for services, vendors and miscellaneous sponsorships.	Mayor	\$ 125,000.00
Recreation	Winter Island	2362	To increase and replenish store inventory as needed and to enhance and maintain WI store.	Revenue from sale of inventor at the Winter Island Store	Recreation Director and Mayor	\$ 40,000.00
Recreation	Proctor's Ledge	2384	For Maintenance of Proctor's Ledge site	Revenue of 25 cents from the sale of each ticket at the Witch House.	Recreation Director and Mayor	\$ 12,000.00
Recreation	Road Race Fees	2385	For Park Maintenance	Five percent of race and event registration fees.	Recreation Director and Mayor	\$ 6,000.00
Recreation	Dog Park	2435	Renovations and Maintenance of Dog Park at Leslie's Retreat Park.	Fee charged for pass to use dog park (pooch pass). Twenty-Five dollars annually for pass.	Recreation Director and Mayor	\$ 5,000.00
Recreation	Park & Rec Public Access	2452	To be used for the operation and maintenance of Winter Island and McCabe Marina	Parking and launch fees charged at McCabe Marina & Winter Island	Recreation Director and Mayor	\$ 50,000.00
Recreation	Salem Willows Meters	2459	Renovations and Maintenance of Willows Park.	Money generated from Willows Meters	Recreation Director and Mayor	\$ 30,000.00
Recreation	Witch House	2499	To support Salem Award committee and the Salem Witch Trial Memorial	Twenty-Five cent surcharge to tickets beginning in May 2009	Recreation Director and Mayor	\$ 10,000.00
Planning & Community Development	Old Town Hall	2373	Maintenance costs of old town hall	Rental revenue of old town hall	Director of Planning and Mayor	\$ 40,000.00

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Department	Fund Name	Fund #	Programs & Purposes	Type of Receipts Credited	Authorization for Spending	FY 2019 Budget Request Maximum Annual Expenditures
Planning & Community Development	Derby Sq/Artists Row	2375	Improvements for Derby Square and Artists' Row including outdoor furniture, signage, lighting, public art, marketing and stipends for performers	Vendor fees from Derby Square Flea/Salvage Art Market, Rent and Vendor Fees at Artists Row	Director of Planning and Mayor	\$ 20,000.00
Planning & Community Development	Solar Renewable Energy Cert	2377	To offset Electrical Costs	Solar renewable energy credits received for rooftop solar photovoltaic systems on City and School Buildings	Director of Planning and Mayor	\$ 250,000.00
Planning & Community Development	Bike Sharing	2383	To receive and expend revenue from bike share program for system operation and promotion	Revenue from rentals and annual memberships	Director of Planning and Mayor	\$ 50,000.00
Planning & Community Development	Salem Ferry Operational	2453	Fund operational costs of the Salem Ferry and Blaney Street Dock	Fees received during the off season for use/rent of ferry	Director of Planning and Mayor	\$ 500,000.00
Insp Services	Abandoned Prop Maint	2371	To maintain abandoned and foreclosed residential and commercial properties	Registration fees (\$300.00) for vacant and/or foreclosed residential properties	Public Service Director and Mayor	\$ 30,000.00
Engineering	Traffic Island	2439	Projects related to City beautification events including Traffic Island, Beautification, and special events such as Treemendous	Primarily from: Traffic Island Sponsorships, Special Events Revenues, Event and Beautification effort sponsors	City Engineer and Mayor	\$ 20,000.00
School	Building Rental	2601	Building Rental	Payments for rental of building by outside groups	School Committee and Mayor	\$ 225,000.00
School	Early Childhood	2608	Pre-School Tuition	Tuition payments for students attending the pre-school program at the Early Childhood Center	School Committee and Mayor	\$ 100,000.00
School	School Busing	2614	School Bus pass	Purchases of school bus passes	School Committee and Mayor	\$ 160,000.00

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Department	Fund Name	Fund #	Programs & Purposes	Type of Receipts Credited	Authorization for Spending	FY 2019 Budget Request Maximum Annual Expenditures
School	Night School	2620	Night School Tuition	Tuition payments for students attending the night school program	School Committee and Mayor	\$ 50,000.00
School	Special Ed Tuition	2627	Special Ed Tuition	Tuition payments for students from other districts attending Special Ed programs in Salem	School Committee and Mayor	\$ 250,000.00
School	SHS Automotive	2645	To pay for parts and materials for automotive repairs to vehicles brought in to the HS Automotive Vocational School by citizens	Fees charged for parts and materials for automotive repairs to vehicles brought in by citizens	School Committee and Mayor	\$ 50,000.00

#327 – APPROPRIATION OF \$52,397.67 FROM “FREE CASH” TO THE “FIRE – MEDICAL” ACCOUNT

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

Councillor Furey assumes the chair. Councillor Gerard and Councillor Flynn both recused themselves.

ORDERED: Appropriation of \$52,397.67 from the “Fund Balance Reserved for Appropriation – Free Cash” account to the “Fire – Medical” Account in accordance with the recommendation of Her Honor the Mayor

Councillor Gerard and Councillor Flynn returned to the Council Chambers.

Councillor Gerard assumes the chair.

CITY OF SALEM**MAY 24, 2018****REGULAR MEETING****#328 – APPROPRIATION OF 30,000.00 FROM “FREE CASH” TO CITY COUNCIL ACCOUNTS**

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

ORDERED: Appropriation of \$30,000.00 from the “Fund Balance Reserved for Appropriation – Free Cash” account to the accounts listed below in accordance with the recommendation of Her Honor the Mayor

City Council Printing and Binding	\$10,000.00
City Council Advertising	<u>\$20,000.00</u>
	\$30,000.00

#329 – APPROPRIATION OF \$17,640.00 FROM “FREE CASH” TO “POLICE MEDICAL” EXPENSES

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

Councillor Furey assumes chair. Councillor Gerard recused herself.

ORDER: Appropriation of \$17,640.00 from the “Fund Balance Reserved for Appropriation – Free Cash” account to the “Police – Medical Expenses” Account in accordance with the recommendation of Her Honor the Mayor

Councillor Gerard returns to the Council Chambers. Councillor Gerard assumes the chair.

