

CITY OF SALEM
JUNE 23, 2022
REGULAR MEETING

A Regular Meeting of the City Council was held in-person and remotely via zoom on Thursday, June 23, 2022, at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on June 21, 2022, at 1:10 P.M. This meeting is being recorded and is live on S.A.T.V.

Councillor McClain had an excused absence.

Council President Morsillo presided.

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

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

PUBLIC TESTIMONY

1. David Finger, 26 New Derby St., Salem – Order relative to noise
2. Byron Woodman, 80 Hayden Rowe, Hopkinton, Select Energy – Solar Panels Installation Agreement

(#416) – APPOINTMENT OF ARIANA LEMA-DRISCOLL TO THE BEAUTIFICATION COMMITTEE

Held from the last meeting, the Mayor's Appointment of Ariana Lema-Driscoll of 30 Celestial Way to the Beautification Committee with a term to expire June 9, 2025 was confirmed by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, Merkl, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor McClain was recorded as absent.

Councillor Hapworth requested and received suspension of the rules to allow Ariana Lema-Driscoll to speak.

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

Mayor's appointment of Michelle Bettencourt 5 Beachmont Rd. to the Council on Aging with a term to expire February 1, 2025 was held under the rules.

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#449 – APPOINTMENT OF JUSTIN MACCUTCHEON AS DEPUTY AUDITOR

Mayor's appointment of Justin MacCutcheon 3 Marilyn Ct. Woburn as the Deputy Auditor for the City of Salem, with a term to expire January 31, 2024 was held under the rules.

#450 – RE-APPOINTMENT OF ALEXANDRA PINEROS-SHIELDS TO THE BOARD OF REGISTRARS OF VOTERS

Mayor's re-appointment of Alexandra Pineros-Shields 7 Bristol St. to the Board of Registrars with a term to expire June 23, 2025 was confirmed by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, Merkl, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor McClain was recorded as absent.

#451 – RE-APPOINTMENT OF MAUREEN MCKINNON TO THE COMMISSION ON DISABILITIES

Mayor's re-appointment of Maureen McKinnon 93 Canal St. to the Commission on Disabilities with a term to expire June 27, 2025 was confirmed by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, Merkl, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor McClain was recorded as absent.

#452 – APPROPRIATION OF \$173,000.00 TO HR RETRO WAGES ACCOUNT TO FUND FY2022 CONTRACT SETTLEMENT

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

ORDERED: That the sum of One Hundred Seventy-Three Thousand Dollars (\$173,000.00) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account (1-3245) to the account listed below to fund FY2022 one-time payments pursuant to the contract settlements reached with AFSCME Council 93, AFL-CIO, Local 818 and Local 172, IAFF (Salem Firefighters) in effect as of July 1, 2021, in accordance with the recommendation of Her Honor the Mayor.

Retro Wages Account (Human Resources) 11521-5161 \$173,000.00

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#453 – APPROPRIATION OF \$102,796.09 TO HUMAN RESOURCES RETRO WAGES FOR CONTRACT SETTLEMENTS

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

ORDERED: That the sum of One Hundred Two Thousand, Seven Hundred Ninety-Six Dollars and Nine Cents (\$102,796.09) is hereby appropriated and transferred from "Human Resources Salary/Collective Bargaining Reserve" (11521-5171A) to the "Human Resources Retro Wages Account" (11521-5161) for the FY2022 retroactive wages for pay increases pursuant to the contract settlements reached with AFSCME Council 93, AFL-CIO, Local 818 effective July 1, 2021, in accordance with the recommendation of Her Honor the Mayor.

#454 – APPROPRIATION OF \$35,537.31 TO HR RETRO WAGES TO FUND THE POLICE SUPERIOR OFFICERS ASSOCIATION

The following order submitted by the Mayor was adopted under suspension of the rules. Councillor Prosniewski recused himself from this matter.

ORDERED: That the sum of Thirty-Five Thousand Five Hundred Thirty-Seven Dollars and Thirty-One Cents (\$35,537.31) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account (1-3245) to the account listed below to fund the April 19, 2022, memorandum of agreement with the Salem Police Superior Officers Association effective July 1, 2021, in accordance with the recommendation of Her Honor the Mayor.

