

CITY OF SALEM
MARCH 14, 2024
REGULAR MEETING

A Regular Meeting of the City Council was held in-person on Thursday, March 14, 2024, at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on March 12, 2024, at 2:56 P.M. This meeting is being recorded and is live on S.A.T.V. and Zoom unless technological issues interrupt the transmission.

Councillor Stott was recorded as absent.

Council President Hapworth presided.

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

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

Salem City Council Land Acknowledgment

The Salem City Council honors that this land is Naumkeag, or fishing place, where generations of Naumkeag people from the Pawtucket band of the Massachusetts Tribe lived and passed through for centuries.

We acknowledge that this is unceded Indigenous land and also acknowledge the Massachusetts Tribe, who continue to honor and hold this land into the present.

Salem's City Council is committed to having ongoing meaningful dialogue with the indigenous peoples who have presence in Salem in order to dismantle the legacies of oppression and inequities that persist today.

PUBLIC TESTIMONY

1. Ellen Simpson, 1 Geneva St., Salem – opposed to Camping ordinance
2. Jess Tower, 11232 Kirkbride Dr., Danvers – opposed to Camping ordinance
3. Ejyo Katagirl, 2 ½ Ropes St., Salem – opposed to Camping ordinance
4. D. Teixeira, 51 Butler St., Salem – opposed to Camping ordinance
5. Caitlin Tricomi, Beverly – opposed to Camping ordinance
6. Rebekah Dos Santos, 16 Aborn St., Peabody - in favor of Camping ordinance
7. David Pszenny, 21 Thomas Circle, Salem – Affordable Housing based on minimum wage not HUD determination
8. James Saskia – support American Freedmen Commission

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#100 – (#90) – NATIONAL GRID TO INSTALL ONE POLE ON CONGRESS STREET

A hearing was held on the petition from National Grid to install 1 Single Owned Pole on Congress St., near the intersection of Harbor St.

Sibhita Mahabier, representative for National Grid, 44 River St., Beverly, MA appeared in favor. This is needed to feed two circuits in this area. Older arial cable will be removed and putting in new open wire.

David Pszenny asked who this is benefitting the new development or not? No response.

Councillor Jerzylo stated as long as not blocking any pathways. It needs to be cleared.

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

Councillor Jerzylo moved that the location be granted. It was so voted.

#101 – (#91) – NATIONAL GRID TO INSTALL CONDUITS ON CONGRESS STREET

A hearing was held on the petition from National Grid to install Conduits on Congress St., near the intersection of Harbor St.

Sibhita Mahabier, representative for National Grid, 44 River St., Beverly, MA appeared in favor. This is the ground portion of the previous matter.

David Pszenny asked, does it benefit the new housing development. Yes or No.

Sibhita Mahabier replied no.

Eric, the owner of building at Congress and Harbor Street where barber and pizza shop located, stated that years ago he was told that the lines would be put underground. The tenants can reach out and touch the wires. Are those wires going underground?

Councillor Jerzylo will contact Sibhita to continue that conversation.

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

Councillor Jerzylo moved that the location be granted. It was so voted.

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(#79) – REAPPOINTMENTS TO THE AHTFB AND PLANNING BOARD

Held from the last meeting, the Mayor’s Re-Appointments with the following terms to expire were confirmed by a roll call vote of 10 yeas, 0 nays and 1 absent.

<u>Name</u>	<u>Board</u>	<u>Term Length</u>	<u>Term Expiration</u>
Jack Butterworth	Affordable Housing Trust Fund Board	2 Years	4/1/2026
Jonathan Berk	Planning Board	5 Years	3/1/2029
Sarah Tabet	Planning Board	5 Years	3/1/2029

(#77) – APPOINTMENT TO THE SALEM HOUSING AUTHORITY

Held from the last meeting, the Mayor’s appointments of Romell Kidd of 41 Osborn Hill Dr. to the Salem Housing Authority with a term to expire February 22, 2029 was confirmed by a roll call vote of 10 yeas, 0 nays and 1 absent.