#330 – ORDINANCE AMENDING CH. 46 SEC. 66, RATES FOR USE OF WATER

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

ORDINANCE: An Ordinance to Amend an Ordinance relative to Rates for Use of Water

Section 1. 46, Sec. 66, Rates for Use of Water by deleting subparagraph (b) in its entirety and replacing with the following:

“(b) the rate for all water furnished by meter measurements effective July 1, 2018 shall be as follows:

(1) Residential, per 100 cubic feet	\$3.31
(2) Nonresidential, per 100 cubic feet	\$4.48

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Section 2. Chapter 46, Section 66 is hereby further amended by deleting subparagraph € in its entirety and replacing it with the following:

“(e) The Minimum rate for residential metered water for each quarter shall be \$33.10 per 1000 cubic feet effective July 1, 2018.

The use of all water and sewer funds and SESD funds shall be excluded from all private development projects.”

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

#331 – ORDINANCE AMENDING CH. 46, SEC 230, SEWER USE CHARGES

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

ORDINANCE: An Ordinance to Amend an Ordinance relative to Sewer Use Charges

Section 1. 46, Sec. 230, is hereby amended by deleting subsection (c) in its entirety and replacing with the following:

“(c) the rates for sewer use charges effective July 1, 2018 shall be as follows:

Residential, per 100 cubic feet	\$6.71
Nonresidential, per 100 cubic feet Up to 25,000 cubic feet per month	\$10.61
Nonresidential, per 100 cubic feet for 25,000 cubic feet and greater per month	\$13.01

The use of all water and sewer funds and SESD funds shall be excluded from all private development projects.”

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

CITY OF SALEM**MAY 24, 2018****REGULAR MEETING****#332 – ORDINANCE AMENDING POLICE CH. 32, ARTICLE II, SEC. 47 & 48 – CHIEF OF DEPARTMENT, CONTROL AND DISCIPLINE OF DEPARTMENT AND VACANCY IN OFFICE**

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

ORDINANCE: An Ordinance to Amend an Ordinance relative to the City Marshal

Section 1. Chapter 32, Police, Article II, Section 32-47- *Chief of department; control and discipline of department*.is hereby deleted and replaced with the following:

“Section 32-47- Chief of department; control and discipline of department.

The city marshal shall be the chief of the police department and, subject to the approval of the mayor, shall have entire control of the police department and all its officers and other officers when engaged in the services of the city or when assigned to any special duty. The city marshal shall be responsible for the discipline and efficiency of the police department. The city marshal shall also have control over the constables appointed by the Mayor pursuant to Sec. 32-19. Nothing in this section shall be construed to change the official title of city marshal as head of the police department.

Section 2. Chapter 32, Police, Article II, Sec. 32-48. *Vacancy in office* is hereby deleted and replaced with the following:

“Sec. 32-48. Vacancy in office.

Absent the establishment of a permanent deputy chief position within the Salem Police Department, if a vacancy occurs in the office of city marshal, the mayor shall designate from among those serving in the rank of captain, or from among those serving in the rank of lieutenant and captain, if there are less than three captains, an officer to serve as the acting city marshal and have all the powers and shall perform all the duties of the city marshal until such time as a new city marshal is duly appointed.”

Section 3. These ordinance amendments shall take effect as provided by City Charter.

#333 – APPLICATION FOR FEDERAL ASSISTANCE TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

The following Order recommended by the Mayor was adopted.

ORDERED: That the Salem City Council hereby approves the submittal of the City of Salem's Application for Federal Assistance to the United States Department of Housing and Urban Development (HUD) for the Community Development Block Grant (CDBG) fund for the period of July 1, 2018 through June 30, 2019 in the amount determined by HUD's formula entitlement allocation (identified as \$1,053,238.00)

CITY OF SALEM**MAY 24, 2018****REGULAR MEETING****#334 – HOME RULE PETITION – AN ACT CONCERNING THE APPOINTMENT OF RETIRED SALEM POLICE OFFICERS AS SPECIAL POLICE OFFICERS WITHIN THE CITY OF SALEM**

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

ORDERED: That a petition to the General Court, accompanied by a bill for an act concerning the appointment of retired Salem Police Officers as special police officers within the City of Salem for paid detail assignments as set forth below, be filed with an attested copy of this Order be, and hereby is, approved under Clause (1) of Section 8 of Article II, 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 the intent of this home rule petition:

AN ACT CONCERNING THE APPOINTMENT OF RETIRED SALEM POLICE OFFICERS AS SPECIAL POLICE OFFICERS WITHIN THE CITY OF SALEM.

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. The police chief of the city of Salem may appoint, with the approval of the mayor, as the police chief considers necessary, retired Salem police officers as special police officers to perform police details or any duties arising from police details or during the course of police detail work, whether or not related to the detail work. The police chief shall have discretion to appoint only retired Salem police officers as special police officers and shall establish department rules, procedures and policies concerning these appointments. The police chief shall appoint retired Salem police officers who served as regular Salem police officers and are retired based on superannuation. Special police officers shall not be subject to the same maximum age restrictions as applied to regular Salem police officers under chapter 32 of the General Laws. Prior to appointment under this act, a retired Salem police officer shall pass a medical examination by a physician or other certified professional chosen or agreed to by the department to determine whether the retired Salem police officer is capable of performing the essential duties of a special police officer under this act. The cost of the medical examination shall be borne by the retired Salem police officer.

SECTION 2. Special police officers appointed under this act shall not be subject to chapter 31, section 99A of chapter 41, or chapter 150E of the General Laws.

SECTION 3. When performing the duties set forth in section 1, special police officers shall have the same power to make arrests and to perform other police functions as do regular police officers of the city of Salem.

SECTION 4. A special police officer shall be appointed for a one-year term, subject to renewal at the discretion of the police chief; provided, however, that a special police officer shall be subject to suspension or removal by the police chief at his or her discretion at any time. All benefits afforded to special police officers appointed under this act shall terminate upon the conclusion of the employment term. A special police officer's appointment shall automatically terminate upon the officer's 70th birthday.

SECTION 5. Special police officers appointed under this act shall be subject to the rules and regulations, policies and procedures and requirements as the police chief may impose from time to time including, but not limited to, restrictions on the type and number of detail assignments, requirements regarding medical examinations to determine continuing fitness and capability to perform the duties of a special police officer, requirements for training, requirements for firearms licensing and qualifications, requirements for maintaining

CITY OF SALEM**MAY 24, 2018****REGULAR MEETING**

of a medical or liability insurance policy, and requirements regarding uniforms and equipment. Special police officers appointed under this act shall not be subject to section 96B of chapter 41 of the General Laws.