Retro Wages Account (Human Resources)	11521-5161	\$35,537.31
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#455 – PAYING PRIOR FY INVOICES WITH CURRENT FY BUDGET – IT DEPT.

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

ORDERED: Per MGL Chapter 44 Section 64 which allows for a municipality to pay for prior fiscal year invoices using current fiscal year appropriations by two-thirds vote of the City Council we request the sum of Six Hundred Eighty-Three Dollars and Ten Cents (\$683.10) of outstanding Fiscal Year 2021 invoices is hereby allowed to be paid from the Fiscal Year 2022 Information Technology Department budget as listed below in accordance with the recommendation of Her Honor the Mayor.

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Department	Vendor	Amount
Information Technology	Gov Connection Inc.	\$ 683.10
	Total	\$ 683.10

#456 – ACCEPT MGL CH. 40, SEC. 13E TO ESTABLISH A SPECIAL EDUCATION STABILIZATION FUND

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

ORDERED: That the City accept the provisions of Massachusetts General Laws Chapter 40, Section 13E, in order to establish a Special Education Stabilization Fund to be utilized in upcoming fiscal years, to pay for unanticipated or unbudgeted costs of special education, out-of-district tuition or transportation in accordance with the recommendation of Her Honor the Mayor.

This fund was discussed by the Supt. and Finance Director during the School's budget meeting. This is to give the School Department more flexibility. Having a stabilization fund allows money to be rolled over instead of ending that fiscal year. So if don't need it one year it rolls over and then the money would be available for another year it is needed. It will bring additional help for children that need it.

#457 - \$550,000.00 APPROPRIATION FOR THE SPECIAL EDUCATION STABILIZATION FUND

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

ORDERED: That the sum of Five Hundred Fifty Thousand (\$550,000.00) is hereby appropriated from the FY2022 School Department appropriation, special education tuition expense, to the following fund in accordance with the recommendation of Her Honor the Mayor.

Description	Amount
Special Education Stabilization Fund	\$550,000.00
Total	\$550,000.00

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#458 – SOLAR AGREEMENTS TO FACILITATE THE INSTALLATION OF SOLAR PANELS AT COLLINS MIDDLE SCHOOL AND SALTONSTALL SCHOOL

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

ORDERED: The Mayor is hereby authorized to execute solar agreements including the Power Purchase Agreement, Lease, Notice of Lease and all documents necessary to facilitate the installation of solar panels at the Collins Middle School and the Saltonstall School.

Councillor Riccardi stated this has gone through a lengthy process and the school committee voted unanimously in favor of this project. And this project follows are goals of the City for Clean Energy.

Councillor Cohen requested and received suspension of the rules to allow Mr. Woodman to speak.

Councillor Cohen asked Mr. Woodman about Saltonstall School and the roof not being structurally sound enough, Was this factored into the PPA?

Mr. Woodman replied that the original plan included all available areas. The Structural Engineer given us specific areas that need to use different types of attachments and get incorporated into the plans and weight load.

Councillor Cohen asked if this requires more structural work is that going to be factored into the PPA or is this something the City has to do?

Mr. Woodman stated that if there was more structural work it would have been identified, but yes, it would have prevented solar panels going on certain areas of the school and that work would have been incorporated.

Councillor Cohen asked what was the term of the PPA, if there was any escalator each year, and what was is the rate.

Mr. Woodman answered that the term was for 20 years, there was no escalator and that at Collings the rate is \$0.94 per kw/hr versus \$0.14 from utility company and the rate at Saltonstall is 10.262

Councillor Cohen stated these are good rates and terms. Most PPAs have an escalator clause. He is really excited and wish we could put solar panels on all buildings.

Councillor Dominguez commended the city for doing this project. He asked why these buildings and not others such as the Police or Fire Station?

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Mr. Woodman responded when work with a City there are tons of available space, but different factors go into deciding which buildings work best i.e. structural components, roof's age, forecast of roof work, etc. When put all together some emerge on top. The high school was phenomenal but too much work being forecasted in the future.

