

CITY OF SALEM
SEPTEMBER 28, 2023
REGULAR MEETING

A Regular Meeting of the City Council was held in-person on Thursday, September 28, 2023, at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on September 26, 2023, at 1:49 P.M. This meeting is being recorded and is live on S.A.T.V. and Zoom unless technological issues interrupt the transmission.

Councillor Prosniewski was absent.

Council President Stott presided.

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

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

PUBLIC TESTIMONY

1. Michael Corley, Mayor's office, 93 Washington St. Salem - Wage Theft Ordinance
2. Yousif Abdallah, 76 Draper St. Boston - Wage Theft Ordinance
3. Rinus Oosthock, 26 Essex St., Salem - Wage Theft Ordinance
4. Rodrigo Badard, 10 Diane Lane, Peabody - Wage Theft Ordinance
5. John Answitz, 451 Eastern Ave., Lynn - Wage Theft Ordinance
6. Christopher Luccione, 20 Endicott St., Salem – Increase in Reserved Garage Space and cost
7. Aaron Paternoster, 4 Phelps St., Salem - Wage Theft Ordinance
8. Julio Ruiz, Lynn Work Center, Lynn - Wage Theft Ordinance
9. Steve Kapantais, 23A Wisteria St., Salem – Blue Bikes and Parking for Veterans

(#443) – EXTENDED HOURS FOR RIZZO'S ROAST BEEF – 7 PARADISE RD.

A hearing was held on the request from Rizzo's Roast Beef, 7 Paradise Rd., for extended hours from 10AM – 1:30AM.

Appearing in favor was Shujat Sandhu, owner of Rizzo's Roast Beef, 7 Paradise Road, Salem. He stated that he respects his neighbors and understands they had a bad experience with the previous owner. He also stated that if they did not feel comfortable to 1:30 AM if they would then consider 11:00 PM with conditions.

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Larry Puleo, retired Salem Police Officer spoke in opposition. He stated Dunkin Donuts was a thorn in his side on the weekends when he was on the force. There were so many noise complaints. The Swampscott Police would send them over to Salem to be our problem. No issue with extended hours but issue with entertainment license. It brings noise, fights, litter, damage to property. It will take us back 20 years. The Salem Police Department is very busy to add one more thing to put on them. Put yourselves in the neighbors position. He has no hidden agenda except for quality of life for the neighbors and safety for the Salem Police. He has nothing against the owners.

Peter Gifford – Had been a Patrol Sargent for 40 years in Salem. He spoke about the problem with the 24-hour Dunkin Donuts. They were not bad kids, but loud and neighbors could hear it. There were brawls and stabbings at Bill and Bob's and Big Freds. Think of who your targeted customers will be, people who have been out drink and heading home.

? - Vinnin Square is loud enough. Hear dumpsters and music when people leaving at night.

Monica Noonan, 4 Maple Ave., Salem – We see a lot and deal with a lot on Loring Ave. We are a tight neighborhood. Opposed to extended hours.

Patrick Sargent, 48 Memorial Drive but grew up on Maple Ave. We went through this battle a few years ago. We were kept up late at night. Has nothing against the new owners but against extended hours.

Arthur Sargent, 8 Maple Ave., Salem – Years ago the neighbors gave up zoning so a retail strip mall could be built with Staples as the anchor store. A separate road was promised and never happened. As residents living near retail understand we will hear noise in the AM through 11PM. After going through this experience 20 years ago please don't let this happen again.

Jeremy Cohen, 12 Tedesco Pond Place, Salem. The property manager can't handle what is there now. It's already a mess.

Mike Schaefer, 5 Tedesco Pond Place, Salem. Betucci's Panera, Vesuvius, all close now at either 9 or 10pm. Realize who your customer base is. Rizzo's closes at 10PM. There is no market for late night pizza. It's fairly quiet now. Even the 24-hour convenience store changed their name and closes at 11PM.

Vickie Maione, 12 Maple Ave., Salem dealt with this in the past with Staples and Stop & Shop. We support small businesses but do not want to deal with this anymore.

Ken Maas, 14 Tedesco Pond Place, Salem. The property (strip mall) cannot be managed properly. There is trash and beer cans that end up over the fence. Cannot see any reason to put the neighborhood in that situation.

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Councillor Varela did not have a chance to speak with the new owners. Most of the other food place in that area close at 10PM. With all that was said tonight, I think you should start out by showing how to be a good neighbor and then maybe can discuss in the future but now is not a good idea.

Councillor Dominguez stated he supports small businesses since he himself is a small business owner so understands but also wants to give the neighbors the peace they deserve so cannot support this request but gave thanks to everyone who spoke.

Councillor Watson-Felt commented about that she usually supports small businesses but this is not a great location for extended hours.

Councillor Varela moved to close the Public Hearing. It was so voted.

Councillor Varela moved that this request be denied. It was so voted.