Councillor Harvey requested and received suspension of the rules to allow the appointee to address the Council.

(#78) - APPOINTMENT TO THE SUSTAINABILITY, ENERGY AND RESILIENCY COMMITTEE

Held from the last meeting, the Mayor’s appointments of Betsy Frederick of 93 Canal St. Unit 5, Salem to the Sustainability, Energy and Resiliency Committee with a term to expire on February 22, 2027 was confirmed by a roll call vote of 10 yeas, 0 nays and 1 absent.

Councillor Cohen requested and received suspension of the rules to allow the appointee to address the Council.

#102 – APPOINTMENT TO THE ZONING BOARD OF APPEALS

The Mayor’s appointment of Stephen Larrick of 17 Carlton St. to serve on the Zoning Board of Appeals with a term to expire September 14, 2024 was held under the rules.

#103 - APPOINTMENT TO THE BICYCLING AND SHARED PATH ADVISORY COMMITTEE

The Mayor’s appointment of Emmylou Manwill of 15 Heritage Dr. to serve on the Bicycling and Shared Path Advisory Committee with a term to expire September 14, 2026 was held under the rules.

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#104 – APPOINTMENT TO THE DESIGN REVIEW BOARD

The Salem Redevelopment Authority’s appointment of Marc Parras of 6 Union St. to serve on the Design Review Board with a term to expire December 8, 2026 was received and filed.

#105 – CONSTABLE

The Mayor’s Re-Appointment of Donald Famico to serve as Constable of the City of Salem of the following with a terms to expire: March 14, 2027 was received and filed.

#106 – APPROPRIATION OF \$52,973.59 WITHIN RETIREMENT VACATION/SICK LEAVE BUYBACK ACCOUNT FOR POLICE, FIRE AND AFSCME

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

ORDERED: That the sum of Fifty-Two Thousand, Nine Hundred Seventy-Three Dollars and Fifty-Nine Cents (\$52,973.59) be approved within the “Retirement Stabilization Fund-Vacation/Sick Leave Buyback” account (83113-5146) to be expended for the contractual buyback(s) listed below in accordance with the recommendation of His Honor the Mayor.

Name	Department	Amount
Salem Superior Police Union	Salem Police Department	\$5,000.00
Salem Patrol Police Union	Salem Police Department	\$32,000.00
Salem Firefighters Union	Salem Fire Department	\$15,000.00
AFSCME Local 1818	Various Departments	\$973.59
		\$52,973.59

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#107 – APPROPRIATION OF \$16,625.00 WITHIN RETIREMENT VACATION/SICK LEAVE BUYBACK ACCOUNT FOR SCHOOL DEPARTMENT

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

ORDERED: That the sum of Sixteen Thousand, Six Hundred Twenty-Five Dollars and Zero Cents (\$16,625.00) be approved within the “Retirement Stabilization Fund-Vacation/Sick Leave Buyback” account (83113-5146) to be expended for the contractual buyback(s) listed below in accordance with the recommendation of His Honor the Mayor.

Name	Department	Amount
Salem Teachers Union	Salem School Department	\$16,625.00
		\$16,625.00

#108 – APPROPRIATION OF \$8,720.00 TO THE CITY COUNCIL SOFTWARE SUPPORT EXPENSE ACCOUNT

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

ORDERED: That the sum of Eight Thousand Seven Hundred Twenty Dollars and Zero Cents (\$8,720.00) is hereby appropriated from the “Fund Balance Reserved for Appropriation – Free Cash” account to the account listed below to fund agenda software training in accordance with the recommendation of His Honor the Mayor.

Description	Fund	Amount
Software Support/Enhancements City Council	11112-5520	\$ 8,720.00
		\$ 8,720.00

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#109 – DONATION OF \$26,394.00 FOR SIX THERMAL IMAGER UNITS

The following order submitted by the Mayor was adopted

ORDERED: To accept the donation from Biff Michaud in the amount of Twenty-Six Thousand Three Hundred Ninety-Four Dollars (\$26,394.00) to the Salem Fire Department to purchase six thermal imager units. These funds will be deposited into the Fire Donation Fund 24131-4830 in accordance with the recommendation of His Honor the Mayor.

