

CITY OF SALEM

JULY 14, 2022

REGULAR MEETING

A Regular Meeting of the City Council was held in-person and remotely via zoom on Thursday, July 14, 2022, at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on July 12, 2022, at 11:00 A.M. This meeting is being recorded and is live on S.A.T.V.

Councillor absent: Councillor Merkl (excused)

Councillor remote: Councillor Watson-Felt

Council President Morsillo presided.

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

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

PUBLIC TESTIMONY

1. Fawaz Abusharkh, 4 Harrison Rd., Salem – Resolution – Women’s Health – In support
2. Christine Madore, 20 Federal St. #8, Salem – Zoning – Halloween Parking Overlay District – opposes
3. Beth Cornell, 18 Briggs St., Salem – Zoning – Halloween Parking Overlay District – opposes

(#448) – APPOINTMENT OF MICHELLE BETTENCOURT TO THE COUNCIL ON AGING

Held from the last meeting, the Mayor’s Appointment of Michelle Bettencourt 5 Beachmont Rd., to the Council on Aging with a term to expire February 1, 2025, was confirmed by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

Councillor Riccardi requested and received suspension of the rules to allow Michelle Bettencourt to address the Council.

(#449) – APPOINTMENT OF JUSTIN MACCUTCHEON AS THE DEPUTY AUDITOR

Held from the last meeting, the Mayor’s Appointment of Justin MacCutcheon 3 Marilyn Ct. Woburn as the Deputy Auditor for the City of Salem, with a term to expire January 31, 2024, was confirmed under suspension of the rules, by a roll call vote of 10 yeas,

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosnowski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

#479 – APPOINTMENT OF ERIN CASEY TO THE SERC COMMITTEE

The Mayor's appointment of Erin Bonney Casey of 29 Briggs Street to the Sustainability, Energy, and Resiliency Committee with a term to expire July 14, 2025 was held under the rules.

#480 – APPOINTMENT OF WALTER MORRELL TO THE BICYCLING ADVISORY COMMITTEE

The Mayor's appointment of Walter Morrell of 65 Palmer Street to the Bicycling Advisory Committee with a term to expire January 14, 2025, was held under the rules.

#481 - #485 – REAPPOINTMENTS OF THE FOLLOWING TO VARIOUS BOARDS AND COMMISSIONS

The Mayor's re-appointments of the following with terms to expire were confirmed by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosnowski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

| | | | |
|-------------------|------------------|----------------------|----------------|
| Susan Yochelson | 5 Eden St. | Tree Commission | July 18, 2025 |
| Paul L'Heureux | 24 Lafayette Pl | Tree Commission | July 18, 2025 |
| Rachel McCarter | 17 Forest Ave #7 | Tree Commission | July 18, 2025 |
| Datanis Elias | 71 Harbor St | Board of Health | July 21, 2025 |
| Alexandra Maranto | 3 Lemon St. Ct | Bicycling Adv. Comm. | Sept. 12, 2025 |

#486 – REAPPOINTMENT OF GEROGE HOXHA AS CONSTABLE

The Mayor's re-appointment of George Hoxha 52 Highland Ave as a Constable with a term to expire May 22, 2025 was received and filed.

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

#487 – APPROPRIATION OF \$1,490,612.26 FOR SNOW AND ICE DEFICIT

The following order submitted by the Mayor was adopted under suspension of the rules by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniowski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

ORDERED: That the sum of One Million Four Hundred Ninety Thousand Six Hundred Twelve Dollars and Twenty-Six Cents (\$1,490,612.26) is hereby transferred to the Snow and Ice “Snow Removal” account (14232-5292) from the accounts as provided below to fund the Snow and Ice deficit incurred for FY2022 in accordance with the recommendation of Her Honor the Mayor.

| Description | Fund | Amount |
|--|-------------|------------------------|
| Human Resources – Medical Insurance | 19141-5174 | \$ 1,308,270.14 |
| Human Resources – Unemployment Comp | 19131-5173 | \$ 182,342.12 |
| | | \$ 1,490,612.26 |

#488 – APPROPRIATION OF \$256,348.73 FOR RETIREMENT BUYBACK FOR SCHOOL EMPLOYEES

The following order submitted by the Mayor was adopted under suspension of the rules by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniowski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

ORDERED: That the sum of Two Hundred Fifty-Six Thousand Three Hundred Forty-Eight Dollars and Seventy-Three Cents (\$256,348.73) be approved within the “Retirement Stabilization Fund-Vacation/Sick Leave Buyback” account (83113-5146) to be expended for the FY 2022 contractual buyback(s) listed below in accordance with the recommendation of Her Honor the Mayor.

| Name | Department | Amount |
|------------------|-------------------------|---------------|
| Frank Leonard | Salem Public Schools | 16,746.10 |
| Kathleen Boucher | Salem Public Schools | 37,715.00 |
| Nancy Brown | Salem Public Schools | 19,138.38 |
| Maritza Coello | Salem Public Schools | 18,857.51 |
| Rosemary Dunning | Salem Public Schools | 19,528.40 |

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

| | | |
|----------------------|----------------------|-------------------|
| Jane Garthe | Salem Public Schools | 17,359.20 |
| Darlene Lupini | Salem Public Schools | 18,659.84 |
| Elizabeth Lutts | Salem Public Schools | 36,164.00 |
| Cynthia Napierkowski | Salem Public Schools | 36,016.00 |
| Louis Wallach | Salem Public Schools | 36,164.00 |
| | | 256,348.73 |

#489 – APPROPRIATION OF \$130,288.00 FOR FY2022 RETRO PAY WAGES FOR FIREFIGHTERS

The following order submitted by the Mayor was adopted under suspension of the rules by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

ORDERED: That the sum of One Hundred Thirty Thousand Two Hundred Eighty-Eight Dollars (\$130,288.00) is hereby appropriated from the General Stabilization Fund to the "Human Resources Retro Wages Account" (11521-5161) for the FY2022 retroactive wages for pay increases pursuant to the contract settlements reached with Local 172, IAFF (Salem Firefighters) effective July 1, 2021, in accordance with the recommendation of Her Honor the Mayor.

#490 – APPROPRIATION OF \$119,242.77 TO COVER REMAINING FINAL FY2022 COSTS

The following order submitted by the Mayor was adopted under suspension of the rules by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

ORDERED: That the sum of One Hundred Nineteen Thousand Two Hundred Forty-Two Dollars and Seventy-Seven Cents (\$119,242.77) is hereby transferred to the accounts as provided below to cover remaining final FY2022 costs necessary to close the fiscal year in accordance with the recommendation of Her Honor the Mayor.