#460 – (#439) – COMCAST TO INSTALL CONDUITS ON GROVE STREET

A hearing was held on the Order for Comcast to install conduits on 64 Grove St.

Appearing in favor was Dave Flewelling, Representative from Comcast. He stated this is needed to provide service to this location.

Pat Myers asked where is the pole #555. Will it disrupt the back of Beaver Street?
Councillor Stott responded that no, it will not.

Councillor Stott placed the following condition: That the wires be placed to the new pole and not the old pole that is being removed. The other condition was that the contractor must submit a street opening permit application to Engineering prior to performing the work. This application must be submitted a minimum of 7 days prior to the proposed start of work date including a Traffic Management Plan. All vaults and other structures to be installed within public right of way shall be AASHTO H20 rated. Contractor will need to replace full concrete panels after work is complete. Scoring pattern of concrete should match existing concrete sidewalk. It was so voted.

Dave Flewelling stated that the wires will be put on the new pole.

No one appeared in opposition.

Councillor McCarthy moved to close the Public Hearing. It was so voted.

Councillor McCarthy moved that the order be granted with the above conditions. It was so voted.

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#461 – (#440) - NATIONAL GRID TO INSTALL CONDUITS ON AMANDA WAY

A hearing was held on the Order for National Grid to install conduits on Amanda Way

Appearing in favor was Sabitah Mahbier-Sheehy, Representative for National Grid, 44 River St. Beverly. This is to provide extended capacity to service the extended portion of this subdivision.

Marie Roche, 6 Amanda Way, Salem asked if this was going to be on her property in the front yard or will her curbstone and landscape be disturbed?

Sabitah Mahbier-Sheehy said the work will be done in the street. National Grid will need to gain access to the pull box in the sidewalk area and road but not on private property.

Councillor McClain asked if the only way to access the pull box was from the sidewalk and curb area. If so, it will still not impact the private property.

Sabitah Mahbier-Sheehy stated there will be intermittent impact while digging and trenching but not on their property.

No one appeared opposed.

Councillor McClain added the following condition to the order: The contractor must submit a street opening permit application to Engineering prior to performing the work. This application must be submitted a minimum of 7 days prior to the proposed start of work date including a Traffic Management Plan. All vaults and other structures to be installed within public right of way shall be AASHTO H20 rated. Contractor will need to replace full concrete panels after work is complete. Scoring pattern of concrete should match existing concrete sidewalk. It was so voted.

Councillor McClain moved to close the public hearing. It was so voted.

Councillor McClain moved that the order be granted with the above conditions. It was so voted.

#462 – (#431) - NATIONAL GRID AND VERIZON TO INSTALL 1 JOINTLY OWNED POLE ON BOSTON STREET AT FOWLER STREET

A hearing was held on the Order for National Grid and Verizon to install 1 jointly owned pole on Boston Street at Fowler Street.

Appearing in favor was Sabitah Mahbier-Sheehy, Representative for National Grid, 44 River St. Beverly. She stated this was needed to provide monitoring equipment.

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No one appeared opposed.

Councillor Morsillo moved that the public hearing be kept open until the next meeting on October 12, 2023 at 7:00 PM. It was so voted.

(#414) – APPOINTMENT OF VINCENZO DISIPIO AS ASSISTANT TREASURER

Held from the last meeting the Mayor's appointment of Vincenzo DiSipio to the position of Assistant Treasurer for the City of Salem with a term to expire January 31, 2026 was confirmed by a roll call vote of 10 yeas, 0 nays and 1 absent.

Councillor Hapworth requested and received suspension of the rules to allow Vincenzo Disipio to speak.

(#415 - #417) APPOINTMENTS TO VARIOUS BOARDS

Held from the last meeting, the Mayor's appointments of the following with terms to expire were confirmed by a roll call vote of 10 yeas, 0 nays and 1 absent.

Jason Sydoriak Affordable Housing Trust Fund January 25, 2024
Alphonse Wright Food Policy Council September 14, 2026.
Aaron Paternoster Salem Housing Authority March 28, 2024.

Councillor Hapworth requested and received suspension of the rules to allow the above appointees to speak.

(#418 - #422) REAPPOINTMENTS TO VARIOUS BOARDS

Held from the last meeting, the Mayor's re-appointments of the following with terms to expire:

Chris Catone Sustainability, Energy and Resiliency Committee September 14, 2026
Gregory St. Louis, Conservation Commission September 14, 2026
Mark Meche Historical Commission September 14, 2026
Andrew Boucher Scholarship and Education Committee September 14, 2026
Heather Lang Scholarship and Education Committee September 14, 2026
Catherine Seiforth Bicycling & Shared Path Advisory Committee September 14, 2026
Alexandra Maranto Bicycling & Shared Path Advisory Committee September 14, 2026

Councillor Hapworth made a motion to divide the question and take up Gregory St. Louis separately. Councillor McCarthy seconded the motion.

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Councillor Hapworth moved that the following be reappointed. They were confirmed by a roll call vote of 10 yeas, 0 nays and 1 absent.

