

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING**

A Regular Meeting of the City Council held in the Council Chamber on Thursday, February 13, 2020 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on February 11, 2020 at 12:30 P.M. This meeting is being taped and is live on S.A.T.V.

All Councillors were present.

Council President McCarthy presided.

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

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

PUBLIC TESTIMONY

1. Derek Thomas, 48 St. Peter St., Salem – ADU Ordinance
2. Matt Veno, 20 Forest Ave.#3, Salem - \$40,000.00 appropriation for the Highland Avenue Corridor Study

#44 – APPOINTMENTS OF DEPUTY AUDITOR AND ASSISTANT TREASURER

The Mayor's appointment of the following Department Staff with their terms to expire was held under the rules until the next meeting

Cheryl Ann Dick	Deputy Auditor	term expires January 31, 2022
James Michael Cowdell	Asst. Treasurer	term expires January 31, 2023

#45 – APPOINTMENT OF BETH GERAD TO CEMETERY COMMISSION

The Mayor's appointment of Beth Gerard to the Cemetery Commission with a term to expire February 1, 2022 was confirmed, under suspension of the rules, by a roll call vote of 11 yeas, 0 nays and 0 absent. Councillors Dibble, Dominguez, Flynn, Hapworth, Madore, Morsillo, Prosniewski, Riccardi, Sargent, Turiel and McCarthy were all recorded as voting in the affirmative.

Councillor Dibble made a motion to send a letter of thanks and City Seal to Mary Anne Silva and Ronald Harrison. It was so voted.

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING****#46 – APPOINTMENT OF COLLEEN DOWNIE TO THE BICYCLING ADVISORY COMMITTEE**

The Mayor's appointment of Colleen Downie to the Bicycling Advisory Committee with a term to expire February 13, 2023 was held under the rules until the next meeting.

#47 – APPOINTMENT OF STEVEN SMALLEY TO THE ZONING BOARD OF APPEALS

The Mayor's appointment of Steven Smalley to the Zoning Board of Appeals with a term to expire April 11, 2021 was held under the rules until the next meeting.

#48 – REAPPOINTMENT OF MILO MARTINEZ TO THE HISTORICAL COMMISSION

The Mayor's reappointment of Milo Martinez to the Historical Commission with a term to expire February 22, 2022 was confirmed by a roll call vote of 11 yeas, 0 nays and 0 absent. Councillors Dibble, Dominguez, Flynn, Hapworth, Madore, Morsillo, Prosniewski, Riccardi, Sargent, Turiel and McCarthy were all recorded as voting in the affirmative.

#49 – CONSTABLE

The Mayor's re-appointment of Mark McGrath to serve as Constables with a term to expire on January 22, 2023 was received and filed.

#50 – CONSTABLE

The Mayor's appointment of Fotis Plessas to serve as Constables with a term to expire December 28, 2022 (Housekeeping to correct term expire date from the January 23, 2020 meeting)

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING****#51 – APPROPRIATION OF \$3,437,432.00 TO STABILIZATION, CAPITAL IMPROVEMENT AND OPEB FUNDS**

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

ORDERED: That the sum of Three Million, Four Hundred Thirty-Seven Thousand, Four Hundred Thirty-Two Dollars (\$3,437,432.00) is hereby appropriated from General Fund Balance Reserved for Free Cash (1-3245) to the following Trust and Special Revenue funds. The amount of free cash to be transferred is per the City's Financial Policies and in accordance with the recommendation of Her Honor the Mayor.

Description	Amount
Stabilization Fund (8301) 20%	\$ 1,527,747.73
Capital Improvement Fund (2000) 20%	1,527,747.73
Other Post Employ Benefits (OPEB) (8313) 5%	381,936.93
Total	\$ 3,437,432.00

#52 – APPROPRIATION OF \$873,851.02 TO STABILIZATION FUND

The following Order introduced by the Mayor was adopted under suspension of the rules.
(Councillor Prosniewski recused himself for this matter and returned to the Chambers after the vote)

ORDERED: That the sum of Eight Hundred Seventy-Three Thousand, Eight Hundred Fifty One Dollars and two cents (\$873,851.02) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account (1-3245) to the Stabilization fund to replenish the fund for the transfer made to cover the Police Patrol Retro Salary as per contractual increases in accordance with the recommendation of Her Honor the Mayor.

Description	Fund	Amount
Stabilization Fund	8301	\$ 873,851.02
		\$ 873,851.02

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING****#53 – BOND ORDER FOR \$755,000.00 FOR MUSEUM PLACE GARAGE RECONSTRUCTION AND REPAIRS**

The following Bond Order introduced by the Mayor was adopted for first passage by a roll call vote of 11 yeas, 0 nays and 0 absent. Councillors Dibble, Dominguez, Flynn, Hapworth, Madore, Morsillo, Prosniewski, Riccardi, Sargent, Turiel and McCarthy were all recorded as voting in the affirmative and referred to the Committee on Administration and Finance co-posted with the Committee of the Whole.

BOND ORDER: That the sum of Seven Hundred Fifty-Five Thousand Dollars (\$755,000.00) is hereby appropriated to pay costs of reconstructing and making extraordinary repairs to the Museum Place Parking Garage, including the payment of all costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority and to issue bonds or notes of the City therefor; and that any premium received by the City upon the sale of any bonds or notes approved by this order, 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 order in accordance with G.L. c. 44 S 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

#54 – APPROPRIATION OF \$60,000.00 TO THE RETIREMENT STABILIZATION FUND

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

ORDERED: That the sum of Six Hundred Thousand Dollars (\$600,000.00) is hereby appropriated from General Fund Balance Reserved for Free Cash (1-3245) to the following special revenue funds. This transfer is requested in accordance with the recommendation of Her Honor the Mayor.

<u>Fund Name/Description</u>	<u>Amount</u>
Retirement Stabilization Fund 8311	\$ 600,000.00

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING****#55 – APPROPRIATIONS OF \$151,000.00 AND \$194,000.00 FOR MUSEUM PLACE PARKING GARAGE FOR CONTINGENCY COSTS AND DESIGN PLANS**

The following Order introduced by the Mayor was referred to Administration and Finance co-posted with the Committee of the Whole.

ORDERED: That the sum of One Hundred Fifty One Thousand Dollars (\$151,000.00) is hereby transferred and appropriated from the “Fund Balance Reserved for Appropriation – Free Cash” account (1-3245) to the Museum Parking Garage Capital Project to cover contingency costs associated with the Parking Garage Project in accordance with the recommendation of Her Honor the Mayor, and

That the sum of One Hundred Ninety-Four Thousand Dollars (\$194,000.00) is hereby transferred and appropriated from the “Fund Balance Reserved for Appropriation – Free Cash” account (1-3245) to the Museum Parking Garage Capital Project to cover design plans for each garage level in accordance with the recommendation of Her Honor the Mayor.