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

| TO ACCOUNT: | | | | FROM ACCOUNT: | | | |
|-----------------------|-----------------|------------------------|----------------|---------------------|-----------------|----------------------|--------------|
| Org/Obj | Dept | Account | Amount | Org/Obj | Dept | Account | Amount |
| 11111-5111 | City Council | Salaries - Full Time | \$ (7,500.00) | 19131-5173 | Human Resources | Unemployment Com | \$ 4,500.00 |
| | | | | 11621-5118 | Elections/Reg. | Seasonal Labor | \$ 3,000.00 |
| | | ORG TOTAL | \$ (7,500.00) | | | TRANSFER IN TOTAL | \$ 7,500.00 |
| 11611-5111 | Clerk's Office | Full-Time Salaries | \$ (1,965.00) | 11621-5113 | Elections/Reg. | Salaries- Part Time | \$ 2,882.00 |
| 11611-5131 | Clerk's Office | Overtime | \$ (917.00) | | | | |
| | | ORG TOTAL | \$ (2,882.00) | | | TRANSFER IN TOTAL | \$ 2,882.00 |
| 11622-5381 | Elections/Reg. | Printing and Binding | \$ (1,107.28) | 11621-5118 | Elections/Reg. | Seasonal Labor | \$ 3,154.23 |
| 11622-5386 | Elections/Reg. | Voting Machine Service | \$ (2,046.95) | | | | |
| | | ORG TOTAL | \$ (3,154.23) | | | TRANSFER IN TOTAL | \$ 3,154.23 |
| 11352-5320 | Finance | Contracted Services | \$ (37,361.92) | 11351-5111 | Finance | Salaries Full-Time | \$ 8,270.00 |
| | | | | 11351-5113 | Finance | Salaries Part-Time | \$ 6,800.92 |
| | | | | 11351-5150 | Finance | Fringe/Stipends | \$ 2,000.00 |
| | | | | 11212-5320 | Mayor | Contracted Services | \$ 20,291.00 |
| | | ORG TOTAL | \$ (37,361.92) | | | TRANSFER IN TOTAL | \$ 37,361.92 |
| 11392-5422 | Purchasing | Copiers & Supplies | \$ (2,000.00) | 11382-5306 | Purchasing | Advertising | \$ 2,000.00 |
| | | ORG TOTAL | \$ (2,000.00) | | | TRANSFER IN TOTAL | \$ 2,000.00 |
| 11111-5111 | Collector | Salaries - Full Time | \$ (1,850.00) | 19131-5173 | Human Resources | Unemployment Com | \$ 1,850.00 |
| | | ORG TOTAL | \$ (1,850.00) | | | TRANSFER IN TOTAL | \$ 1,850.00 |
| 14112-5111 | Engineering | Salaries - Full Time | \$ (19,500.00) | 14111-5111 | Public Services | Salaries - Full Time | \$ 19,500.00 |
| | | ORG TOTAL | \$ (19,500.00) | | | TRANSFER IN TOTAL | \$ 19,500.00 |
| 16981-5118 | Charter Street | Seasonal Staff | \$ (13,000.00) | 16501-5111 | Recreation | Salaries - Full Time | \$ 13,000.00 |
| | | ORG TOTAL | \$ (13,000.00) | | | TRANSFER IN TOTAL | \$ 13,000.00 |
| 19191-5177 | Treasurer | Medicare | \$ (6,694.14) | 19131-5173 | Human Resources | Unemployment Com | \$ 6,694.14 |
| | | ORG TOTAL | \$ (6,694.14) | | | TRANSFER IN TOTAL | \$ 6,694.14 |
| 19452-5740 | Treasurer | Insurance Premiums | \$ (14,460.48) | 19131-5173 | Human Resources | Unemployment Com | \$ 14,460.48 |
| | | ORG TOTAL | \$ (14,460.48) | | | TRANSFER IN TOTAL | \$ 14,460.48 |
| TO ACCOUNT: | | | | FROM ACCOUNT: | | | |
| Org/Obj | Dept | Account | Amount | Org/Obj | Dept | Account | Amount |
| 14812-5341 | Traffic/Parking | Telephone | \$ (840.00) | 19131-5173 | Human Resources | Unemployment Com | \$ 840.00 |
| | | ORG TOTAL | \$ (840.00) | | | TRANSFER IN TOTAL | \$ 840.00 |
| 14811-5111 | Traffic/Parking | Full-Time Salaries | \$ (6,000.00) | 19131-5173 | Human Resources | Unemployment Com | \$ 10,000.00 |
| 14811-5150 | Traffic/Parking | Stipend | \$ (4,000.00) | | | | |
| | | ORG TOTAL | \$ (10,000.00) | | | TRANSFER IN TOTAL | \$ 10,000.00 |
| TOTAL \$ (119,242.77) | | | | TOTAL \$ 119,242.77 | | | |

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

#491 – APPROPRIATION OF \$75,065.00 FOR RETRO PAY WAGES FOR FIREFIGHTERS

The following order submitted by the Mayor was adopted under suspension of the rules by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

ORDERED: That the sum of Seventy-Five Thousand Sixty-Five Dollars (\$75,065.00) is hereby appropriated and transferred from "Human Resources Salary/Collective Bargaining Reserve" (11521-5171A) to the "Human Resources Retro Wages Account" (11521-5161) for the FY2022 retroactive wages for pay increases pursuant to the contract settlements reached with Local 172, IAFF (Salem Firefighters) effective July 1, 2021, in accordance with the recommendation of Her Honor the Mayor.

#492 – APPROPRIATION OF \$17,420.96 FOR RETIREMENT FUND BUYBACK FOR KAREN MORAN

The following order submitted by the Mayor was adopted under suspension of the rules by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

ORDERED: That the sum of Seventeen Thousand Four Hundred Twenty Dollars and Ninety-Six Cents (\$17,420.96) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2023 contractual buyback(s) listed below in accordance with the recommendation of Her Honor the Mayor.

| Name | Department | Amount |
|-------------|---------------------------|---------------------|
| Karen Moran | Engineering Department | \$ 17,420.96 |
| | | \$ 17,420.96 |

#493 – DONATION OF \$13,500.00 FROM SSU FOR BIKE SHARE PROGRAM

The following order submitted by the Mayor was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

ORDERED: To accept an annual recurring donation from Salem State University in the amount of Thirteen Thousand Five Hundred Dollars (\$13,500.00) to support the operations and maintenance of the City's bike share program. These funds will be deposited into the Traffic and Parking Department's Transportation Enhancement Fund Account #25T91-4830 in accordance with the recommendation of Her Honor the Mayor.

#494 – DONATION OF \$3,186.29 FROM FOOTPRINT FOR THE DERBY ST. MILE

The following order submitted by the Mayor was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

ORDERED: To accept the donation from Footprint Power / Salem Harbor Station in the amount of Three Thousand One Hundred Eighty-Six Dollars and Twenty-Nine Cents (\$3,186.29) for the 2022 Derby Street Mile. These funds will be deposited into the Parks and Recreation Donation Account #24061-4830 in accordance with the recommendation of Her Honor the Mayor.

#495 – RESOLUTION FOR OFFSHORE WIND INDUSTRY PORTS INVESTMENT GRANT

The following Resolution submitted by the Mayor was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

Resolution: Expressing Support for Salem's Application to the Massachusetts Offshore Wind Industry Ports Investment Challenge grant program

WHEREAS: Offshore wind represents a transformative opportunity to invest in and create substantial renewable power for Massachusetts, reduce our carbon footprint, expand and grow our tax base, and create thousands of green energy jobs; and,

WHEREAS: The City of Salem is seeking to redevelop a vacant, industrial portion of the Port of Salem – specifically, the site of a previously decommissioned coal fired power plant – to create a new purpose-built offshore wind turbine construction staging port; and,

WHEREAS: Salem's deep-water port provides sufficient upland area, a federally maintained navigation channel, and no height or width limitations, making it uniquely positioned to support the needs of the Commonwealth for offshore wind deployment; and,

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

WHEREAS: The offshore wind port development project will leverage substantial private funding in pursuit of state and federal grant funding to implement critical improvements to Salem's aging port infrastructure and bring an immediate and enduring positive economic and social benefit to the entire North Shore region through jobs and growth; and,

WHEREAS: The Massachusetts Clean Energy Center's Offshore Wind Industry Ports Investment Challenge is a critical component of the funding strategy for this project.

NOW THEREFORE BE IT RESOLVED: That the Mayor of the City of Salem and the Salem City Council expresses its strongest possible support for the City of Salem's application to the Massachusetts Clean Energy Center under the Massachusetts Offshore Wind Industry Ports Investment Challenge grant program;

AND BE IT FURTHER RESOLVED: That a copy of this Resolution be submitted to Jennifer Daloisio, Chief Executive Officer for the Massachusetts Clean Energy Center.

#496 – RESOLUTION IN SUPPORT OF FAIR SHARE AMENDMENT

The following Resolution submitted by the Mayor was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

Resolution: In Support of the Fair Share Amendment

WHEREAS, Massachusetts required additional revenue for our transportation and public education systems even before the COVID-19 pandemic, and long-term funding is needed now more than ever to lift our economy into an equitable and long-lasting recovery; and

WHEREAS, major investments in public education are needed to help students recover academically, socially, and emotionally from the COVID-19 pandemic; and
WHEREAS, additional funding is needed to ensure that all schools can maintain or provide small class sizes, offer social-emotional supports, and hire additional counselors, nurses, and social workers; and

WHEREAS, the best way to help working families and build a stronger economy for us all is to make sure that we have quality public schools for our children, affordable public higher education, and a reliable transportation system; and

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

WHEREAS, new state revenue is necessary to rebuild and improve roads and bridges, improve our public schools from Pre-K through college, invest in fast and reliable public transportation, make public higher education affordable again, and expand opportunities for healthy walking and bicycling; and

WHEREAS, wealthy Massachusetts residents saw their investments grow during this pandemic, while working families struggled, and Massachusetts' wealthiest residents should pay their fair share to support our communities and grow our economy.

NOW THEREFORE, let it be resolved that the Salem City Council and Mayor of Salem supports the proposed Fair Share Amendment that would create an additional tax of four percentage points on annual income above one million dollars and dedicate the funds raised by this tax to quality public education, affordable public colleges and universities, and repair and maintenance of roads, bridges, and public transportation.