Chris Catone Sustainability, Energy and Resiliency Committee September 14, 2026
 Mark Meche Historical Commission September 14, 2026
 Andrew Boucher Scholarship and Education Committee September 14, 2026
 Heather Lang Scholarship and Education Committee September 14, 2026
 Catherine Seiforth Bicycling & Shared Path Advisory Committee September 14, 2026
 Alexandra Maranto Bicycling & Shared Path Advisory Committee September 14, 2026

Councillor Hapworth moved that the reappointment of Gregory St. Louis, to the Conservation Commission to expire on September 14, 2026 be referred to the Committee on Government Services. Seconded by Councillor McCarthy. It was so voted.

#463 – APPOINTMENTS OF THE FOLLOWING TO VARIOUS BOARDS

The Mayor's appointments of the following with terms to expire were held under the rules.

Christopher Dunn Jr Redevelopment Authority April 13, 2027
 Jason Leese Affordable Housing Trust Fund Board January 14, 2024
 Liza Ruano-Lucey Affordable Housing Trust Fund Board May 26, 2024

#464 – REAPPOINTMENT OF GABRIEL YEAGER TO THE SCHOLARSHIP AND EDUCATION COMMITTEE

The Mayor's re-appointment of Gabriel Yeager to the Scholarship and Education Committee with a term to expire September 10, 2026 was held under the rules.

#465 – APPROPRIATION OF \$66,113.04 TO PARK & RECREATION GOLF COURSE

The following order submitted by the Mayor was adopted under suspension of the rules.

ORDERED: That the sum of Sixty-Six Thousand One Hundred Thirteen Dollars and Four Cents (\$66,113.04) be hereby appropriated from the following "Receipts Reserved for Appropriation" account, to be transferred to the Park & Rec – Golf Course "Equipment" account 16512-5860 for costs associated with a previously approved new greens mower in accordance with the recommendation of His Honor the Mayor.

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| Description | Amount |
|---------------------------------|---------------------|
| Receipts Reserved – Golf Course | \$ 66,113.04 |
| Total | \$ 66,113.04 |

#466 – APPROPRIATION OF \$35,000.00 TO PARK & RECREATION – GOLF COURSE

The following order submitted by the Mayor was adopted under suspension of the rules.

Ordered: That the sum of Thirty-Five Thousand Dollars (\$35,000.00) be hereby appropriated from the following “Receipts Reserved for Appropriation” account, to be transferred to the Park & Rec – Golf Course “Renovation and Repairs” account 16512-5846 for costs associated previously approved upgrades to the clubhouse in accordance with the recommendation of His Honor the Mayor.

| Description | Amount |
|---------------------------------|--------------------|
| Receipts Reserved – Golf Course | \$35,000.00 |
| Total | \$35,000.00 |

#467 – APPROPRIATION OF \$25,000.00 TO BURIAL SERVICES

The following order submitted by the Mayor was adopted under suspension of the rules.

Order: That the sum of Twenty-Five Thousand Dollars (\$25,000.00) is hereby transferred and appropriated from the Receipts Reserved funds listed below to the Department of Public Services Burial Account (14112-5383) in accordance with the recommendation of His Honor the Mayor.

| From | To | Amount |
|-------------------------------------|---------------------------|---------------------|
| 2430- 4804800 R/Res Sale of Lots | 14112- 5383 DPS Burial | \$ 14,600.00 |
| 2431- 4800 R/Res Sale of Vaults | 14112- 5383 DPS Burial | 10,400.00 |
| Total | | \$ 25,000.00 |

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#468 – APPROPRIATION OF \$10,000.00 TO PARK & RECREATION – GOLF COURSE

The following order submitted by the Mayor was adopted under suspension of the rules.

Ordered: That the sum of Ten Thousand Dollars (\$10,000.00) be hereby appropriated from the following "Receipts Reserved for Appropriation" account, to be transferred to the Park & Rec – Golf Course "Contracted Services" account 16512-5320 for costs associated with the emergency replacement of the hot water heater in accordance with the recommendation of His Honor the Mayor.

| Description | Amount |
|---------------------------------|---------------------|
| Receipts Reserved – Golf Course | \$ 10,000.00 |
| Total | \$ 10,000.00 |

#469 – APPROPRIATION OF \$5,764.33 FOR RETIREMENT BUYBACK – ASSESSORS AND SCHOOL DEPARTMENT

The following order submitted by the Mayor was adopted under suspension of the rules.

Ordered: That the sum of Five Thousand Seven Hundred Sixty-Four Dollars and Thirty-Three Cents (\$5,764.33) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the contractual buyback(s) listed below in accordance with the recommendation of His Honor the Mayor.

| Name | Department | Amount |
|---------------------|----------------------|--------------------|
| Delinda Dell'Orfano | Assessing | \$623.70 |
| Jeremy Vagos | School Department | \$ 5,140.63 |
| | | \$ 5,764.33 |

#470 – DONATION OF \$1,800.00 TO PARK & RECREATION – PICNIC TABLE

The following order submitted by the Mayor was adopted.