Councillor Watson-Felt asked how often are assessments done on city properties?

Mr. Woodman replied over the last year walked the roofs of most of the schools doing the structural components. Looked at parking lots as possibilities. Also compared our rates versus existing rates to see if there would be a savings.

Councillor Cohen stated in 2015 the city commissioned a feasibility study of twenty-two buildings in Salem. The City uses about 11 megawatts of electricity and on these buildings if in a perfect ideal situation we could do about 5 megawatts. So to reinforce what was said you go for the biggest real estate possible. This was the high school, but it needed structural work.

#459 – RESOLUTION FOR CERTIFIED PROJECT APPLICATION & TAX INCREMENT EXEMPTION AGREEMENT FOR 5 BROAD STREET

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

RESOLUTION: Certified Project Application & Tax Increment exemption Agreement for 5 Broad Street

WHEREAS, the City of Salem has been in negotiation with 5 Broad Street LLC regarding a development consisting of fifteen units of market rate housing, one unit of affordable housing reserved for families earning less than 60 percent of median area income at 5 Broad Street;

WHEREAS, 5 Broad Street LLC has applied for certification under the Massachusetts Housing Development Incentive Program created by Chapter 40V of Massachusetts General Laws;

WHEREAS, the project proposed by 5 Broad Street LLC meets the minimum requirements of the Housing Development Incentive Program and the local objectives of the City of Salem's Housing Development Zone Plan;

WHEREAS, the proposed project is located at 5 Broad Street, Salem, MA, which is within the boundaries of the City of Salem's designated Housing Development Zone;

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WHEREAS, the City of Salem has agreed to offer 5 Broad Street LLC a Tax Increment Exemption Agreement. Said agreement is hereby approved by the City Council;

WHEREAS, 5 Broad Street LLC is investing \$7.6 million to create 16 total units of housing;

NOW, THEREFORE, BE IT RESOLVED that the Salem City Council hereby approves the Certified Project Application of 5 Broad Street LLC and forwards said application to the Massachusetts Department of Housing and Community Development for its approval and endorsement.

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

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

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

Councillor Riccardi stated that Amanda Chiancola, our Asst. Planner, is available for any questions. We have done similar TIFs for commercial projects; this is for housing. It allows the city to forgo a portion of property taxes on the new growth. There is no net loss in tax revenues it is just a slower uptick on collecting on the full value based on the above chart. This is the minimum amount to pay their tax state credits. The developer must first enter into the TIF agreement with the city, which is in front of us this evening.

Councillor McCarthy stated we believe in this project and it allows the developer to go after more funds with the state and to secure funding. The Council voted for Municipal Reuse Ordinance; this is a good example. Please save the Bell Tower.

Councillor Cohen said this is a historic building that is unsafe and will now be turned in housing that is great and this is a very sustainable project.

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#460 – CITY COUNCIL REGULAR MEETINGS FOR JULY, AUGUST & SEPTEMBER

The following Order introduced by Councillor McCarthy was adopted.

ORDERED: That the Regular Meetings of the City Council for the months of July and August be combined and held on Thursday, July 14, 2022. And be it furthered order that the first meeting in September (September 8th) be moved to September 15, 2022 due to the State Primary (September 6th) being Agenda Day.

#461 – DISCUSS NOISE POLLUTION

The following Order introduced by Councillor Watson-Felt was adopted as amended.

(Original Order)

ORDERED: That the Committee on Government Services meet to discuss the issue of noise pollution, particularly car stereo and motorcycle noise, and any potential actions that may be able to be taken to help mitigate this issue in Salem.

(Amended Order)

ORDERED: That the Committee on Public Health, Safety and Environment co-posted with the Committee of the Whole meet to discuss the issue of noise pollution, particularly car stereo and motorcycle noise, and any potential actions that may be able to be taken to help mitigate this issue in Salem. And that the Police Chief or designee, Tom St. Pierre, Health Agent, Traffic and Parking Director, DPS Director and Legal be invited.