SECTION 6. Special police officers appointed under this act shall be sworn in by the police chief for the city of Salem.

SECTION 7. Sections 100 and 111F of chapter 41 of the General Laws shall not apply to special police officers appointed under this act. Sections 85H and 85H½ of chapter 32 of the General Laws shall not apply to special police officers appointed under this act.

SECTION 8. Appointment as a special police officer shall not entitle the appointee to assignment to any detail.

SECTION 9. Retired Salem police officers serving as special police officers under this act shall be subject to the limitations on hours worked and on earnings restrictions as provided in paragraph (b) of section 91 of chapter 32 of the General Laws.

SECTION 10. The police chief has discretion over the appointment and removal of special officers appointed under this act and may remove, or refuse to reappoint, a special officer appointed for any reason, with or without cause.

SECTION 11. This act shall take effect upon its passage.

#335 – FIBER OPTIC NETWORK INSTALLATION AGREEMENT

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.

ORDERED: The Mayor is hereby authorized to execute a Fiber Optic Network Installation Agreement by and between SiFi Networks Salem, LLC and the City of Salem for the installation of a City-wide fiber optic network for the provision of internet, voice, data, video, and combinations thereof to residents and business.

#336 – APPROPRIATION OF \$10,000.00 FROM RECEIPTS RESERVED – SALE OF LOTS TO DPS BURIAL SERVICES

RECEIVED AFTER THE DEADLINE OF TUESDAY NOON

Councillor Turiel moved suspension of the rules to allow the matter to come before Council due to the late file (Rule Sec. 28A). No Councillors Objected

The following Order recommended by the Mayor was referred to the Committee on Administration and Finance due to the late file.

ORDER: Appropriation of \$10,000.00 from "Receipts Reserved – Sale of Lots" to the "DPS Burial Services" Account in accordance with the recommendation of her Honor the Mayor.

CITY OF SALEM**MAY 24, 2018****REGULAR MEETING****#337 – BOND ORDER FOR THE FISCAL YEAR 2019 GENERAL FUND CAPITAL IMPROVEMENT PROGRAM**

RECEIVED AFTER THE DEADLINE OF TUESDAY NOON

Councillor Turiel moved Suspension of the Rules to allow the matter to come before Council due to the late file (Rule Sec. 28A). No Councillors Objected.

The following Bond Order recommended by the Mayor in the sum of \$10,696,190.00 for Fiscal Year 2019 General Fund Capital Improvement Program in Accordance with MGL Chapter 44, Section 7 for the following projects was referred to the Committee on Administration and Finance co-posted with the Committee of the Whole due to the late file.

Fiscal Year 2019 General Fund Capital Improvement Program**Loan Order**

That the sum of \$10,696,190.00 be and hereby is appropriated to pay costs of the following capital equipment and capital improvement projects listed under the heading FY19 CIP- Funded from BOND AUTHORIZATION and for the payment of all costs incidental and related thereto, and that to meet said appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said sum under M.G.L. Chapter 44, Section 7, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

FY19 CIP-Funded from BOND AUTHORIZATION			
	Electrical	Bridge Street LED Conversion	\$ 104,473
	Electrical	LED Lighting Upgrades (100 watt LED Lum.)	\$ 34,833
	Electrical	Smart Signalization Expansion	\$ 75,000
	Engineering	Boston Street Corridor Roadway Improvements	\$ 200,000
	Engineering	Bridge Street (Massworks) Roadway Improvements	\$ 150,000
	Engineering	Canal Street Bike Path	\$ 500,000
	Engineering	Canal Street Corridor Roadway Improvements	\$ 250,000
	Engineering	Citywide Seawall Improvements	\$ 50,000
	Engineering	Essex St Ped and Vehicle Access Improvements	\$ 1,500,000
	Engineering	First/Swampscott Rd Intersection Improvement & Design	\$ 750,000
	Engineering	Forest River Park and Pool Design/Improvements	\$ 100,000
	Engineering	Forest River Park Seawall Replacement	\$ 2,250,000
	Engineering	Loring and Lafayette Improvements	\$ 100,000
	Engineering	Roads, Sidewalks & Crosswalks (Non Chapter 90 eligible)	\$ 500,000

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	Information Technology	Annual Equipment-Life-Cycle Management Program (City)	\$ 136,943
	Information Technology	Annual Equipment- Life-Cycle Management Program (Schools)	\$ 220,161
	Information Technology	Ongoing Digitization of record, City wide	\$ 125,000
	Information Technology	Telephone System Replacement-City/Schools	\$ 511,111
	Library	HVAC Design, Engineering & Construction (370 Essex St.)	\$ 370,000
	Parks, Recreation & Community Services	Bertram Field Schematic Design Phase II	\$ 75,000
	Parks, Recreation & Community Services	Court Renovations	\$ 125,000
	Parks, Recreation & Community Services	Golf Course Cart Paths	\$ 440,000
	Parking and Traffic Department	Museum Place Garage Security Camera System	\$ 210,000
	Parking and Traffic Department	South Harbor Garage Restoration	\$ 40,000
	Parking and Traffic Department	Church Street Parking reconfiguration	\$ 413,669
	Parking and Traffic Department	Bicycle Infrastructure Upgrades	\$ 25,000
	Parking and Traffic Department	Parking Kiosk Installation	\$ 25,000
	Parking and Traffic Department	Signs / Safety / Tactical	\$ 25,000
	Parking and Traffic Department	Traffic Calming Improvements	\$ 75,000
	Planning	Charter Street Cemetery	\$ 75,000
	Planning	Common Fence	\$ 125,000
	Planning	Collins Cove Living Shoreline	\$ 50,000
	Planning	Second Ferry Acquisition	\$ 600,000
	Planning	South River Float and Tie Up, Derby Dinghy	\$ 200,000
	Schools	Build out-Vocational Shop	\$ 45,000
	Schools	College & Career Center floor (High School)	\$ 70,000
	Schools	Playground upgrade/replacement	\$ 40,000
	Schools	Salerno Roof & Mechanical HVAC replacement	\$ 110,000
		TOTAL BOND AUTHORIZATION:	\$ 10,696,190

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Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Be it further Ordered:

That the Mayor and the Treasurer are each authorized to file an application to qualify under Chapter 44A of the Massachusetts General Laws any and all bonds of the City issued under and pursuant hereto, and to provide such information and execute such documents as may be required in connection therewith.