Ordered: To accept the donation of One Thousand Eight Hundred Dollars (\$1,800.00) from Joan Trembley. The donation is to be deposited into the Parks and Recreation Donation Fund 2406 (24061-4830) for a picnic table in accordance with the recommendation of His Honor the Mayor.

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#471 – DONATION OF \$1,200.00 TO PARK & RECREATION - BENCH

The following order submitted by the Mayor was adopted.

Ordered: To accept the donation of One Thousand Two Hundred Dollars (\$1,200.00) from Sal Lanzo. The donation is to be deposited into the Parks and Recreation Donation Fund 2406 (24061-4830) for a standard bench in accordance with the recommendation of His Honor the Mayor.

#472 – DONATION OF \$1,200.00 TO NO PLACE FOR HATE

The following order submitted by the Mayor was adopted.

Ordered: To accept the donation of One Thousand Dollars (\$1,000) from Salem Mission Inc., DBA Lifebridge. The donation is to be deposited into the No Place for Hate Donation Fund 2369 (23691-4830) for the Salem Human Rights Coalition with the recommendation of His Honor the Mayor.

#473 – CERTIFIED PROJECT APPLICATION & T.I.E. FOR 38 NORMAN QOZB, LLC.

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

Order to approve the Certified Project Application of 38 Norman QOZB, LLC and to authorize the Mayor to execute the Tax Increment Exemption Agreement between the City of Salem and 38 Norman QOZB, LLC.

Councillor McClain stated that a few of these tax exemptions have come before us this year and how we decide to make these choices we should understand the difference between city and private, but this is private entity.

RESOLUTION:

WHEREAS, the City of Salem has been in negotiation with 38 Norman QOZB, LLC regarding a development consisting of eighteen units of market rate housing, two units of affordable housing reserved for families earning less than 60 percent of median area income at 38 Norman Street;

WHEREAS, 38 Norman QOZB, LLC has applied for certification under the Massachusetts Housing Development Incentive Program created by Chapter 40V of Massachusetts General Laws;

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WHEREAS, the project proposed by 38 Norman QOZB, LLC meets the minimum requirements of the Housing Development Incentive Program and the local objectives of the City of Salem's Housing Development Zone Plan;

WHEREAS, the proposed project is located at 38 Norman Street, Salem, MA, which is within the boundaries of the City of Salem's designated Housing Development Zone;

WHEREAS, the City of Salem has agreed to offer 38 Norman QOZB, LLC a Tax Increment Exemption Agreement. Said agreement is hereby approved by the City Council;

WHEREAS, 38 Norman QOZB, LLC is investing \$11 million to create 20 total units of housing;

NOW, THEREFORE, BE IT RESOLVED that the Salem City Council hereby approves the Certified Project Application of 38 Norman QOZB, LLC and forwards said application to the Massachusetts Executive Office of Housing and Livable Communities (EOHLC) for its approval and endorsement.

Further, the Salem City Council authorizes the Mayor to execute the Tax Increment Exemption Agreement between the City of Salem and 38 Norman QOZB, LLC. Said agreement will provide for an exemption on property taxes based on the growth portion in assessed valuation of the property for a period of five (5) years, beginning the first full fiscal year after the final residential Certificate of Occupancy is issued for the new building at 38 Norman Street, and in accordance with the schedule below:

COMMUNICATIONS FROM THE MAYOR

| Term | Exemption % |
|------|-------------|
| 1 | 10% |
| 2 | 10% |
| 3 | 10% |
| 4 | 10% |
| 5 | 10% |

Said exemption being in accordance with the requirements and regulations established, which govern the implementation of such Tax Increment Exemption Agreements.

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#474 – FIRE CHIEF DIONNE TO UPDATE THE COUNCIL ON THE DELIVERY OF VEHICLES TO UKRAINE

Councillor Cohen made a motion to table this matter until a time the Fire Chief and City Clerk can determine a new date. Seconded by Councillor Stott.

ORDERED: That Fire Chief Dionne update the Council about the delivery of vehicles we and other North Shore communities salvaged and donated to US Ambulances for Ukraine to serve the remainder of their useful life in Ukraine's Military and Fire Services.

#475 – TOUR BUS PARKING ON WEEKENDS IN OCTOBER

The following order introduced by Councillor Cohen was adopted.

ORDERED: That the following areas set forth below shall be designated for tour bus parking, October weekends only, between the hours of 9:00AM to 6:00PM

South side of Forest Avenue beginning at a point approx. 20ft east of the intersection with Canal Street and extending for approx. 260ft in an easterly direction. Tour bus parking only. Tow Zone

West side of Canal Street in a southerly direction from the intersection with Gardner Street to the intersection with Hancock Street extending for approx. 225ft. Tour bus parking only. Tow Zone

Northwesterly side of Jefferson Avenue in a southwesterly direction from the intersection with Margin Street to the intersection with Winthrop Street and extending for approx. 260ft. Tour bus parking only. Tow Zone

#476 – TRAFFIC ORDINANCE AMENDING RESIDENT STICKER PARKING – BROADWAY

The following Ordinance introduced by Councillor Cohen was adopted for first passage.