#462 – ORDINANCE AMENDING AN ORDINACE RELATIVE TO GREENLAWN CEMETERY CH. 16, SEC. 68

The following ordinance introduced by Councillor Riccardi was referred to the Committee on Ordinances, Licenses and Legal Affairs.

In the year two thousand and twenty-two

An Ordinance to amend an Ordinance relative to Greenlawn Cemetery

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

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Section 1. Sec. 16-68 – Form of deed for sale of new lots is hereby amended by deleting the following words from the second sentence in the “FIFTH” paragraph:

“and maintained for no less than 21 days.”

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

#463 – STREETS TO BE DESIGNATED AS 20 MPH – SAFETY ZONES

The following order introduced by Councillor Riccardi was adopted.

ORDERED: That Pursuant to Section 20A of the City's Traffic Ordinance that the following streets be designated as twenty (20) miles per hour Safety Zones:

Cedar Street – Cabot St to Lafayette St
 Chestnut Street – Flint St to Cambridge St
 Columbus Avenue – Fort Ave to Bay View Ave
 Fairfield Street – Cabot St to Lafayette St
 Gardner Street – Cabot St to Lafayette St
 Mall Street – N. Washington Sq to Bridge St
 Proctor Street – Mansell Pkwy to Highland Ave

The experimental Safety Zones shall be in effect for a period of sixty (60) days from the time appropriate signage has been installed.

#464 – ORDINANCE AMENDING NUMEROUS TRAFFIC ORDINANCES RELATIVE TO NORTH STREET AND MASON STREET

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

Councillor Dominguez stated there were a lot of changes here. Like to see final effort or say of businesses and residents since 2019 to refresh their mind. Like to see this put into Committee.

Councillor Cohen stated that Councillor's Riccardi details were tremendous and all the public input was an impressive body of work.

Councillor Merkl appreciated the work of traffic and parking but also the public input.

Councillor Dominiguez made a motion to refer this to the Committee on Ordinances, Licenses and Legal Affairs. There was no second.

Councillor Riccardi state that we know what the sticky points are but need to move forward. In 2019 there were less businesses and now there are more and active areas

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and is constantly changing. But not going to make everyone happy, but it's a step to move forward and it can always be changed.

In the Year Two Thousand and Twenty-Two

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

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

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

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

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

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

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

And inserting:

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

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

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

And replacing it with:

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

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

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

And replacing it with:

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

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

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

And replacing it with:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

And inserting:

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

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

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

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

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

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

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

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

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

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And replacing it with:

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

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

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

And inserting:

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

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

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

And replacing it with:

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

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

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

And replacing it with:

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

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

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#465 – TRAFFIC ORDINANCE AMENDING TRAFFIC – HANDICAP PARKING – LAWRENCE STREET

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

In the year two thousand and twenty-two

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

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

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

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

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

#466 – (#442) – GRANTING CERTAIN LICENSES

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

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

Second Hand Valuables: ecoATM, 450 Highland Ave (inside Walmart)

#467 – (#420) – OFF SHORE WIND FACILITY

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

The Committee of the Whole to whom it was referred the matter of Off Shore Wind, has considered said matter and would recommend that the matter remain in Committee.

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#486 – (#271) – ARPA FUNDS

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

The Committee of the Whole to whom it was referred the matter of ARPA Funds and Program, has considered said matter and would recommend that the matter remain in committee.

#469 – MGL CH. 268A SEC. 20(B) – CONFLICT OF INTEREST EXEMPTION

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

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

#470 – BLOCK PARTY – APPLETON STREET

The request from the residents of Appleton St. to hold a Block Party August 6, 2022, from 11:00 A.M. – 7:00 P.M. was granted.

#471 – BLOCK PARTY – BAY VIEW CIRCLE

Request from the residents of Bay View Circle to hold a Block Party September 10, 2022, from 12:00 P.M. – 4:00 P.M. was granted.

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#472 – PUBLIC GUIDES

The Following License Applications were granted.

