

CITY OF SALEM

JUNE 13, 2019

CITY COUNCIL REGULAR MEETING

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A Regular Meeting of the City Council held in the Council Chamber on Thursday, June 13, 2019 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on June 11, 2019 at 9:21 A.M. This meeting is being taped and is live on S.A.T.V.

All Councillors were present.

Council President Dibble presided.

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

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

PUBLIC TESTIMONY

1. Megan Riccardi, 23 Orchard St., Salem – Ward 6 Voting Location Change
2. Jeff Cohen, 12 Hancock St., Salem - Accessory Dwelling and Budget
3. Tyler Terry, 22 School St., Salem – Ward 6 Voting Location Change
4. Christy Evans, 1 Harrod St., Salem – Ward 6 Voting Location Change
5. Fawaz Abushardh, 4 Harrison Rd., Salem – School Budget

(#312) APPOINTMENT OF DARLEEN MELIS TO THE TREE COMMISSION

Held from the last meeting, the Mayor’s appointment of Darleen Melis of 155 Federal St., to serve as a member on the Tree Commission with a term to expire on May 23, 2022, was confirmed under suspension of rule 29A by a roll call vote of 11 yeas, 0 nays, 0 absent. Councillors Turiel, Sargent, Peterson, Milo, McCarthy, Madore, Gerard, Furey, Flynn, Dominguez, Dibble were all recorded in the affirmative.

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(#313) APPOINTMENT OF NAOMI COTTRELL TO THE TREE COMMISSION

Held from the last meeting, the Mayor's appointment of Naomi Cottrell 55 Warren St. of 55 Federal St., to serve as a member on the Tree Commission with a term to expire on May 23, 2022, was confirmed by a roll call vote of 11 yeas, 0 nays, 0 absent. Councillors Turiel, Sargent, Peterson, Milo, McCarthy, Madore, Gerard, Furey, Flynn, Dominguez, Dibble were all recorded in the affirmative.

Councillor Madore requested and received suspension of the rules to allow Naomi Cottrell to speak.

#352 – APPOINTMENT OF MILO MARTINEZ TO THE HISTORICAL COMMISSION

The Mayor's appointment of Milo Martinez 78 Washington St., #2 (Replacing Jane Turiel) as an alternate member to the Historical Commission with a term to expire February 22, 2020 was held under the rules.

#353 - APPOINTMENT OF VIJAY JOYCE TO THE HISTORICAL COMMISSION

Mayor's appointment of Vijay Joyce 10 ½ Herbert St., Unit 31 (Replacing Joanne McCrea) as a member to the Historical Commission with a term to expire March 1, 2020 was held under the rules.

#354 – APPOINTMENT OF SARA MOORE TO THE BOARD OF HEALTH

The Mayor's appointment of Sara Moore of 34 Leach St, (Replacing Kerry Murphy) to serve as a member of the City of Salem Board of Health with a term to expire March 23, 2020 was held under the rules.

#355– APPOINTMENT OF SUE KIRBY TO THE SALEM HOUSING AUTHORITY

The Mayor's appointment of Sue Kirby of 45 St Peter St, (Replacing Maureen Call) to serve as a member of the City of Salem Housing Authority with a term to expire March 1, 2020 was held under the rules.

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#356 - CONSTABLE

The Mayor's reappointment of George Hoxha of 52 Highland Ave., Salem to serve as Constable with a term to expire on May 22, 2022 was received and placed on file.

#357 – APPROPRIATION OF \$300,000.00 TO SOLID WASTE COLLECTION/DISPOSAL

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

ORDERED: That the sum of Three Hundred Thousand Dollars (\$300,000.00) is hereby appropriated from the "Retained Earnings – Trash Fund" account to the "Engineering – Solid Waste Collection/Disposal" Account in accordance with the recommendation of Her Honor the Mayor.

#358 – APPROPRIATION OF \$53,000.00 TO DPS – UTILITY SERVICE REPAIR & MAINT.

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

ORDERED: That the sum of Fifty-Three Thousand Dollars (\$53,000.00) is hereby appropriated from the "Retained Earnings – Water/Sewer Fund" account to the "DPS – Utility Service Repair & Maintenance" account in accordance with the recommendation of Her Honor the Mayor.

#359 – APPROPRIATION OF \$30,000.00 TO THE DPS – TREE PLANTING & REMOVAL

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

ORDERED: That the sum of Thirty Thousand Dollars (\$30,000.00) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account to the "DPS – Tree Planting and Removal" Account in accordance with the recommendation of Her Honor the Mayor.

#360 – APPROPRIATION OF \$10,000.00 TO CITY CLERK – FULL TIME SALARY

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

ORDERED: That the sum of Ten Thousand Dollars (\$10,000.00) is hereby transferred from the "Elections and Registrations – Full Time Salary" account to the "City Clerk- Full Time Salary" Account in accordance with the recommendation of Her Honor the Mayor.

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#361 – APPROPRIATION OF \$7,000.00 TO LEGAL DEPARTMENT SERVICES EXPENSE

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

ORDERED: That the sum of Seven Thousand Dollars (\$7,000.00) is hereby appropriated from the “Fund Balance Reserved for Appropriation – Free Cash” account to the “City Solicitor Legal Expense” Account in accordance with the recommendation of Her Honor the Mayor.

#362 – APPROPRIATION OF \$3,000.00 TO CITY CLERK – OVERTIME ACCOUNT

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

ORDERED: That the sum of Three Thousand Dollars (\$3,000.00) is hereby transferred from the “Elections and Registrations – Full Time Salary” account to the “City Clerk- Overtime” Account in accordance with the recommendation of Her Honor the Mayor.

#363 – DONATION TO THE POLICE K-9 FUND

The following Order introduced by the Mayor was adopted.

ORDERED: To accept the donation of Three Thousand Two Hundred Seventy-Nine dollars (\$3,279.00) from Eastern Savings Bank. These funds will be deposited into the K-9 Donation Fund to be used for the Comedy Night Fundraiser, in accordance with the recommendation of Her Honor the Mayor.

#364 – DONATION TO THE PARK & RECREATION GOLF TOURNAMENT

The following Order introduced by the Mayor was adopted.

ORDERED: To accept the donation in the amount of One Thousand Dollars (\$1,000.00) from Robert Lutts. These funds will be deposited into the Park & Recreation Department Donation Fund account to be used for sponsorship of the 2019 Park and Recreation Golf Tournament in accordance with the recommendation of Her Honor the Mayor.

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#365 – CDGB GRANT

The following Order introduced by the Mayor was adopted.