In the year Two Thousand and Twenty-Three

An Ordinance Relative to Traffic

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

Section 1. Section 75 of Article V-A be amended by inserting the following:

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Broadway – Parking Prohibitions Towing Zone (Resident Sticker) - Zone E Color Orange – southwesterly side starting at the intersection with Tulip Street and ending at the intersection with Lily Street

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

#477 – YEAR ROUND TOUR BUS PARKING – CONGRESS STREET

The following order introduced by Councillor McCarthy was adopted.

Ordered: That the following areas set forth below shall be designated for year-round tour bus parking between the hours of 9:00AM to 6:00PM Monday through Sunday.

West side of Congress Street beginning at a point approx. 55ft south of the intersection with Derby Street and extending for approx. 70ft in a southerly direction. Tour bus drop off only, 10-minute limit. Tow Zone

West side of Congress Street beginning at a point approx. 125ft north of the intersection with Peabody Street and extending for approx. 92ft in a northerly direction. Tour bus parking only, two (2) hour limit. Tow Zone

Councillor Watson-Felt stated that tour buses are highly problematic. They block lanes of traffic or an entire side of a street letting people on or off the bus. Glad there are places for them now.

#478 – TRAFFIC ORDINANCE AMENDING HANDICAP PARKING – FORRESTER ST.

The following ordinance introduced by Councillor McCarthy was adopted for first passage.

In the year Two Thousand and Twenty-three

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

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

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

Forrester Street – along the side of 36 Forrester Street, beginning 116 feet northwest from Essex Street, running in a northwesterly direction for twenty (20) feet, “Handicap Parking, Limited Time, Tow Zone”

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

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#479 – TEMPORARY RESIDENT STICKER PARKING FOR VARIOUS STREETS IN NORTH SALEM AND DALTON PARKWAY

The following order introduced by Councillor Stott was adopted.

ORDERED: That residents of the following streets shall be granted eligibility for temporary resident permit parking, and certain streets shall be designated as temporary resident permit parking streets, from October 1 to November 1, 2023. Eligible residents will have a temporary resident parking permit sent to them in the mail and must display the permit following the written instructions included with said permit. One temporary guest pass shall be issued if requested in accordance with Article V-A Section 75A Subsection C. Temporary resident permit parking signage will be installed on said streets. Temporary October Resident Permit Parking shall be in effect from 5:00 P.M. to 7:00 A.M., Monday through Friday, and 12:00 P.M. to 7:00 A.M. Saturday through Sunday, October 1 to November 1, 2023. Temporary October Resident Parking shall occur on the street in existing parking areas and shall not supersede other parking restrictions, including but not limited to, handicap/accessible parking spaces, parking within four (4) feet of a driveway, parking within twenty (20) feet of an intersection, or parking restricted on a certain side of the street.

Temporary signage shall be installed before October 1 indicating streets designated as Temporary October Resident Permit Parking streets and all parking shall be prohibited during the hours indicated except by motor vehicles displaying a Temporary October Resident Parking permit.

1. Dearborn Street from North Street to Lee Street
2. Dalton Parkway odd side only (11-15 Dalton Pkwy)

Residents of the following streets shall be granted eligibility for temporary resident parking permits on nearby designated temporary residential permit streets. Residents of the following streets must apply for the temporary parking permit at the parking office showing proof of address and vehicle registration. One parking pass will be granted per vehicle and no guest passes provided.

1. Upham Street
2. Walter Street
3. Harris Street
4. Osborne Street
5. Orchard Street
6. Moulton Street

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Councillor Stott stated that Dearborn Street was not supposed to be included in the temporary resident permits for October. Unfortunately, passes were mailed out. In order to fix this issue, it was decided to give temporary relief Dearborn from North to Lee Street by giving them passes as well. Residents must go down to the parking office to obtain their permit.

#480 – TRAFFIC ORDINANCE AMENDING HANDICAP PARKING – ESSEX STREET

The following ordinance introduced by Councillor Watson-Felt was adopted for first passage.

In the year Two Thousand and Twenty-three

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

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

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

Essex Street – in front of 356 Essex Street, running in an easterly direction for twenty (20) feet, “Handicap Parking, Limited Time, Tow Zone”

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

#481 – TAG DAY – SHS SOCCER AND SALEM/SWAMPSCOTT YOUTH HOCKEY

The following order introduced by Councillor Morsillo was granted.

Ordered: That the following Tag Days be Granted: Salem High Soccer October 8, 15 & 28, 2023. Salem / Swampscott Youth Hockey November 4, 2023.

