

CITY OF SALEM
JULY 15, 2021
CITY COUNCIL REGULAR MEETING

A Regular Meeting of the City Council was held remotely on Thursday, July 15, 2021, at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on July 13, 2021, at 12:51 P.M. This meeting is being taped and is live on S.A.T.V.

All Councillors present.

Council President Madore presided.

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

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

PUBLIC TESTIMONY

1. Seth Mascolo, 40 English St., Salem – Houdini Way

(#49) – VERIZON WIRELESS TO INSTALL TELECOMMUNICATIONS - BRIDGE ST.

A continuation of the public hearing for Verizon Wireless to install Telecommunications on Bridge St. was moved to keep the hearing open until September 9, 2021 by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

#368 – NATIONAL GRID & VERIZON TO INSTALL 1 JO POLE – FORRESTER ST.

A hearing was held on the order for National Grid and Verizon to install 1 JO Pole on Forrester Street.

Appearing in favor was Sabitah Mahbier-Sheehy – Representative for National Grid, 44 River St. Beverly. She stated this is needed since the customer is putting in a driveway and the pole needs to be moved to accommodate the curb cut. This pole provides electricity to the house.

Councillor Sargent asked if this pole will still remain in front of #16 and will moving of the pole interrupt service for others.

The representative responded this pole will still remain in front of this house and should not interrupt anyone else's service.

Paul Michaels who resides at 14 Forrester Street asked if this was putting 5G on this pole.

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The representative responded no it is only to move the pole and the existing wires for electricity only.

Mr. Michaels withdrew his objection since no 5G.

Councillor Hapworth moved that the public hearing be closed. It was so voted.

Councillor Hapworth moved that the order be granted. It was so voted.

#369 - NATIONAL GRID TO INSTALL CONDUITS ON FIRST STREET

A hearing was held on the order for National Grid to install conduits on First St.

Appearing in favor was Sabitah Mahbier-Sheehy – Representative for National Grid, 44 River St. Beverly. She stated this is needed to provide service to 45 Traders Way.

Councillor Morsillo stated she would appreciate communication on when the work will start so she can notify neighbors.

No one appeared opposed.

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

Councillor Morsillo moved the order be granted. It was so voted.

#370 – APPOINTMENT OF ZACHARY CAUNTER TO THE PLANNING BOARD

The Mayor's appointment of Attorney Zachary Caunter of 24 Carlton St to the Planning Board with term to expire July 15, 2026 was held under the rules.

#371 - #372 – REAPPOINTMENTS TO THE BOARD OF REGISTRARS AND PUBLIC ARTS COMMISSION

The following Mayor's re-appointments and their terms to expire were confirmed by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

Donald Bates 31 Settlers Way, to the Board of Registrars of Voters Exp: July 19, 2024
John Andrews 9 English St., to the Public Arts Commission Exp: July 20, 2023

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#373 – APPROP. OF \$300,000.00 TO SNOW AND ICE REMOVAL

The following order submitted by the Mayor was adopted under suspension of the rules by a roll call vote of 9 yeas, 1 nay, 1 present and 0 absent. Councillors Turiel, Sargent, Riccardi, Prosniewski, Morsillo, McCarthy, Hapworth, Flynn, and Madore were recorded in the affirmative. Councillor Dominguez was recorded in the negative and Councillor Dibble was recorded as present.

Councillor Dominguez asked if the workers were paid if we are asking for the money now.

Councillor Dibble would like to see this go to committee. If the bills have been paid why is there a deficit. Seconded by Councillor Dominguez.

Councillor Turiel, Madore and McCarthy explained why this happens. We are trying to close out our books. Snow and Ice is one of those accounts that can go into the negative. The contractors have been paid. We are paying this down now instead of waiting for free cash to get certified.

The motion to refer this to Administration and Finance did not carry; there were three in favor and eight opposed.

ORDERED: That the sum of Three Hundred Thousand Dollars (\$300,000.00) is hereby transferred from the Human Resource Department's "Medical Insurance" account (19141-5174) to the Snow and Ice "Snow Removal" account (14232-5292) as provided below to reduce the Snow and Ice deficit incurred for FY2021 in accordance with the recommendation of Her Honor the Mayor.