#56 – APPROPRIATION OF \$140,000.00 FOR SOLICITOR’S LEGAL SERVICES FUND

The following Order introduced by the Mayor was referred to Administration and Finance co-posted with the Committee of the Whole under the rules. Councillor Dibble objected to the suspension of the rules

ORDERED: That the sum of One Hundred Forty Thousand Dollars (\$140,000) is hereby transferred and appropriated from the “Fund Balance Reserved for Appropriation – Free Cash” account (1-3245) to the General Fund Solicitor’s Legal Services Account to cover legal services incurred during the nine day Superior Court trial, Ryan v. Salem Board of Registrars and various additional legal expenses anticipated to be incurred prior to the end of fiscal year 2020 in accordance with the recommendation of Her Honor the Mayor.

Description	Fund	Amount
Legal Services	11512-5303	\$ 140,000.00
		\$ 140,000.00

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING****#57 – APPROPRIATION OF \$68,167.25 FOR NEGOTIATED SICK LEAVE BUYBACK PROVISION**

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

ORDERED: That the sum of Sixty-Eight Thousand, One Hundred Sixty-Seven Dollars and Twenty-Five Cents (\$68,167.25) is hereby appropriated in the “Retirement Stabilization Fund-Vacation/Sick Leave Buyback” account (83113-5146) to be expended for the negotiated sick leave buyback provision as needed in accordance with the recommendation of Her Honor the Mayor

#58 – APPROPRIATION OF \$47,006.64 FROM RETIREMENT SICK LEAVE BUYBACK, FIRE DEPARTMENT EMPLOYEE

The following Order introduced by the Mayor was adopted under suspension of the rules. (Councillor Flynn recused himself for this matter and returned to the Chambers after the vote)

ORDERED: That the sum of Forty-Seven Thousand Six dollars and Sixty-Four Cents (\$47,006.64) be approved within the “Retirement Stabilization Fund-Vacation/Sick Leave Buyback” account (83113-5146) to be expended for the FY 2020 contractual buyback listed below in accordance with the recommendation of Her Honor the Mayor.

Name	Department	Amount
Richard Avigian	Fire	\$ 47,006.64
		\$ 47,006.64

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING****#59 – APPROPRIATION OF \$40,000.00 TO PLANNING DEPARTMENT FOR A CORRIDOR STUDY HIGHLAND AVE.**

The following Order introduced by the Mayor was referred to Administration and Finance co-posted with the Committee of the Whole under the rules.

ORDERED: That the sum of Forty Thousand Dollars (\$40,000.00) is hereby transferred and appropriated from the “Fund Balance Reserved for Appropriation – Free Cash” account (1-3245) to Planning for the Highland Avenue Capital Account to fund a Corridor Planning Study and Action Plan of Highland Avenue in accordance with the recommendation of Her Honor the Mayor.

Councillor Madore stated to use this money wisely and look at growth on Highland Ave and congestions and do we want to put more cars on this road - look where we are going as a city.

Councillor Flynn stated there are huge issues on Highland Ave. Frustration with traffic; need to look at this closely. Know there will be a lot of growth, but there is no room for Fire Trucks, Ambulances, Police Cars to get through. Hope we can solve this problem before we add to them.

Councillor Dibble is in full support of this. State did study on Highland Ave. before. This study should pick up where the other stopped and not duplicate it.

Councillor Hapworth stated the corridor study only one step above piecemeal. Need to take a step back to look at how and where are we going and how to get there.

Councillor Morsillo stated that Highland Ave. is not going to wait. We don't want this to slow down development on Highland Ave.

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING****#60 – APPROPRIATION OF \$30,000.00 TO DPS BURIAL**

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

ORDERED: That the sum of Thirty Thousand Dollars (\$30,000.00) 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 Her Honor the Mayor.

From		To		Amount
2430-4800	R/Res Sale of Lots	14112-5383	DPS Burial	\$ 20,000.00
2431-4800	R/Res Sale of Vaults	14112-5383	DPS Burial	10,000.00
Total				\$ 30,000.00

#61 – APPROPRIATION OF \$26,697.44 FROM RETIREMENT BUYBACK FOR POLICE DEPARTMENT EMPLOYEE

The following Order introduced by the Mayor was adopted under suspension of the rules. (Councillor Prosniewski recused himself for this matter and returned to the Chambers after the vote)

ORDERED: That the sum of Twenty-Six Thousand Six Hundred Ninety-Seven dollars and Forty-Four Cents (\$26,697.44) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2020 contractual buyback listed below in accordance with the recommendation of Her Honor the Mayor.

Name	Department	Amount
Mark Vassy	Police	\$ 26,697.44
TOTAL		\$ 26,697.44

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING****#62 – APPROPRIATION OF \$24,250.00 FROM CAPITAL OUTLAY FOR REPLACEMENT OF FIRE STATION ANTENNA**

The following Order introduced by the Mayor was adopted under suspension of the rules.
(Councillor Flynn recused himself for this matter and returned to the Chambers after the vote)

ORDERED: That the sum of Twenty Four Thousand Two Hundred Fifty Dollars (\$24,250.00) is hereby appropriated and transferred from the Bay Floor Short Term Capital Outlay Fund 2000 (20001910-5846AA) to the ST CIP Fire building repair and maintenance account to be expended by the Fire Department to address the replacement of the Fire Station Antenna in accordance with the recommendation of Her Honor the Mayor.

#63 – APPROPRIATION OF \$23,145.00 FROM CAPITAL OUTLAY TO FIRE DEPARTMENT FOR EMERGENCY HEATING SYSTEM REPLACEMENT AND REPAIR

The following Order introduced by the Mayor was adopted under suspension of the rules.
(Councillor Flynn recused himself for this matter and returned to the Chambers after the vote.)

ORDERED: That the sum of Twenty Three Thousand One Hundred Forty Five dollars (\$23,145.00) is hereby appropriated and transferred from the “Capital Outlay Fund 2000” to the ST CIP Fire building maintenance and repair account to be expended by the Fire Department to address an Emergency Heating System replacement and repair in accordance with the recommendation of Her Honor the Mayor.

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING****#64 – APPROPRIATION TO PARK AND RECREATION FOR THE BOILER REPLACEMENT AT THE MACK PARK HOUSE**

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

ORDERED: That the sum of Nine Thousand Five Hundred Dollars (\$9,500.00) is hereby transferred and appropriated from the “Fund Balance Reserved for Appropriation – Free Cash” account (1-3245) to the General Fund Parks and Recreation Contracted Services Account to cover costs associated with the replacement of the boiler at the Mack Park house in accordance with the recommendation of Her Honor the Mayor.