#497 – POLICE CHIEF ASSIGN POLICE OFFICERS TO POLLING LOCATIONS

The following Order introduced by Councillor McCarthy was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniowski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

ORDERED: That the Chief of Police assign a minimum of one police officer to each polling location on Election Day. And also to Early Voting Locations if possible.

#498 – MONTHLY FINANCIAL REPORTS FOR APRIL AND MAY 2022

The following Order introduced by Councillor McCarthy was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniowski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

ORDERED: That the FY2022 Monthly Financial Reports for April 2022 and May 2022 be received and filed.

#499 – ELECTION WARRANT FOR THE STATE PRIMARY ON SEPT. 6, 2022

The following Order introduced by Councillor McCarthy was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniowski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

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, September 6, 2022**, for the purpose of casting votes in the State Primary Election for the candidates of political parties for the following offices:

| | |
|---------------------------------|------------------------|
| GOVERNOR | FOR THIS COMMONWEALTH |
| LIEUTENANT GOVERNOR | FOR THIS COMMONWEALTH |
| ATTORNEY GENERAL | FOR THIS COMMONWEALTH |
| SECRETARY OF STATE | FOR THIS COMMONWEALTH |
| TREASURER | FOR THIS COMMONWEALTH |
| AUDITOR | FOR THE COMMONWEALTH |
| REPRESENTATIVE IN CONGRESS | SIXTH DISTRICT |
| COUNCILLOR | FIFTH DISTRICT |
| SENATOR IN GENERAL COURT | SECOND ESSEX DISTRICT |
| REPRESENTATIVE IN GENERAL COURT | SEVENTH ESSEX DISTRICT |
| DISTRICT ATTORNEY | EASTERN DISTRICT |
| SHERIFF | ESSEX COUNTY |

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 |

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

WARD SEVEN

PRECINT ONE

Salem State Enterprise Center, 121 Loring Avenue

PRECINT 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.

#500 – RESOLUTION TO PROMOTE, SUPPORT, AND ADVOCATE FOR ALL REPRODUCTIVE HEALTHCARE AND ABORTION RIGHTS

The following Order introduced by Councillor Morsillo, Riccardi and Watson-Felt was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

A motion to make this vote a unanimous roll call vote of 11 yeas, 0 nays and 0 absent was adopted.

Resolution: To Promote, Support, and Advocate for All Reproductive Healthcare and Abortion Rights

WHEREAS, the Supreme Court on January 22, 1973, issued a historic landmark decision in *Roe v. Wade*, ruling that the United States Constitution safeguards a person's ability to make their own personal medical decisions about whether and when to have children, as grounded in "the Due Process Clause of the Fourteenth Amendment, which protects against state action the right to privacy, including a woman's qualified right to terminate her pregnancy"; and

WHEREAS, this right was affirmed in subsequent Supreme Court cases such as *Planned Parenthood v. Casey* (1992) and *Whole Women's Health v. Hellerstedt* (2016); and

WHEREAS, the Supreme Court on June 24, 2022, overturned these aforementioned decisions, reversing the constitutional right to abortion and allowing each state to impose their own laws regarding an individual's right to abortion; and

WHEREAS, individual states are already restricting or eliminating abortion access, banning people's access to medications used for other health conditions because of their possible effect on a fetus, and restricting lifesaving medical procedures for those whose fetus is not viable; and

WHEREAS, international human rights law recognizes and protects access to safe and legal abortion as essential to the full range of human rights, including the rights to life,

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

health, equality and non-discrimination, privacy, bodily autonomy, and freedom from cruel, inhuman, and degrading treatment, and efforts to ban abortion in the United States run counter to these human rights protections; and

WHEREAS, the Guttmacher Institute reports that before *Roe v. Wade*, illegal abortions ranged from 200,000 to 1.2 million per year, and approximately one in six maternal deaths related to pregnancy and childbirth in 1965 alone were attributed to illegal abortions. The legalization and reasonable regulation of safe abortion in the United States led to drastically reduced incidences of maternal deaths and hospitalizations related to abortion, including innumerable cases in which abortion saved the life of the pregnant person; and

WHEREAS, according to the World Health Organization, lack of access to safe, affordable, timely, and respectful abortion care, and the stigma associated with abortion, pose risks to people's physical, emotional, and mental well-being throughout their life; and

WHEREAS, those who will be most affected by this ruling are already disproportionately affected by medical, educational, and economic inequality, including essential workers; Black, Brown, and Indigenous people; undocumented people; immigrants; incarcerated people; people with disabilities; the LGBTQIA+ community; and those living in rural areas with limited access to quality healthcare; and

WHEREAS, reproductive healthcare is a human right that includes, but is not limited to, contraception, comprehensive sex and sexually-transmitted infection education, prevention and care, pregnancy tests, alternative birth options, hormone replacement therapy, fertility care, doula services, adequate prenatal and pregnancy care, and abortion.

NOW THEREFORE BE IT RESOLVED: That the Salem City Council, Mayor Driscoll, and the Salem Board of Health stand united in their commitment to advocating for and protecting basic human rights, including the reproductive rights for all people who may become pregnant, and individuals' right to make reproductive decisions about their own bodies; and,

BE IT FURTHER RESOLVED: That the Salem City Council, Mayor Driscoll, and the Salem Board of Health urge the Massachusetts Legislature to immediately pass, and the Governor to sign, H4930, strengthening the Commonwealth's reproductive healthcare laws by protecting healthcare professionals who provide abortions and other reproductive healthcare, and protecting all patients seeking medical care in the Commonwealth; and,

BE IT FURTHER RESOLVED; That the Salem City Council, Mayor Driscoll, and the Salem Board of Health implore the United States Senate and Congress to codify federal

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

protections to ensure all people can access reproductive health care services, including safe and legal abortion, throughout the country; and,

BE IT FURTHER RESOLVED; that the City Clerk is hereby authorized and directed to transmit a copy of this Resolution to Senator Elizabeth Warren, Senator Ed Markey, Governor Charlie Baker, Representative Seth Moulton, State Senator Joan Lovely, and State Representative Paul Tucker.

Councillor Morsillo stated why a decision such as this is horrific. It strips women of human rights. In those States that ban it will only make it unsafe and risking the lives of women. The thought of elected officials making decisions on a person's healthcare is abhorrent. We need the support of men to fight with us. Support those that come to MA for a safe and legal abortion.

Councillor Riccardi stated by overturning Roe vs Wade, made woman second class citizens. Although MA will keep abortions legal, twenty-six states will ban it. This is healthcare – essential healthcare. Forcing someone to carry a life may be life threatening to both the female and baby. I implore to make this a unanimous vote and support all women.

Councillor Watson-Felt stated Body Autonomy = Freedom. Without that you are not free. Abortion carries a stigma that is unfair. Abortion is health care; it is freedom. This will hurt the low and middle class and lead to deaths of children and or women. Abortion saves lives. Urge everyone to sign.

Councillor Riccardi read Councillor Merkl's comments into the record as follows: I am requesting that it be read into the record on 7/14/22 that I support the resolution before the City Council to promote and advocate for all reproductive healthcare and abortion rights. The Supreme Court's ruling in June overturning the landmark decision in Roe v Wade will most negatively impact people that are already disproportionately affected by medical, educational, and economic inequality as is stated in this resolution. The expected impact will cause financial hardship especially for those already facing economic instability, and increase maternal mortality rates particularly for people who are living below the federal poverty line. I appreciate this resolution coming before the City Council as a step we can take to urge our state and federal governments to codify protections for healthcare workers and people seeking out access to reproductive healthcare services, and ask for the support of this resolution from my colleagues on the City Council.

Councillor Cohen said he is really sorry this happened on June 24, 2022. He stands with his friends and commits to Councillor Morsillo's statement that we stand and support you and urges this to be a unanimous vote.

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

Councillor Hapworth thanks the Councillors for bringing this in. It was very well prepared. Not only affects woman but affects everyone. The right to choose should not be in political hands. This is a health issue and a human rights issue. He completely supports this. He is pro people making their own choices not political officials.

Councillor McClain – Very powerful what has been said and written. It is shocking and disturbing that they have to ask for our support. Living in a difficult moment in our world. As men we need to stand in solidarity. Without the right of autonomy our very right of freedom is challenged. Think of the hypocrisy of our high court won't regulate guns but will tell us what to do with our bodies.

Councillor McCarthy can't say anything more than what has been said tonight except to thank the Councillors for writing this and everyone for their words, thoughts, and discussion. Wore pink tonight to show support.