Description	Fund	Amount
Snow Removal	14232-5292	\$ 300,000.00
		\$ 300,000.00

#374 – APPROP. OF \$192,324.07 WITHIN RETIREMENT STABILIZATION ACCOUNT

The following order submitted by the Mayor was adopted under suspension of the rules by a unanimous roll call vote.

ORDERED: That the sum of One Hundred Ninety-Two Thousand Three Hundred Twenty-Four Dollars and Seven Cents (\$192,324.07) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2021 contractual buyback(s) listed below in accordance with the recommendation of Her Honor the Mayor.

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Name	Department	Amount
Susan Raynes	Salem Public Schools	33,536.00
Ellen Johnson	Salem Public Schools	20,037.60
Catherine Connelly	Salem Public Schools	32,036.00
Sushila Day	Salem Public Schools	34,234.40
Joanne O'Keefe	Salem Public Schools	37,728.00
Petra Nicholson	Salem Public Schools	18,144.40
Susan Marchand	Salem Public Schools	16,607.67
		192,324.07

#375 – APPROP. OF \$19,850.00 TO COVER REMAINING FY21 PAYROLL COSTS

The following order submitted by the Mayor was adopted under suspension of the rules by a unanimous roll call vote.

ORDERED: That the sum of Nineteen Thousand Eight Hundred Fifty Dollars (\$19,850.00) is hereby transferred from the Human Resource Department's "Medical Insurance" account (19141-5174) to the accounts as provided below to cover remaining final payroll costs for FY2021 in accordance with the recommendation of Her Honor the Mayor.

Description	Fund	Amount
Salaries Full-Time (City Council)	11111-5111	\$ 600.00
Salaries Full-Time (Finance)	11351-5111	\$ 2,400.00
Salaries Part-Time (Finance)	11351-5113	\$ 100.00
Salaries Full-Time (Collector)	11461-5111	\$ 5,500.00
Salaries Full-Time (Human Resources)	11521-5111	\$ 1,200.00
Salaries Full-Time (Engineering)	14121-5111	\$ 9,800.00
Salaries Full-Time (Veterans)	15431-5111	\$ 250.00
		\$ 19,850.00

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#376 – APPROP. OF \$17,948.40 FOR RETIREMENT BUYBACK FOR SCHOOL DEPT. EMPLOYEE

The following order submitted by the Mayor was adopted under suspension of the rules by a unanimous roll call vote.

ORDERED: That the sum of Seventeen Thousand Nine Hundred Forty-Eight Dollars and Forty Cents (\$17,948.40) 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
Lisa Gray-Duffy	Salem Public Schools	\$ 17,948.40
		\$ 17,948.40

#377 – DONATION OF FLEXIDOME MULTI 7000O SECURITY CAMERA FOR BERTRAM FIELD

The following order submitted by the Mayor was adopted by a unanimous roll call vote.

ORDERED: To accept the donation of one Flexidome Multi 7000i multi-directional security camera valued at \$1,456.00 from Bosch Security Systems to be installed at Bertram Field by the Salem Police Department

#378 – DONATION FROM KEVIN & MARGARET CORNACHHIO FOR BERTRAM FIELD

The following order submitted by the Mayor was adopted by a unanimous roll call vote.

ORDERED: To accept the donation of One Thousand Dollars (\$1,000.00) from Kevin and Margaret Cornacchio 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.

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#379 - ACCEPT FUNDING FROM THE AMERICAN RESCUE PLAN ACT OF 2021

The following order submitted by the Mayor was adopted by a unanimous roll call vote.

ORDERED: That the City of Salem approves and accepts funding provided to the City pursuant to Public Law Number 117-2, also called the American Rescue Plan Act of 2021 including, but not limited to, all funds distributed by the Coronavirus State and Local Fiscal Recovery Funds as specified in the Law.

#380 – HRP FOR CONVERSION OF SEASONAL LIQUOR LICENSE TO ANNUAL LICENSE – LA DELICIA RESTAURANT – 75 CONGRESS ST.

The following Home Rule Petition submitted by the Mayor was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

ORDERED: That a petition to the General Court, accompanied by a bill authorizing the City of Salem to convert a seasonal license for the sale of all alcoholic beverages to be drunk on the premises to an annual license for the sale of all alcoholic beverages to be drunk on the premises 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 intent of this home rule petition:

AN ACT AUTHORIZING THE CITY OF SALEM TO CONVERT A SEASONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES TO AN ANNUAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES.