#482 – FREE PARKING TO ALL VETERANS AT METERS & OFF-STREET PARKING REQUIRING AN APP OR KIOSK

The following order introduced by Councillor Hapworth was adopted.

Ordered: That the City permit any individual with a Veteran license plate and any military passenger plate to park for free at any on and off-street metered space as well as any off-street space requiring payment via a kiosk or app-based payment within the City of Salem.

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The City of Salem hereby affirms its commitment to providing free parking for veterans and offers veterans without a military plate the opportunity to seek ticket forgiveness by presenting proof of their military service to the Veterans' Service Agent and Director of Traffic and Parking.

Councillor Hapworth stated this order came out of a recommendation for the Veteran's Council. This order now opens it up to all vehicles with or without a plate. Although this was done in the past this order formalizes it. The Traffic and Parking Director is looking to see if the passport app can add a module to assist in this.

Councillor Cohen also informed us if anyone cannot afford a plate, the Veteran's Agent will help them obtain a plate.

Councillor Dominguez asked if we should refer this to a committee to figure out how to communicate this instead of rush it.

Councillor Cohen respectfully disagrees with sending it to committee. It can be revised in the future. It's not going to hurt anyone and we want to give immediate relief to Veterans now.

Councillor Watson-Felt stated even though it may be a slight burden to get the ticket waived, but the benefit is greater. Hope the app allows us to do this later on.

#483 – (#390 & #483A) – WAGE THEFT ORDINANCE

Councillor Morsillo offered the following report for the Committee on Ordinances, Licenses and 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 and Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of Wage Theft Ordinance has considered said matter and would recommend the ordinance be adopted for first passage.

Councillor Morsillo stated that our legal department's opinion is that there is not a conflict between the State and Federal Laws.

Councillor Cohen stated after this passes, it will not be the end of this. We will hold a community meeting with the Department of Labor or a representative from the DA's office and AG's office. We want to educate businesses on what the rules are and to let workers know what their rights are.

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Councillor McClain is grateful for the collaboration. He's proud to bring this forward for the rights of workers. This is one matter is so clearly the right thing to do for workers, for the City and for the other business playing by the rules.

Councillor Watson-Felt stated exploitation will always happen.

Councillor McCarthy thanked Councillor Cohen and McClain and everyone else who did the work on this and for all the people here. Trying to do what we can to help. Everyone needs to play by the rules.

#484 – EXEMPTION OF MGL CHAPTER 268A SECTION 20(B)

The following Order submitted by the City Solicitor was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent.

Ordered: In accordance with Massachusetts General Law, Chapter 268A, Section 20(b) the City Council hereby declares that Gregory Fitzgerald has met the requirements for exemption as set forth in this Section and may be retained for one week lacrosse clinic by the Park, Recreation and Community Services Department, not to exceed 500 hours in this calendar year.

#485 – EXEMPTION OF MGL CHAPTER 268A SECTION 20(B)

The following Order submitted by the City Solicitor was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent.

Ordered: In accordance with Massachusetts General Law, Chapter 268A, Section 20(b) the City Council hereby declares that Jeffrey Diaz has met the requirements for exemption as set forth in this Section and may be retained as a Cafeteria Worker by the Salem Public Schools, not to exceed 500 hours in this calendar year.

486 – ELECTION ORDER FOR CITY BIENNIAL ELECTION - NOVEMBER 7, 2023

The following Order submitted by the City Clerk was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent.

ORDERED: That the meetings of the qualified voters of the City of Salem be held in all precincts in the city at the polling places designated hereinafter on Tuesday, November 7, 2023, for the purpose of casting votes in the City Biennial Election for the nomination of candidates for the following offices:

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**Councillor of Wards: One, Two, Three, Four, Five, Six, & Seven:
for the term of two years**

Four Councillors At Large: for the term of two years

Three members of the School Committee: for the term of four years

AND BE IT FURTHER ORDERED: That the following places be and hereby are designated as polling places for said meetings:

| | |
|--------------|---|
| | WARD ONE |
| PRECINCT ONE | Bentley School, Memorial Drive |
| PRECINCT TWO | Community Room, 135 Lafayette Street |
| | WARD TWO |
| PRECINCT ONE | Community Life Center, 401 Bridge Street |
| PRECINCT TWO | Community Life Center, 401 Bridge Street |
| | WARD THREE |
| PRECINCT ONE | Salem High School Auditorium, 77 Willson Street |
| PRECINCT TWO | Salem High School Auditorium, 77 Willson Street |
| | WARD FOUR |
| PRECINCT ONE | Witchcraft Heights School Gymnasium, 1 Frederick Street |
| PRECINCT TWO | Witchcraft Heights School Gymnasium, 1 Frederick Street |
| | WARD FIVE |
| PRECINCT ONE | Saltonstall School Auditorium, 211 Lafayette Street |
| PRECINCT TWO | Saltonstall School Auditorium, 211 Lafayette Street |
| | WARD SIX |
| PRECINCT ONE | Bates School, Liberty Hill Avenue |
| PRECINCT TWO | Bates School, Liberty Hill Avenue |
| | WARD SEVEN |
| PRECINCT ONE | Salem State Enterprise Center, 121 Loring Avenue |
| PRECINCT TWO | Salem State Enterprise Center, 121 Loring Avenue |

AND BE IT FURTHER ORDERED: That the polls at said meetings be opened at 7:00 a.m. and closed at 8:00 p.m. and that the City Clerk be instructed to post this notice as required by law.