#501 – FINANCE DEPARTMENT TO SUBMIT REPORTS RELATIVE TO THE COMMUNITY IMPACT FEE (CIF)

The following Order introduced by Councillor Riccardi was adopted by a roll call vote of 8 yeas, 0 nays and 3 absent. Councillors Dominguez, McCarthy, McClain, Prosniowski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Cohen, Hapworth and Merkl were recorded as absent. Councillors Cohen and Hapworth recused themselves from this matter.

ORDERED: That the Finance Department submit to the City Council a report on the first quarter funds obtained from the Community Impact Fee (CIF) once implemented, and subsequent reports quarterly for the first year.

#502 – DISCUSS PLASTIC REUSE AS AN OPTION FOR CITY PROJECTS

The following Order introduced by Councillor Cohen was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniowski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

ORDERED: That the Committee on Public Health, Safety and Environment meet to discuss plastic reuse as an option for City Projects and that the following be invited: Nathan Gray, founder of House Factory and Plastic Recycled. Salem's Waste Reduction Coordinator, a representative from the Sustainability & Resiliency Department and the City Engineer or designee

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

#503 – CITY COUNCIL APPOINTMENT OF CADY GOLDFIELD TO THE TREE COMMISSION

The following Order introduced by Councillor Hapworth was referred to the Committee on Government Services co-posted with the Committee of the Whole by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

ORDERED: That the City Council appoint Cady Goldfield as the Tree Commission as the City Council Appointee – General, filling the vacancy left by David Rowand, for a three (3) year term to expire on June 27, 2025.

#504 – NAMING OF A VETERAN’S SQUARE AFTER U.S. ARMY FIRST LT. PHILIP A. MCCARTHY

The following Order introduced by Councillor Hapworth was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

ORDERED: That a Veteran’s Square be named after U.S. Army First Lieutenant Philip A. McCarthy who was killed in action on December 11, 1944 and that this square be located outside the Salem Police Department Headquarters at 95 Margin Street.

#505 – RESIDENTS INTERESTED IN COUNCIL APPOINTMENTS TO THE COMMUNITY PRESERVATION COMMITTEE AND TREE COMMISSION

The following Order introduced by Councillor Hapworth was referred to the Committee on Government Services co-posted with the Committee of the Whole was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

ORDERED: That the Committee on Government Services co-posted by the Committee of the Whole meet to consider any applications submitted by interested residents seeking to be appointed by the City Council to the Community Preservation Committee or the Tree Commission. Applications or resumes are due to the City Clerk by September 1, 2022.

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

#506 – TAG DAY – SALEM LITTLE LEAGUE

The following Order introduced by Councillor Riccardi was referred to the Committee on Government Services co-posted with the Committee of the Whole was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniowski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

ORDERED: That Salem Little League Tag Day Application (all proceeds will be donated to the Jimmy Fund) for July 23, 2022 be granted.

#507 – TAG DAY – SHS BOYS SOCCER

The following Order introduced by Councillor Riccardi was referred to the Committee on Government Services co-posted with the Committee of the Whole was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniowski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

ORDERED: That SHS Boys Soccer Tag Day Application for September 10th & October 8th, 2022 be granted.

#508 – (#473 - #476) – GRANTING CERTAIN LICENSES

Councillor Riccardi 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 of certain licenses, has considered said matter and would recommend the following licenses be granted.

| | |
|------------------------|--|
| Second Hand Valuables: | ecoATM 11 Traders Way (inside Shaws), Salem |
| Second Hand Clothing: | To Do! Ta Done! 3 Pleasant St., Salem |
| Seaworms: | Charles DeGrandpre 44 Sandborn Rd E.Kingston NH Andre` Morin 7 Bellevue Ave., Salem |

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

#509 – (#342) – CITY ACCEPTS SEC. 3D, MGL 64G (a) – IMPOSE CIF ON PROFESSIONAL MANAGED SHORT-TERM RENTALS

Councillor Riccardi 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.

The Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole to whom it was referred the matter of City Accepts Sec. 3D MGL 64G (a) impose CIF on professionally managed short – term rentals has considered said matter and would recommend that the matter be adopted.

These are non-owner occupied rentals. There are only seven of them in the City. Since we are removing them from the housing stock it only seems reasonable to impose a community impact fee on these properties.

Councillor McClain stated as we impose the CIF on these two types of rental, the State requirements set a minimum of 35% to be deposited into a restricted fund to fund affordable housing. We should raise this fee. This is a rare opportunity for us to set this fee and really show we are committed to affordable housing. We should raise the amount to a minimum of 50% to this reserve receipt account instead of 35%. E just had a meeting on Salem's Housing Roadmap.

Councillor McClain made a motion to increase the minimum from 35% to 50%. Councillor McCarthy seconded the motion.

Councillor Dominguez stated he is in support of this motion.

Councillor Riccardi feels this is a good amendment. We don't know what they are yet so we will monitor it. Other fees will still go towards other issues impacted by short-term rentals.

This amendment was adopted by a roll call vote of 8 yeas, 0 nays and 3 absent. Councillors Dominguez, McCarthy, McClain, Prosiewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Cohen, Hapworth and Merkl were recorded as absent. Councillors Cohen and Hapworth recused themselves from this matter.

The adoption of the recommendation as amended was adopted by a roll call vote of 8 yeas, 0 nays and 3 absent. Councillors Dominguez, McCarthy, McClain, Prosiewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Cohen, Hapworth and Merkl were recorded as absent. Councillors Cohen and Hapworth recused themselves from this matter.

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

#510 – (#343) – CITY ACCEPTS SEC. 3F, MGL 64G (b) - TO IMPOSE A CIF FOR SHORT-TERM RENTALS FOR 2 OR 3 FAMILY DWELLINGS

Councillor Riccardi 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.

The Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole to whom it was referred the matter of City Accepts Sec. 3D MGL 64G (B) impose CIF for short – term rentals for 2-3 family has considered said matter and would recommend that the matter be adopted.

Councillor Riccardi made a motion to increase the minimum from 35% to 50%. Councillor McCarthy seconded the motion.

This amendment was adopted by a roll call vote of 8 yeas, 0 nays and 3 absent. Councillors Dominguez, McCarthy, McClain, Prosnowski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Cohen, Hapworth and Merkl were recorded as absent. Councillors Cohen and Hapworth recused themselves from this matter.

The adoption of the recommendation as amended was adopted by a roll call vote of 8 yeas, 0 nays and 3 absent. Councillors Dominguez, McCarthy, McClain, Prosnowski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Cohen, Hapworth and Merkl were recorded as absent. Councillors Cohen and Hapworth recused themselves from this matter.

#511 – (#344) – ACCEPT MGL 64G, SEC. 3D – TO IMPOSE A 3% CIF ON PROFESSIONALLY MANAGED AND 2-3 FAMILY SHORT-TERM RENTALS

Councillor Riccardi 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.

The Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole to whom it was referred the matter of Pursuant to MGL 64G Sec. 3D city impose a 3% CIF on Professionally managed & 2-3 family short-term rentals has considered said matter and would recommend adoption.

Councillor Riccardi made a motion to increase the minimum from 35% to 50%. Councillor McCarthy seconded the motion.

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

This amendment was adopted by a roll call vote of 8 yeas, 0 nays and 3 absent. Councillors Dominguez, McCarthy, McClain, Prosnowski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Cohen, Hapworth and Merkl were recorded as absent. Councillors Cohen and Hapworth recused themselves from this matter.

The adoption of the recommendation as amended was adopted by a roll call vote of 8 yeas, 0 nays and 3 absent. Councillors Dominguez, McCarthy, McClain, Prosnowski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Cohen, Hapworth and Merkl were recorded as absent. Councillors Cohen and Hapworth recused themselves from this matter.

#512 – (#345) – ORDINANCE AMENDING AN ORDINANCE RELATIVE TO CH. 15 SHORT-TERM RENTALS

Councillor Riccardi 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 it was referred the matter of Ordinance Amending Short-term rentals has considered said matter and would recommend adoption for first passage.

The following ordinance was adopted for first passage by a roll call vote of 8 yeas, 0 nays and 3 absent. Councillors Dominguez, McCarthy, McClain, Prosnowski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Cohen, Hapworth and Merkl were recorded as absent. Councillors Cohen and Hapworth recused themselves from this matter.

An Ordinance to allow short-term rentals in the City of Salem.