Parks & Recreation

Description	Fund	Amount
Boiler Replacement	16502-5320	\$ 9,500.00
		\$ 9,500.00

#65 – APPROPRIATION OF \$6,746.00 FROM CAPITAL OUTLAY TO REPAIR POLICE ELEVATOR

The following Order introduced by the Mayor was adopted under suspension of the rules.
(Councillor Prosniewski recused himself for this matter and returned to the Chambers after the vote)

ORDERED: That the sum of Six Thousand Seven Hundred Forty Six dollars (\$6,746.00) is hereby appropriated and transferred within the “Capital Outlay Fund 2000” to the ST CIP Police Elevator Repair account to be expended by the Police Department to address code requirements per the state in accordance with the recommendation of Her Honor the Mayor.

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING****#66 – DONATION OF \$5,000.00 TO FIRE DEPARTMENT FOR SELF CONTAINED BREATHING APPARATUS FORM THE SALEM HARBOR STATION**

The following Order introduced by the Mayor was adopted. (Councillor Flynn recused himself for this matter and returned to the Chambers after the vote)

ORDERED: To accept the donation of Five Thousand Dollars (\$5,000.00) from the Salem Harbor Station to be deposited into the Fire Department Donation Fund 2413 (24131-4830) to be used to upgrade equipment and software including the purchase of new self-contained breathing apparatus in accordance with the recommendation of Her Honor the Mayor.

#67 – APPROPRIATION OF \$4,637.87 FROM RETIREMENT BUYBACK FOR POLICE DEPARTMENT EMPLOYEE

The following Order introduced by the Mayor was adopted under suspension of the rules. (Councillor Prosniewski recused himself for this matter and returned to the Chambers after the vote)

ORDERED: That the sum of Four Thousand Six Hundred Thirty-Seven dollars and Eighty-Seven Cents (\$4,637.87) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2020 contractual buyback listed below in accordance with the recommendation of Her Honor the Mayor.

Name	Department	Amount
Donna Patterson	Police	\$ 4,637.87
		\$ 4,637.87

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING****#68 – DONATION OF \$3,808.84 TO PARK AND RECREATION FOR THE 2019 DERBY STREET MILE RACE**

The following Order introduced by the Mayor was adopted.

ORDERED: To accept the donation of Three Thousand Eight Hundred, Eight Dollars and Eighty-Four Cents (\$3,808.84) from Footprint Power Salem Harbor Development to be deposited into the Parks and Recreation Donation Fund 2406 (24061-4830) for sponsorship of the 2019 Derby Street Mile Race in accordance with the recommendation of Her Honor the Mayor.

#69 – DONATION OF \$1,300.00 TO THE PARK AND RECREATION BENCH FUND FROM SARA O'CONNELL

The following Order introduced by the Mayor was adopted.

Ordered: To accept the donation of One Thousand, Three Hundred Dollars (\$1,300.00) from Sara O'Connell to be deposited into the Parks and Recreation Donation Fund 2406 (24061-4830) for a wooden historic dedication bench in accordance with the recommendation of Her Honor the Mayor.

#70 – DONATION OF \$1,000.00 TO THE TREE FUND FROM H & C SERVICES

The following Order introduced by the Mayor was adopted.

ORDERED: To accept the donation of One Thousand Dollars (\$1,000.00) from H & C Services Corp. to be deposited into the Tree Donation Fund 2330 (23301-4830) for tree maintenance and plantings city wide in accordance with the recommendation of Her Honor the Mayor.

#71 – DONATION OF \$1,000.00 TO THE K-9 FUND FROM SALEM SAVES ANIMALS

The following Order introduced by the Mayor was adopted. (Councillor Prosniewski recused himself for this matter and returned to the Chambers after the vote)

ORDERED: To accept the donation of One Thousand Dollars (\$1,000.00) from Salem Saves Animals to be deposited into the K-9 Donation Fund 2412 (24121-4830) to be used for the care and supplies of three (3) K9 dogs in accordance with the recommendation of Her Honor the Mayor.

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING****#72 – DONATION OF \$1,000.00 TO BERTRAM FIELD FROM FORMER COUNCILLOR THOMAS H. FUREY**

The following Order introduced by the Mayor was adopted.

ORDERED: To accept the donation of One Thousand Dollars (\$1,000.00) from Thomas Furey to be deposited into the Bertram Field Donation Fund 2387 (23871-4830) for the Bertram Field Phase II Project in accordance with the recommendation of Her Honor the Mayor.

#73 – USE OF CONSTRUCTION MANAGEMENT AT RISK – FOREST RIVER POOL

The following Order introduced by the Mayor was adopted. Councillor Dibble was recorded as opposed.

ORDERED: Pursuant to Massachusetts General Laws, including without limitation, Chapter 149A, Section 4, the Mayor, on behalf of the City of Salem may submit an application to the Massachusetts Office of the Inspector General for the use of Construction Management at Risk, and if approved, enter into a contract with a construction manager at risk for the reconstruction and renovations of the Forest River Park Pool and Bathhouse.

Councillor Madore suspended the rules to allow Jenna Ide to speak. There were no objections.

Jenna Ide explained that this process is preferable, and it can only be used for projects over Five Million Dollars. With this CMR Risk Process the City will be able to look at the qualifications first during the bidding process. It is very helpful to have a contractor on board to help oversee this project.

Councillor Dominguez asked if we had any idea on what the fees will be. Jenna Ide responded fees are \$50-\$70K and the project cost is about \$10 Million.

Jenna Ide also explained that the selection process is regulated by law regarding the criteria and evaluation. A committee must be formed. Then the RFQ is ranked and a minimum of three are chosen. Then we move forward with the final selection based on price and technical proposal.

Councillor Dibble stated he was uncomfortable with this regarding the fees. We should put some dollar amount in here not to exceed. Councillor Dibble made a motion the fees should not exceed \$70,000. There was no second.

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Councillor McCarthy stated this is a revolving and difficult project. Is a cap feasible at this point?

Jenna Ide explained that the Order in front of the Council is written per the Inspector General and is state law. The Order must be in this format.

#74 – ZONING ORDINANCE RELATIVE TO ACCESSORY DWELLING UNITS –
SEC. 3.1 – TABLE OF PRINCIPAL AND ACCESSORY REGULATIONS

The following Zoning Ordinance introduced by the Mayor was referred to the Planning Board to hold a Joint Public Hearing.