PUBLIC GUIDES: Timothy Reid 18 Lynde St., Salem
 Chloe Rourke-Nicholas 6 Andover St., Salem
 Justine Gambale 24 Boardman St., Salem
 Mark Hurwitz 22 Cloutman's Ln., Marblehead
 Joseph Devito 117 Lafayette St., Salem
 Carl Schultz 23 Vestry St., Beverly

#473 - #476 – LICENSE APPLICATIONS

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

SEAWORMS: Charles DeGrandpre 44 Sandborn Rd., East Kingston NH
 Andre` Morin 7 Belleview Ave., Salem

SECOND HAND CLOTHING: To Do! Ta Done! 3 Pleasant St., Salem

SECOND HAND VALUABLES: ecoATM 11 Traders Way (inside Shaws) Salem

#477 - #478 – CLAIMS

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

Carlos Lopez 235 North St., Salem
 Michael Pavetto 38 Osborn Hill Drive, Salem

(#375) – FY2023 BOND ORDER – GENERAL FUND CIP

Second Passage of a Bond Order for FY2023 – General Fund Capital Improvement Program was then taken up. The Bond Order was adopted for second and final passage by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, Merkl, Prosniewski, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor McClain was recorded as absent.

Councillor McCarthy motion for Immediate Reconsideration in hopes it does not prevail was denied.

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Bond Order: Fiscal Year 2023 General Fund Capital Improvement Program Funded from Bond Authorization as amended below:

Ordered:		
That the sum of \$5,745,000 be and hereby is appropriated to pay costs of the following capital equipment and capital improvement projects listed under the heading FY23 CIP-Funded from BOND AUTHORIZATION and for the payment of all costs incidental and related thereto, and that to meet said appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said sum under M.G.L. Chapter 44, Sections 7 and 8, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.		
FY2023 CIP-Funded from BOND AUTHORIZATION		
Electrical	FORD F 650 AREAL/Bucket Truck	\$175,000
Engineering Municipal	Boston Street Complete Upgrade - Design	\$ 210,000
Engineering Municipal	McGrath Park Soils Remediation -	\$300,000
Engineering Municipal	Citywide Roads, Sidewalks, and Crosswalk Improvements (Non-Chapter 90)	\$1,200,000
Engineering Municipal	Transfer Station Clean Up Phase 2 Capping	\$2,200,000
Police	Police Headquarters - Flooring replacement	\$150,000
Public Services	Traffic Division Utility Truck	\$170,000
Public Services	DPS Building Project	\$250,000
Public Services	JD Front Loader (replacement of loader #41)	\$290,000
School	Bates Envelope Repair Project	\$ 75,000
School	Collins Roof/Masonry Repair	\$110,000
School	School Life Safety, MEP, Utility, Roof Repairs, Upgrades, Studies	\$ 200,000
School	Districtwide Sprinkler Repairs	\$265,000
Sustainability	Comprehensive Energy and Water Upgrades at City and School Facilities	\$150,000
TOTAL BOND AUTHORIZATION:		\$5,745,000
Be it further Ordered:		
That the Mayor and the Treasurer are each authorized to file an application to qualify under Chapter 44A of the		
Massachusetts General Laws any and all bonds of the City issued under and pursuant hereto, and to provide such information and execute such documents as may be required in connection therewith.		

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#376 – FY2023 BOND ORDER – WATER AND SEWER CIP

The Second Passage of a Bond Order for FY2023 – Water and Sewer Capital Improvement Program was then taken up. The Bond Order was adopted for second and final passage by a roll call vote 9 yeas, 1 nay and 1 absent. Councillors Cohen, Dominguez, Hapworth, McCarthy, Merkl, Riccardi, Varela, Watson-Felt and Morsillo were recorded in the affirmative. Councillor Prosniewski was recorded in the negative. Councillor McClain was recorded as absent.

Councillor McCarthy motion for Immediate Reconsideration in hopes it does not prevail was denied.