#338 – BOND ORDER FOR THE FISCAL YEAR 2019 WATER / SEWER CAPITAL IMPROVEMENT PROGRAM

RECEIVED AFTER THE DEADLINE OF TUESDAY NOON

Councillor Turiel moved Suspension of the Rules to allow the matter to come before Council due to the late file (Rule Sec. 28A). No Councillors Objected.

The following Bond Order recommended by the Mayor in the amount \$13,300,000.00 for Fiscal Year 2019 Water / Sewer Capital Improvement Program in accordance with MGL Chapter 44, Section 7 and/ or 8 was referred to the Committee on Administration and Finance co-posted with the Committee of the Whole due to the late file.

Fiscal Year 2019 Enterprise Fund Capital Improvement Program

Loan Order:

That the sum of \$13,300,000.00 be and hereby is appropriated to pay costs of the following capital equipment and capital improvement projects listed under the heading FY19 CIP- Funded from BOND AUTHORIZATION and for the payment of all costs incidental and related thereto, and that to meet said appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said sum under M.G.L. Chapter 44, Sections 7 and/or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

FY19 CIP-Funded from \BOND AUTHORIZATION			
	Water	Highland Ave 16 inch Water Main and Valves	\$ 100,000
	Water	Szetela Lane (from Lee Fort Terrace to memorial drive loop)	\$ 250,000
	Water	Citywide Flushing, Valve Leak detection, GIS	\$ 250,000

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	Water	City Wide Water System Flushing, Valve Maintenance, Leak Detection and GIS Administration	\$ 400,000
	Sewer	City Wide Sewer System Flushing, Valve Maintenance, Leak Detection and GIS Administration	\$ 200,000
	Sewer	EPA MS4 Storm Water Permit Compliance/Illicit Connection Removal	\$ 250,000
	Sewer	Pre-Paving Sewer/ drain inspections (prior to annual paving)	\$ 50,000
	Sewer	SSES report implementation (eliminate I/I sources city wide)	\$ 150,000
	Sewer	289 Derby Drain (replace existing)	\$ 350,000
	Sewer	Fowler and No Pine St Sewer Rehabilitation	\$ 400,000
	Sewer	Moffat drainage easement improvements	\$ 50,000
	Sewer	Willow Ave (pipe beach) sewer replacement	\$ 100,000
	Sewer	Canal Street- SSU Flood Mitigation Improvements-Phase II	\$ 10,000,000
	Sewer	Rosie's Pond flood improvements	\$ 750,000
		TOTAL BOND AUTHORIZATION:	\$ 13,300,000

Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Be it further Ordered:

That the Mayor and the Treasurer are each authorized to file an application to qualify under Chapter 44A of the Massachusetts General Laws any and all bonds of the City issued under and pursuant hereto, and to provide such information and execute such documents as may be required in connection therewith.

#339 – APPROPRIATION IN THE AMOUNT OF \$355,330.00 AS PART OF THE FISCAL YEAR 2019 CAPITAL IMPROVEMENT PLAN

RECEIVED AFTER THE DEADLINE OF TUESDAY NOON

Councillor Turiel moved Suspension of the Rules to allow the matter to come before Council due to the late file (Rule Sec. 28A). No Councillors Objected.

Councillor Flynn recused himself.

CITY OF SALEM**MAY 24, 2018****REGULAR MEETING**

The following Order recommended by the Mayor in the sum of \$355,330.00 as part of the Fiscal Year 2019 Capital Improvement Plan was referred to the Committee on Administration and Finance co-posted with the Committee of the Whole due to the late file.

ORDERED: That the sum of Three Hundred and Fifty-Five Thousand Three Hundred and Thirty Dollars (\$355,330.00) is hereby appropriated as part of the FY 2019 Capital Improvement Plan to be expended as listed below in accordance with the recommendation of Her Honor the Mayor.

DESCRIPTION	DEPARTMENT	ACCOUNT	AMOUNT
Bay Floor	Fire	20003-584619	75,000
Carpet Replacement	Library	20003-584619	68,000
Bicycle Racks	Planning	20003-586019	5,000
Park and Field Improvements	Park & Rec	20003-584619	75,000
Public Art Underpass	Planning	20003-584619	50,000
Police Equipment	Police	20003-586019	52,830
Bentley-Roof Replacement	School	20003-584619	29,500
TOTAL CAPITAL OUTLAY FUND:			355,330

Councillor Flynn returned to the Council Chambers.

#340 – APPROPRIATION IN THE AMOUNT OF \$73,706.00 FROM FREE CASH TO THE BENTLEY ROOF REPLACEMENT CAPITAL IMPROVEMENT PLAN ACCOUNT

RECEIVED AFTER THE DEADLINE OF TUESDAY NOON

Councillor Turiel moved Suspension of the Rules to allow the matter to come before Council due to the late file (Rule Sec. 28A). No Councillors Objected.

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

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Ordered: That the sum of Seventy-Three Thousand Seven Hundred and Six Dollars (\$73,706.00) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account to the Bentley Roof Replacement CIP account in accordance with the recommendation of her Honor the Mayor

#341 – MONTHLY FINANCIAL REPORT DATED APRIL 30, 2018

Councillor Turiel introduced the following Order which was adopted.

ORDERED: That the Monthly Financial Report dated April 30, 2018 be referred to the Committee on Administration and Finance

#342 – ORDINANCE AMENDING TRAFFIC "HANDICAP PARKING" – REPEAL OCEAN AVENUE

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

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

Section 1. Chapter 42, Section 50B – "Handicap Parking Limited Time" is hereby amended by adding the following:

Repeal **Ocean Avenue, in front of #83, for a distance of twenty (20) feet, "Handicap Parking, Tow Zone" (9/22/05)**

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

CITY OF SALEM**MAY 24, 2018****REGULAR MEETING****#343 – ORDINANCE AMENDING TRAFFIC “HANDICAP PARKING” – PLYMOUTH STREET**

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

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

Section 1. Chapter 42, Section 50B – “Handicap Parking Limited Time”

Plymouth Street, in front of #3, for a distance of twenty (20) feet, “Handicap Parking Only, Tow Zone”