ORDERED: That the City Council hereby approves the submittal of the City of Salem's application for Federal Assistance to the United States Department of Housing and Urban Development (HUD) for Community Development Block Grant (CDBG) funds for the period of July 1, 2019 through June 30, 2020 in the amount determined by HUD's formula entitlement allocation (identified as \$1,065,891).

#366 – DECLARE NINE SALEM POLICE DEPARTMENT VEHICLES SURPLUS

The following Order introduced by the Mayor was adopted.

ORDERED: That the Salem City Council hereby authorizes the Police Chief to surplus nine (9) police vehicles that have been used in the fleet for the Salem Police Department that range from 2003-2012 that no longer have any life expectancy for use in the fleet as determined by Motor Pool Foreman, Stephen Tassinari.

#367 – FIVE YEAR AGREEMENT WITH BOSTON HARBOR CRUISERS TO OPERATE FERRY

The following Order introduced by the Mayor was adopted.

Councillor Dibble recused himself from the vote.

ORDERED: That the Mayor, on behalf of the City of Salem, is hereby authorized to enter into a 5-year agreement with Nolan Associates, LLC d/b/a. Boston Harbor Cruisers for the operation of the Salem Ferry to and from Boston's Long Wharf from May (Memorial Day Weekend) through October.

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#368 – ORDINANCE TO AMEND SOLID WASTE – COLLECTION OF FEES

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

ORDINANCE: To amend an Ordinance relative to Solid Waste Management

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

Section 1.

1) Chapter 36, Section 36-6 Collection fee for certain residences is hereby amended by deleting the fee of "\$18.00" as it appears in paragraph (a) and replacing it with the fee of "\$19.50" and further amending this paragraph (a) by deleting the fee of "\$120.00" and replacing it with a fee of "\$125.00".

2) Chapter 36, Section 36-8 Collection Fee for certain commercial establishments is hereby amended by deleting the fee of "\$26.50" and replacing it with the fee of "\$28.50".

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

#369 – ORDINANCE AMENDING CH. 20 – FIRE PREVENTION - RELATIVE TO OUTDOOR COOKING, HEATING & FIREPLACES

The following Ordinance introduced by the Mayor was adopted for first passage and referred to the Committee on Ordinances, Licenses and Legal Affairs. Councillor Flynn recused himself for this subject matter.

ORDINANCE: To amend an Ordinance relative to Outdoor Cooking Appliances, Heating Equipment and Fireplaces.

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

Section 1. Article III Fire Prevention and Protection of Chapter 20 of the Code of Ordinances is hereby Amended by adding the following new sections:

“Section 20-125. Outdoor Cooking Appliances, Outdoor Patio and Space Heaters, Outdoor Decorative Heating Appliances and Outdoor Fireplaces.

The purpose of this Section is to protect the residents of Salem from the effects of accidental fire due to improperly placed, misused, malfunctioning, or unattended outdoor cooking and heating appliances that may lead to accidental injury, death or property damage.

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Section 20-126. Code of Massachusetts Regulation Reference.

Wherever "527 CMR" is noted, it shall be interpreted "527 CMR 1.00: Massachusetts Comprehensive Fire Safety Code and all currently adopted reference standards." In situations where this article conflicts with 527 CMR and adopted reference standards, the more stringent application shall apply as determined by the City of Salem Fire Marshal.

Section 20-127. Definitions.

Authority Having Jurisdiction (AHJ) shall mean the City of Salem Fire Marshal under the supervision and control of the Fire Chief.

Permanent shall mean a fixed gas installation that is hard piped and connected to an approved and permanently fixed fuel supply, permitted through the Salem Inspectional Services Department and installed by a licensed installer in accordance with all applicable codes and reference standards.

Refillable shall mean an approved, movable or permanent container that is legibly marked as referenced in 527 CMR and used and maintained in compliance with 527 CMR and manufacturer's recommendations. Such container is capable of being refueled by delivery onsite by a qualified LPG fuel supplier or by transporting to a refueling station.

Licensed Person shall mean a licensed: journeyman or master plumber, journeyman or master gas fitter, Liquefied Petroleum Gas installer (LPG) and Limited LPG-Gas Installers including those apprentices working under such license.

Liquefied Petroleum Gas (LP-Gas) shall mean any material which is composed predominantly of any of the following hydrocarbons or mixtures of the same: propane, propylene, butanes (normal or isobutane), and butylenes. LP-Gas is commonly as "propane"

Cooking Appliance shall mean an appliance designed specifically for the purpose of heating and cooking food and constructed in compliance with approved safety standards and tested by a recognized product testing or listing agency.

Solid Fuel shall include, wood, charcoal, fuel pellets or any similar non-gaseous fuel. Whether any newly developed or identified fuel, not specifically mentioned in this article at the date of adoption is later classified as a solid fuel shall be determined by the AHJ.

Section 20-128. Sale of solid fuel outdoor patio and space heaters, outdoor decorative heating appliances, and outdoor fireplaces within the City of Salem.

- (a) It is prohibited for any mercantile establishment located within the City of Salem to sell, or offer for sale, any outdoor patio or space heater or decorative heating appliance such as chiminea, fire pit, or outdoor fireplace that is fueled by a solid fuel such as wood, charcoal, fuel pellets or similar non-gaseous fuels unless an informational label is clearly affixed and visible on the product display informing the purchaser of the prohibited use of these devices within the City of Salem.

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- (b) The signage shall be placed on the display or shelving where any regulated device is for sale. The sign shall be affixed in plain view at eye level and clearly visible to purchaser. The sign shall be of durable construction and shall be no less than 10" x 12" or 120 square inches using red lettering on a white background with a font of sufficient size to be clearly visible to the purchaser from a distance of six feet.
- (c) The label and signage shall state the following:

IMPORTANT NOTICE BEFORE PURCHASE OR USE

IT IS PROHIBITED WITHIN THE CITY OF SALEM TO USE any outdoor patio or space heater, outdoor decorative heating appliance such as a chiminea, fire pit or outdoor fireplace using solid fuel including charcoal, wood, fuel pellets or any non-gaseous fuel.

Per Order of: Salem Ordinances - Chapter 20 Fire Prevention and Protection

Section 20-129. Use of solid fuel outdoor patio and space heaters, outdoor decorative heating appliances and outdoor fireplaces within the City of Salem.

It is prohibited within the City of Salem to use any outdoor patio or space heater, decorative heating appliance such as a chiminea, fire pit or outdoor fireplace using solid fuel including charcoal, wood, fuel pellets or any non-gaseous fuel.

Section 20-130. Regulations for the use of Natural Gas or LP-GAS outdoor patio and space heaters, and decorative heating appliances.