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

AN ORDINANCE AMENDING THE SHORT-TERM RESIDENTIAL RENTAL ORDINANCE

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

SECTION 1. An amendment to **City of Salem Code, Ordinances, PART III, Chapter 15, SHORT-TERM RESIDENTIAL RENTALS**, as follows:

Delete the definition of “primary residence” in Section 15-2, Definitions, and replace with the following:

“*Primary residence.* The residential unit in which the operator resides for at least six months out of a 12-month period. Primary residence is demonstrated by showing that as of the

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

date of registration of the residential unit, the operator has resided in the residential unit for six of the past 12 months, as demonstrated by at least two of the following: utility bill, voter registration, motor vehicle registration, deed, lease, driver's license, other state-issued identification, or proof of residential exemption."

Delete subsection (4) in Section 15-4, Ineligible Residential Units, and replace with the following:

"(4) Residential units located within a property subject to any outstanding building, sanitary, zoning, or fire code violations, orders of abatement, stop work orders, unpaid taxes, water/sewer or tax liens, or other existing judgments or penalties imposed by the city so long as the matter remains unresolved. If a violation or other order is issued after the residential unit has been registered, the residential unit's registration shall be suspended until the violation has been cured or otherwise resolved."

Delete subsection (9) in Section 15-6, Requirements for Residential Units, and replace with the following:

"(9) *Retention of records.* The operator shall retain and make available to ISD and/or the Health, Police and Fire Departments, upon written request, records to demonstrate compliance with this section, including but not limited to: records demonstrating number of months that operator has resided or will reside in the residential unit and records showing that operator is the owner or valid leaseholder of the residential unit offered as a short-term rental. The operator shall retain such records for a period of three years from the date the residential unit is last registered for a certificate of fitness inspection."

Delete subsection (10) d. in Section 15-6, Requirements for Residential Units, and replace with the following:

"d. Any listing made by the operator with any booking agent or on any website shall prominently display proof of current registration and receipt of a certificate of fitness within the prior 12 months."

Delete the first paragraph of Section 15-8, Complaint Process; Violations, and replace with the following:

"Complaints shall be made to the police, fire, health and/or inspectional services department and investigation shall commence within 30 days. Violations may, at the enforcement official's discretion, result in a warning or an ordinance ticket and the maximum appropriate fine. Three or more such tickets within a six month period will result in the unit no longer being eligible to that operator for use as a short-term rental for a period of six months following the most recent violation."

Delete Section 15-9, Enforcement, and replace with the following:

"(a) *Enforcement by city.* The provisions of this section may be enforced in accordance with the noncriminal disposition process of M.G.L.A. ch. 40, § 21D, and, if applicable, by seeking to restrain a violation by injunction. A violation of this section shall be sufficient cause for revocation of the right to operate the short-term rental and/or a penalty by a non-criminal disposition, as provided in M.G.L.A. ch. 40, § 21D, in an amount set forth in section 1-10 of this Code. Any person aggrieved by the revocation of the right to operate a short-term rental, or the imposition of a penalty may file an appeal as provided by the general laws.

(b) *Enforcement by booking agent.* The city shall enter into agreements with booking agents for assistance in enforcing the provisions of this section, including but not limited to an agreement, whereby the booking agent agrees to remove a listing from its platform that is

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

deemed ineligible for use as a short-term rental under the provisions of this ordinance and whereby the booking agent agrees to prohibit a host from listing any short-term rental without proof of registration. Where the City is unable to enter into such agreements, the City shall inform the booking agent of the ineligibility of a listing and if applicable, seek injunctive relief.”

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

#513 – (#346) – ORDINANCE AMENDING ENFORCEMENT AND PENALTIES FOR VIOLATIONS OF SHORT-TERM RENTALS

Councillor Riccardi 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 it was referred the matter of Ordinance Amending enforcement and penalties for violations of short-term rentals has considered said matter and would recommend adoption for first passage.

The following ordinance was adopted for first passage by a roll call vote of 8 yeas, 0 nays and 3 absent. Councillors Dominguez, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Cohen, Hapworth and Merkl were recorded as absent. Councillors Cohen and Hapworth recused themselves from this matter.

An Ordinance to amend the enforcement of and penalties for violations of the short-term residential rental ordinance in the City of Salem.

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

AN ORDINANCE AMENDING CHAPTER 1, GENERAL PROVISIONS, SEC. 1-10. NONCRIMINAL DISPOSITION OF ORDINANCE VIOLATIONS.

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

SECTION 1. An amendment to **City of Salem Code, Ordinances, Sec. 1-10. Noncriminal Disposition of Ordinance Violations**, as follows:

Add the following language to the Ordinance in subsection (c):

“Chapter 15, Short-Term Residential Rentals

Penalty:

First offense \$100.00

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

Second offense 200.00

Third offense 300.00

Enforcing persons: Inspectional services personnel, health department personnel, police department personnel, fire prevention personnel.”

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

#514 – (#347) – ORDINANCE AMENDING CH. 2, SEC. 705 - CERTIFICATE OF FITNESS REQUIREMENTS

Councillor Riccardi 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 it was referred the matter of Ordinance Amending certificate of fitness requirements has considered said matter and would recommend that the ordinance be adopted for first passage as amended.

The amendment that the committee recommended was to add the word “consecutive” after the number 30 was adopted by a roll call vote of 8 yeas, 0 nays and 3 absent. Councillors Dominguez, McCarthy, McClain, Prosnowski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Cohen, Hapworth and Merkl were recorded as absent. Councillors Cohen and Hapworth recused themselves from this matter.

The following ordinance was adopted as amended for first passage by a roll call vote of 8 yeas, 0 nays and 3 absent. Councillors Dominguez, McCarthy, McClain, Prosnowski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Cohen, Hapworth and Merkl were recorded as absent. Councillors Cohen and Hapworth recused themselves from this matter.

An Ordinance to amend the certificate of fitness requirements in the City of Salem.

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

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE IV, DIVISION 3, SECTION 2-705, CERTIFICATE OF FITNESS OF RENTED DWELLING UNIT, APARTMENT OR TENEMENT

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

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

SECTION 1. An amendment to **City of Salem Code, Ordinances, Chapter 2, Article IV, Division 3, Section 2-705** as follows:

Delete Section (a) (3), and replace with the following:

“(a)(3) *Short-term rentals.* A certificate of fitness shall also be required for any owner of residential property who rents or leases a dwelling or any portion of a dwelling on a short-term basis pursuant to Chapter 15 of the Ordinance. "Short-term" shall be defined as a rental or rentals of fewer than 30 consecutive days in one calendar year. Owners who intend to offer such short-term rentals to tourists must notify the board of health to register the property as such and schedule an inspection to receive a certificate of fitness. This registration and certificate must be renewed every year or upon a change in ownership, but not upon any change in the short-term tenancy.”

Delete Section (e), and replace with the following:

“(e) *Posting of certificate.* Upon issuance of such certificate, it shall be posted in a conspicuous place in which the unit is located or a copy of it shall be given to any person occupying the unit. For short-term rentals, proof of a current certificate shall be included in any listing of the property.”

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

#515 – (#220) – THE USAGE OF ROAD SALTS DURING THE WINTER MONTHS

Councillor Prosniewski offered the following report for the Committee on Public Health, Safety and Environment co-posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation.

The Committee on Public Health, Safety and Environment co-posted with the Committee of the Whole to whom it was referred the matter of Usage of Road Salts during winter month, its effects on the environment , and possible alternatives, has considered said matter and would recommend that the matter remain in Committee.

#516 – (#277) – ENFORCEMENT AND PENALTIES RELATIVE TO SNOW AND ICE REMOVAL

Councillor Prosniewski offered the following report for the Committee on Public Health, Safety and Environment co-posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation.

The Committee on Public Health, Safety and Environment co-posted with the Committee of the Whole to whom it was referred the matter of Enforcement and

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

Penalties relative to snow and Ice removal, has considered said matter and would recommend that the matter remain in committee.

#517 – (#391) – SALEM HOUSING ROADMAP – A HOUSING PLAN FOR ALL

Councillor Morsillo offered the following report for the Committee of the Whole. It was voted to accept the report and adopt the recommendation.

The Committee of the Whole to whom it was referred the matter of Salem Housing Roadmap, a Housing Plan for All, has considered said matter and would recommend that the matter remain in committee.

#518 – EXEMPTION OF MGL CH. 268, SEC. 20 (b) FOR JOHN ROBINSON

The following Order submitted by the City Solicitor relative to MGL Ch. 268 Sec. 20(b) was adopted by a roll call vote of 10 Yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

ORDERED: In accordance with Massachusetts General Law, Chapter 268A, Section 20(b) the City Council hereby declares that John Robinson has met the requirements for exemption as set forth in this Section and may be retained as a seasonal worker by the Park, Recreation and Community Services Department for the 2022 summer season, not to exceed 500 hours in this calendar year.

