

CITY OF SALEM

MARCH 12, 2020

CITY COUNCIL REGULAR MEETING

“Know Your Rights Under the Open Meeting Law, M.G.L. Chapter 30A ss. 18-25, and City Ordinance Sections 2-2028 through 2-2033.”

Assistive Listening System Now Available for City Council Meetings. Those interested in utilizing these devices for meetings at 93 Washington Street may contact the City Clerk Ilene Simons at 978-619-5610 or isimons@salem.com.

A Regular Meeting of the City Council held in the Council Chamber on Thursday, March 12, 2020 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on March 10, 2020 at 10:57 A.M. This meeting is being taped and is live on S.A.T.V.

All Councillors Present.

Council President McCarthy presided.

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

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

Councillor Turiel asked and received unanimous consent to allow the Mayor and Health Agent, David Greenbaum to address the City Council regarding the COVID-19 Virus. Health Agent David Greenbaum stated there were 108 cases in Massachusetts with 6 cases confirmed and the rest presumptive positive. There are two cases in Essex County but none in Salem. CDC has to confirm test to be declared positive. Monitoring two people currently. They are following CDC guidelines to self-quarantine for 14 days. Most of Europe is Level 3. Call Health Department with any questions at 978-741-1800 or go onto salem.com.

The Mayor laid out the steps being taken by the City. Additional cleaning and deep cleaning in public buildings and monitoring supplies. Screen visitors coming into building. Have spoken to employees and department heads. This next 2-4 weeks is critical time period to get the spike to go down. We need safe social distancing. Regulatory boards must still take place. Looking into remote participation for meetings. They are leaning towards the schools having extended closure. The Mayor is heading to a School Committee Meeting right now. Community Life Center is closed to the public for tomorrow but staff will be there. Financing costs involved; 2/3 increase of cleaning supplies, unexpected overtime, outside vendor services for custodial/cleaning.

Councillor Madore asked if there are FAQs for residents? How do we support people affected? Loss of wages and homes?

CITY OF SALEM**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING**

We can connect them to State Agencies and people can sign up to get services delivered i.e. meals on wheels. Call 2-1-1 or call your primary doctor.

Councillor Dominguez asked if communications are bilingual and if plan in place for city David Greenbaum responded he has a Spanish speaking employee in his office that can translate for him if necessary and there is an emergency plan in place for the city.

Councillor Dibble stated there is a lot of fear in the city. Destructive for a lot of people especially seniors. Can we do a reverse 911 with some basic information.

David Greenbaum stated frequent handwashing (sing Happy Birthday twice) If you are sick stay home, don't want people walking around. 2-4 weeks critical – curve will go up and then hope in 4 weeks peak and come back down but no guarantee.

As for public safety, police, fire, EMS if they are quarantined we have mutual aide agreements with other cities and state aid.

PUBLIC TESTIMONY

1. Laurie Stathopoulos, 125 Essex St., - Denial of Public Guide License Application
2. Kimberly Branches, 125 Essex St., - Denial of Public Guide License Application

(#118 & #93) – NATIONAL GRID – INSTALL A JO POLE ON ORANGE STREET

Continuation from the last meeting regarding a hearing from National Grid and Verizon to install 1 JO pole on Orange Street has been withdrawn by applicant.

(#119) – APPOINTMENT OF KRISTIN MACEK TO THE COUNCIL ON AGING

Held from the last meeting the Mayor's appointment of Kristin Macek to the Council on Aging Board with a term to expire February 27, 2023 was confirmed by a roll call vote of 11 yeas, 0 nays and 0 absent. Councillors Dibble, Dominguez, Flynn, Hapworth, Madore, Morsillo, Prosniewski, Riccardi, Sargent, Turiel and McCarthy were all recorded as voting in the affirmative. Councillor Turiel requested and received unanimous consent to allow Ms. Macek to speak.

CITY OF SALEM**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING****#160 – MAYOR’S APPOINTMENT OF FILIPE ZAMBORINI TO THE AFFORDABLE HOUSING TRUST FUND BOARD**

The Mayor’s appointment of Filipe Zamborini to the Affordable Housing Trust Fund Board with a term to expire March 12, 2021 was held under the rules until the next meeting.