(a) Non-Commercial Use

1. Outdoor patio or space heaters and decorative heating appliances such as chiminea, fire pits and outdoor fireplaces that are fueled by Natural Gas or LP-GAS using a refillable tank or permanently installed are allowed for use within the City of Salem provided the appliance is listed or labeled by a recognized product testing organization. Where permanent, such installation shall be installed and permitted through the Inspectional Services Department of the City of Salem and installed by a licensed installer in accordance with all applicable codes and reference standards.
2. LP-Gas appliances whether permanent piped or refillable, all installations, clearances, storage and use shall be according to manufacturer's specifications and 527 CMR.
3. Under the authority of 527 CMR, the Salem Fire Department prohibits the use or storage of LP-Gas containers inside or on balconies above the first floor of any building or structure used for habitation; or the use or storage of liquefied petroleum gas appliances used for barbecue cooking on first floor porches, decks, or balconies that are enclosed by a roof or other confining material of a building or structure used for habitation.

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4. LP-Gas containers used or stored on permitted first floor porches or decks, shall be conveyed there via an unenclosed exterior staircase only and shall not be passed through any building used for habitation nor shall such appliance obstruct egress. In accordance 527 CMR a permit is required from the Salem Fire Department for all permanent container installations and for the storage or use of LP-Gas cylinders of 42 lbs. or greater in the aggregate. Up to two 20 lb. cylinders are allowed without a permit provided they are used and stored according to 527 CMR.

(b) Commercial Use

1. LP-Gas fueled space heaters, fireplaces and decorative heating appliance used or stored on the exterior of any place of assembly, restaurant, bar, or public establishment shall require a Salem Fire Department fuel storage permit regardless of the amount of fuel on the premises. Fueled appliances and fuel cylinders awaiting replacement or use shall only be used and stored as prescribed by 527 CMR and the City of Salem Fire Marshal.
2. LP Gas or solid fueled cooking appliances used for commercial purposes and special events shall be allowed provided the required permits for fuel storage and use have been obtained and the equipment is used and stored as prescribed by 527 CMR and the City of Salem Fire Marshal.

Section 20-131. Regulations for the use of outdoor barbecue & cooking grills using solid fuel, charcoal, and LP-Gas.

(a) LP-Gas Operated Grills

1. The following regulations apply to the use of portable, solid fueled, charcoal and LP-Gas operated cooking grills on or within a building or structure and includes balconies, fire escapes, porches, roofs as a part thereof. This section does not apply to natural gas grills permitted through the Salem Inspectional Services Department and installed by a licensed installer in accordance with all applicable codes and reference standards.
2. The Salem Fire Department prohibits the use or storage of liquefied petroleum gas containers, including 1 lb LP-Gas containers attached to portable cooking grills, inside or on roof tops, decks, balconies or porches above the first floor of any building or structure used for habitation. Under the authority of 527 CMR, the Salem Fire Department prohibits the use or storage of liquified petroleum gas appliances used for barbecue cooking on first floor porches, decks, or balconies that are enclosed by a roof or other confining material of a building or structure used for habitation

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3. LP-Gas containers, including 1 lb LP-Gas containers attached to portable cooking grills, used or stored on permitted first floor porches or decks, shall be conveyed there via an unenclosed exterior staircase only and shall not be passed through any building used for habitation nor shall such appliance obstruct egress. LP-Gas containers, including 1 lb LP-Gas containers attached to portable cooking grills, shall be located in areas where there is free air circulation, at least three feet from building openings (such as windows and doors), and at least five feet from air intakes of air conditioning and ventilating systems.
4. 527 CMR states that no permit is required for the storage and use of LP-Gas containers of an amount less than 42 lbs. in approved locations. This allows the use and storage of two 20-1b. propane cylinders without a permit.

(b) Solid Fueled & Charcoal Grills

1. Under the authority of 527 CMR, the Salem Fire Department prohibits the use of portable charcoal or any solid or non-gaseous fueled cooking grills, hibachi or similar cooking appliances on or within a building or structure, and further prohibits their use on balconies, decks, porches or within 10 feet of a structure.
2. The storage of charcoal or any solid or non-gaseous fueled cooking grill, hibachi or similar appliance used for cooking shall be prohibited on all balconies, decks, porches except for single family dwellings. When stored on a porch or deck of a single family dwelling, the appliance shall be empty of all charcoal or solid or non-gaseous fuel
3. Gas, Solid fueled & Charcoal grill use or storage is prohibited on fire escapes or fire escape balconies.

Section 20-132. Penalties.

This ordinance shall be enforced by the Salem Fire Department. Violations of this ordinance, unless otherwise provided for in MGL Chapter 148, MGL Chapter 148A, or 527 CMR, shall result in a fine of fifty (\$50) dollars for the first violation and fifty (\$50) dollars per day that the violation persists.”

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

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#370 – AMENDING A ZONING ORDINANCE RELATIVE TO ACCESSORY LIVING USES –
CHAPTER 3.0 – USE REGULATIONS

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

An Ordinance to amend an ordinance relative to accessory living uses.

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

Section 1. Chapter 3.0 Use Regulation is hereby amended by deleting Section 3.2.8 Accessory Living Areas in its entirety and replacing it with the following:

“3.2.8 Accessory Living Areas. Accessory Living Areas shall be allowed as provided set forth in this section.

1. Purpose.

- A. To provide homeowners with a means of obtaining companionship, security, and services, thereby enabling them to remain in their homes and neighborhoods they might otherwise be forced to leave.
- B. Add moderately priced rental units to the housing stock to meet the needs of smaller households and make housing units available to moderate income households who might otherwise have difficulty finding housing.
- C. To encourage the economic and energy efficient use of the city's housing supply while preserving the character of the city's neighborhoods.
- D. To maximize privacy, dignity, and independent living among family members preserving domestic family bonds as well as to protect the stability, property values, and the residential character of the neighborhood.
- E. To permit the owner of an existing, or a proposed, detached dwelling to construct one additional dwelling unit. Such a use is incidental and subordinate to the principal dwelling.

2. Procedure.

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

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3. Application

A. The Application for the Special Permit, if required, shall:

- a. Include a statement of the fact basis upon which the aforesaid purpose has been fulfilled.
- b. Be signed by one hundred (100) percent of the record title ownership interest of the principal dwelling and shall include a copy of the deed to the applicant.
- c. Include a floor plan of the accessory living area, the principal dwelling where it is to be located and all elevations. All plans shall be drawn to scale and identify the existing structure and proposed modifications to create the accessory living area.