ORDINANCE: An Ordinance to Amend a Zoning Ordinance Relative to Accessory Dwelling Units

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

Section 1. The City of Salem Zoning Ordinance Section 3.1 Table of Principal and Accessory Use Regulations is hereby amended by deleting the “Accessory Living Area” Accessory Use in its entirety and inserting an “Accessory Dwelling Unit” Accessory Use in the RC, R1, R2 and R3 zoning districts as follows:

E. ACCESSORY USES	RC	R1	R2	R3	B1	B2	B4	B5	I	BPD	NRCC
Accessory Dwelling Unit	Y	Y	Y	Y	N	N	N	N	N	N	-

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

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING****#75 – ZONING ORDINANCE RELATIVE TO ACCESSORY DWELLING UNITS –
SEC. 10 – DEFINITIONS & SEC. 3.2.8 – ACCESSORY DWELLING UNITS**

The following Zoning Ordinance introduced by the Mayor was referred to the Planning Board to hold a Joint Public Hearing.

ORDINANCE: An Ordinance to Amend a Zoning Ordinance Relative to Accessory Dwelling Units

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

Section 1. The Salem Zoning Ordinance Section 10 Definitions is hereby amended by deleting the definition “Accessory Living Area” in its entirety and inserting the definition “Accessory Dwelling Unit” as follows:

“Accessory dwelling unit: A housekeeping unit, with its own sleeping, cooking and sanitary facilities, located within a principal dwelling that is subordinate in size to the principal unit(s), separated from it in a manner which maintains the appearance of the principal unit(s), and allowed pursuant to Section 3.2.8 of this ordinance”

Section 2. The Salem Zoning Ordinance Section 3.2.4 Accessory Buildings and Structures is hereby amended by deleting paragraphs numbered 4 and 5 in their entirety and replacing them with the following:

“4. Unattached accessory dwelling units shall comply with all setbacks of the principal structure, as set forth in Section 4.1 of this ordinance (Dimensional Requirements).

5. Accessory structures, garages and unattached accessory dwelling units shall not exceed one-half (1.5) stories or eighteen (18) feet in height.”

Section 3. The Salem Zoning Ordinance Section 3.2.8 Accessory Dwelling Areas is hereby amended by deleting this Section in its entirety and replacing it with the following:

“3.2.8 Accessory Dwelling Units. Accessory Dwelling Units shall be allowed as provided set forth in this section.

1. Purpose.

- A. To add rental units to the housing stock to meet the needs of smaller households and make housing units available to households who might otherwise have difficulty finding housing.

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- B. To encourage the efficient use of the city's housing supply while preserving the character of the city's neighborhoods.
- C. To maximize privacy, dignity, and independent living among family members preserving domestic family bonds as well as to protect the stability, property values, and the residential character of the neighborhood.
- D. To permit the owner of an existing, or a proposed, detached dwelling to construct one additional dwelling unit. Such a use is incidental and subordinate to the principal dwelling.
- E. To increase the supply of housing and the diversity of housing options, in response to demographic changes such as smaller households and older households.

2. Procedure.

- A. The Building Inspector shall administer and enforce the provisions of this section unless a Special Permit is required then the Zoning Board of Appeals shall be the Special Permit Granting Authority.
- B. When a waiver is required, a Building Permit shall not be issued until a Special Permit has been granted and duly recorded.

3. Application

- A. The Application for the Special Permit and/or Building Permit, if required, shall:
 - 1. Be signed by one hundred (100) percent of the record title ownership interest of the principal dwelling and shall include a copy of the deed.
 - 2. Include a floor plan of the accessory dwelling unit, the principal dwelling where it is to be located and all elevations. All plans shall be drawn to scale and identify the existing structure and proposed modifications to create the accessory dwelling unit.

4. Requirements.

- A. The minimum parking required for the principal dwelling pursuant to Section 5.1 of this ordinance shall not count as off-street parking for the accessory dwelling unit. The accessory dwelling unit shall have one (1) dedicated off-street parking space unless otherwise waived pursuant to sub-section 6 of Section 3.2.8.
- B. There shall not be a net loss in the caliper of private trees on the lot in which the accessory dwelling unit will be located unless otherwise waived pursuant to sub-section 6 of Section 3.2.8.

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- C. The accessory dwelling unit shall not contain less than 350 square feet of habitable space.
- D. The accessory dwelling unit shall not contain in excess of 800 square feet of gross space, unless otherwise waived pursuant to sub-section 6 of Section 3.2.8.
- E. No more than one (1) accessory dwelling unit shall be located upon a single lot.
- F. An accessory dwelling unit shall not be permitted in a building with five (5) or more units.
- G. At least one (1) owner of the residence in which the accessory dwelling unit is created shall reside in one (1) of the dwelling units as a principal place of residence. For the purpose of this section, the "owner" shall be one or more individuals who hold title to the property and for whom the dwelling is the primary residence as evidenced by voter registration, tax return or other documentation demonstrating primary residence...
- H. Electricity, water and gas shall be provided by a single service to both the accessory dwelling unit and the principal dwelling.
- I. The accessory dwelling unit may not be sold or transferred separate and apart from the principal dwelling to which it is an accessory use. The principal dwelling and the accessory dwelling unit shall remain in common or single ownership and shall not be severed in ownership.
- J. Entry shall be located through existing entry or on the back or side of the main dwelling.
- K. Egress access shall be located on the side or rear of the building so that visibility from public ways is minimized.
- L. The accessory dwelling unit shall not contain more than two (2) bedrooms.
- M. The accessory dwelling unit shall be clearly subordinate in use, size and design to the principal dwelling.
- N. The accessory dwelling unit must be capable of being discontinued as a separate dwelling unit without demolition of any structural component of the principal dwelling.
- O. There shall be no occupancy of the accessory dwelling unit until the Building Inspector has issued a certificate of occupancy that the principal dwelling and accessory dwelling unit shall be in compliance with all applicable health and building codes.

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- P. The Building Permit shall be revoked upon determination by the Building Inspector that any condition imposed by Section 3.2.8 and/or special permit conditions has not been fulfilled.
 - Q. By filing the Application for a Special Permit or Building Permit for an accessory dwelling unit, all owners consent to an inspection without a warrant upon reasonable notice by the Building Inspector to ensure compliance with all terms of this section and conditions imposed upon the grant of the Special Permit.
 - R. Short term rentals, as defined in Salem Code of Ordinances Chapter 15, are prohibited in the accessory living unit.
 - S. The accessory living unit shall obtain certificate of fitness subject to the provisions of Section 2-705 of the City of Salem Code of Ordinances.
5. Special Permit. A Special Permit shall be required to use an existing accessory structure that does not comply with Section 4.1 (Table of Dimensional Requirements) as an accessory dwelling unit.
6. Waivers. Upon the request of the Applicant, the Zoning Board of Appeals may grant a Special Permit pursuant to Section 9.4 to waive the following requirements in the interests of design flexibility and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the accessory dwelling unit ordinance.
- A. Notwithstanding anything to the contrary herein, the minimum required amount of parking may be waived if the Zoning Board of Appeals finds it is impractical to meet the parking standards and that such waivers are appropriate by reason that it will not result in or worsen parking problems in or in proximity to the Project, and upon demonstration to the reasonable satisfaction of the Zoning Board of Appeals that a lesser amount of parking will provide positive environmental or other benefits, taking into consideration:
 - 1. The availability of surplus off-street parking in the vicinity of the use being served
 - 2. The proximity to public transportation;
 - 3. The availability of public or commercial parking facilities in the vicinity of the accessory dwelling unit;
 - 4. The impact of the parking requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, or loss of pedestrian amenities along public ways; and