#161 – MAYOR’S REAPPOINTMENTS TO THE CABLE TV & TECHNOLOGY COMMISSION

The Mayor’s reappointment of the following to the Cable Television and Technology Commission with terms to expire on March 10, 2022 were confirmed by a roll call vote of 11 yeas, 0 nays and 0 absent. Councillors Dibble, Dominguez, Flynn, Hapworth, Madore, Morsillo, Prosniowski, Riccardi, Sargent, Turiel and McCarthy were all recorded as voting in the affirmative.

William Simons 79 School St. Salem
 Kevin Walker 6 Mouton Ave. Salem
 Olle Duijvesteijn 57 Dearborn St. Salem

#162 – BOND ORDER IN THE AMOUNT OF \$1,565,000.00 TO REPLACE BOILER AT BENTLEY ACADEMY

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

BOND ORDER: That the sum of One Million Five Hundred Sixty-Five Thousand Dollars (\$1,565,000) is hereby appropriated to pay costs of replacing the boiler at Bentley Academy, including the payment of all costs incidental and related thereto (the “Project”), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City may be eligible for a grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended under the direction of the City of Salem Massachusetts, School Department; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to G.L. c.44, §7(1) and/or G.L. c.70B, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that the

CITY OF SALEM**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING**

City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City, and the City further acknowledges that any grant that the City may receive from the MSBA for the Project shall not exceed the lesser of (1) seventy-five and thirty-seven hundredths percent (75.37%) of eligible approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; that the amount of the borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City and the MSBA; and that any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with G.L. c.44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

#163 – APPROPRIATION OF \$175,000.00 FROM CAPITAL OUTLAY TO REPAIR DPS ROOF

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

ORDERED: That the sum of One Hundred Seventy-Five Thousand Dollars (\$175,000.00) is hereby appropriated and transferred from the Capital Outlay Fund 2000" to the ST DPS Roof Repair account to be expended by the Engineering Department to repair the Main DPS facility roof due to extensive rain damage in accordance with the recommendation of Her Honor the Mayor.

#164 – APPROPRIATION OF \$49,510.67 FOR RETIREMENT BUYBACK FOR SCHOOL EMPLOYEES

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

ORDERED: That the sum of Forty-Nine Thousand Five Hundred Ten Dollars and Sixty-Seven Cents (\$49,510.67) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2020 contractual buyback as listed below in accordance with the recommendation of Her Honor the Mayor.

CITY OF SALEM**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING**

Name	Department	Amount
Karen Padeck-Sprei	School	\$ 33,333.60
Richard Cavallaro	School	16,177.07
		\$ 49,510.67

#165 – APPROPRIATION OF \$30,000 FOR DPS SALT SHED STUDY

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

ORDERED: That the sum of Thirty Thousand Dollars (\$30,000) is hereby appropriated and transferred from the Capital Outlay Fund 2000” to a ST DPS Salt Shed Study account to be expended for engineering services for a new fabric-type portable salt shed structure in accordance with the recommendation of Her Honor the Mayor.

#166 – APPROPRIATION OF \$2,500 TO PART TIME SALARY FOR SOCIAL WORKER INTERNSHIP

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

ORDERED: That the sum of Two Thousand Five Hundred Dollars (\$2,500.00) is hereby transferred and appropriated from the “Fund Balance Reserved for Appropriation – Free Cash” account (1-3245) to General Fund Part-Time Salary 15411-5113 to cover costs associated with providing social work as part of an internship program in accordance with the recommendation of Her Honor the Mayor.

#167 – CITY COUNCIL APPOINTMENT TO THE AFFORDABLE HOUSING TRUST FUND BOARD

The following Order introduced by Councillor McCarthy was adopted.

ORDERED: That the City Council elect Councillor Morsillo and Councillor Hapworth to the Affordable Housing Trust Fund Board of Trustees per ordinance Ch. 2, Sec. 1002: “The city council shall annually elect two members of the city council to serve for a term of one year. The city council president or his or her designee shall serve for a term of one year.” And that their terms expire on December 31, 2020.

CITY OF SALEM**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING****#168 – PRESENTATION BY ABILITY, TRIANGLE INC. TO CITY COUNCIL**

The following Order introduced by Councillor Dibble was adopted.