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ORDENÓ: Que las reuniones de los votantes calificados de la ciudad de Salem se llevarán a cabo en todos los recintos del distrito uno de votación en la ciudad en los lugares de votación designados a continuación el **martes 07 de Noviembre de 2023**, con el propósito de emitir votos en la Elección Bienal de la Ciudad para la elección de candidatos para el siguiente cargo:

Concejal Distrito: Uno, Dos, Tres, Cuatro, Cinco, Seis, Siete: Término de dos nos

Cuatro Concejal General: Término de dos nos

Tres Comité Escolar: Término de cuatro anos

Y ADEMÁS ORDENARSE: Que los siguientes lugares sean y por la presente se designen como lugares de votación para dichas reuniones:

DISTRITO UNO

| | |
|------------|--|
| Precinct 1 | Bentley Academy Gymnasium, 25 Memorial Drive |
| Recinto 1 | Gimnasio, Escuela Bentley Academy, 25 Memorial Drive |
| Precinct 2 | Community Room, 135 Lafayette Street |
| Recinto 2 | Sala Comunitaria, 135 Lafayette Street |

DISTRITO DOS

| | |
|---------------|---|
| Recinto 1 & 2 | Centro De Vida Comunitaria, 401 Bridge Street |
|---------------|---|

DISTRITO TRES

| | |
|---------------|---|
| Recinto 1 & 2 | Auditorio, Salem High School, 77 Willson Street |
|---------------|---|

DISTRITO CUATRO

| | |
|---------------|--|
| Recinto 1 & 2 | Gimnasio, Escuela Witchcraft Heights, 1 Frederick Street |
|---------------|--|

DISTRITO CINCO

| | |
|---------------|--|
| Recinto 1 & 2 | Auditorio, Escuela Saltonstall, 211 Lafayette Street |
|---------------|--|

DISTRITO SEIS

| | |
|-------------|--|
| Recinto 1 & | Gimnasio, Escuela Bates School, 53 Liberty Hill Avenue |
|-------------|--|

DISTRITO SIETE

| | |
|---------------|--|
| Recinto 1 & 2 | Salem State Enterprise Center, 121 Loring Avenue |
|---------------|--|

Y ADEMÁS ORDENARSE: Que las urnas en dichas reuniones se abran a las 7:00 a.m. y se cierren a las 8:00 p. m. y que se le indique al Secretario Municipal que publique este aviso según lo exige la ley.

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#487 – ROAD RACE AND USE OF CITY STREETS – B&S FITNESS DEVIL’S CHASE

The request from B&S Fitness to hold the Devils Chase 6.66 mile / Creepy Clown 3.33 mile Road Race and use of City Streets on October 21, 2023, from 8:00AM – 11:30AM was granted.

#488 - ROAD RACE AND USE OF CITY STREETS –FESTIVUS 5K FOR AUTISM

The request from Friends of NEC to hold the Festivus 5K for Autism Road Races and use of City Streets on December 10, 2023, was granted.

#489 - #493 – LICENSE APPLICATIONS:

The Following License Applications were granted with a condition for the pedicabs. Only the two pedicabs that have been inspected are allowed at this time. The other 3 pedicabs will need to be off the streets until they pass inspection by police traffic.

PUBLIC GUIDES: Benjamin DiScipio 11 Railroad Ave., Salisbury
 Kevin Keene 1 Landers Dr., Beverly
 Sierra Levanto 26 Seaward Rd., Wellesley
 Mark Lovastro 4 Oliver St., Fall River
 Hannah Montanez 165 Stafford Rd., Monson
 April Newman 367 West St., Reading
 Francis Sheehan 86 Main St., Pittsfield, NH
 Ruth Slatis 7 Beaver St., Beverly
 Michele Tabacco 36 Murray Ln., Conway, NH
 Alima Tronora 70 Boston St., Salem

TAXI OPERATORS: Miguel Bonilla 87 Chestnut St., Lynn
 Rosanyllis Fabian 59 Harbor St., Salem
 Marino Jimenez 96C Tremont St., Peabody
 Gedil Pena 52 Tremont St., Salem
 Juan Costa 11 Lyman St., Lynn
 Reidy Rosario Gomez 12 Mason St., Salem

VEHICLE FOR HIRE: K Day Operations Pedi-Cabs (5 pedicabs)

VEHICLE FOR HIRE OPERATORS ONLY: Maureen Tanzella – Salem Trolley
 Kevin Harrington – K Day Operations

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#494 - #496 - CLAIMS

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

Suzanne Badillo 1241 Goforth Rd Kyle, TX
 Judith Cowan 62 Leicester Rd., Marblehead
 Mary Burns 36 Pinecliff Dr., Marblehead

#497 – SIGN BOND

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

SIGN: Flying Monkey, 196 Essex St., Salem

(#429) SECOND PASSAGE – TRAFFIC ORDINANCE – SERVICE ZONES

The Second Passage of an Ordinance amending an Ordinance relative to traffic – Ch. 42 Sec. 13 – Service Zones was adopted for second and final passage.