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

#344 – ORDINANCE AMENDING TRAFFIC “HANDICAP PARKING” – FOREST AVENUE

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

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

Section 1. Chapter 42, Section 50B – “Handicap Parking Limited Time”

Forest Avenue, in front of #20, for a distance of twenty (20) feet, “Handicap Parking Only, Tow Zone”

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

CITY OF SALEM**MAY 24, 2018****REGULAR MEETING****#345 – ORDINANCE AMENDING TRAFFIC “HANDICAP PARKING” – MOFFATT ROAD**

Councillor Dibble introduced the following Ordinance which was adopted for first passage as amended. Councillor Dibble amended the distance of twenty (20) feet to be a distance of eighteen (18) feet and with the condition that the posts be removed from the sidewalk

In the year two thousand and Eighteen

An Ordinance to amend an Ordinance relative to Traffic

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

Section 1. Chapter 42, Section 50B – “Handicap Parking Limited Time”

Moffatt Road, in front of #58, for a distance of twenty (20) feet, “Handicap Parking Only, Tow Zone”

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

The Traffic Ordinance as amended

In the year two thousand and Eighteen

An Ordinance to amend an Ordinance relative to Traffic

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

Section 1. Chapter 42, Section 50B – “Handicap Parking Limited Time”

Moffatt Road, in front of #58, for a distance of Eighteen (18) feet, “Handicap Parking Only, Tow Zone”, with the condition that the posts are removed from the sidewalk.

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

CITY OF SALEM**MAY 24, 2018****REGULAR MEETING****#346 – ORDINANCE AMENDING TRAFFIC “RESIDENT STICKER ” – REPEAL AND REPLACE
FEDERAL STREET**

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

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

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

Repeal the following: Federal Street, Zone C, Color Green, southerly side, beginning three hundred and five (305) feet from the intersection of Washington Street and Federal Street, in a Westerly direction for a distance of sixty (60) feet, Resident Sticker Parking, Tow Zone (5/31//94)

and replacing it with the following:

Section 2. Federal Street, Zone C, Color Green, southerly side, beginning three hundred and five (305) feet from the intersection of Washington Street and Federal Street, in a Westerly direction to the intersection of North Street, Resident Sticker Parking Only, Tow Zone

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

**#347 (#153, #267, #303) – THE AD-HOC SEARCH COMMITTEE TO FILL THE VACANCY OF
THE CITY CLERK’S POSITION - EXTENDING OF DEADLINE OF RECOMMENDATION**

Councillor Furey assumes the Chair.

Councillor Gerard introduced the following Order which was adopted.

ORDERED: That the Ad-hoc Search Committee to Fill the Vacancy of the City Clerk (Committee) shall recommend at least three candidates for the position of City Clerk to the City Council Committee on Ordinances, Licenses and Legal Affairs (OLLA) no later than June 14, 2018, extending the date of such recommendation as Ordered on April 26, 2018 (#267).

Be it further Ordered that upon the Committee’s filing of the recommendation of three candidates for the position of City Clerk to the OLLA Committee, OLLA shall report the recommendations to the City Council who shall then schedule a meeting of the City Council to conduct finalist interviews in Open Session. The special meeting, to be scheduled no later June 28, 2018, shall enable the six

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Councilors who are not members of the Committee to each ask one question of the candidates. The City Council shall, at its special meeting to interview finalists or at a regularly scheduled City Council meeting, vote to elect a City Clerk.

Councillor Gerard assumes chair

#348 (#313 - #315) – GRANTING CERTAIN LICENSES

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses & Legal Affairs. It was voted to accept the report and adopt the recommendation.

The Committee on Ordinances, Licenses & Legal Affairs to whom was referred the matter of granting certain licenses has considered said matter and would recommend granting the following licenses be granted.

TAG DAY: S.H.S. Spring Track – 6/3/18 & 6/10/18
 Salem Fire Dept. – MDA Boot Drive 9/1/18, 10/19/18, 10/21/18
 S.H.S Boys Basketball – 12/8/18, 12/15/18, 1/6/19 & 1/13/19

#349 (#26) – PROPOSED ORDINANCE RELATIVE TO A TREE COMMISSION, WARDEN AND PUBLIC TREE PRESERVATION

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

The Committee on Ordinances, Licenses & Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of a proposed ordinance relative to a Tree Commission, Warden and Public Tree Preservation (LORAX) has considered said matter and would recommend that the matter remain in committee and have the City Solicitor report back to the committee

CITY OF SALEM**MAY 24, 2018****REGULAR MEETING****#350 (#23) – GRANTING AN EXEMPTION TO THE MAYOR TO SERVE ON THE SALEM HOUSING AUTHORITY**

Councillor Milo recused herself.

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses & Legal Affairs co-posted with the Committee of the Whole. No acceptance or adoption of the report could be voted. The matter could no be discharged from committee due to a 2-2 tied vote.

The Committee on Ordinances, Licenses & Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of discussing a proposed Order approving a Massachusetts Conflict of Interest Law exemption for Mayor Kimberley Driscoll, as provided in General Law Ch. 268A, sec. 20(b), to serve as the Commonwealth of Massachusetts Department of Housing and Community Development's appointee, as forth in General Law c. 121B sec. 5 to the Salem Housing Authority.

Councillor Milo returned to the Council Chambers.

#351 (#293) – APPROPRIATION OF \$20,000.00 TO CONDUCT AN ASSESSMENT CENTER TO HIRE A NEW FIRE CHIEF

Councillor Flynn recused himself.

Councillor Turiel offered the following report for the Committee on Administration and Finance co-posted with the Committee of the Whole. No acceptance or adoption of the report could be voted. The matter could not be discharged from committee due to a 2-2 tied vote.

Councillor Turiel offered the following report for the Committee on Administration and Finance co-posted with the Committee of the Whole to whom was referred the matter of a \$20,000.00 appropriation from Free Cash to the Mayor's contracted Services to conduct an Assessment Center to hire the new Fire Chief.

Councillor Flynn returned to the Council Chambers.

CITY OF SALEM**MAY 24, 2018****REGULAR MEETING****#352 – GRANT SCHOOL DEPT. EMPLOYEE EXEMPTION FROM M.G.L. CH. 268A, SEC. 20(B)**

The following Order recommend by the City Solicitor was adopted.