#519 – EXEMPTION OF MGL CH. 268, SEC. 20 (b) FOR CARLOS HERNANDEZ

The following Order submitted by the City Solicitor relative to MGL Ch. 268 Sec. 20(b) was adopted by a roll call vote of 10 Yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

ORDERED: In accordance with Massachusetts General Law, Chapter 268A, Section 20(b) the City Council hereby declares that Carlos Hernandez has met the requirements for exemption as set forth in this Section and may be retained as a seasonal worker by the Park, Recreation and Community Services Department for the 2022 summer season, not to exceed 500 hours in this calendar year.

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

#520 – EXEMPTION OF MGL CH. 268, SEC. 20 (b) FOR KRISTEN STEVENS

The following Order submitted by the City Solicitor relative to MGL Ch. 268 Sec. 20(b) was adopted by a roll call vote of 10 Yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

ORDERED: In accordance with Massachusetts General Law, Chapter 268A, Section 20(b) the City Council hereby declares that Kristen Stevens has met the requirements for exemption as set forth in this Section and may be retained as a Lacrosse Instructor by the Park, Recreation and Community Services Department for the 2022 summer season, not to exceed 500 hours in this calendar year.

#521 – EXEMPTION OF MGL CH. 268, SEC. 20 (b) FOR LINDA ABBENE

The following Order submitted by the City Solicitor relative to MGL Ch. 268 Sec. 20(b) was adopted by a roll call vote of 10 Yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

ORDERED: In accordance with Massachusetts General Law, Chapter 268A, Section 20(b) the City Council hereby declares that Linda Abbene has met the requirements for exemption as set forth in this Section and may be retained as a part-time Art Instructor by the Park, Recreation and Community Services Department for the 2022 summer season, not to exceed 500 hours in this calendar year.

#522 – EXEMPTION OF MGL CH. 268, SEC. 20 (b) FOR MADELEINE VON JAEGER

The following Order submitted by the City Solicitor relative to MGL Ch. 268 Sec. 20(b) was adopted by a roll call vote of 10 Yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

ORDERED: In accordance with Massachusetts General Law, Chapter 268A, Section 20(b) the City Council hereby declares that Madeleine Von Jaeger has met the requirements for exemption as set forth in this Section and may be retained as a seasonal election worker by the City Clerk for the 2022 election season, not to exceed 500 hours in this calendar year.

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

#523 – REPORT FROM PLANNING DEPARTMENT RELATIVE TO AFFORDABLE ACCESSORY DWELLING UNITS

The following Letter was submitted by Amanda Chiancola, Deputy Director, Planning Department Regarding the Affordable Accessory Dwelling Unit Report to Council was referred to the Committee of the Whole by a roll call vote of 10 Yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

Ladies and Gentlemen of the City Council:

On April 22, 2021, the City Council adopted an Order that the Department of Planning and Community Development (DPCD) report back to the Council in 18 months with the number of Accessory Dwelling Units (ADUs) created under the amended ordinance and a summary of parking issues and any other issues. As such, this agenda item is for City staff to provide an update.

PERMITS TO DATE

Seven building permits have been approved since the ordinance was adopted.

PARKING ISSUES AND ANY OTHER ISSUES

To date, Planning staff has not received complaints on parking issues related to ADUs. Staff has received input on other items relating to the creation of ADUs.

Since adoption of the ordinance, staff has had many conversations with homeowners and builders interested in creating affordable ADUs. Through these conversations as well as input from the housing road map and other City departments, Planning staff identified a few sections of the ordinance as potential barriers to the creation of ADUs. Each identified section of the ordinance is italicized below and followed by a summary of the concerns that have been raised as well as a recommendation from Planning staff.

1. Bedroom Restriction

Section 3.2.8.5(m) The affordable accessory dwelling unit shall not contain more than two (2) bedrooms.

Concern: Staff has not heard concerns from community members regarding the bedroom limit. However, the draft [Housing Road Map](#) identified fair housing considerations with the bedroom restriction in the ADU ordinance. Specifically, the bedroom restriction may have a disparate impact towards families with children, a protected class as defined by the Fair Housing Act.

Purpose of 3.2.8.5(m): The bedroom limit is one of several restrictions that were included in the ordinance to ensure that the units will be accessory to the main home. The other restrictions included for the purpose of ensuring that the units will be accessory are enumerated below.

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

Section 3.2.8.5:

- f. The affordable accessory dwelling unit shall not contain in excess of 900 square feet of habitable space.
- g. The affordable accessory dwelling unit shall not exceed 50% of the gross floor area of the principal dwelling.
- o. The affordable accessory dwelling unit must be capable of being discontinued as a separate dwelling unit without demolition of any structural component of the principal dwelling.
- n. The affordable accessory dwelling unit shall be clearly subordinate in use, size and design to the principal dwelling.

Staff Recommendation: The bedroom limit does not appear to be necessary given that there are four other restrictions that address the accessory nature of ADUs.

Furthermore, the requirement could result in a disparate impact on families with children which negates the ordinance's purpose of creating diverse housing options. As such, staff recommends the bedroom limitation be removed.

2. Detached Structures

Section 3.2.8.5(b) The affordable accessory dwelling unit shall not be constructed within a new detached accessory building, as defined in subsection 8 of Section 3.2.8.

Concern: A few community members and builders have reached out to staff inquiring whether they could install a new detached accessory dwelling unit. The ordinance allows affordable accessory dwelling units to be created within existing detached structures, provided that the detached structure meets the setback that is required for the primary structure. Whereas affordable accessory dwelling units are prohibited in new detached structures.

Purpose of 3.2.8.5(b): There was a neighborhood character concern.

Staff Recommendation: Council discuss and inform staff if the Council is in support of allowing new detached accessory units.

3. Owner Occupancy

Section 3.2.8.5(h)at least one (1) owner of the residence in which the affordable accessory dwelling unit is created shall reside in one (1) of the dwelling units, either the principal or accessory unit created therein, 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, or a purchase and sales agreement and for whom the dwelling shall be the primary residence as evidenced by voter registration, tax return or other documentation demonstrating primary residence. Owner occupancy is required for an affordable accessory dwelling unit to be permitted.

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

Concern: It has been brought to staff's attention that Section 3.2.8.5(h) often precludes builders from including an ADU in new construction.

Purpose of 3.2.8.5(h): The requirement for the primary dwelling or the ADU to be owner occupied addresses neighborhood concerns about absentee landowners and from investors. At the time of adoption, the Council supported the creation of ADUs in new construction by way of including a purchase and sale agreement as a flexible option to demonstrate owner occupancy. However, the unintended consequence of this language is that most often new buildings will not be constructed with an ADU given that most purchase and sale agreements occur after a building is already constructed.

Staff Recommendation: Council discuss and inform staff if the Council is in support of revising the owner occupancy requirement to allow for new construction to allow ADUs.

4. Utilities on a Single Meter

Section 3.2.8.5(j) Electricity, water, oil, and gas shall be provided by a single service to both the affordable accessory dwelling unit and the principal dwelling and included in the rent.

Concern: The City Engineer has identified this requirement as a concern as the engineering regulations require separate buildings within the same parcel to have their own water and sewer meter.

Purpose of 3.2.5.5(j): Requiring accessory dwelling units to be on the same service as the primary home is a best practice that was included in the ordinance that achieves two objectives; 1. for the rent to include the utilities, and 2. for the unit to remain accessory to the primary home.

Staff Recommendation: As previously discussed, there are four additional requirements within the ordinance that ensure the units are accessory. Also, the City Engineer allows for separate water meters to be merged to one account. Staff recommends removing "water" from Section 3.2.8.5(j) because it creates a conflict with the engineering regulations and because the objective can be achieved by merging the water account.

Anything else?

As previously discussed, the above restrictions are sections of the ordinance that have been brought to staff's attention as areas of concern. However, if there are other sections of the ordinance that the Councilors have received feedback as barriers to creating ADUs, staff recommends that the Councilors bring them forward for a discussion.

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

NEXT STEPS

Thank you for the opportunity to share this report. Staff is requesting that City Council refer this report to the Committee of the Whole to discuss whether the City Council recommends revisions to the ordinance.

I look forward to discussing this report with you. If you have any questions, please contact me at achiancola@salem.com or 978-619-5685.