B. The Application for the Building Permit shall:

- a. Be signed by one hundred (100) percent of the record title ownership interest of the principal dwelling and shall include a copy of the deed to the applicant.
- b. Include a floor plan of the accessory living area, the principal dwelling where it is to be located and all elevations. All plans shall be drawn to scale and identify the existing structure and proposed modifications to create the accessory living area.

4. Requirements.

- A. The minimum parking required for the principal dwelling pursuant to Section 5.1 of this ordinance shall not count as off-street parking for the accessory living area. The accessory living area shall have a dedicated off-street parking space unless otherwise waived pursuant to Section 5 of this ordinance.
- B. There shall not be a net loss in the caliper of private trees on the lot in which the accessory living area will be located unless otherwise waived pursuant to Section 5 of this ordinance.
- C. The accessory living area shall not contain in excess of 800 square feet of habitable space, unless otherwise waived pursuant to Section 5 of this ordinance.
- D. No more than one (1) accessory living area shall be located upon a single lot.
- E. At least one (1) owner of the residence in which the accessory living area is created shall reside in one (1) of the dwelling units as a principal place of residence at the time of permit issuance and a minimum of two years thereafter.
- F. Electricity, water and gas shall be provided by a single service to both the accessory living area and the principal dwelling.
- G. The accessory living area may not be sold or transferred separate and apart from the principal dwelling to which it is an accessory use. The principal dwelling and the

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accessory living area shall remain in common or single ownership and shall not be severed in ownership.

- H. No separate entry to the accessory living area shall be permitted unless from existing entries, from within the main dwelling, from the back or from the side of the main dwelling.
 - I. The accessory living area shall not contain more than two (2) bedrooms.
 - J. The accessory living area shall be clearly subordinate in use, size and design to the principal dwelling.
 - K. The accessory living area must be capable of being discontinued as a separate dwelling unit without demolition of any structural component of the principal dwelling.
 - L. There shall be no occupancy of the accessory living area until the Building Inspector has issued a certificate of occupancy that the principal dwelling and accessory living area shall be in compliance with all applicable health and building codes.
 - M. The Building Permit shall be revoked upon determination by the Building Inspector that any condition imposed by the has not been fulfilled.
 - N. By filing the Application for Special Permit or a Building Permit for an accessory living area, all owners consent to an inspection without a warrant upon reasonable notice by the Building Inspector to ensure compliance with all terms of this section and conditions imposed upon the grant of the Special Permit.
 - O. Short term rentals are prohibited in the accessory living unit.
 - P. The accessory living unit shall obtain certificate of fitness subject to the provisions of Section 2-705 of the City of Salem Code of Ordinances.
5. Special Permit. Upon the request of the Applicant, the Zoning Board of Appeals may grant a Special Permit pursuant to Section 9.4 to waive the following requirements in the interests of design flexibility and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the accessory living area ordinance.
- A. Notwithstanding anything to the contrary herein, the minimum required amount of parking may be waived if the Zoning Board of Appeals finds it is impractical to meet the parking standards and that such waivers are appropriate by reason that it will not result in or worsen parking problems in or in proximity to the Project, and upon demonstration to the reasonable satisfaction of the Zoning Board of Appeals that a lesser amount of parking will provide positive environmental or other benefits, taking into consideration:
 - a. The availability of surplus off-street parking in the vicinity of the use being served
 - b. The proximity to public transportation;
 - c. The availability of public or commercial parking facilities in the vicinity of the accessory living area;

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- d. Impact of the parking requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, or loss of pedestrian amenities along public ways; and
- e. Such other factors as may be considered by the Zoning Board of Appeals.

B. The Zoning Board of Appeals may grant a waiver to allow a net loss in the caliper of trees on the lot in which the accessory living area will be located taking into consideration the species of the tree, health of the tree, whether a replacement tree will be planted on another property or if a contribution to a tree replacement fund will be provided.

C. The Zoning Board of Appeals may grant a waiver to allow the accessory living area to exceed 800 square feet of habitable space, taking into consideration peculiarities of the layout of the primary dwelling.

6. Termination.

A. The accessory living unit use shall terminate immediately upon any violation of any term or condition of this ordinance or of the Special Permit that the owner fails to cure, upon two (2) weeks written notice mailed to the applicant and to the occupants at the dwelling address by certified mail, return receipt requested.

B. Duty of Owner Upon Termination include:

- a. The owner shall discontinue the use of the accessory living area as a separate dwelling unit.
- b. The kitchen facilities of the accessory living area shall be removed unless determined by the Building Inspector to be incidental and subordinate as an accessory use of the principal dwelling.
- c. Any additional exterior entrance constructed to provide access to the accessory living area shall be permanently closed, unless the Building Inspector provides a waiver. The owner shall permit an inspection by the Building Inspector without a warrant.

7. Severability. All the clauses of this ordinance are distinct and severable, and if any clause shall be deemed illegal, void, or unenforceable, it shall not affect the validity, legality, or enforceability of any other clause or portion of this bylaw.”

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

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#371 – AMENDING A ZONING ORDINANCE RELATIVE TO ACCESSORY LIVING USES – CHAPTER 3.1 – TABLE OF PRINCIPAL AND ACCESSORY USE REGULATIONS

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

ORDINANCE: An Ordinance to Amend a Zoning Ordinance relative to accessory living areas.

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

Section 1. Chapter 3.1 – Table of Principal and Accessory Use Regulations of the City of Salem Zoning Ordinance is hereby amended by allowing an accessory living area use in the RC, R1, R2, and is hereby amended by deleting Section 3.2.8 Accessory Living Areas in its entirety and replacing it with the following:

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

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

#372 – ORDINANCE AMENDING CHAPTER 15, SEC. 4(A) – SHORT TERM RENTALS – INELIGIBLE RESIDENTIAL UNITS

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

ORDINANCE: An Ordinance to amend an ordinance relative to short term rentals

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

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

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

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

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#373 – RESOLUTION TO RECOGNIZE NATIONAL GUN VIOLENCE AWARENESS DAY

The following resolution introduced by the Mayor was adopted.