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5. Such other factors as may be considered by the Zoning Board of Appeals.
 - B. The Zoning Board of Appeals may grant a waiver to allow a net loss in the caliper of trees on a lot that has no more than three units and on which the accessory dwelling unit will be located, taking into consideration the species of the tree, health of the tree, whether a replacement tree will be planted on another property or if a contribution to a tree replacement fund will be provided.
 - C. The Zoning Board of Appeals may grant a waiver to allow the accessory dwelling unit to exceed 800 gross square feet, up to a maximum of 1,000 gross square feet, taking into consideration peculiarities of the layout of the primary dwelling.
7. Termination.
- A. The accessory living unit use shall terminate immediately upon any violation of any term or condition of this ordinance or of the Special Permit that the owner fails to cure, upon two (2) weeks written notice mailed to the applicant and to the occupants at the dwelling address by certified mail, return receipt requested.
 - B. Duty of Owner Upon Termination include:
 - a. The owner shall discontinue the use of the accessory dwelling unit as a separate dwelling unit.
 - b. The kitchen facilities of the accessory dwelling unit shall be removed unless determined by the Building Inspector to be incidental and subordinate as an accessory use of the principal dwelling.
 - c. Any additional exterior entrance constructed to provide access to the accessory dwelling unit shall be permanently closed, unless the Building Inspector provides a waiver. The owner shall permit an inspection by the Building Inspector without a warrant.
8. Severability. All the clauses of this ordinance are distinct and severable, and if any clause shall be deemed illegal, void, or unenforceable, it shall not affect the validity, legality, or enforceability of any other clause or portion of this bylaw."

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

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING****#76 – AN ACT RELATIVE TO PROPERTY TAX EXEMPTIONS FOR RENTAL PROPERTIES RESTRICTED AS AFFORDABLE HOUSING**

The following Order introduced 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 authorization to provide tax exemptions for accessory dwelling unit rental properties, if approved by the Salem City Council, in the City of Salem restricted as affordable housing 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 2, 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 authorizing the City of Salem to provide tax exemptions for accessory dwelling unit rental properties in the City restricted as affordable housing.

Be it enacted by the Senate and House of Representatives in General Court Assembled, and by the authority of the same as follows:

AN ACT RELATIVE TO PROPERTY TAX EXEMPTIONS FOR RENTAL PROPERTIES IN THE CITY OF SALEM RESTRICTED AS AFFORDABLE HOUSING.

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, upon the approval by the Salem City Council of Salem's Accessory Dwelling Unit Ordinance, an Accessory Dwelling Unit in the City of Salem which is rented to and occupied by a household of low income, at a rental amount not exceeding the standards of the United States Department of Housing and Urban Development for low income persons, shall be exempt from taxation under Chapter 59 of the General Laws.

SECTION 2. Such exemption shall be equal to the tax otherwise owed on the property based on the assessed value of the entire property, including the accessory dwelling unit multiplied by the square feet of the living space of the accessory dwelling unit on the property that is restricted to occupancy by low income households, divided by the total square feet of all structures on the property. For purposes of determining the assessed value of the entire property, if by income approach to value, such assessment shall assume that all housing units are rented at fair market value.

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SECTION 3. Households leasing and occupying the affordable dwelling unit shall upon initial application and annually thereafter, on September first, submit to the City of Salem or its agent, documentation necessary to confirm their eligibility for the affordable accessory dwelling unit. Affordable accessory dwelling units shall be rented to those meeting the guidelines for low income household. For the purposes of this act, low income households shall have an income 60 percent of the area median income or less, as established by the United States Department of Housing and Urban Development for the Boston Metropolitan Statistical Area.

SECTION 4. This act shall take effect upon its passage.

#77 – ORDINANCE AMENDING SHORT TERM RENTAL

The following Order introduced by the Mayor was referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole. (Councillor Hapworth recused himself for this matter and returned to Chambers after the vote)

An Ordinance to amend an ordinance relative to short term rentals.

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

Section 1. Chapter 15 Short-Term Residential Rentals is hereby amended by inserting the following within Section 15.4 (a) Ineligible Residential Units:

“(5) Units established pursuant to the Salem Zoning Ordinance Section 3.2.8 Accessory Living Areas.”

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

#78 – RESOLUTION FOR TANIS GIVEN PRICE

The following Resolution introduced by Councillor Flynn was adopted. Councillor Flynn requested suspension of the rules to allow Representative Paul Tucker to speak and present Tanis Price with a Proclamation. There was no objection. Councillor Flynn also requested suspension of the rules to allow Tanis Price to speak after both presentations. There were no objections.

WHEREAS: Tanis Given Price, a 17-year old young man who will be turning 18 on March 10th, has Duchenne Muscular Dystrophy, and uses a wheelchair daily. Most of us take for granted our ability to be mobile and easily get around daily. Duchenne

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Muscular Dystrophy results in loss of strength and progressive muscle weakness which can lead to other medical problems.

WHEREAS: Despite this rare disease, Tanis does not let this disorder define him. Instead his strength, determination and hard work has allowed him to achieve his goal and dream of being able to “hang out” and use any of the park equipment in a playground like other children are able to do without any restrictions. He has never viewed his wheelchair as a “handicap” to champion system change to enhance the quality of life for other people with disabilities.

WHEREAS: Tanis attends Cotting School where their mission is to create an inclusive community to foster academic achievement, skill development and social-emotional maturity and to enable students with special needs to achieve their highest learning potential and level of independence. For those of you who heard Tanis speak at the January 23, 2020 Council Meeting is a testimony to the school. Tanis also loves animals and enjoys video games, movies, nature walks and spending time with family.

WHEREAS: Tanis, even as a young man of almost 18, possesses a thorough knowledge of the needs and concerns of people with disabilities and tirelessly advocates for others with disabilities. He attends many Duchenne Muscular Dystrophy events to raise awareness, fight for others and to make a huge impact and raises money to find a cure for this disease. He has dedicated himself to promote education so other children and adults with disabilities and their families may participate and enjoy an even more inclusive Salem to live in.

WHEREAS: Tanis Price has resided in Salem for 13 years and is viewed as an expectational resident of Ward 4. In fact, he has been given the unofficial title of “Assistant Ward 4 City Councillor.” Tanis has held meetings with Councillor Flynn, the Mayor and several department heads recently and the outcome of his tenacity is that the city is in the processes of purchasing two play structures that can accommodate wheelchairs that will be assembled at two different city playgrounds this spring. Tanis hard work will not only benefit himself but so many other children with disabilities now and in the future.