ORDERED: That the Committee on Community and Economic Development co-posted with the Committee of the Whole meet with Ability, Triangle, Inc. for a presentation by this company and that the Mayor, Superintendent of Schools, School Grounds and Facilities Manager and a representative from the School Committee be invited.

#169 – AMEND THE RULES AND ORDERS OF THE CITY COUNCIL

No Action Taken Under the Rules until the next meeting on March 26, 2020 on the following Order Introduced by Councillor Madore.

ORDERED: That Section 36 of the Rules and Orders of the City Council be amended by deleting the reference to “Cushing’s Manual” and inserting in place thereof “Roberts Rules of Order”

#170 – RESOLUTION FOR THE BOYS AND GIRLS CLUB

The following resolution introduced by Councillor Dominguez was adopted.

RESOLUTION:

WHEREAS, the young people of *Salem, Massachusetts* are tomorrow's leaders; and

WHEREAS, many young people need professional youth services to help them achieve their full potential; and

WHEREAS, the Boys & Girls Club of Salem, Massachusetts serves more than 700 young people annually; and

WHEREAS, Boys & Girls Clubs do whatever it takes to ensure every young person in America has the skills needed to graduate high school and be well prepared for life and work. Through programs like Power Hour, Diplomas to Degrees, Torch Club and Keystone Club, *Boys & Girls Club of Greater Salem* helps youth to develop the soft skills and hard skills need to close the jobs skills gap.

CITY OF SALEM

MARCH 12, 2020

CITY COUNCIL REGULAR MEETING

WHEREAS, *Boys & Girls Club of Greater Salem* will celebrate National Boys & Girls Club Week with some 4,000 Clubs and over 2 million more children and teens nationwide.

NOW, THEREFORE, We the City Council *for the City of Salem* do hereby proclaim March 30 – April 3, 2020, as Boys & Girls Club Week in *Salem, Massachusetts*.

Furthermore, I encourage all citizens to join me in recognizing and commending our 150-year-old Boys & Girls Club of Greater Salem for doing whatever it takes to build great futures for youth in our communities.

#171 – MEET TO DISCUSS THE COVID-19 VIRUS

The following order introduced by Councillor Dibble was adopted. (No discussion due to late file)

ORDERED: That the Committee on Public Health, Safety and the Environment co-posted with the Committee of the Whole meet to discuss the COVID-19 Virus.

#172 - (#158) – GRANTING OF CERTAIN LICENSES

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

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

TAG DAYS

SHS Girls Lacrosse March 14 and April 25, 2020

#173 – (#102 & #103) – TAXI OPERATOR HEARING REQUEST – JOSE FABIAN CORNEIL

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

The Committee on Ordinances, Licenses and Legal Affairs to whom was referred the matter of Hearing request from Jose Fabian Corneil on the denial of his taxi operator license has considered said matter and would recommend the license be reinstated with

CITY OF SALEM**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING**

the following conditions: That the operator and Officer overseeing the matter return to the City Council for review in the event the Court finds Mr. Corneil convicted of a felony charge.

#174 – (#134) – APPROPRIATION OF \$142,412.48 FOR REPAIR OF WATER MAIN BREAK ON BRIDGE STREET

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

The Committee on Administration & Finance co-posted with the Committee of the Whole to whom was referred the matter of an appropriation of \$142,412.48 for repair of a water main break on Bridge St has considered said matter and would recommend adoption.

**#175 – JOINT PUBLIC MEETING WITH PARK & RECREATION COMMISSION
RELATIVE TO THE LAND IN DISPUTE AT 20 FRANKLIN STREET AND THAT THIS
MEETING BE HELD AT THE COMMUNITY LIFE CENTER**

The following Order introduced from the City Solicitor was adopted. Councillors Dibble and Flynn were recorded as opposed.

ORDERED: Pursuant to Section 37 of the Rules and Orders of the City Council, the City Council hereby authorizes, by majority vote, the scheduling of a joint meeting of the City Council and the Park and Recreation Commission on March 24, 2020 at 6:00 p.m. at the Jean Levesque Community Life Center, 401 Bridge Street, Salem relative to land in dispute at 20 Franklin Street.

Some Discussion took place on whether this meeting should take place or not amid the COVID19 Virus. Councillor Flynn stated after listening to the Mayor and the Health Agent that we should hold off on this meeting for a month. Suspension of the rules were requested and received to allow the City Solicitor to speak.