Sincerely,

Amanda Chiancola, AICP
Deputy Director

Cc: Mayor Driscoll
Tom Daniel, DPCD Director

#524 – (#387) – PLANNING BOARD RECOMMENDATION RELATIVE TO THE HALLOWEEN PARKING OVERLAY DISTRICT

The Planning Board's recommendation regarding the Halloween Parking Overlay District was received and filed by a roll call vote of 10 Yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

Report of the Planning Board to City Council Re: Halloween Parking Overlay District

July 8, 2022

At its meeting on July 7, 2022, the Planning Board discussed a proposed amendment to the Zoning Ordinance to amend Section 8.0 to add a new subsection to establish the Halloween Parking Overlay District to allow permitted off-street parking in non-residential parking lots in the downtown area during the period beginning on the Friday preceding October 1 and ending on the first Monday after October 31 of each year, subject to regulations to be established by the Traffic and Parking Commission.

This item was referred from the June 27, 2022, joint public hearing with the City Council.


The Planning Board voted four (4) in favor (Bill Griset, Tom Furey, Sarah Tarbet, Todd Waller) and two (2) opposed (Carole Hamilton, Zach Caunter) to recommend that the City Council adopt the proposed amendment to the Zoning Ordinance with the following comments:

- Council should consider expanding the ¼ mile radius of the overlay to include areas outside of downtown, including Entrance Corridors, so as to encourage parking outside the downtown area;

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

- Council is encouraged to consult the City Solicitor to explore a parking fee cap in the affected area.

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


 William Grisct, Chair

(#387) - ZONING AMENDMENT HALLOWEEN PARKING OVERLAY DISTRICT

The following Zoning Amendment was referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole by a roll call vote of 10 Yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

Section 1. The City of Salem Zoning Ordinance Section 8.0 – Special District Regulations is hereby amended by adding a new sub-section as follows:

“8.7 – HALLOWEEN PARKING OVERLAY DISTRICT

8.7.1 Purpose

The purpose of the Halloween Parking Overlay District (“HPOD”) is to augment the underlying zoning regulations in the overlay district to allow for additional necessary off-street parking during periods of peak demand associated with the Halloween season.

8.7.2 Establishment of Halloween Parking Overlay District

The Halloween Parking Overlay District is hereby established and consists of the area(s) shown on the Map entitled “Halloween Parking Overlay District” on file with the City Clerk, as it may, from time to time, be amended.

8.7.3 Permitted Uses

1. Any use permitted in the underlying zoning district shall be a permitted use in the HPOD.

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

2. In addition, each year during the period beginning on the Friday preceding October 1 and ending on the first Monday after October 31, Lots in the HPOD lawfully in use for non-residential purposes may be used for independent public parking as follows:
 - a. Parking on any Lot shall only be permitted in spaces that are lawfully existing off-street parking and
 - b. Subject to any regulation adopted by the Traffic and Parking Commission which may include, but not limited to, an application and fee.”

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

#525 – PETITION FROM NATIONAL GRID TO INSTALL CONDUITS – NAPLES ROAD

A hearing was ordered for September 15, 2022 for a petition from Nation Grid to Install Conduits on Naples Road.

#526 – EXTENDED HOURS OF OPERATION FOR NORTHERN MANAGEMENT GROUP (DUNKIN’)

A hearing was ordered for September 15, 2022 for the Petition from Northern Management Group (Dunkin’) for Change/Extended hours for the following:

Washington St. Donuts LLC, DBA Dunkin Donuts
152 Washington St., Salem
Current Hours: 5AM – 7PM
Change To: 24hr/7days

Boston St. Salem Donuts LLC, DBA Dunkin Donuts
68 Boston St., Salem
Current Hours: 5AM – 7PM
Change To: 24hr/7days

North St. Donuts LLC, DBA Dunkin Donuts
105 North St., Salem
Current Hours: 5AM – 7PM
Change To: 24hr/7days

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

#527 – EXTENDED HOURS OF OPERATION FOR CAMILLA’S CAFÉ

A hearing was ordered for September 15, 2022 for a petition from Camilla’s Café 140 Canal St. for Change/Extended hours Current Hours 6:00 AM – 9:00 PM Change to 4:00 AM – 9:00 PM.

#528 – ROAD RACE – DERBY STREET MILE

A request from Salem Park and Recreation & Community Services to hold the Derby St. Mile Road Race and use of city streets on August 19, 2022 was granted.

#529 – BLOCK PARTY – BOTTS COURT

A request from residents of Botts Court to hold a Block Party on August 13, 2022, from 5:00 PM – 9:00 PM with a rain date of August 14, 2022 was granted.

#530 – BLOCK PARTY – EVERETT ROAD

A request from the residents of Everett Road. to hold a Block Party August 21, 2022, from 2:00 P.M. – 7:00 P.M. was granted.

#531 – BLOCK PARTY – BROAD STREET

A request from the residents of Broad St. (from Jackson St. to Dalton Pkwy) to hold a Block Party September 10, 2022, from 2:00 P.M. – 8:00 P.M. was granted.

#532 – PUBLIC GUIDES

The Following Public Guide License Applications were granted.

PUBLIC GUIDES: David Mulhern 22 Rattlesnake Hill, Andover
Joseph Amato 78 Marshall St., Medford
Heather Gahagan 2314 Washington St., Salem
Vanessa Riutta 4 First St., Salem
Scott Severance 191 Washington St., Dover, NH
Caroline Horsman 1024 Palapsco St., Baltimore, MD
Stephen Busby 9 Hillside Ave, Marblehead
Charles Burns 6 Lathrop St., Salem
Anthony Lentz 42 Main St., Byfield
Katherine York 140 North St., Salem

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

#533 - #534 – LICENSE APPLICATIONS

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

SEAWORMS: Paul Lynch 28 Anawan Ave., Saugus
 Timothy Lynch 28 Anawan Ave., Saugus

TAG DAYS: Salem/Swampscott Youth Hockey September 24, 2022

#535 - # 541 – CLAIMS

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

Kelly and Assoc. (Rachel Sawyer) 83 Atlantic Ave., Boston
 Commerce Ins. (Yostin Ortiz Mateo) 11 Gore Rd., Webster
 Leeann Blais 41 Hamlet St., Lawrence
 Christopher Berry 30 Aborn St., Salem
 Jody Saxe 71 Weatherly Dr., Salem
 Kimberly Malioneck 7 Berrywood Ln., Salem
 Maryann Langen 63 Madison St., Medford

#542 - BONDS

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

CONSTABLE: George Hoxha 52 Highland Ave., Salem

**(#464) – SECOND PASSAGE OF AN ORDINANCE AMENDING AN ORDINANCE
 RELATIVE TO TRAFFIC CH. 42 RELATIVE TO NORTH STREET SAFETY**

The Second Passage of the following Traffic Ordinance amending Ch. 42 Secs. 13, 49A, 50B, 51B, 56, 57A, 74 relative to North and Mason Street was adopted by a roll call vote of 10 Yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

In the Year Two Thousand and Twenty-Two

An Ordinance to amend an Ordinance relative to Traffic

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

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:

North Street – Service Zones – on the northeasterly side of North Street at No. 134 North Street for a distance of thirty (30) feet as marked by signs. (6/29/66 DPW 13628)

North Street – Service Zones – adjacent to #105, southbound on the westerly side, beginning ninety (90) feet from Mason Street and extending ninety (90) feet. “Service Zone, Fifteen (15) Minute Parking Limit.”

North Street – Service Zones – on the southwesterly side of North Street at No. 105 ½ North Street for a distance of thirty (30) feet as marked by signs. (6/29/66 DPW 13628)

North Street – Service Zones – on the southwesterly side of North Street, beginning twenty (20) feet southerly of Meade Court and extending thirty (30) feet. (10/30/72 DPW 5-633)

North Street – Service Zones – easterly side, starting at a point eighty-three (83) feet from the intersection of Essex Street and extending in a northerly direction for a distance of twenty (20) feet. (3/23/89)

North Street – Service Zones – on the westerly side of North Street at No. 65 North Street, for a distance of forty (40) feet as marked by signs.

And inserting:

North Street – Service Zones – southbound on the westerly side, beginning one hundred five (105) feet north of Mason Street and extending in a northerly direction for a distance of seventy (70) feet, Monday through Saturday, 8:00 A.M. to 4:00 P.M.