WHEREAS: Tanis’s dedication to our community and residents has been an invaluable asset to the City of Salem. His family, and especially his mother, Amy Burns, should be very proud of his accomplishments and strong values. As Councillor of Ward 4, I consider it an honor to work side by side with Tanis and his mom to bring these ADA accessible play structures to our city.

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NOW THEREFORE BE IT RESOLVED: That the City Council on behalf of its residents extend to Tanis Price sincere thanks to him for his dedication to continue to make Salem an inclusive community.

AND BE IT FURTHER RESOLVED: That the City Council make this Resolution a matter of record of these proceedings, and that a suitable copy of this Resolution be presented to Tanis Price on behalf of the Salem City Council, as a token of our #79 - appreciation and support.

#79 – ELECTION ORDER FOR THE MARCH 3, 2020 PRESIDENTIAL PRIMARY

The following Order introduced by Councillor Sargent was adopted.

ORDERED: That the meetings of the qualified voters of the City of Salem be held in the several voting precincts in the City at the polling places designated hereinafter on **Tuesday, March 3, 2020**, for the purpose of casting votes in the Presidential Primary Officers for the election of candidates of political parties for the following office:

PRESIDENTIAL PREFERENCE....FOR THIS COMMONWEALTH
STATE COMMITTEE MAN.....SECOND SENATORIAL DISTRICT
STATE COMMITTEE WOMAN.....SECOND SENATORIAL DISTRICT
WARD COMMITTEE.....CITY OF SALEM

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

WARD ONE

PRECINCT ONE
PRECINCT TWO

Bentley School, Memorial Drive
Community Room, 135 Lafayette Street

WARD TWO

PRECINCT ONE
PRECINCT TWO

St. Peter's Church Parish Hall, St. Peter Street
St. Peter's Church Parish Hall, St. Peter Street

WARD THREE

PRECINCT ONE
PRECINCT TWO

Salem High School Auditorium, 77 Willson Street
Salem High School Auditorium, 77 Willson Street

WARD FOUR

PRECINCT ONE
PRECINCT TWO

Witchcraft Heights School Gymnasium, 1 Frederick Street
Witchcraft Heights School Gymnasium, 1 Frederick Street

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING****WARD FIVE**PRECINCT ONE
PRECINCT TWOSaltonstall School Auditorium, 211 Lafayette Street
Saltonstall School Auditorium, 211 Lafayette Street**WARD SIX**PRECINCT ONE
PRECINCT TWOBates School, Liberty Hill Avenue
Bates School, Liberty Hill Avenue**WARD SEVEN**PRECINCT ONE
PRECINCT TWOSalem State Enterprise Center, 121 Loring Avenue
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.

#80 –COUNCIL MEETINGS FOR FEB. 27, 2020 BE MOVED – DATE AND TIME

The following Order introduced by Councillor Turiel was adopted.

ORDERED: That the Thursday, February 27, 2020 regular Council Meeting start at 7:30 P.M. instead of 7:00 P.M. and that the standard 6:00 P.M. Administration & Finance Committee and 6:30 P.M. Ordinances, Licenses and Legal Affairs be moved to Wednesday, February 26, 2020 at the respective times and posted accordingly due to Early Voting.

#81- RESOLUTION – DOMINICAN INDEPENDENCE DAY

The following Resolution introduced by Councillor Dominguez was adopted. Councillor Dominguez also requested and received unanimous consent to suspend the rules to allow the Dominican Flag Committee to speak. Perla Peguero, Yoleny Ynoa and Carlos Pichardo addressed the Council.

WHEREAS: The Dominican Flag Committee of Salem has called the Dominican community to Lafayette Park to Celebrate the raising of the Dominican flag that marks Dominican Republic's 176th anniversary of independence; and

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WHEREAS: The Dominican Community has dedicated this celebration of independence to Dominican Republic's men and women who have distinguished themselves in different disciplines in the City of Salem; and

WHEREAS: The Dominican community has established itself through the efforts of many Dominicans in business, sports, politics, education and many other disciplines and have exhibited their pride, passion and love of family, religion and commitment to hard work; and

WHEREAS: The Dominican community enriches the City of Salem by promoting the rich Dominican culture through music, dances and the arts; and

WHEREAS: The City of Salem recognizes that supporting the Latinx community will lead to greater continued equality for all residents and help strengthen our City; and

WHEREAS: All City of Salem Residents are cordially invited to attend the Dominican Flag Raising at Lafayette Park on Friday, February 28, 2020 at 5:00 P.M. and to join us as the celebration continues at the Salem Academy Charter School, 45 Congress Street, in the Albright Center; and

NOW, THEREFORE, We, the Salem City Councillors, do hereby proclaim February 28th, 2020 as DOMINICAN REPUBLIC INDEPENDENCE DAY and call upon our public officials, educators, librarians, and all Salem Residents to observe this month with appropriate ceremonies, activities and program here in Salem and beyond the borders of our Commonwealth.

#82 – COMPREHENSIVE ANNUAL FINANCIAL REPORT

The following Order introduced by Councillor Turiel was adopted.

ORDERED: That the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ending June 30, 2019 be received and placed on file.

#83 – TRAFFIC ORDINANCE AMENDING CH. 42 SEC. 13 SERVICE ZONES – REPEAL & REPLACE HAWTHORNE BLVD

The following Ordinance introduced by Councillor McCarthy was adopted for first passage and referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole. (Councillor Sargent assumed the chair for this matter)

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING**

In the year Two Thousand and Twenty

An Ordinance to amend an Ordinance relative to Traffic – Service Zones

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

Section 1. Chapter 42, Section 13 – “Service Zones” is hereby amended as follows:

REPEAL Hawthorne Boulevard, on the northeasterly side of Hawthorne Boulevard, extending for a distance of fifty- seven (57) feet from Essex Street in a southerly direction;

And Replacing with the following:

Hawthorne Boulevard, on the Westerly side of the two-way section of Hawthorne Boulevard, beginning at a point thirty-five (35) feet South of the intersection of Essex Street, extending for a distance of thirty (30) feet, Monday through Saturday, 8:00 A.M. to 4:00P.M.

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

**#84 – TRAFFIC ORDINANCE AMENDING CH. 42 SEC. 56 – METERED PARKING –
REPEAL AND REPLACE HAWTHORNE BLVD**

The following Ordinance introduced by Councillor McCarthy was adopted for first passage and referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole. (Councillor Sargent assumed the chair for this matter)

In the year Two Thousand and Twenty

An Ordinance to amend an Ordinance relative to Traffic – Parking Meters, Zones Established

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

Section 1. Chapter 42, Section 56 – “Parking Meters, Zones Established” is hereby amended as follows:

REPEAL Hawthorne Boulevard, easterly side, between Essex Street and Derby Street. Four (4) hour parking. (island portion of Hawthorne Boulevard).”