RESOLUTION: To Recognize National Gun Violence Awareness Day

WHEREAS, every day, 100 Americans are killed by gun violence and on average there are nearly 13,000 gun homicides every year. Americans are 25 times more likely to be killed with guns than people in other high-income countries and protecting public safety in the communities they serve is mayors' highest responsibility; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from people with dangerous histories. Mayors and law enforcement officers know their communities best, are the most familiar with local criminal activity and how to address it, and are best positioned to understand how to keep their citizens safe; and

WHEREAS, in January 2013, Hadiya Pendleton, a teenager who marched in President Obama's second inaugural parade and was tragically shot and killed just weeks later, should be now celebrating her 22nd birthday to help honor Hadiya – and the 100 Americans whose lives are cut short and the countless survivors who are injured by shootings every day – a national coalition of organizations has designated June 7, 2019, the first Friday in June, as the 5th National Gun Violence Awareness Day; and

WHEREAS, the idea was inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to announce themselves to other hunters when out in the woods and orange is a color that symbolizes the value of human life; and

WHEREAS, anyone can join this campaign by wearing orange on June 7th, the first Friday in June, to help raise awareness about gun violence. By wearing orange on June 7th Americans raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

WHEREAS, dozens of Salem residents and others from the North Shore wore orange and assembled at Salem City Hall on June 7, 2019 to mark National Gun Violence Awareness Day;

THEREFORE, we, the City Council and Mayor of Salem, do recognize and support the efforts of the millions of students, parents, and other Americans who celebrate National Gun Violence Awareness Day and who advocate to end gun violence, and we call upon our federal government to – at long last – take meaningful action to reform gun laws, end the epidemic of gun violence in our country, and make our communities safer for all.

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#374 – VOTING LOCATION CHANGE W6 P2 FROM MACK PARK TO BATES SCHOOL

The following order introduced by Councillor Gerard was adopted.

ORDERED: That the Voting Location for Ward 6 Precinct 2 shall be changed from Mack Park to the Bates School, Liberty Hill Avenue (gymnasium) and that Ward 6 Precinct 1 shall remain at Bates School and be relocated from the music room to the gym. (Effective for the September 17, 2019 City Preliminary Election)

#375 – ORDINANCE AMENDING TRAFFIC – HANDICAP ZONE - #5 WINTER STREET

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

In the year two thousand and Nineteen

An Ordinance to amend an Ordinance relative to Traffic

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

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

In Front of #5 Winter Street for a distance of 20 feet, “Handicap Parking, Limited Time,Tow Zone”

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

#376 - (#342 - #345)– GRANTING CERTAIN LICENSES

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

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

JUNK DEALER: The Newark Group dba Grief 53 Jefferson Ave

SEAWORMS: Jose Bettencourt 54 Fulton St., Peabody
Robert Bettencourt 52Buffum St., Salem

TAG DAYS: Salem Youth Football & Cheering June 29,2019
S.H.S Girls Volleyball October 5 & 26, 2019

JUNE 13, 2019

CITY COUNCIL REGULAR MEETING

#377 – (#147 & #307) – HEARING REQUEST ON REVOCATION OF PUBLIC GUIDE LICENSE

Councillor McCarthy 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 a hearing request from Thomas Vallor for his Revoked Public Guide License has considered said matter and would recommend that the revocation be upheld at this time.

#378 – (#327) – RATIFYING ZAGSTER AGREEMENT TO INCLUDE E-SCOOTERS

Councillor McCarthy 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 no recommendation to the full Council. Councillor Milo recused herself during this subject matter.

The Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of Ratifying the Zagster Agreement to include E-Scooters has considered said matter and would recommend no recommendation to the full Council.

Although there was no recommendation from the committee, Councillor McCarthy made the motion to adopt the agreement. Under discussion. Some of the pros mentioned by the Councillors are as follows: This is a trial pilot program. Term of agreement is to May. No Weekends in October. Likely to start in July. The Scooters are tracked by GPS, they are taken off the street every night. Same operators as the bike program. They will have 1 full time position and then some part time. Salem State will not be in session Councillor Turiel in agreement although some reservations about scooters in general but worth the trial – will support it. Councillor Furey – exciting city to live in - fun place to be – give it a chance. Councillor Peterson completely torn about the pros and cons. In support of trial with caution. As liaison to the Disabilities Commission concerns about scooters on sidewalks hoping to come up with some solutions. Safety concerns since no helmet is needed. They should be dropped earlier than 7am if for residents to get to train, bus, ferry. Councillor Madore stated there was not 1 fatality on the 7,000 bike rides. Give it a try, see if it works. Councillor Dominguez the trial might or might not work but we need the data i.e. track injuries, enforcement. Councillor Turiel asked if the Mayor, Zagster or the Police Chief could distribute reports every 2 weeks to the Council regarding stats such as age, resident or non-resident – share the data in order to help us make a determination next year. Councillor Sargent – Need to be cautious about this. Cannot support this. Read articles that larger cities are rethinking this. Scooter riders end up in ER rooms. The Scooter riders make the decision to ride one, but the pedestrian that got hurt didn't make that decision. Councillor Dibble stated he heard a lot of testimony hear tonight and hasn't had a chance to read over the contract. He has questions about safety i.e. no helmets, 15 mph is fast on a scooter and liability issues.

JUNE 13, 2019

CITY COUNCIL REGULAR MEETING

Councillor Dibble made a motion to refer back to committee on Ordinances, Licenses and Legal Affairs. Doesn't think two week delay will hurt. Councillor Sargent seconded the motion. Motion fails.

Councillor McCarthy stated he read the agreement and asked those questions.

Suspension of the rules were made and being no objection the Mayor stated that this is important to move today to start getting data and to start the trial mid-July for 6 weeks. Tourists are here but not students and then students will be here then October.

Councillor Gerard – Must do your homework at times like these as Councillor O'Keefe use to say. She called Washington DC and Brookline. If we don't do a pilot then will never know if this works. Need the data to see if this works and to move forward.

Councillor McCarthy's motion on the table to recommend adoption to amend the contract to add scooters was voted in the affirmative by a roll call vote of 7 yeas, 3 nays and 1 absent. Councillors Turiel, Peterson, McCarthy, Madore, Gerard, Furey and Dominguez all voted in the affirmative. Councillors Sargent, Flynn and Dibble voted in the negative. Councillor Milo was recorded as absent. Councillor Turiel moved for immediate reconsideration in hopes it would not prevail was denied.

#379 – (#322) – WATER RATES FOR FY2020

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

The Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of an Ordinance amending Rates of Use for Water has considered said matter and would recommend adoption for first passage.

#380 – (#321) – SEWER RATES FOR FY2020

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

The Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of an Ordinance amending Rates of Use for Sewer has considered said matter and would recommend adoption for first passage.

JUNE 13, 2019

CITY COUNCIL REGULAR MEETING

#381 – (#328) – BOND ORDER - FY2020 WATER/SEWER ENTERPRISE FUND CAPITAL IMPROVEMENT FUND

Councillor Peterson offered the following report for the Committee on Administration and Finance co-posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation by a roll call vote of 11 yeas, 0 nays and 0 absent. Councillors Turiel, Sargent, Peterson, Milo, McCarthy, Madore, Gerard, Furey, Flynn, Dominguez, Dibble were all recorded in the affirmative.