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

SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the city of Salem may convert a seasonal license for the sale of all alcoholic beverages to be drunk on the premises to an annual license for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to Jejhomike, Inc. d/b/a La Delicia Restaurant at 75 Congress Street. The license issued pursuant to this section shall be subject to all of said chapter 138, except said section 17.

(b) The licensing authority shall not approve the transfer of the license issued pursuant to this section to any other location but it may grant the license to a new applicant at the same location if the applicant for the license files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(c) If the license issued pursuant to this section is cancelled, revoked or no longer in use at the location of original issuance, it shall be returned physically, with all of the legal rights,

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privileges and restrictions pertaining thereto, to the licensing authority and the licensing authority may then grant the license to a new applicant at the same location under the same conditions as specified in this section.

SECTION 2. (a) The city of Salem shall charge a fee for the license issued pursuant to this act that shall be paid by the licensee at the time of issuance unless the licensing authority agrees to enter into an arrangement with the licensee which would enable the fee to be divided into multiple payments or prorated over multiple periods of time. If the city elects to accept prorated payments over time from the licensee, the option shall be made available, upon request, to all qualified applicants for licensure.

(b) Any fee collected by the city of Salem for a license converted or granted pursuant to this act that is greater than the amount of the fee charged for an annual renewal of a similar license issued by the city shall be deposited into an economic development account which has been established by the city of Salem and expended by it in a manner consistent with the purposes of the account.

SECTION 3. This act shall take effect upon its passage.

#381 – HRP FOR CONVERSION OF SEASONAL LIQUOR LICENSE TO ANNUAL LICENSE – SALEM’S RETREAT – 96 NORTH ST.

The following Home Rule Petition submitted by the Mayor was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

ORDERED: That a petition to the General Court, accompanied by a bill authorizing the City of Salem to convert a seasonal license for the sale of all alcoholic beverages to be drunk on the premises to an annual license for the sale of all alcoholic beverages to be drunk on the premises 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 intent of this home rule petition:

AN ACT AUTHORIZING THE CITY OF SALEM TO CONVERT A SEASONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES TO AN ANNUAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES.

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

SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the city of Salem may convert a seasonal license for the sale of all alcoholic beverages to be drunk on the premises to an annual license for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to Salem’s Retreat LLC d/b/a Salem’s Retreat at 96 North Street. The license issued pursuant to this section shall be subject to all of said chapter 138, except said section 17.

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(b) The licensing authority shall not approve the transfer of the license issued pursuant to this section to any other location but it may grant the license to a new applicant at the same location if the applicant for the license files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(c) If the license issued pursuant to this section is cancelled, revoked or no longer in use at the location of original issuance, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority and the licensing authority may then grant the license to a new applicant at the same location under the same conditions as specified in this section.

SECTION 2. (a) The city of Salem shall charge a fee for the license issued pursuant to this act that shall be paid by the licensee at the time of issuance unless the licensing authority agrees to enter into an arrangement with the licensee which would enable the fee to be divided into multiple payments or prorated over multiple periods of time. If the city elects to accept prorated payments over time from the licensee, the option shall be made available, upon request, to all qualified applicants for licensure.

(b) Any fee collected by the city of Salem for a license converted or granted pursuant to this act that is greater than the amount of the fee charged for an annual renewal of a similar license issued by the city shall be deposited into an economic development account which has been established by the city of Salem and expended by it in a manner consistent with the purposes of the account.

SECTION 3. This act shall take effect upon its passage.

#382 – HRP TO GRANT AN ADDITIONAL LIQUOR LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES FOR JAH COFFEE – 130 CANAL STREET

The following Home Rule Petition submitted by the Mayor was referred to the Committee on Ordinances, Licenses and Legal Affairs.

ORDERED: That a petition to the General Court, accompanied by a bill authorizing the City of Salem to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises 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 intent of this home rule petition:

AN ACT AUTHORIZING THE CITY OF SALEM TO GRANT AN ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES.