Beth Rennard stated that we can schedule it, then can either cancel it or change the date, open the meeting and continue it to a date certain. Councillor Riccardi stated in all likelihood this will need to be rescheduled but the developers will be moving forward with or without this meeting.

CITY OF SALEM**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING****#176 – ORDER OF TAKING LAND FOR THE BATES SCHOOL SAFETY PROJECT;
PARCELS LOCATED ON LIBERTY HILL AVE., NURSERY ST. & APPLETON ST.**

The following Order introduced by the City Solicitor was adopted by a roll call vote of 11 yeas, 0 nays and 0 absent. Councillors Dibble, Dominguez, Flynn, Hapworth, Madore, Morsillo, Prosniewski, Riccardi, Sargent, Turiel and McCarthy were all recorded as voting in the affirmative.

WHEREAS, the City of Salem is the recipient of Federal and State funds to undertake a Safe Routes to School Project to improve pedestrian and vehicular safety in the neighborhood of the Bates School, including the reconstruction of sidewalks, installation of ADA-compliant curb ramps, grading land, constructing, operating, improving, maintaining, repairing, replacing, relocating, realigning and/or reconstructing slopes of excavation and/or embankment, driveway aprons, landscaping, loaming, planting trees, seeding, and installing rapid flashing beacons and flashing school zone signs; and

WHEREAS, a condition of the Federal and State funding is that the City acquire easements and dedication of land necessary to implement the Safe Routes to School Project, specifically, a certain dedication and permanent and temporary easements as shown on the plans entitled “Easement Plan of Land, Bates Elementary School, Liberty Hill Avenue, Salem, Massachusetts” dated March 4, 2020, prepared by Nitsche Engineering (“the Plans”); and

WHEREAS, in order to acquire the permanent and temporary easements, the City must appropriate the sum of \$14,880.00 to compensate property owners upon whose properties said easements are located.

NOW, THEREFORE, BE IT ORDERED, that the Salem City Council may by purchase and/or eminent domain, for public way purposes, including but not limited to enhancements of pedestrian and vehicular safety, in the neighborhood of the Bates School, permanent easements in, on, over and under and along certain parcels of land shown as PE-2 through PE-7, inclusive, and temporary construction easements in, on, over, under and along certain parcels of land shown as TE-1 through TE-7, inclusive, TE-13 and TE-15 on the Plans, which parcels are described in the Order of Taking of the Salem City Council to be recorded with the Essex South District Registry of Deeds.

AND, BE IT FURTHER ORDERED, that the Salem City Council acknowledge the allocation of the sum of \$14,880.00 from so-called Chapter 90 funds received by the City for the purpose of paying compensation to property owners for the acquisition of the permanent and temporary easements;

AND, BE IT FURTHER ORDERED, that the City Council dedicates the parcel of land shown as PE-1 on the Plans for the purpose of constructing an ADA curb cut and sidewalk and all purposes for which public ways are used in the City of Salem,

CITY OF SALEM**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING**

including, without limitation, for the purpose of undertaking the Safe Routes to School Project for the Bates School.

AND, BE IT FURTHER ORDERED, that the City Council authorizes the City Council President Robert McCarthy to sign, on its behalf, an Order of Dedication and Taking and the City Solicitor is authorized to record said Order of Taking with the Essex South District Registry of Deeds.

(Copies of the plans are on file in the City Clerk's Office as well as the back-up documentation)

Since the rules were already suspended, City Solicitor Rennard stated that this is a friendly easement and that all but 1 property owner has signed on. And that owner is still working it through with their attorney. The cost of the easements will total approximately \$14,000.00. There will be temporary easements for 3 years, but no more than 10 months will there be construction in front of homes, mostly in front of homes for only a few weeks. We will receive grant money for this project. Between temporary and permanent easements it is a total of 52 square feet and mostly comprised of fence lines and curbs.

Councillor Riccardi made a motion for Immediate Reconsideration in the hopes that it does not prevail was denied.

#177 – SALEM YMCA ROAD RACE

Request from the Salem YMCA to hold a road race Salem Road Race and use of city streets on September 13, 2020 was granted.