The Committee on Administration and Finance co-posted with the Committee of the Whole to whom was referred the matter of the following Bond Orders in the amount of \$1,800,000.00 for Fiscal Year 2020 Water/Sewer Capital Improvement Program in accordance with MGL Chapter 44, Section 7 & 8 has considered said matter and would recommend adoption for first passage by RCV.

#382 – (#329) – BOND ORDER – FY2020 GENERAL FUND CAPITAL IMPROVEMENT PROGRAM

Councillor Peterson offered the following report for the Committee on Administration and Finance co-posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation by a roll call vote of 11 yeas, 0 nays and 0 absent. Councillors Turiel, Sargent, Peterson, Milo, McCarthy, Madore, Gerard, Furey, Flynn, Dominguez, Dibble were all recorded in the affirmative.

The Committee on Administration and Finance co-posted with the Committee of the Whole to whom was referred the matter of the following Bond Orders in the amount of \$11,770,192.00 for Fiscal Year 2020 General Fund Capital Improvement Program in accordance with MGL Ch. 44, has considered said matter and would recommend adoption for first passage by RCV

#383 – (#320) – FIVE YEAR CAPITAL IMPROVEMENT PLAN 2020 – 2024

Councillor Peterson offered the following report for the Committee on Administration and Finance co-posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation.

The Committee on Administration and Finance co-posted with the Committee of the Whole to whom was referred the matter of Fiscal Year 2020 Proposed Five Year CIP 2020 – 2024, has considered said matter and would recommend adoption.

JUNE 13, 2019

CITY COUNCIL REGULAR MEETING

#384 - ADMINISTRATION AND FINANCE COMMITTEE REPORT - BUDGET

Councillor Peterson offered the following report for the Committee on Administration and Finance co-posted with Committee of the Whole to whom was referred the matter of Fiscal Year 2020 Budget. It was voted to accept the report.

#384.1 – MAYOR

The Mayor’s departmental budget for Fiscal Year 2020 was adopted.

Personnel	\$426,793.00
Non Personnel Expenses	<u>\$174,950.00</u>
Total	\$601,743.00

#384.2 – CITY COUNCIL

City Council departmental budget for Fiscal Year 2020 was adopted.

Personnel	\$159,700.00
Non Personnel Expenses	<u>\$61,650.00</u>
Total	\$221,350.00

#384.3 – CITY CLERK

City Clerk departmental budget for Fiscal Year 2020 was adopted.

Personnel	\$309,279.00
Non Personnel Expenses	<u>12,200.00</u>
Total	\$321,479.00

#384.4 – ELECTIONS AND REGISTRATIONS

Elections & Registration departmental budget for Fiscal Year 2020 was adopted.

Personnel	\$131,733.00
Non Personnel Expenses	<u>\$ 86,100.00</u>
Total	\$217,833.00

JUNE 13, 2019

CITY COUNCIL REGULAR MEETING

#384.5 – ASSESSORS

Assessing departmental budget for Fiscal Year 2020 was adopted.

Personnel	\$323,951.00
Non Personnel Expenses	<u>\$45,900.00</u>
Total	\$369,851.00

#384.6 – COLLECTOR

Collector departmental budget for Fiscal Year 2020 was adopted.

Personnel	\$245,012.00
Non Personnel Expenses	<u>\$8,300.00</u>
Total	\$253,312.00

#384.7 – INFORMATION TECHNOLOGY SERVICES

Informational Technology Services (ITS) departmental budget for Fiscal Year 2020 was adopted.

Personnel	\$885,412.00
Non Personnel Expenses	<u>\$20,500.00</u>
Total	\$905,912.00
Fixed Costs	\$971,473.00
Total	\$1,877,385.00

#384.8 – FINANCE DEPARTMENT

Finance Department budget for Fiscal Year 2020 was adopted.

Personnel	\$334,945.00
Non Personnel Expenses	<u>\$57,900.00</u>
Total	\$392,845.00

JUNE 13, 2019

CITY COUNCIL REGULAR MEETING

#384.9 – PARKING DEPARTMENT

Parking Department budget for Fiscal Year 2020 was adopted.

Personnel	\$839,813.00
Non Personnel Expenses	<u>\$370,295.00</u>
Total	\$1,210,108.00

#384.10 – PURCHASING DEPARTMENT

Purchasing Departmental budget for Fiscal Year 2020 was adopted.

Personnel	\$165,666.00
Non Personnel Expenses	<u>\$ 22,400.00</u>
Total	\$188,066.00

Fixed Costs	\$73,076.00
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Total	\$261,142.00
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#384.11 – TREASURER DEPARTMENT

Treasurer Departmental budget for Fiscal Year 2020 was adopted.

Personnel	\$257,933.00
Non Personnel Expenses	<u>\$177,838.00</u>
Total	\$435,771.00

Debt Service Expenses	\$6,805,440.00
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Short Term Debt.	\$612,364.00
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North Shore Regional Voc	\$2,288,533.00
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State Assessment Expenses	\$9,126,559.00
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CITY OF SALEM

JUNE 13, 2019

CITY COUNCIL REGULAR MEETING

Contributory Retirement Personnel Services	\$12,287,979.00
Non-Contributory Retirement Personnel Services	\$9,779.00
Medicare Personnel Services	\$1,245,362.00
Municipal Insurance Non Personnel Expenses	\$348,969.00
Total	\$33,160,756.00

#384.12 – SOLICITOR – LICENSING DEPARTMENT

Solicitor – Licensing Departmental budget for Fiscal Year 2020 was adopted.

Personnel	\$310,377.00
Non Personnel Expenses	<u>\$60,300.00</u>
Total	\$370,677.00

#384.13 – HUMAN RESOURCES DEPARTMENT

Human Resources Departmental budget for Fiscal Year 2020 was adopted.

Personnel	\$306,165.00
Non Personnel Expenses	<u>\$39,800.00</u>
Total	\$345,965.00
Workmen’s Comp-Personnel	\$463,216.00
Unemployment Comp-Personnel	\$300,000.00
Group Insurance-Personnel	\$14,616,817.00
Total	\$15,725,998.00

JUNE 13, 2019

CITY COUNCIL REGULAR MEETING

#384.14 – FIRE DEPARTMENT

Fire Departmental budget for Fiscal Year 2020 was adopted.
Councillor Flynn recused himself for this subject matter.