Section 2. Section 49A of Article IV be amended by repealing the following:

Mason Street – Prohibited movements – northeasterly bound traffic onto North Street, in a northwesterly direction, left turn, 7:00 A. M. to 9:00 A.M. and 3:00 P.M. and 6:00 P. M. (5/16/88)

And replacing it with:

Mason Street – Prohibited movements – northeasterly bound traffic onto North Street, in a northwesterly direction, left turn, 6:00 A. M. to 9:00 A.M. and 3:00 P. M. and 7:00 P.M.

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

Section 3. Section 50B of Article V be amended by repealing the following:

North Street – Handicapped Zones; Limited Time – in front of #184½, as marked by a sign. (9/10/15)

And replacing it with:

North Street – Handicapped Zones; Limited Time – in front of #186, as marked by a sign.

Section 4. Section 50B of Article V be amended by repealing the following:

North Street – Handicapped Zones; Limited Time – in front of #180 for a distance of twenty (20) feet. (9/27/07)

And replacing it with:

Liberty Hill St – Handicapped Zones; Limited Time – adjacent to 180 North St, for a distance of twenty (20) feet, as marked by a sign.

Section 5. Section 51B of Article V be amended by repealing the following:

North Street – Parking Prohibited at Certain Times on Certain Streets – One (1) hour parking Monday thru Friday

North Street – Parking Prohibited at Certain Times on Certain Streets – northeasterly side, from a point beginning sixty (60) feet southeast of the southeasterly side of Foster Street, and extending eighty (80) feet southeasterly. Two (2) hour parking. (12/29/67)

North Street – Parking Prohibited at Certain Times on Certain Streets – southwesterly side, beginning twenty (20) feet south of the intersection of School Street and running south for a distance of thirty-five (35) feet. Fifteen (15) minute parking limit. (10/6/70 DPW 5-370)

North Street – Parking Prohibited at Certain Times on Certain Streets – beginning eighteen (18) feet from the intersection with School Street and extending forty (40) feet in front of #147-149-149A North Street, on Westerly side in a Northerly direction, fifteen (15) minute parking, 9:00 A.M. to 5:00 P.M.

North Street – Parking Prohibited at Certain Times on Certain Streets – southwesterly side, beginning at the intersection of School Street and running northwesterly for a distance of one hundred (100) feet. Fifteen (15) minute parking limit. (7/12/67 DPW 14368)

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

North Street – Parking Prohibited at Certain Times on Certain Streets – west bound, for a distance of forty (40) feet adjacent to #130 North Street. Restricted fifteen (15) minute parking. (5/25/00)

North Street – Parking Prohibited at Certain Times on Certain Streets – westerly side, beginning four (4) feet from the intersection of Leavitt Court and running in a northerly direction for a distance of thirty (30) feet. Fifteen (15) minute parking from 7:00 A. M. to 9:00 P. M. (5/22/86 DPW E5-258-2709)

North Street – Parking Prohibited at Certain Times on Certain Streets – southbound from Mason Street to the driveway at #87 North Street on the westerly side One (1) Way Parking, 7:00 A.M. TO 7:00 P.M. (4/2/02)

North Street – Parking Prohibited at Certain Times on Certain Streets – in front of #190, for a distance of twenty-five (25) feet. Thirty (30) minute parking, from 8:00 A. M. to 5:00 P. M. (3/5/99)

North Street – Parking Prohibited at Certain Times on Certain Streets – southbound on the westerly side in front of #107 North Street, for a distance of forty (40) feet, "Thirty (30) minute Parking Limit" (6/9/05)

North Street – Parking Prohibited at Certain Times on Certain Streets – easterly side from Foster Street extending 117 feet in a north westerly direction in front of #112 thru #116D North Street, "Thirty (30) minute Parking Limit" (6/9/05)

Section 6. Section 56 of Article V be amended by repealing the following:

North Street – Zones established – between Essex Street and Lynde Street, easterly side. Four (4) hour parking. (7/20/87) (7/14/11)

North Street – Zones established – easterly side, for a distance of eighty-three (83) feet, extending northerly from Essex Street. Four (4) hour parking. (11/23/94) (4/23/09) (7/14/11)

North Street – Zones established – in front of #115 North Street, for a distance of twenty (20) feet. Four (4) hour parking. (6/14/99) (7/14/11)

Section 7. Section 57A of Article V be amended by repealing the following:

North Street – Parking Time Limited; Unmetered Zones – southerly side, beginning at the intersection of School Street in a northwesterly direction for a distance of thirty (30) feet. Fifteen (15) minute parking. (10/4/82 DPW 5-2210)

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

And inserting:

North Street – Parking Time Limited; Unmetered Zones – easterly side beginning at a point approximately one hundred and eight (108) feet south from Garden Terrace and extending in a southerly direction for twenty (20) feet. Thirty (30) minute parking, from 8:00 A. M. to 5:00 P. M.

North Street – Parking Time Limited; Unmetered Zones – easterly side extending one hundred seventeen (117) feet in a north westerly direction from Foster Street. Thirty (30) minute parking.

North Street – Parking Time Limited; Unmetered Zones – easterly side beginning at a point approximately one hundred and seventy (170) feet north from Osborne Street and extending in a northerly direction for twenty (20) feet. Fifteen (15) minute parking

North Street – Parking Time Limited; Unmetered Zones – easterly side at 134 North Street for thirty (30) feet. Fifteen (15) minute parking

North Street – Parking Time Limited; Unmetered Zones – starting at a point approximately forty-five (45) feet south from the northerly property line of 83 North Street and extending for approximately twenty (20) feet. Two (2) hour parking limit.

North Street – Parking Time Limited; Unmetered Zones – starting at a point twenty (20) feet from the intersection with Commercial Street and extending for approximately seventy (70) feet in a northerly direction. Two (2) hour parking limit.

North Street – Parking Time Limited; Unmetered Zones – starting at a point approximately one hundred and thirty (130) feet from the intersection with Commercial Street and extending for approximately forty-five (45) feet in a northerly direction. Two (2) hour parking limit.

Section 8. Section 57A of Article V be amended by repealing the following:

North Street – Parking Time Limited; Unmetered Zones – southerly side, beginning at the west side corner of the building located at #207 North Street, and extending in an easterly direction for a distance of forty (40) feet. Fifteen (15) minute parking. This is limited to the legal hours of operation of "North Street Market" located at #207 North Street. (7/19/93)

And replacing it with:

North Street – westerly side, beginning approximately eight-seven (87) feet south from Oakland Street and continuing in a south easterly direction for twenty (20) feet. Fifteen (15) minute parking.

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

Section 9. Section 74 of Article V be amended by repealing the following:

North Street – General prohibition towing zones – easterly side, from the intersection of Essex Street in a northerly direction for a distance of sixty (60) feet. (6/5/80 DPW 5-1781)

And inserting:

North Street - General prohibition towing zones – starting at the northerly property line of 83 North Street and running in a southerly direction for a distance of approximately forty-five (45) feet.

Section 10. Section 74 of Article V be amended by repealing the following:

North Street – General prohibition towing zones – northeasterly side, between Franklin Street and Foster Street from 3:00 P. M. to 6:00 P. M. Monday through Friday. (3/3/78 DPW 5-1401)

And replacing it with:

North Street – General prohibition towing zones – northeasterly side, between Franklin Street and Foster Street

Section 11. Section 74 of Article V be amended by repealing the following:

North Street – General prohibition towing zones –easterly side at the intersection of Commercial Street for a distance of one hundred eleven (111) feet as marked by signs. (2/13/14)

And replacing it with:

North Street – General prohibition towing zones –easterly side at the intersection of the North Street overpass, extending in a southerly direction to the railroad tracks.

Section 12. This ordinance shall take effect as provided by City Charter.

**(#465) - SECOND PASSAGE OF AN ORDINANCE AMENDING TRAFFIC, CH. 42, SEC. 50B
HANDICAP PARKING - LAWRENCE STREET**

The Second Passage of the following Ordinance Amending Traffic, Ch. 42, Sec. 50B Handicap Parking on Lawrence Street was adopted by a roll call vote of 10 Yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, McClain, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Merkl was recorded as absent.

CITY OF SALEM
JULY 14, 2022
REGULAR MEETING

In the year two thousand and twenty-two

An Ordinance to amend an Ordinance relative to Traffic, Ch. 42

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

Section 1. Chapter 42 Section 50B – Handicap Zones, Limited Time shall be amended by adding:

Lawrence Street – One Handicap Parking space to be added in front of #6 Lawrence Street for a distance of twenty (20) feet.

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

On the motion of Councillor McCarthy the meeting adjourned at 10:00 P.M.

ATTEST:

ILENE SIMONS
CITY CLERK