#110 – ORDINANCE AMENDING CH. 24 RELATIVE TO CAMPING

The following ordinance submitted by the Mayor was referred to the Committee on Public Health, Safety, and the Environment co-posted with the Committee of the Whole.

An Ordinance to amend Ch. 24 by adding a new section relative to Camping

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

Section 1. Chapter 24 is hereby amended by adding a new Section 24-31 *Camping*

“Section 24-31 Camping

(a) Definitions

For the purposes of Section 24-31, the following definitions shall apply:

“To camp” means to pitch, erect, or occupy a Campsite or to use Camp Materials, or both, for the purposes of, or to facilitate, outdoor sheltering, either temporarily or permanently.

“Campsite” means any place where a tent, tarp, or other temporary structure is established for the purpose of maintaining an outdoor shelter.

“Camp Materials” means items used to establish or facilitate occupancy of a Campsite, including tents, tarps, or other temporary structures, as well as large furniture, stoves, and other cooking instruments.

“City Storage Program Policy” refers to the City’s written policy for storage and tracking/record-keeping of Eligible Property.

“Eligible Property” means items including, but not limited to, personal identification and documents, valuables, clothing, hygiene products and toiletries, personal effects, and items of basic necessity. Any item damaged in such a manner that it is deemed, by the Board of Health or their Agent, to be unsafe to store or may pose a health risk or hazard, is not Eligible Property. The City Storage Program Policy shall further define property that is eligible for storage.

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“Emergency Shelter Space” means a City-authorized location, within the City of Salem or in any other municipality of which the nearest border of said municipality is no more than 15 miles from the nearest border of Salem, providing temporary shelter or alternative sleeping space practically available to persons experiencing homelessness. Emergency Shelter Space shall be at a shelter, housing accommodation, or alternative sleeping space that maintains policies and procedures for accommodations under the Americans with Disabilities Act.

“Period When Shelter Is Unavailable” means a length of time in which there is no Emergency Shelter Space available to individuals experiencing homelessness in Salem.

(b) Purpose

- (i) It is the purpose of this Ordinance to promote public health, public safety, general welfare, and the economic health and well-being of Salem, its workers, visitors, and residents, including individuals experiencing homelessness, by prohibiting unsanctioned camping and the dangerous and unsafe conditions surrounding such Campsites.
- (ii) The Ordinance seeks to improve access to housing and recovery services by restoring access to public spaces, the public right-of-way, and curtailing the existence of Campsites that shield drug trafficking, human trafficking, weapons, fire hazards, violence, and other criminal activity, and that create conditions for large crowds to congregate. It is also the purpose of this Ordinance to protect the rights of individuals related to their personal property and to treat such property with respect and consideration.
- (iii) This Ordinance shall apply to all Campsites and camping on public property, including, but not limited to, streets, sidewalks, and public rights-of-way.

(c) Unlawful Camping on Public Property

It is unlawful for any person to camp or maintain a Campsite or Camp Materials in or on any public property or in the public right-of-way, including, but not limited to, any street, sidewalk, school or public park, unless specifically authorized by the City or during a Period When Shelter Is Unavailable, subject to the restrictions and regulations specified by this Section.

(d) Unlawful Camping on Private Property

Unless specifically authorized by the City or during a Period When Shelter Is Unavailable, it is unlawful for any person to camp or maintain a Campsite or Camp Materials upon private property in the City for more than 48 hours unless allowed by the City’s Zoning Code as a permitted Commercial Recreation (Outdoor) or Nonprofit Outdoor Recreational Facilities use.

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This section shall not apply to camping activities conducted by minors at or in the yard of their own or their guardian's residence for recreational purposes.