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

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SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the city of Salem may grant an additional license for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to Jaho Holdings, LLC d/b/a Jaho Coffee Roaster and Wine Bar at 130 Canal Street. The license issued pursuant to this section shall be subject to all of said chapter 138, except said section 17.

(b) The licensing authority shall not approve the transfer of the license issued pursuant to this section to any other location but it may grant the license to a new applicant at the same location if the applicant for the license files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(c) If the license issued pursuant to this section is cancelled, revoked or no longer in use at the location of original issuance, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority and the licensing authority may then grant the license to a new applicant at the same location under the same conditions as specified in this section.

SECTION 2. (a) The city of Salem shall charge a fee for the license issued pursuant to this act that shall be paid by the licensee at the time of issuance unless the licensing authority agrees to enter into an arrangement with the licensee which would enable the fee to be divided into multiple payments or prorated over multiple periods of time. If the city elects to accept prorated payments over time from the licensee, the option shall be made available, upon request, to all qualified applicants for licensure.

(b) Any fee collected by the city of Salem for a license converted or granted pursuant to this act that is greater than the amount of the fee charged for an annual renewal of a similar license issued by the city shall be deposited into an economic development account which has been established by the city of Salem and expended by it in a manner consistent with the purposes of the account.

SECTION 3. This act shall take effect upon its passage.

#383 – HRP TO GRANT AN ADDITIONAL LIQUOR LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES FOR JAHCOFFEE – 57 LORING AVE.

The following Home Rule Petition submitted by the Mayor was referred to the Committee on Ordinances, Licenses and Legal Affairs.

ORDERED: That a petition to the General Court, accompanied by a bill authorizing the City of Salem to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises 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 intent of this home rule petition:

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AN ACT AUTHORIZING THE CITY OF SALEM TO GRANT AN ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES.

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

SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the city of Salem may grant an additional license for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to Jaho Loring, LLC d/b/a Jaho Coffee Roaster and Wine Bar at 57 Loring Avenue. The license issued pursuant to this section shall be subject to all of said chapter 138, except said section 17.

(b) The licensing authority shall not approve the transfer of the license issued pursuant to this section to any other location but it may grant the license to a new applicant at the same location if the applicant for the license files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(c) If the license issued pursuant to this section is cancelled, revoked or no longer in use at the location of original issuance, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority and the licensing authority may then grant the license to a new applicant at the same location under the same conditions as specified in this section.

SECTION 2. (a) The city of Salem shall charge a fee for the license issued pursuant to this act that shall be paid by the licensee at the time of issuance unless the licensing authority agrees to enter into an arrangement with the licensee which would enable the fee to be divided into multiple payments or prorated over multiple periods of time. If the city elects to accept prorated payments over time from the licensee, the option shall be made available, upon request, to all qualified applicants for licensure.

(b) Any fee collected by the city of Salem for a license converted or granted pursuant to this act that is greater than the amount of the fee charged for an annual renewal of a similar license issued by the city shall be deposited into an economic development account which has been established by the city of Salem and expended by it in a manner consistent with the purposes of the account.

SECTION 3. This act shall take effect upon its passage.

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#384 – HRP TO CONVERT A LICENSE FOR WINE AND MALT TO AN ALL ALCOHOLIC LICENSE – BOSTON BURGER – 133 WASHINGTON STREET

The following Home Rule Petition submitted by the Mayor was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

ORDERED: That a petition to the General Court, accompanied by a bill authorizing the City of Salem to convert a license for the sale of wine and malt beverages to be drunk on the premises to a license for the sale of all alcoholic beverages to be drunk on the premises 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 intent of this home rule petition:

AN ACT AUTHORIZING THE CITY OF SALEM TO CONVERT A LICENSE FOR WINE AND MALT BEVERAGES TO BE DRUNK ON THE PREMISES TO A LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES.

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

SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the city of Salem may convert a license for the sale of wine and malt beverages to be drunk on the premises to a license for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to BBC of Salem LLC d/b/a Boston Burger Company at 133 Washington Street. The license issued pursuant to this section shall be subject to all of said chapter 138, except said section 17.