Personnel	\$9,123,210.00
Non Personnel Expenses	<u>\$493,138.00</u>
Total	\$9,616,348.00

#384.15 – POLICE DEPARTMENT

Police Departmental budget for Fiscal Year 2020 was adopted.

Personnel	\$10,197,787.00
Non Personnel Expenses	<u>\$802,174.00</u>
Total	\$10,999,961.00

#384.15 – HARBORMASTER DEPARTMENT

Harbormaster Departmental budget for Fiscal Year 2020 was adopted.

Personnel	\$350,293.00
Non Personnel Expenses	<u>\$49,000.00</u>
Total	\$399,293.00

#384.17 – PUBLIC PROPERTY DEPARTMENT

Public Property/ Building/Plumbing/Gas Inspections departmental budget for Fiscal Year 2020 was adopted.

Inspectional Services	
Building, Plumbing, Gas	
Inspector	
Personnel	\$684,339.00
Non Personnel Expenses	<u>\$52,100.00</u>
Total	\$736,439.00

CITY OF SALEM

JUNE 13, 2019

CITY COUNCIL REGULAR MEETING

Zoning Board of Appeals Non-Personnel Expenses	\$1,200.00
Public Property Fixed Costs	\$685,900.00
Total	\$1,423,539.00

#384.18 – HEALTH DEPARTMENT

Health Departmental budget for Fiscal Year 2020 was adopted.

Personnel	\$485,397.00
Non Personnel Expenses	<u>\$62,476.00</u>
Total	\$547,873.00

#384.19 – ELECTRICAL DEPARTMENT

Electrical Departmental budget for Fiscal Year 2020 was adopted.

Personnel	\$425,990.00
Non Personnel Expenses	<u>\$383,000.00</u>
Total	\$808,990.00

#384.20 – PLANNING DEPARTMENT

Planning Departmental budget for Fiscal Year 2020 was adopted.

Personnel	\$579,547.00
Non Personnel Expenses	<u>\$110,110.00</u>
Total	\$689,657.00
Conservation Commission	
Personnel	\$31,946.00
Non Personnel Expenses	<u>\$ 1,493.00</u>
Total	\$33,439.00

CITY OF SALEM

JUNE 13, 2019

CITY COUNCIL REGULAR MEETING

Planning Board	
Personnel	\$32,302.00
Non Personnel Expenses	<u>\$4,955.00</u>
Total	\$37,257.00
Market & Tourist Commission	
Non Personnel Expenses	\$310,150.00
Historical Commission	
Personnel	\$31,390.00
Non Personnel Expenses	<u>\$ 1,400.00</u>
Total	\$32,790.00
TOTAL	\$1,103,293.00

#384.21 – PUBLIC SERVICES DEPARTMENT

Public Services Departmental budget for Fiscal Year 2020 was adopted.

Public Services	
Personnel	\$1,908,534.00
Non Personnel Expenses	<u>\$1,462,987.00</u>
Total	\$3,371,521.00
Snow & Ice	
Personnel	\$50,000.00
Non Personnel Expenses	<u>\$408,935.00</u>
Total	\$458,935.00
TOTAL	\$3,830,456.00

#384.22 – ENGINEERING DEPARTMENT

Engineering Departmental budget for Fiscal Year 2020 was adopted.

Engineering	
Personnel	\$173,436.00
Non Personnel Expenses	<u>\$29,900.00</u>
Total	\$203,336.00

JUNE 13, 2019

CITY COUNCIL REGULAR MEETING

#384.23 – RECREATION AND COMMUNITY SERVICES DEPARTMENT

Recreation & Community Services Departmental budget for Fiscal Year 2020 was adopted. Councillor McCarthy recused himself during this subject matter.

Recreation	
Personnel	\$325,525.00
Non Personnel Expenses	<u>\$224,825.00</u>
Total	\$550,350.00
Golf Course	
Personnel	\$337,339.00
Non Personnel Expenses	<u>\$227,438.00</u>
Total	\$564,777.00
Witch House	
Personnel	\$146,598.00
Non Personnel Expenses	<u>\$81,180.00</u>
Total	\$227,778.00
Pioneer Village	
Non Personnel Expenses	\$18,600.00
Winter Island	
Personnel	\$192,516.00
Non Personnel Expenses	<u>\$ 70,350.00</u>
Total	\$262,866.00
Total	\$1,624,371.00

#384.24 – COUNCIL ON AGING DEPARTMENT

Council on Aging Departmental budget for Fiscal Year 2020 was adopted. Councillor McCarthy recused himself during this subject matter.

Personnel	\$474,998.00
Non Personnel Expenses	<u>\$54,400.00</u>
Total	\$529,398.00

JUNE 13, 2019

CITY COUNCIL REGULAR MEETING

#384.25 – LIBRARY DEPARTMENT

Library Departmental budget for Fiscal Year 2020 was adopted.

Personnel	\$1,042,975.00
Non Personnel Expenses	<u>\$339,407.00</u>
Total	\$1,382,382.00

#384.26 – VETERANS SERVICES DEPARTMENT

Veterans Services Departmental budget for Fiscal Year 2020 was adopted.

Personnel	\$118,899.00
Non Personnel Expenses	<u>\$452,750.00</u>
Total	\$571,649.00

#384.27 – SCHOOL DEPARTMENT

School Departmental budget for Fiscal Year 2020 was adopted.

Administrative & Expenses	
Total	\$59,833,547.00

#384.28 – BUDGET TRANSFERS

Budget Transfers out of General Fund for Fiscal Year 2020 was adopted.

Total	\$3,927,144.00
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JUNE 13, 2019

CITY COUNCIL REGULAR MEETING

#385 – TOTAL GENERAL FUND

The Total General Fund For Fiscal Year 2020 was Adopted.

Total **\$151,786,059.00**

#386 – SEWER ENTREPRISE FUND

The following Sewer Enterprise Fund for Fiscal Year 2020 was adopted by roll call vote of 11 yeas, 0 nays, 0 absent. Councillors Turiel, Sargent, Peterson, Milo, McCarthy, Madore, Gerard, Furey, Flynn, Dominguez, Dibble were all recorded in the affirmative.