(e) Restrictions on Unlawful Camping During A Period When Shelter Is Unavailable

- (i) The prohibitions against Campsites and camping in 24-31(c) and 24-31(d) shall not apply during a Period When Shelter Is Unavailable.
- (ii) City officials shall maintain a list of identified Emergency Shelter Spaces with existing capacity, which is updated daily and is communicated upon updating to the Salem Police Department, Health Department, Council on Aging, Veterans Service Officer, and community nonprofits and other agencies, organizations, and entities who work directly with persons experiencing homelessness.
- (iii) During a Period When Shelter Is Unavailable, or when a Campsite is specifically authorized by the City, a Campsite or use of Camp Materials must comply with existing state and local laws to ensure public health and safety of those in and around the Campsite.
- (iv) During any Period When Shelter Is Unavailable, the City, through the Board of Health or its Agent, the Police Department, the Fire Department, and the Department of Inspectional Services, is hereby authorized to promulgate any additional regulations relative to the time, place, and manner for camping and for the density of Campsites on either public or private property, in order to protect public health, maintain access to the public right-of-way, protect private property, and support the effective operation of facilities such as schools, shelters, and health care institutions during such periods.

(f) Offer of Shelter

- (i) In the event of a violation of this Ordinance, the City shall provide, or cause to be provided, an offer of available Emergency Shelter Space to an individual experiencing homelessness and must inform that individual that transportation to available Emergency Shelter Space is available. The City shall furnish or cause to be furnished said transportation.
- (ii) Each Emergency Shelter Space offered to an individual pursuant to 24-31(f)(i) shall be at a shelter, housing accommodation, or alternative sleeping space that maintains policies and procedures for accommodations under the Americans with Disabilities Act.

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(g) Storage of Property

- (i) The Salem Police Chief shall establish, and from time to time amend, a City Storage Program Policy not inconsistent with this ordinance.
- (ii) In the event of a violation of this Ordinance, the City shall offer and provide storage for personal belongings consistent with the City Storage Program Policy. The City Storage Program Policy shall provide for the storage of Eligible Property, define at its sole discretion property that is eligible for storage, and provide clear instructions on how individuals with property in storage may regularly access and recover their belongings.
- (iii) The City Storage Program Policy will also provide that for property at a Campsite in violation of this Ordinance and that is not claimed by any person within 24 hours of it being deemed by the City as being unclaimed, City staff will assess whether the property is abandoned property or an individual's temporarily unattended property through reasonable and documented attempts to identify the property owner. Property determined by City staff to pose an immediate health or safety risk is subject to immediate disposal.
- (iv) The City shall store Eligible Property determined, pursuant to 24-31(g)(i), to be temporarily unattended Eligible Property under the City Storage Program Policy. For temporarily unattended property that is not Eligible Property under the City Storage Program Policy, the Inspectional Services Department shall either, at the director or their designee's sole discretion, post notice for 24 hours prior to the removal of the unattended property not eligible for City storage or temporarily store, for at least 24 hours, the unattended property and post notice as to how to recover it.
- (v) City officials shall provide a written copy of the City Storage Program Policy when providing an offer of storage, which shall be made available in any language required pursuant to the City's Language Access Policy.
- (vi) In the event of a violation of this Ordinance, should an individual leave the area of a Campsite without their belongings, City staff shall store eligible property in accordance with the City's Storage Program Policy and this section.
- (vii) In the event of lost property subject to the City's Storage Program Policy, individuals who wish to bring a claim for such lost property shall utilize the City's existing process for submitting claims. No fees may be charged for the processing of claims submitted pursuant to this subsection of the Ordinance.

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(h) Removal

Once the City has engaged an individual pursuant to Section 24-31(f) and Section 24-31(g), the City may, in its sole discretion, remove any Campsite and/or Camp Materials not removed by said individual.