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING***And replace it with the following:*

REPLACE with Hawthorne Boulevard – easterly side, between Essex Street and Charter Street (two-way section of roadway). Four (4) hour parking.”

And by further repealing and replacing the following:

REPEAL Hawthorne Boulevard, beginning at the intersection of Charter Street and Hawthorne Boulevard to Derby Street, in both a southerly and northerly direction adjacent to the Father Matthew Statue Park at 28 Hawthorne Boulevard. Four (4) hour parking.”

And replace it with the following:

REPLACE with Hawthorne Boulevard, both sides, between Charter Street and Derby Street (one-way section of roadway). Four (4) hour parking.

And by further repealing the following:

REPEAL Hawthorne Boulevard, westerly side from the intersection of Essex Street to the intersection of Charter Street. Two (2) hour parking.”; **AND to**

REPEAL Hawthorne Boulevard, easterly side, commencing 44 feet (2 spaces) south of the intersection with Essex Street extending south to the intersection of Charter Street. Two (2) hour limit weekdays between the hours of 9:00 A.M. and 5:00 P.M.”; **AND to**

REPEAL Hawthorne Boulevard, westerly side, from the intersection of Hawthorne Boulevard and Charter Street to Derby Street. No overnight parking.”

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

#85 – TRAFFIC ORDINANCE AMENDING CH. 42 SEC. 75 – RESIDENT STICKER PARKING – REPEAL AND REPLACE HAWTHORNE BLVD & CHARTER STREET

The following Ordinance introduced by Councillor McCarthy was adopted for first passage and referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole. (Councillor Sargent assumed the chair for this matter)

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING**

In the year Two Thousand and Twenty

An Ordinance to amend an Ordinance relative to Traffic – Parking prohibitions towing zone (resident sticker)

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)” is hereby amended by adding the following:

Hawthorne Boulevard – ZONE A - COLOR BLUE, westerly side, from Essex Street to Charter Street. Two (2) hour nonresident parking allowed, Monday through Saturday, 8:00 A.M to 6:00 P.M. No visitor passes shall be issued for qualifying addresses on this street; **And by adding,**

Charter Street – ZONE A-COLOR BLUE - both sides, from the intersection with Hawthorne Boulevard, proceeding in a westerly direction for a distance of one hundred twenty (120) feet. Two (2) hour nonresident parking allowed, Monday through Saturday, 8:00 A.M to 6:00 P.M. No visitor passes shall be issued for qualifying addresses on this street.

REPEAL: “Hawthorne Boulevard – ZONE A - COLOR BLUE, easterly side, from Essex Street to Charter Street between the hours of 5:00 P. M. and 7:00 A. M.”; **AND to**

further repeal the following:

REPEAL “Hawthorne Boulevard – ZONE A – COLOR BLUE, easterly side, from Essex Street to Charter Street, two (2) hour non-resident limit weekdays between the hours of 9:00 A.M. and 5:00 P.M.”; **AND to**

replace with the following:

REPLACE with Hawthorne Boulevard – ZONE A - COLOR BLUE, easterly side, from Essex Street to Charter Street (one-way section of road), excluding fifteen (15) minute parking zone. Two (2) hour nonresident parking allowed, Monday through Saturday, 8:00 A.M to 6:00 P.M. No visitor passes shall be issued for qualifying addresses on this street;

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

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING****#86 – COUNCIL APPOINTMENTS TO THE AFFORDABLE HOUSING TRUST FUND BOARD AND AMENDING TERM EXPIRATION**

The following Order introduced by Councillor McCarthy was adopted. Councillor Dibble made a motion to refer this matter to Government Services co-posted with the Committee of the Whole to discuss these appointments and the wording. Councillor Dominguez seconded the motion. The motion did not pass.

ORDERED: That the City Council elect two members of the city council to serve on the Affordable Housing Trust Fund Board for a term of one year and that the term expiration shall be adjusted to December 31st. All interested Councillors should contact the Council President and this matter will be acted on at the next regular Council Meeting

#87 – MEET WITH THE POLICE DEPARTMENT’S COMMUNITY IMPACT UNIT

The following Order introduced by Councillor Morsillo was adopted.

ORDERED: That the Committee on Public Health, Safety and the Environment co-posted with the Committee of the Whole meet with Chief Butler and the Community Impact Unit (CIU) for a presentation by the CIU.

Councillor Prosniewski stated as past commander of the CIU it is important that all Councillors attend and to really understand what the CIU does and how far reaching this unit impacts and realize how they can help the Council make decisions in the future. The CIU unit takes care of many issues including opioids and homelessness.

#88 (#24 - #28) – GRANTING CERTAIN LICENSES

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

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

SECOND HAND
VALUABLES

The Record Exchange. 256 Washington St
Jacqueline Satin @ Pickering Wharf 69 Wharf St
ecoATM, LLC 450 Highland Ave (inside Walmart)

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TAG DAYS

SHS Winter Color guard & Percussion Ensemble, 3/21/20

SHS Concert Band and Wind Ensemble, 5/9/20

**#89 - (#686 of 2018) – ORDINANCE AMENDING SOLID WASTE MANAGEMENT
CH. 36 - BULK ITEMS**

Councillor Madore 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 amending Solid Waste Management Ordinance Ch. 36 - Bulk items, has considered said matter and would recommend adoption for first passage.

**#90- (#15) – DESIGNATING CERTAIN BOARDS AS SPECIAL MUNICIPAL
EMPLOYEES**

Councillor Madore 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 designating a list of certain Boards as Special Municipal Employees, has considered said matter and would recommend a Positive Recommendation

**#91 (#559 of 2018) – AMENDING AN ORDINANCE RELATIVE TO GREENLAWN
CEMETERY – CH. 16 SEC. 68 – FORM OF DEED FOR SALE OF NEW LOTS**

Councillor Madore 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 amending an Ordinance relative to Greenlawn Cemetery, has considered said matter and would recommend adoption as amended for first passage.

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Councillor Madore explained this is needed to give the Cemetery the authority to remove certain personal items that are left behind, including such items as nips and needles.

#92 - (#197 of 2019) – AMENDING AN ORDINACE RELATIVE TO CH. 1 SEC. 2 – DEFINITIONS

Councillor Madore 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 repealing Sec. 1-2 definitions and rules of construction: Gender. A word importing the masculine gender only shall extend and be applied to females and to firms, partnerships and corporations, as well as to males: and revising City Ordinances to use gender neutral language, has considered said matter and would recommend that the matter remain in committee in order to do more research regarding costs, legal concerns, best practices from other communities who have done this.