ORDERED: To grant one (1) school department employee, Shamus Mruk, Instructor LaCrosse Clinic, an exemption from M.G.L. Ch. 268A, Sec. 20(b), so that he may be retained as the Instructor of Lacrosse Clinic by the Park, Recreation and Community Services department for the 2018 summer session not to exceed 500 hours in this calendar year

#353 – APPROPRIATION OF \$669,000.00 TO THE CPA FOR FY2019 BUDGET

The following Order recommended by the Assistant Community Development Director was adopted.

ORDERED: That Six Hundred and Sixty-Nine Thousand Dollars (\$669,000.00) is hereby appropriated to the CPA funds in FY 2019 to the accounts listed below in accordance with the recommendation of the Community Preservation Committee (CPC)

<u>Fund</u>	<u>Description</u>	<u>Org/Obj</u>	<u>Amount</u>
2001	CPA – General Admin – Expenses	2001319-5713	\$ 29,450.00
2001	CPA – General Admin – Stipends	2001319-5150	\$ 4,000.00
2001	CPA – General Admin -Reserves	2001319-5000	\$434,850.00
2002	CPA – Open Space – Reserves	2002319-5000	\$ 66,900.00
2003	CPA – Historical Preservation – Reserves	2003319-5000	\$ 66,900.00
2004	CPA – Community Housing – Reserves	2004319-5000	\$ 66,900.00
Total			\$669,000.00

#354 – APPROPRIATION OF \$736,047.97 WITHIN THE CPA FUNDS FOR FY2019 PROJECTS

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

ORDERED: That Seven Hundred and Thirty-Six Thousand Dollars and Ninety-Seven Cents (\$736,047.97) is hereby appropriated to the CPA funds in FY 2019 to the accounts listed below in accordance with the recommendation of the Community Preservation Committee (CPC)

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Fund	Fund Name	Description	Funding	Amount	Total	
2004	Community Housing	Lighthouse 34 - 34 Peabody St	FY18 Housing Reserves	63,250.00		
			FY19 Housing Reserves	66,900.00	130,150.00	
2001	CPA General Funds	Salem Common Bandstand	FY19 Reserves	100,000.00	100,000.00	
2001	CPA General Funds	Salem Common Fence Restoration	FY18 Fund Balance	37,247.97		
2003	Historical Restoration		FY19 Historic Restoration	66,900.00		
	CPA General Funds		FY19 Reserves	20,852.03	125,000.00	
2001	CPA General Funds	House of Seven Gables - Roof replacement increase request	FY19 Reserves	26,500.00	26,500.00	
2001	CPA General Funds	211 Bridge St. window restoration	FY19 Reserves	42,647.97	42,647.97	
2002	Open Space	Gallows Hill Renovation - Designer services	FY19 Open Space	24,150.00		
2001	CPA General Funds		FY19 Reserves	40,850.00	65,000.00	
2002	Open Space	Ryan Brennan Memorial Skate park completion	FY19 Open Space	42,750.00	42,750.00	
2001	CPA General Funds	Golf Cart Paths	FY19 Reserves	150,000.00	150,000.00	
2001	CPA General Funds	Memorial Park Irrigation	FY19 Reserves	54,000.00	54,000.00	
				736,047.97	736,047.97	

Total Housing-->	130,150.00
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Total Historic-->	66,900.00
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Total Open Space/Rec-->	66,900.00
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Total FY19 Budgeted Reserve-->	434,850.00
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Total FY18 Fund Balance-->	37,247.97
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Grand Total-->	736,047.97
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**#355 (#161) – PLANNING BOARD’S RECOMMENDATION FOR ZONING AMENDMENT
RELATIVE TO SEC. 3.0 – TABLE OF PRINCIPAL & ACCESSORY USE REGULATIONS**

A communication from the Planning Board submitting their recommendation relative to zoning ordinance amendment for Section 3.0 Table of Principal & Accessory Use Regulations was received and placed on file. (See full recommendation below)

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At its meeting on May 17, 2018 the Planning Board voted seven (7) in favor (Ben Anderson, Matt Veno, Carole Hamilton, Helen Sides, Noah Koretz, Dale Yale, and DJ Napolitano) and none opposed to recommend that the City Council approve the amendment relative to Section 3.0 (Table of Principal and Accessory Uses) as enumerated below:

1. Within Section A. Residential Uses of the Table, delete the letter "N" as it appears in the B1 zoning district in the row entitled "Dwelling unit above first floor retail, personal service, or office use" and insert the letter "Y".
2. Within the Zoning District I of Section C. Commercial Uses of the Table, make the following amendments:
 - a. delete the "N" as it appears in the row entitled "Commercial recreation, outdoor" and insert the letters "BA"
 - b. delete the "N" as it appears in the row entitled "General service establishment" and insert the letter "Y"
 - c. delete the "N" as it appears in the row entitled "Plumbing, carpentry and sheet metal shop" and insert the letter "Y"
3. Within the Zoning District I of Section D. Industrial Uses of the Table, make the following amendments:
 - a. delete the "BA" as it appears in the row entitled "Mini-storage warehouse facility" and insert a "Y"
4. Within the Zoning District I of Section E. Accessory Uses of the Table, make the following amendments:
 - a. delete the "N" as it appears in the row entitled "Private garages and other accessory structures" and insert a "BA"

If you have any questions regarding this matter, please feel free to contact Tom Daniel, AICP, Director of Planning & Community Development, at 978-619-5685.

Yours truly,

Ben J. Anderson
Chairman

(#161) - ZONING ORDINANCE AMENDING SEC. 3.0 TABLE OF PRINCIPAL & ACCESSORY USE REGULATIONS

The following Ordinance to amend an Ordinance relative to Zoning 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 Zoning

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

Section 1. Section 3.0 TABLE OF PRINCIPAL AND ACCESSORY USE REGULATIONS of the Zoning Ordinance is hereby amended as follows to correct Scrivener's errors from the 2009 recodification of the Zoning Ordinance:

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- a. Within Section A. Residential Uses of the Table, delete the letter “N” as it appears in the B1 zoning district in the row entitled “Dwelling unit above first floor retail, personal service, or office use” and insert the letter “Y”.
- b. Within the Zoning District I of Section C. Commercial Uses of the Table, make the following amendments:
 - a. delete the “N” as it appears in the row entitled “Commercial recreation, outdoor” and insert the letters “BA”
 - b. delete the “N” as it appears in the row entitled “General service establishment” and insert the letter “Y”
 - c. delete the “N” as it appears in the row entitled “Plumbing, carpentry and sheet metal shop” and insert the letter “Y”
- c. Within the Zoning District I of Section D. Industrial Uses of the Table, make the following amendments:
 - 1) delete the “BA” as it appears in the row entitled “Mini-storage warehouse facility” and insert a “Y”
- d. Within the Zoning District I of Section E. Accessory Uses of the Table, make the following amendments:
 - 1) delete the “N” as it appears in the row entitled “Private garages and other accessory structures” and insert a “BA”

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

**#356 (#163) – PLANNING BOARD’S RECOMMENDATION FOR ZONING AMENDMENT
RELATIVE TO SEC. 4.1.1 – TABLE OF DIMENSIONAL REQUIREMENTS**

A communication from the Planning Board submitting their recommendation relative to zoning ordinance amendment for Section 4.1.1 – Table of Dimensional Requirements was received and placed on file. (See full recommendation below)

At its meeting on May 17, 2018 the Planning Board voted seven (7) in favor (Ben Anderson, Matt Veno, Carole Hamilton, Helen Sides, Noah Koretz, Dale Yale, and DJ Napolitano) and none opposed to recommend that the City Council approve the amendment relative to Section 4.1.1 (Table of Dimensional Requirements) as enumerated below:

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1. Add the following new row to the table:

Table of Dimensional Requirements										
	RC	R1	R2*	R3**	B1****	B2	B4	I	BPD	NRCC
Maximum height of retaining walls, boundary walls and/or fences (feet)***	6	6	6	6	10	10	10	10	10	4

2. Add the following new sentence to the end of asterisk *** notation:

"Fences shall be no more than six (6) feet for residential uses, excluding the NRCC district unless otherwise provided, and ten (10) feet for commercial uses."

3. Insert "3,500" in the B1 column of the row entitled "Minimum lot area per dwelling unit (square feet)."

If you have any questions regarding this matter, please feel free to contact Tom Daniel, AICP, Director of Planning & Community Development, at 978-619-5685.

Yours truly,

Ben J. Anderson
Chairman
CC: Ilene Simons, City Clerk

(#163) – ZONING ORDINANCE AMENDING SECTION 4.1.1. – TABLE OF DIMENSIONAL REQUIREMENTS

The following Ordinance to amend an Ordinance relative to Zoning 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 the Ordinance relative to Zoning
Be it ordained by the City Council of the City of Salem, as follows:

CITY OF SALEM**MAY 24, 2018****REGULAR MEETING**

Section 1. Section 4.1.1 Table of Dimensional Requirements is hereby amended by adding the following new row to the table:

Table of Dimensional Requirements										
	RC	R1	R2*	R3**	B1****	B2	B4	I	BPD	NRCC
Maximum height of retaining walls, boundary walls and/or fences (feet)***	6	6	6	6	10	10	10	10	10	4

Section 2. Section 4.1.1 Table of Dimensional Requirements is hereby amended by adding the following new sentence to the end of asterisk *** notation:

“Fences shall be no more than six (6) feet for residential uses, excluding the NRCC district unless otherwise provided, and ten (10) feet for commercial uses.”

Section 3. Section 4.1.1 Table of Dimensional Requirements is hereby amended by inserting “3,500” in the B1 column of the row entitled “Minimum lot area per dwelling unit (square feet).”

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

**#357 (#164) - PLANNING BOARD’S RECOMMENDATION FOR ZONING AMENDMENT
RELATIVE TO SEC. 10.0 – DEFINITIONS**

A communication from the Planning Board submitting their recommendation relative to zoning ordinance amendment for Section 10.0 – Definitions was received and placed on file. (See full recommendation below)

At its meeting on May 17, 2018 the Planning Board voted seven (7) in favor (Ben Anderson, Matt Veno, Carole Hamilton, Helen Sides, Noah Koretz, Dale Yale, and DJ Napolitano) and none opposed to recommend that the City Council approve the amendment relative to Section 10 (Definitions) as enumerated below:

1. Insert the following at the end of the definition of “Dwelling Unit”:
“as defined by the Commonwealth of Massachusetts State Building Code Regulations & Standards 780 CMR
2. Delete the definition of “Rooming, boarding or lodging house” in its entirety and replace it with the following:

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“Rooming, boarding or lodging house: A house where lodgings are let to four (4) or more persons not within second degree of kindred to the person conducting it, and shall include fraternity houses and dormitories of educational institutions, but shall not include dormitories of charitable or philanthropic institutions or convalescent or nursing homes licensed under section seventy-one of chapter one hundred eleven or rest homes so licensed, or group residences licensed or regulated by agencies of the Commonwealth.”

3. Amend the definition of “General service establishment” by inserting the word “and” immediately before the word “furniture” and deleting the phrase “and the like.”
4. Insert three new definitions as follows:
 - a. “Assisted Living Residences: Offer a combination of housing, meals and personal service care to adults for a fee that includes room and board and services. Assisted living residences are intended for adults who may need some help with activities such as housekeeping, meals, bathing, dressing, and/or medication assistance and who like the security of having assistance available on a 24 hour basis in a home-like and non-institutional environment. Assisted living residences do not provide medical or nursing services and are not designed for people who need serious medical care on an ongoing basis.”
 - b. “Site Plan Review: Site plan review is a review process established by the City to protect and promote health, safety, convenience and general welfare of the residents of Salem. Site plan review establishes criteria for the layout, scale, appearance, safety, and environmental impacts of development. Site plan review focuses on parking, traffic, drainage, utilities, landscaping, lighting and other aspects of the proposal to arrive at the best possible design for the location.”
 - c. “Zoning Board of Appeals: The Zoning Board of Appeals as established by Chapter 40A, Section 12 of the Massachusetts General Laws.”

If you have any questions regarding this matter, please feel free to contact Tom Daniel, AICP, Director of Planning & Community Development, at 978-619-5685.