(b) The licensing authority shall not approve the transfer of the license issued pursuant to this section to any other location but it may grant the license to a new applicant at the same location if the applicant for the license files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(c) If the license issued pursuant to this section is cancelled, revoked or no longer in use at the location of original issuance, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority and the licensing authority may then grant the license to a new applicant at the same location under the same conditions as specified in this section.

SECTION 2. (a) The city of Salem shall charge a fee for the license issued pursuant to this act that shall be paid by the licensee at the time of issuance unless the licensing authority agrees to enter into an arrangement with the licensee which would enable the fee to be divided into multiple payments or prorated over multiple periods of time. If the city elects to accept prorated payments over time from the licensee, the option shall be made available, upon request, to all qualified applicants for licensure.

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(b) Any fee collected by the city of Salem for a license converted or granted pursuant to this act that is greater than the amount of the fee charged for an annual renewal of a similar license issued by the city shall be deposited into an economic development account which has been established by the city of Salem and expended by it in a manner consistent with the purposes of the account.

SECTION 3. This act shall take effect upon its passage.

**#385 – HRP TO GRANT AND ADDITIONAL LICENSE FOR THE SALE OF WINE
AND MALT NOT TO BE DRUNK ON THE PREMISES – PETER BELLA'S PIZZA – 84
HIGHLAND AVE**

The following Home Rule Petition submitted by the Mayor was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

ORDERED: That a petition to the General Court, accompanied by a bill authorizing the City of Salem to grant an additional license for the sale of wine and malt beverages not to be drunk on the premises 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 intent of this home rule petition:

AN ACT AUTHORIZING THE CITY OF SALEM TO GRANT AN ADDITIONAL LICENSE FOR THE SALE OF WINE AND MALT BEVERAGES NOT TO BE DRUNK ON THE PREMISES.

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

SECTION 1. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the city of Salem may grant an additional license for the sale of wine and malt beverages not to be drunk on the premises pursuant to section 15 of said chapter 138 to Peter's Place, Inc. d/b/a Peter's Bella Pizza at 84 Highland Avenue. The license issued pursuant to this section shall be subject to all of said chapter 138, except said section 17.

(b) The licensing authority shall not approve the transfer of the license issued pursuant to this section to any other location but it may grant the license to a new applicant at the same location if the applicant for the license files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(c) If the license issued pursuant to this section is cancelled, revoked or no longer in use at the location of original issuance, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority and the licensing

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authority may then grant the license to a new applicant at the same location under the same conditions as specified in this section.

SECTION 2. (a) The city of Salem shall charge a fee for the license issued pursuant to this act that shall be paid by the licensee at the time of issuance unless the licensing authority agrees to enter into an arrangement with the licensee which would enable the fee to be divided into multiple payments or prorated over multiple periods of time. If the city elects to accept prorated payments over time from the licensee, the option shall be made available, upon request, to all qualified applicants for licensure.

(b) Any fee collected by the city of Salem for a license converted or granted pursuant to this act that is greater than the amount of the fee charged for an annual renewal of a similar license issued by the city shall be deposited into an economic development account which has been established by the city of Salem and expended by it in a manner consistent with the purposes of the account.

SECTION 3. This act shall take effect upon its passage.

#386 – LEASE AGREEMENT WITH DESTINATION SALEM FOR A VISITOR CENTER IN SOUTH HARBOR GARAGE

The following Order submitted by the Mayor was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

ORDERED: The Mayor is hereby authorized to enter into a lease agreement with Salem Office of Tourism and Cultural Affairs, Inc. d/b/a Destination Salem for the use of a 1,256 square foot office at the South Harbor Garage. Destination Salem, the sole proposer in response to the City's 2021 Request for Proposals, shall use the space for as a Visitor Center and office. In an addition to lease payments, Destination Salem shall incur the expense of designing and constructing the space for its use and maintaining and supplying products for public restrooms the City is constructing adjacent to the leased space. The lease, as approved by the City Solicitor, shall be for an initial term of five years with an option to renew the lease for up to five additional one-year periods. (See back-up for complete RFP)

Councillor McCarthy stated he is glad that there will be physical presence in that garage and will have restrooms in that area. This will greatly enhance the garage and the area.

Councillor Dominguez stated it will be very beneficial to have them in that area. Would like to hear more details on revenue.