(i) Notice to Individuals

- (i) Whenever the City may identify Campsites reasonably presumed by the City to be occupied by individuals experiencing homelessness, and it is not a Period When Shelter Is Unavailable, the City shall distribute weather-resistant notices to said individuals and post weather-resistant signage proximate to said Campsite(s).
 - a. Such signage shall state in any language required pursuant to the City's Language Access Policy: "WARNING: CITY ORDINANCE RESTRICTS CAMPING. VIOLATION MAY BE SUBJECT TO REMOVAL AND/OR ENFORCEMENT ACTION."
 - b. Such notice shall state the same, in any language required pursuant to the City's Language Access Policy, along with the full text of this Ordinance, the City Storage Program Policy, and any additional information or resources that the City may determine will be helpful to the individual.
- (ii) Upon the effective date of this Ordinance, once the City has engaged an individual pursuant to Section 24-31(f) and Section 24-31(g) no further notice is required to enforce this Ordinance.
- (iii) During a Period When Shelter Is Unavailable, when the City notifies an individual located in any Campsite that a Period When Shelter Is Unavailable has ended, said individual shall have forty-eight (48) hours to remove their Camping Materials.

(j) Penalty for Violations

Individuals in violation of this Ordinance may be subject to penalties. This Ordinance shall be enforced by the Salem Police Department, the Salem Board of Health or its Agent or their designees, the Salem Department of Inspectional Services, and the Salem Fire Department, as well as any sworn law enforcement agency empowered to make an arrest within the jurisdictional boundaries of the City of Salem. Any of the following penalties may apply:

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- a. All enforcement methods authorized by law, including, issuance of a warning, G. L. c. 40, s. 21, or enforcement authorized by G. L. c. 272, s.59 (ordinances or Regulations Relating to Streets, Reservations or Parkways; Alcoholic beverages; Profanity; Arrest Without a Warrant) if the Salem Police or other duly authorized officer on scene determines a violation of G. L. c. 272, s. 59 has occurred in their presence.

(k) Severability

The provisions in this Ordinance are severable. If any part or provision of this Ordinance is held invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected by such holding and shall continue to have full force and effect.”

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

#111 - #113 – ZONING ORDINANCES RELATIVE TO COASTAL RESILIENCE OVERLAY DISTRICT, FLOOD HAZARD OVERLAY DISTRICT AND ZONING MAP AMENDMENT

The following three Zoning Ordinances: (See back-up documentation for full text of each zoning ordinance or viewable in the City Clerk’s office during normal business hours) were referred to the Planning Board to hold a Joint Public Hearing.

1. Creation of Coastal Resilience Overlay District (C-ROD)
2. Amending Zoning relative to the Flood Hazard Overlay District (FHOD)
3. Zoning Map Amendment relative to Section 2.2 – Districts by adding a new district to the table – Coastal Resiliency Overlay District (C-ROD)

#114 – RESOLUTION TO AMEND THE TIF AGREEMENT WITH CROWLEY

The following Resolution submitted by the Mayor was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent.

RESOLUTION: AMENDMENT TO THE TAX INCREMENT FINANCING AGREEMENT WITH CROWLEY - SALEM WIND TERMINAL

WHEREAS, a Tax Increment Financing Agreement (hereinafter referred to as the “Agreement”) was entered by and between Salem Wind Terminal, LLC, a Delaware limited liability corporation having its principal office at 9487 Regency Square Boulevard, Jacksonville, Florida (hereinafter referred to as the “Company”), and the City of Salem, a municipality having its principal offices at 93 Washington Street, Salem, Massachusetts

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01970 (hereinafter referred to as the “City”), acting through its Mayor, Dominick Pangallo. The Company and the City are each a “party” and, collectively, the “Parties”.

WHEREAS, the Parties entered into the Agreement on the 21st day of September, 2023; and

WHEREAS, the Parties have been engaged with one another in the negotiation of a Community Benefits Agreement (hereinafter referred to as the “CBA”); and

WHEREAS, the City would like to protect the tenets of the CBA and ensure that its terms and conditions are fulfilled.

NOW, THEREFORE, for mutual consideration, the receipt and sufficiency of which is hereby acknowledged, the City and the Company hereby agree as follows:

1. Paragraph C.1. of the Tax Increment Financing Agreement is hereby amended by inserting the following at the end of paragraph C.1.:

Any successor, assignee and subsequent owner of the Project that becomes party to this Agreement or derives a tax exemption as a result of this Agreement shall be required to fulfill the obligations of Salem Wind Terminal LLC in the Community Benefits Agreement, executed on the 21st day of February 2024, between the City of Salem and Salem Wind Terminal LLC.