#93 – PETITION TO INSTALL A POLE ON ORANGE STREET

A hearing was ordered for February 27, 2020 on a petition from National Grid and Verizon to install 1 JO pole on Orange Street.

#94 –ROAD RACE – B&S FITNESS

A request from B & S Fitness to hold Black Cat 10 & 20 Mile Road Race and the use of city streets on April 4, 2020 was granted.

#95 – WALK FOR HAWC

A request from HAWC to hold Walk for HAWC and the use of city streets on May 3, 2020 was granted.

#96 – NSMC CANCER WALK

A request from North Shore Medical Center to hold North Shore Cancer Center Cancer Walk and the use of city streets on June 28, 2020 was granted

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING****#97 – ROAD RACE – WICKED RUNNING CLUB**

A request from the Wicked Running to hold Miles over the Moon Road Race and the use of city streets on July 17, 2020 was granted.

#98 - #101 – GRANTING CERTAIN LICENSES

The Following License Applications were granted.

PUBLIC GUIDES:

Robert Anthony 27 Charter St., Salem
 Brian McCarron PO Box 129, Beverly
 Leigh Cochran 5 Barton Sq., Salem
 Cynthia Haigh 4 Brackett St., Milton
 Gavin Villarreal 19 Linden St., Salem
 Stephanie Clements 43 Central St., Peabody
 Amanda Dixey-Rivera 3 Huron St, Swampscott
 Gwendolyn Robinson 18 Conant St., Salem
 Alexa Henkelman 28 Oliver St., Salem
 Rebecca Johnson 127 Derby St., Salem
 Nicholas Tranfaglia 20 Frisbie Rd Marshfield
 Robert Sant Fournier 5 Crescent Ct., Beverly
 James Menrie 9 Monte Rd., Lynn
 Joyce Harrington 49 Valiant Way, Salem
 Scott Aden 14 Winthrop Shore Dr, Winthrop
 Raymond Swartz 30 Ocean St., Salem
 Adam Deleon 24 Crescent Dr., Salem
 Hollyann Recupero 9 Winthrop St., Peabody
 Sarah-Frankie Carter 294 Essex St., Salem
 Molly Euni Morrow 394 Essex St., Salem
 Janet Daugherty 26 Qtrmstr Row S Yarmouth
 Sarah Black 377 Essex St., Salem
 Marc V. Delaney 10 Ocean Ave., Salem
 Pamela Cyran 394 Essex St., Salem
 Lara Jay Fury 126 Federal St., Salem
 Daniel Minkle Fury 126 Federal St., Salem
 Tim Maguire 127 Essex St., Salem
 Laura Dandaneau 21 Andrews St., Salem
 Alexia Demetrovلاكos 16 Main St., Westford

TAXI CAB/LIMOS:

Americab 92 Jackson St #208 (4 Taxi Cabs)
 Salem Taxi 30 Federal St (5 Taxi Cabs/8 Limo)
 Witch City Taxi 92 Jackson St (9 Cabs/2 Limo)

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TAXI OPERATORS: German Jose Moya 34 Prince St., Salem
 Johnny Fabian-Polanco 52 Ward St., Salem
 Vladimir Inoa Frias 414 Essex St., Salem
 Juan Miguel Martinez 12 Pope St., Salem
 Jose R Fabian 10 Northend St., Peabody
 Juan E. Pimentel-Lugo 34 Prince St., Salem

#102 – TAXI OPERATOR LICENSE DENIED

The Following License Application was denied.

TAXI OPERATOR: Jose Fabian 10 Northend St #1 Peabody

#103 – REQUEST FOR HEARING ON DENIAL OF TAXI OPERATOR LICENSE

A request for a hearing from Jose Fabian 10 Northend St #1 Peabody on the denial of a taxi operator license was referred to the Committee on Ordinances, Licenses, and Legal Affairs to hold an Executive Session.

#104 - #112 – LICENSE APPLICATIONS

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

SECOND HAND

VALUABLES: ecoATM, LLC 11 Traders Way (inside Shaw's)
 Witch City Consignment 301 Essex St.

TAG DAYS: Salem Veterans Council 5/15,17,18,22-25 7/2-4, 11/5-11/2020
 Dance Enthusiasm 2/29, 3/22 & 6/14/2020
 SHS Softball 3/29, 4/11 & 5/23/2020
 Salem Little League 5/16 & 6/6, 6/20/2020
 SHS Girls Volleyball 9/26 & 10/17/2020
 Salem Youth Football & Cheer 10/10, 10/24/2020
 North Shore Breakers 10/18 & 10/25/2020

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING****#113 – DRAINLAYER / CONTRACT OPERATOR LICENSES**

The Following License Applications were granted.

The Following Drainlayers:

- Neuco 94 Glenn St, Lawrence
- Agganis Const. 394 Lincoln Ave, Saugus
- Caruso Corp. 320 Charger St., Revere
- Peterson Const. 210 Broadway, Lynn
- N. Granese & Sons 59 Jefferson Ave, Salem
- D&M Civil 30 Log Bridge Rd, Middleton
- R DiLisio Co, 113 Fayette St, Lynn
- Brennan Const. 57 RR Grove St, Salem

#114 - #116 – CLAIMS

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

- James Bettger 5 Indian Hill Ln., Salem
- Donald McClellan 1 Ramsdell St., Marblehead
- Carilde Moreta 206 Jefferson Ave, Salem

#117 – DRAINLAYER BOND

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

DRAINLAYERS: Neuco 94 Glenn St., Lawrence, MA

(#17) – AMENDING AN ORDINANCE RELATIVE TO TRAFFIC – HANDICAP PARKING – LATHROP STREET

A Second Passage of An Ordinance to Amend an Ordinance Relative to Traffic was then taken up. It was adopted for second and final passage.

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

CITY OF SALEM**FEBRUARY 13, 2020****CITY COUNCIL REGULAR MEETING**

Lathrop Street – One Handicapped Parking Space to be added in front of #18 Lathrop Street, beginning four (4) feet West of the driveway at 18 Lathrop Street, running west for twenty (20) feet.

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

(#18) – AMENDING AN ORDINANCE RELATIVE TO TRAFFIC – HANDICAP PARKING – WARREN STREET

A Second Passage of An Ordinance to Amend an Ordinance Relative to Traffic was then taken up. It was adopted for second and final passage.

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

Warren Street – One Handicapped Parking Space to be added in front of #11 Warren Street, beginning twenty-four (24) feet East of the driveway at 11 Warren Street, running west for twenty (20) feet.

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

On the motion of Councillor Sargent the meeting adjourned at 9:15 P.M.

ATTEST:

ILENE SIMONS
CITY CLERK