Councillor Madore reviewed the very thorough RFP from Destination Salem. Putting in their own money to clean and staff bathrooms. It is a great proposal and a great partner to have.

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Councillor Morsillo stated the RFP was in the back up materials. Monthly rent of \$400. Paying for their own facilities. City pays for bathroom. Not a lot of money for the city because Destination Salem will be taking care of bathrooms, which will be cleaned three times a day or more during busy times.

Councillor Dibble in support of this. Stalls at artist row – one was converted into bathrooms this was phase one. Phase two was to be somewhere closer to Pickering Wharf. Thanks Destination Salem for stepping up.

Councillor Riccardi supports this. It is a win-win-win. Page 29 of RFP gives projected budget. They will be providing a needed service in that area. Hopefully it will be open for the October season.

#387 – NAMING OF VETERANS SQUARE AFTER US ARMY STAFF SGT. WALTER MIELCARZ

The following order introduced by Councillor Riccardi was adopted.

ORDERED: That a Veteran's Square be named after US Army Staff Sergeant Walter Anthony Mielcarz who was killed in action in France on September 18, 1944 and that Mielcarz Square be located at the corner of Grove and Tremont Streets.

#388 – NAMING OF RIGHT OF WAY BETWEEN 15 & 19 FRONT ST – HOUDINI WAY

The following order introduced by Councillor Madore was adopted.

ORDERED: That the Right of Way between 15 and 19 Front Street shall hereafter be named "Houdini Way" in honor of Harry Houdini who, in April of 1906, performed an extraordinary escape from handcuffs and a locked cell at the former police station at 15 Front Street.

#389 – B&S FITNESS ROAD RACE AND USE OF CITY STREETS SEPTEMBER 19, 2021 – WICKED HALF MARATHON

The following Order introduced by Councillor McCarthy was adopted (due to late file).

ORDERED: That the attached road race application for B&S Fitness to hold their Wicked Half Marathon and use of city streets on September 19, 2021, be referred to the Committee on Public Health, Safety and Environment co-posted with the Committee of the Whole.

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#390 – DISCUSS FORMER WARD 2 SOCIAL CLUB ISSUES

The following Order introduced by Councillor Dibble was adopted (late file).

ORDERED: That the Committee on Community and Economic Development co-posted with the Committee of the Whole, meet to discuss and make recommendations on the former Ward 2 Club property at the intersection of East Collins Street and Planters Street to include the following:

1. The building demolition has resulted in an unsafe 3-4' depth pond and the perimeter safety fence is not secure and open on one side.
2. The former Building's pond has caused an explosion of mosquitos to breed and impact the neighborhood.
3. The safety/construction fence is unsafe as located along the street, and the sidewalk was illegally removed. Determine if fence should be moved back onto the private property and require owners to replace sidewalk along East Collins Street.
4. Determine if the City of Salem can issue a building permit and whether or not the use meets the requirements of the Dover Amendment and Chapter 40A with a Detox Center being allowed in a tight residential neighborhood and with the area flooding frequently.

And that the City Engineer, Building Inspector and Solicitor be invited.

#391 – MEET TO DISCUSS WATER MAIN BREAKS

The following Order introduced by Councillor Dibble was adopted (late file).

ORDERED: That the Committee on Government Services co-posted with the Committee of the Whole meet with the City Engineer to discuss the following matters:

1. The large number of water breaks happening throughout Salem and the cause of these breaks, and what can be done to reduce the breaks.
2. The cost of these water line break repairs is extremely expensive and determine ways to reduce this cost.
3. Many basements have been flooded, some with raw sewerage. Determine ways to stop this from happening and to speed up the reaction time of the City to help the Salem residents faster that are being flooded.
4. To recommend actions needed to be taken and report back immediately to the City Council for action.

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#392 – MEET TO DISCUSS DOG WASTE AND FINES

The following Order introduced by Councillor Dominguez was adopted (late file).

ORDERED: That the Committee on Public Health, Safety and the Environment, co-posted with the Committee of the Whole, meet to discuss and determine ways to require dog walkers to cleanup their dog's waste including possible installing dog waste signs in public spaces, increase fines to those that violate the ordinance and other actions as recommended. And that the Animal Control Officer and Health Agent be invited.