Public Services Sewer	
Personnel	\$477,824.00
Expenses	<u>\$179,250.00</u>
Total	\$657,074.00

Engineer - Sewer	
Personnel	\$185,616.00
Non Personnel Expenses	<u>\$455,200.00</u>
Total	\$640,816.00

Treasurer	
Debt Services	\$1,692,388.00
Short Term Debt Services	\$47,000.00
Sewer Assessment SESD	\$4,881,292.00
Insurance Deductibles	\$5,000.00
Personnel	\$663,440.00
Non Personnel Expenses	<u>7,260,130.00</u>
	\$7,923,570.00

TOTAL SEWER ENTREPRISE FUND: \$7,923,570.00

A motion for immediate reconsideration in the hopes it does not prevail was denied

JUNE 13, 2019

CITY COUNCIL REGULAR MEETING

#387 – WATER ENTERPRISE FUND

The following Water Enterprise Fund for Fiscal Year 2020 was adopted by roll call vote of 11 yeas, 0 nays, 0 absent. Councillors Turiel, Sargent, Peterson, Milo, McCarthy, Madore, Gerard, Furey, Flynn, Dominguez, Dibble were all recorded in the affirmative.

Public Services Water	
Personnel	\$532,824.00
Non Personnel Expenses	<u>\$180,750.00</u>
Total	\$713,574.00
Engineering - Water	
Personnel	\$185,616.00
Non Personnel Expenses	<u>\$486,400.00</u>
Total	\$672,016.00
Treasurer	
Water Long Term Debt	\$2,304,157.00
Water Short Term Debt	\$46,000.00
Salem Beverly Water Board Assessment	\$2,570,514.00
Insurance Deductible	\$2,500.00
Total Water Enterprise:	
Personnel	\$ 718,440.00
Non Personnel Expenses	<u>\$5,590,321.00</u>
	\$6,308,761.00

TOTAL WATER ENTERPRISE FUND: \$6,308,761.00

A motion for immediate reconsideration in the hopes it does not prevail was denied.

JUNE 13, 2019

CITY COUNCIL REGULAR MEETING

#391 – APPOINTMENT OF KIRT RIEDER TO THE TREE COMMISSION

The Planning Board Appointment of Kirt Rieder to serve on the Tree Commission was confirmed by a majority vote of the City Council.

#392 – EXECUTIVE SESSION – LAND DISPUTE OF 20R FRANKLIN STREET

The following communication from City Solicitor requesting an Executive Session was received and filed and that an Executive Session of the Full Council be scheduled.

Ladies and Gentlemen of the Council:

I am writing to respectfully request that a meeting be held, either at a regularly scheduled City Council meeting or a special meeting, in executive session to discuss strategy with respect to threatened litigation relative to land in dispute at 20R Franklin Street because an open meeting may have a detrimental effect on the City's litigating position.

Last week, I updated Councilor Gerard about the recent research conducted by the Legal Department relative to the land in dispute at 20R Franklin Street and it is with her agreement that I request an executive session meeting be scheduled, through the City Clerk, with the City Council, Mayor Driscoll and myself.

Thank you for your consideration of this request.

Sincerely,
Elizabeth Rennard

#393 – PETITION FROM COMCAST TO INSTALL A POLE AND CONDUIT ON ARTIST ROW

A hearing was ordered on June 27, 2019 for the Petition from Comcast for a grant of location to install a pole and conduit at Artists Row

#394 – BLOCK PARTY – GLOVER STREET

A Request from the Residents on Glover St. to hold a block party on July 4, 2019 from 2:00 P.M. to 10:00 P.M with no rain date was granted.

JUNE 13, 2019

CITY COUNCIL REGULAR MEETING

#395 – BLOCK PARTY OLIVER STREET

A request from the Residents on Oliver St. to hold a block party on July 4, 2019 from 10:00 A.M. to 10:00 P.M with no rain date was granted.

#396 – BLOCK PARTY – PEABODY STREET – NSCDC

A request from the Residents on Peabody St and NS CDC to hold a block party on September 22, 2019 from 10:00 A.M. to 8:00 P.M (time includes set up and break down) with no rain date and request that all vehicles are cleared from Peabody St, and request that those remaining during this day/time be towed was granted.

#397 – ROAD RACE – YMCA

The request from YMCA of the North Shore to hold their annual Road Race Witch City 5K and use of city streets October 19, 2019 was granted.

#398 – REPAVING OF WAITE ST., PIERCE AVE. AND MERRILL AVE.

The petition from the residents of Waite St, Pierce Ave and Merrill Ave to have Waite St, Pierce Ave and Merrill Ave repaved was received and placed on file.

#399 - REPAVING OF HOWARD STREET

The petition from the residents of Howard St to have Howard St repaved was received and placed on file.

JUNE 13, 2019

CITY COUNCIL REGULAR MEETING

#400 - #404 -LICENSE APPLICATIONS

The Following License Applications were granted.

PUBLIC GUIDES: Joan Crane 16 High Crest Park Webster
Joshua Jenkins 27 Essex St #1., Salem
Audrey Allen 39 Dodge St #105., Beverly
Tara Ueland 37 Lake View Ave., Lynn
Macey Jennings 406 Cabot St. #3L, Beverly
Mark Gauthier 40 Oak Ave., Peabody

TAXI CAB/LIMOS Americab 92 Jackson St. (2 Taxi Cabs / 3 Limos)
Salem Taxi 30 Federal St. (1 Taxi Cab / 1 Limo)

TAXI OPERATORS: Edwin Carmona 1000 Loring Ave A72., Salem
Michael O’Hearn 29 Carriage Way., Danvers
Wascar Fernandez 78 Palmer St #2., Salem
Ramon Anstide Rodreguez 2 Park St., Salem
Victor Rodriguez 52 Peabody St. Apt 1/2, Salem
Luis Miguel Pena-Terrero 40 Prince St. #2, Salem

VEHICLES FOR HIRE: Salem Trolley 8 Central St., Salem (1 Trolley)

VEHICLES FOR HIRE
OPERATORS ONLY: Sharon Moulton 396 Jefferson Ave., Salem

#405 – TAG DAY LICENSE

The Following Tag Day License Applications was granted. Councillor Flynn recused himself for this subject matter.

TAG DAYS: Salem Fire Dept. MDA Fill The Boot October 26 & 27, 2019

CITY OF SALEM

JUNE 13, 2019

CITY COUNCIL REGULAR MEETING

#406 - #409 - CLAIMS

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

Robert McLaughlin 53 Bridge St., Salem
Rich Zwiercan 6 Fairmount St., Salem
Jack Chan 5 Irving St., Salem
Alyssa Conary 5 Hodges Ct., Salem

#410 – BONDS

The following Bond was referred to the Committee on Ordinances, Licenses & Legal Affairs and returned Approved

CONSTABLE: George Hoxha 52 Highland Ave., Salem

On the motion of Councillor Furey the meeting adjourned at 10:35 P.M.

ATTEST:

ILENE SIMONS
CITY CLERK