In the year Two Thousand and twenty-three

An Ordinance Relative to Traffic

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

Section 1. Section 13 of Article I be amended by repealing the following:

Broadway – Service Zones – northwesterly side, from the southerly lot line at No. 108 Broadway for a distance of fifty (50) feet in a northerly direction. No Parking Service Zone 8:00 A. M. to 8:00 P. M. Monday through Friday. (7/2/90)
 New Derby Street – Service Zones – on the northerly side of New Derby Street, beginning at a point one hundred sixty-five (205) feet east of the intersection with Washington Street, and extending eastward fifty-five (55) feet. (10/25/22(4))

And inserting the following:

Derby Street – Service Zones - northerly side, beginning at Palfrey Court and continuing in an easterly direction for forty (40) feet.
 Derby Street – Service Zones – northerly side, beginning at a point one hundred (100) feet east of Daniels Street and continuing in an easterly direction for forty-five (45) feet.

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Hancock Street – Service Zones – northerly side, beginning at a point twenty (20) feet east of Canal Street and continuing in an easterly direction for one-hundred and thirty-five (135) feet.

High Street – Service Zones – northerly side, beginning at a point twenty-five (25) feet west of Margin Street and continuing in a westerly direction for thirty (30) feet.

New Derby Street – Service Zones – on the northerly side of New Derby Street, beginning at a point two hundred and five (205) feet east of the intersection with Washington Street, and extending eastward fifty-five (55) feet.

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

(#431) – SECOND PASSAGE OF AN ORDINANCE RELATIVE TO LOCATION OF POLES RELATIVE TO CURBSTONES AND HYDRANTS

The Second Passage of an Ordinance amending an Ordinance relative to Ch. 12 Sec. 89 – Location of poles with reference to curbstones and hydrants was adopted for second and final passage.

In the year Two Thousand and twenty-three

An Ordinance to amend an Ordinance relative to Ch. 12 – Building, Electricity and Plumbing Regulations

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

Section I. Article III of Chapter 12, Section 89 - Location of poles with reference to curbstones and hydrants. The last sentence is hereby amended by:

“Deleting 15 feet and inserting 6 feet.”

And by adding the following to the end of the sentence

“, or as specified in 527 CMR 1.00 18.5.7.1, whichever is greater.”

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

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(#432) - SECOND PASSAGE OF AN ORDINANCE AMENDING AN ORDINANCE - CH. 14 – TAG DAYS

The Second Passage of an Ordinance amending an Ordinance relative to Ch. 14 – Tag Days was adopted for second and final passage.

In the year Two Thousand and twenty-three

An Ordinance to amend an Ordinance relative to tag days

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

SECTION I: City of Salem Code Ordinances Chapter 14 Business Licenses and Fees is hereby amended by:

1) Replacing the words “city council” with the words “city clerk” as they appear in Secs. 14-102 and 14-104.

2) Deleting Sec. 14-103 in its entirety and replacing it with the following:

“All persons engaged in the sale of tags shall carry a copy of the tag day license and distribute a tag to each donor. No person authorized under this division shall make or attempt to make any sale in front of any private premises against the objection of the owner or occupant thereof. “

3) Deleting the heading “(a)” within Sec. 14-104 and inserting the text “at least one week in advance. A sample of the tag must be provided to the city clerk to keep on file” immediately following the word “clerk” in the first sentence of Sec. 14-104. And insert “, and that the City Clerk refer any tag day applications to the City Council for approval when necessary” after the word clerk.

4) Deleting Sec. 14-104 (b) in its entirety.

5) Deleting Sec. 14-105 in its entirety and inserting the following:

“No license shall be valid for more than three consecutive days, and no more than six days in a calendar year per organization. Only one organization may be issued a tag per calendar day, and they are issued in the order of receipt of application to the clerk's office, with the exception of Memorial Day Weekend, 4th of July and Veterans Day, which are held for use solely by Posts or Incorporated organizations of veterans who served in the military or naval service of the United States in time of war or insurrection. The City Clerk shall not release any license until the

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organization submits to the city clerk a sample of the tag that will be distributed by the organization on the day of the sale. Persons tagging shall not impede the flow of pedestrians when on a public sidewalk nor shall they enter upon a public street or way to collect donations.”

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

On the motion of Councillor McCarthy the meeting adjourned at 9:28 P.M.

ATTEST:

ILENE SIMONS
CITY CLERK