#393 – (#208) -DEMOLITION DELAY ORDINANCE

Councillor Morsillo offered the following report for the Committee on Ordinances, Licenses and Legal Affairs co posted with the Committee of the Whole. It was voted to accept the report. The recommendation was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

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 Demolition Delay Ordinance has considered said matter and would recommend adoption for first passage as amended by roll call vote.

#394 – (#147 & #350) – HRP FOR VIDEO SPEED DETECTION CAMERAS IN SCHOOL ZONES

Councillor Morsillo offered the following report for the Committee on Ordinances, Licenses and Legal Affairs. It was voted to accept the report. The recommendation was adopted by an unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

The Committee on Ordinances, Licenses and Legal Affairs to whom was referred the matter of Home Rule Petition video speed detection cameras in School Zones has considered said matter and would recommend adoption as amended by roll call vote.

#395 - (#76) – URBAN AGRICULTURE DRAFT ORDINANCE

Councillor Riccardi 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.

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The Committee on Public Health, Safety and Environment co-posted with the Committee of the Whole to whom was referred the matter of The Urban Agriculture Draft Ordinance has considered said matter and would recommend that the matter remain in committee.

#396 – BLOCK PARTY – PURITAN ROAD

A request from the residents of Puritan Road to hold a block party on September 11, 2021, 2:00 PM – 8:00 PM with a rain date of September 12, 2021 was granted.

#397 – BLOCK PARTY – SALEM STREET

A request from the residents of Salem Street to hold a block party on August 21, 2021, from 8:00 AM – 11:00 PM with no rain date was granted with the condition that the Ward Councillor has the ability to change the end time of the block party.

#398 - #400 – GRANTING CERTAIN LICENSES

The Following License Applications were granted.

PUBLIC GUIDES:	Melissa Campbell 19 Bryant St., Salem Marie Alessandro 148 Trenton St., E. Boston Roger Fruggiero 11 Berrywood Ln., Salem Vanessa Riutta 4 First St., Salem Kayla Sullivan 10 Glover St., Salem Paige Besse 2 Derby Sq., Salem Jackie Besse 50 St. Peter St., Salem Richard Hite 140 Humboldt Ave., Providence RI Kristen McCarthy 60 Howard St, Ext., Salem Bobby Kerrigan 13 Bruce Ln., Wenham Julia Rowan 52 Mudge St., Lynn
VEHICLE FOR HIRE:	Shift Drink (1 Pedi-Cab) 20 Central St., Salem
VEHICLE FOR HIRE OPERATORS ONLY	Kayla “Paige” Besse 50 St. Peter St., Salem

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#401 - #402 – TAG DAY APPLICATIONS

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

TAG DAYS: Salem/Swampscott Youth Hockey: September 26, 2021
Salem High School Girls Soccer: September 25 & October 23, 2021

#403 - DRAINLAYER/CONTRACT OPERATOR LICENSE APPLICATION

The Following Drainlayer/Contract Operator License Application was granted.

United Civil 30 Log Bridge Rd., Middleton

#404 - #410 – CLAIMS

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

Peter Avila 30 Hull St., Beverly
Christian Capellan 15 Gedney St., Salem
Marjorie Soriano 11 Church St., Salem
Orie Teraguchi 100 Washington St., Salem
Gail Tyrrell 403 Highland Ave., Salem
Ellen Barnett 23 May St., Salem
Melissa Fraczek 4 Monroe Rd., Salem

#411 – SIGN BOND

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

SIGN: Crave 101 Lafayette St., Salem

(#344) – SECOND PASSAGE OF GENDER NEUTRAL LANGUAGE IN CODE OF ORDINANCE

The Second Passage of an Ordinance amending an Ordinance relative to replacing gender-specific nouns and pronouns in the City of Salem's Code of Ordinances was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

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

Section 1. An ordinance replacing gender-specific nouns and pronouns in the city of salem's code of ordinances be amended by

1. Traffic Code V-A-75 is amended by replacing "his designee" with "the Police Chief's designee" in all one instance.
2. Section 2-1 is amended by replacing her with "it's"
3. Section 28-133 is amended by replacing workmanship with "their work"

On the motion of Councillor Sargent the meeting adjourned at 9:03 P.M.

ATTEST:

ILENE SIMONS
CITY CLERK