Yours truly,
Ben J. Anderson, Chairman

(#164) – ZONING ORDINANCE AMENDING SEC. 10.0 - DEFINITIONS

The following Ordinance to amend an Ordinance relative to Zoning 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 Zoning
Be it ordained by the City Council of the City of Salem, as follows:

Section 1. Section 10.0 DEFINITIONS of the Salem Zoning Ordinance is hereby amended by:

- a. Inserting the following at the end of the definition of “Dwelling Unit”:
“as defined by the Commonwealth of Massachusetts State Building Code Regulations & Standards 780 CMR
- b. Deleting the definition of “Rooming, boarding or lodging house” in its entirety and replacing it with the following:
“Rooming, boarding or lodging house: A house where lodgings are let to four (4) or more persons not within second degree of kindred to the person conducting it, and shall include fraternity houses and

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dormitories of educational institutions, but shall not include dormitories of charitable or philanthropic institutions or convalescent or nursing homes licensed under section seventy-one of chapter one hundred eleven or rest homes so licensed, or group residences licensed or regulated by agencies of the Commonwealth.”

- c. Amending the definition of “General service establishment” by inserting the word “and” immediately before the word “furniture” and deleting the phrase “and the like.”
- d. Inserting three new definitions as follows:

“Assisted Living Residences: Offer a combination of housing, meals and personal service care to adults for a fee that includes room and board and services. Assisted living residences are intended for adults who may need some help with activities such as housekeeping, meals, bathing, dressing, and/or medication assistance and who like the security of having assistance available on a 24 hour basis in a home-like and non-institutional environment. Assisted living residences do not provide medical or nursing services and are not designed for people who need serious medical care on an ongoing basis.”

“Site Plan Review: Site plan review is a review process established by the City to protect and promote health, safety, convenience and general welfare of the residents of Salem. Site plan review establishes criteria for the layout, scale, appearance, safety, and environmental impacts of development. Site plan review focuses on parking, traffic, drainage, utilities, landscaping, lighting and other aspects of the proposal to arrive at the best possible design for the location.”

“Zoning Board of Appeals: The Zoning Board of Appeals as established by Chapter 40A, Section 12 of the Massachusetts General Laws.”

Section 2. This Ordinance shall be adopted as provided in the City Charter.

#358 – BLOCK PARTY FEDERAL STREET AND BECKFORD STREET

A request from the residents of Federal/Beckford Streets to hold a Block Party (at the intersection of Andover and Beckford Streets) on Sunday, June 10, 2018 from 4:00 P.M. to 7:00 P.M. with a rain date of June 17, 2018 was granted.

#359 – INVITATION FROM VETERAN’S AGENT FOR MEMORIAL DAY WEEKEND EVENTS

An invitation from the Veterans Agent to the City Council for this year’s Memorial Day Weekend Events was received and placed on file.

CITY OF SALEM**MAY 24, 2018****REGULAR MEETING****#360 – PRESENTATION OF HOUSE CERTIFICATES TO THE FOUR NEW MEMBERS OF THE CITY COUNCIL**

A communication from Patti Kelleher, Preservation Planner, to present house certificates to the four new members of council was received and placed on file.

#361 – PETITION FROM JOAN BRENNAN TO DISCUSS PLASTIC BAG ORDINANCE

A petition from Joan Brennan, owner of Witch Tees, to meet with the City Council to discuss the plastic bag ordinance was referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole

#362 – PETITION FROM DOREEN WADE TO DISCUSS THE SALEM WILLOWS BLACK PICNIC

A Petition from Doreen Wade to meet with the City Council to discuss the Salem Willows Black Picnic was referred to the Committee on Community and Economic Development co-posted with the Committee of the Whole

#363 – ROAD RACE – WICKED RUNNING CLUB

A request from Wicked Running Club to hold a road race (Miles Over the Moon) and use of City streets on July 13, 2018 was granted.

#364 – PARADE

A request from FEPAU Christian Community to hold a parade (Hope for my City) and use of City streets on July 28, 2018 was received and placed on file for informational purposes only (Police Department permits parades)

#365 – ROAD RACE – SALEM PARK & RECREATION

A request from Salem Park & Recreation to hold a road race (Derby St. Mile) and use of City streets on August 24, 2018 was granted.

CITY OF SALEM**MAY 24, 2018****REGULAR MEETING****#366 – ROAD RACE – SALEM YMCA**

A request from Salem YMCA to hold a road race (Wicked City 5K) and use of City streets on October 13, 2018 was granted.

#367 – ROAD RACE – B&S FITNESS

A request from B&S Fitness to hold a road race (Wicked Half Marathon) and use of City streets on September 22, 2018 was held until the next meeting.

#368 – ROAD RACE – B&S FITNESS

A request from B&S Fitness to hold a road race (Devils Chase 666/3.33 Creepy Clown) and use of City streets on October 27, 2018 was held until the next meeting.

#369 – ROAD RACE – BOYS & GIRLS CLUB

A request from the Boys & Girls Club to hold a road race (Bridge & Back 10K) and use of City streets on August 5, 2018 was granted.

#370 – ZOMBIE WALK

A request from Adam Fitch & Matthew Richard to hold a walk (Salem Zombie Walk) and use of City streets on October 6, 2018 was granted.

#371 - PARADE

A request from North Shore Pride to hold a parade and use of city streets on June 23, 2018 was received and placed on file for informational purposes only (Police Department permits parades)

#372 - #373 – LICENSE APPLICATIONS

The Following License Applications were granted

PUBLIC GUIDES: Mark Hurwitz, 22 Cloutmans Ln., Marblehead, MA
 Alyssa Bene`, 10 Linden St., Salem, MA
 Beth O'Grady, 27 Williams St., Salem, MA

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Constance Sable, 12 Black Watch Way, Mashpee, MA 02649
Mark Scalia Jr., 29 RR Upham St., Salem, MA
Jonathan Wacker, 123 Canyon Cir., Boerne, TX

TAXI OPERATORS: Radames Toribio Santos, 38 Prince St., Salem, MA

#374 - #376 – LICENSE APPLICATIONS

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

SEAWORMS: Robert Bettencourt, 7 Balcomb St., Salem
Jose Bettencourt, 54 Fulton St., Peabody

TAG DAYS: S.H.S. MCJROTC – 7/21/18 & 8/11/18
S.H.S. Girls Volleyball – 9/29/18 & 10/27/18

#377 - #379 - CLAIMS

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

Susan Sliney, 7 Piedmont Street, Middleton
Nicole Costa, 25 Neptune Rd., Marblehead
Jordan Cierpich, 180 Ramshorn Rd., Dudley

On the motion of Councillor Furey the meeting adjourned at 11:15 P.M.

ATTEST:

ILENE SIMONS
CITY CLERK