Fiscal Year 2023 Water and Sewer Capital Improvement Program Funded from Bond Authorization as amended below:

Ordered:			
That the sum of \$3,600,000 be and hereby is appropriated to pay costs of the following capital equipment and capital improvement projects listed under the heading FY23 CIP – Funded from BOND AUTHORIZATION and for the payment of all costs incidental and related there to, and that to meet said appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said sum under M.G.L. Chapter 44, Sections 7 and/or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.			
FY2023 CIP-Funded from BOND AUTHORIZATION			
Water	Pioneer Village Relocation and Expanded Facility Phase 1: Sewer/Water/Stormwater		\$ 100,000.00
Water	Citywide Flushing, Valve Repair/Maintenance, Leak detection, GIS		\$ 400,000.00
Water	Water Distribution Main System Improvements		\$ 800,000.00
Water	Water Transmission Main System Improvements		\$ 1,000,000.00
Sewer	Palmer Cove Park Drain Outfall Installation of Stormwater Treatment		\$ 100,000.00
Sewer	Citywide Drain & Sewer cleaning, inspection, replacement, engineering, GIS, construction		\$ 400,000.00
Sewer	Pioneer Village Relocation and Expanded Facility Phase 1: Sewer/Water/Stormwater		\$ 200,000.00
Sewer	SSER Report Implementation (eliminate I/I sources citywide)		\$ 600,000.00
TOTAL BOND AUTHORIZATION:			\$ 3,600,000

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Be it further Ordered:		
That the Mayor and the Treasurer are each authorized to file an application to qualify under Chapter 44A of the		
Massachusetts General Laws any and all bonds of the City issued under and pursuant hereto, and to provide such information and execute such documents as may be required in connection therewith.		

(#384) – ORDINANCE AMENDING RATES FOR USE OF WATER

The Second Passage of an Ordinance to amend an Ordinance relative to Rates for Use of Water was adopted for second and final passage.

Section I. Chapter 46, Section 66 is hereby amended by deleting subparagraph (b) in its entirety and replacing it with the following:

“(b) The rate for all water furnished by meter measurements effective July 1, 2022, shall be as follows:

(1) Residential, per 100 cubic feet \$3.72

(2) Nonresidential, per 100 cubic feet \$5.04

Section 2. Chapter 46, Section 66 is hereby further amended by deleting subparagraph (e) in its entirety and replacing it with the following:

“(e) The minimum rate for residential metered water for each quarter shall be \$37.20 per 1000 cubic feet effective July 1, 2022.

The use of all water and sewer funds and SESD funds shall be excluded from all private development projects.”

Section 3. This Ordinance shall take effect as provided by City Charter.

(#385) – ORDINANCE AMENDING SEWER USE CHARGES

The Second Passage of an Ordinance to amend an Ordinance relative to Sewer User Charges was adopted for second and final passage.

Section I. Chapter 46, Section 230 is hereby amended by deleting subsection (c) in its entirety and replacing it with the following:

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“(c) The rates for sewer use charges effective July 1, 2022, shall be as follows:

Residential, per 100 cubic feet...	\$ 7.58
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Nonresidential, per 100 cubic feet up to 25,000 cubic feet per month	\$11.48
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Nonresidential, per 100 cubic feet for 25,000 cubic feet and greater per month	\$14.70
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The use of all water and sewer funds and SESD funds shall be excluded from all private development projects.”

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

(#386) – ORDINANCE AMENDING SOLID WASTE MANAGEMENT

The Second Passage of an Ordinance to amend an Ordinance relative to solid waste management was adopted for second and final passage.

Section 1.

1) Chapter 36, Section 36-6 Collection fee for certain residences is hereby amended by deleting the fee of “\$20.00” as it appears in paragraph (a) and replacing it with the fee of “\$20.50” and further amending this paragraph (a) by deleting the fee of “\$127.00” and replacing it with a fee of “\$130.25”.

2) Chapter 36, Section 36-8 Collection fee for certain commercial establishments is hereby amended by deleting the fee of “\$29.00” and replacing it with the fee of “\$29.75”.

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

On the motion of Councillor McCarthy the meeting adjourned at 8:37 P.M.

ATTEST:

ILENE SIMONS
CITY CLERK