#178 – SALEM YMCA WITCH CITY 5K ROAD RACE

Request from the Salem YMCA to hold a road race Witch City 5K and use of city streets on October 17, 2020 was granted.

CITY OF SALEM**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING****#179 – #181 – GRANTING CERTAIN LICENSES**

The Following License Applications were granted.

PUBLIC GUIDES: Michael Vitka 384 Essex St. Salem
Patrick Cornacchio 6 Beachmont Rd. Salem
Stacy Kilb 39 Northend Ave. Salem
Kristin MacKenzie 557 Hancock St. Quincy

TAXI CAB/LIMOS: Americab 92 Jackson St (2 Limos)

TAXI OPERATORS: Ehadio Pena 38 Peabody St, Salem
Leandro Aristy 78 Tremont St. Salem
Amablea Gomez Tejada 10 First St. Salem
Amauris Gomez Diaz 10 First St. Salem
Luz Sanchez 117 Congress St. Salem
Oscar Gutierrez 24 Mason St. Salem
Roberto Pacheco 26 Mill St. Danvers

#182 – PUBLIC GUIDE LICENSE APPLICATION - DENIED

The Following License Application was denied.

PUBLIC GUIDE: Thomas Vallor 40 Boardman St. Salem

#183 – TAXI OPERATOR LICENSE APPLICATION DENIED

The following Taxi Operator License Application was denied.

TAXI OPERATOR: Julio A. DeJesus 25 Loris Rd. Peabody

CITY OF SALEM**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING****#184 – HEARING REQUEST ON THE DENIAL OF A TAXI OPERATOR LICENSE APPLICATION**

The Following License Application was referred to the Committee on Ordinances, Licenses & Legal Affairs and that an Executive Session be held if necessary.

TAXI OPERATOR/

REQUEST HEARING: Julio A. DeJesus 25 Loris Rd. Peabody

#185 – DRAINLAYER/CONTRACT OPERATOR LICENSE

The Following Drainlayer/ Contract Operator License Application:

Thomas Mackey & Sons, Inc 58 Broadway Salem

#186 - # 188 – CLAIMS

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

Arthur Veloukas 58 Essex St. Salem

Clark Straight 154 Lynnway, Lynn

Norman Erlich 10 Federal St. Salem

(#145) - SECOND PASSAGE OF AN ORDINANCE TO AMEND AN ORDINANCE TRAFFIC – HANDICAP PARKING – HAZEL STREET

The matter of a second and final passage of an ordinance to Amend an Ordinance Relative to Traffic was then taken up. It was adopted for second and final passage.

ORDINANCE: In the year Two Thousand and Twenty

An Ordinance to amend an Ordinance relative to Traffic

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

CITY OF SALEM**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING**

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

Hazel Street – One Handicapped Parking Space to be added in front of #38 Hazel Street, beginning four (4) feet North of the driveway at 38 Hazel Street, running north for twenty (20) feet.

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

(#146) - SECOND PASSAGE OF AN ORDINANCE TO AMEND TRAFFIC – STOP SIGN – AT WHEATLAND AND LAWRENCE STREET

The matter of a second and final passage of an ordinance to Amend an Ordinance Relative to Traffic was then taken up. It was adopted for second and final passage.

In the year Two Thousand and Twenty

An Ordinance to amend an Ordinance relative to Traffic

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

Section 1. Amending Chapter 42, Section 49 – “Obedience to Isolated Stop Signs” is hereby amended by adding the following:

Wheatland Street, at the intersection with Lawrence Street, add one stop sign, easterly bound traffic on Wheatland Street.

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

(#147) - SECOND PASSAGE OF AN ORDINANCE – TRAFFIC - STOP SIGN - AT PINGREE AND LYNCH STREET

The matter of a second and final passage of an ordinance to Amend an Ordinance Relative to Traffic was then taken up. It was adopted for second and final passage.

In the year Two Thousand and Twenty

An Ordinance to amend an Ordinance relative to Traffic

CITY OF SALEM**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING**

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

Section 1. Amending Chapter 42, Section 49 – “Obedience to Isolated Stop Signs” is hereby amended by adding the following:

Pingree Street, northerly bound traffic on Pingree Street at Lynch Street.

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

On the motion of Councillor Sargent the meeting adjourned at 8:30 P.M.

ATTEST:

ILENE SIMONS
CITY CLERK