2. Except as provided herein, the terms and obligations of the Agreement are hereby confirmed.

NOW, THEREFORE, BE IT RESOLVED that the Salem City Council hereby endorses the amendment of the Tax Increment Financing Agreement between the Parties, and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized, on behalf of the City, to execute the amendment to the Tax Increment Financing Agreement.

#115 – INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF BEVERLY AND TOWN OF DANVERS TO UTILIZE \$2.3M GRANT TO EXTEND THE SKIPPER AREA

The following order submitted by the Mayor was referred to the Committee on Administration and Finance co-posted with the Committee of the Whole.

ORDERED: The Mayor is hereby authorized to enter into an Intergovernmental Agreement with the City of Beverly and the Town of Danvers for the purpose of utilizing a \$2.3 million grant from the Federal Transit Authority to establish a two-year pilot program to implement and operate new regional node-based and flexible stop route transit services for residents of Salem, Beverly and Danvers.

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#116 – MONTHLY FINANCIAL REPORTS FROM JULY 2023 – JANUARY 2024

The following order introduced by Councillor Merkl was adopted.

ORDERED: That the monthly financial reports year-to-date July 2023 through December 2023 and January 2024 be received and filed

#117 – (#61) – RESOLUTION – TIF FOR CHAMBERS PROPERTY HOLDINGS

Councillor Varela recused himself from this entire matter.

Councillor Merkl 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 8 yeas, 1 nay and 2 absent. Councillors Cohen, Davis, Harvey, Merkl, Morsillo, Prosniewski, Watson-Felt and Hapworth were recorded as voting in the affirmative. Councillor Jerzylo was recorded as a nay vote and Councillors Stott and Varela were recorded as absent.

The Committee on Administration and Finance co-posted with the Committee of the Whole to whom it was referred the matter of Resolution for a Tax Increment Financing (TIF) for Chambers Property Holdings, LLC for a restaurant at 65 Washington St., has considered said matter and would recommend adoption.

Councillor Merkl explained that the 5-year TIF was the difference of the base value and end value. It was an informative meeting. Questions the Councillors had about the TIF were answered. Public Comment was both in favor and against. The committee ruled in favor of adoption by 2-1.

Councillor Morsillo stated she entered the meeting not necessarily in favor. The developer already received a TIF, but needs to separate the company that built the building and the company trying to build a business. TIFs are only available if you own the property you cannot lease the property. The \$31/\$32K city not receiving over 5 years, will be made up by the meals tax. The current restaurant paid \$90K in meals tax and expects the new restaurant to pay \$150K. Based on these numbers, the City will receive approximately \$12,000/yr in meals which is great than the \$32,000 not receiving. This revenue goes to our bottom line when setting tax rate. She stated she came out of the meeting in favor of the TIF. The space has been empty for two years.

Councillor Davis still feels conflicted on this matter. He is unclear of the broader community benefits and if this is going to set a precedent. Feels like price gauging going on by the developers and the City Hall is footing the bill.

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Councillor Merkl stated she struggled with this as well. She was the no vote taken during the committee meeting. She has trouble that this space was not built out with any infrastructure. Hopes the City takes notice of this for further projects. Residents who live there are in favor of the restaurant. Has concerns about a fair process based on owners and renters, and had reached out to Ms. Newhall Smith for some more clarity on that. She is here tonight if we have any questions. But the response was that it can be an option for renters taking on build out costs if the TIF is between the city and the owner and the leasee. SI hope we can help spread the word to new businesses to inquire about this option especially with the high cost of starting new business.

Councillor Cohen stated the value of TIFs and TIES. Everyone has a specific situation. It's beneficial to the community. Empty stores don't employ people.

Councillor Watson-Felt is in support for all the above reasons. It's not the business owner's fault. Moving forward consider this for future developments when people/companies building projects.

#118 – (#62) – TAX INCREMENT FINANCING AGREEMENT WITH CHAMBERS RESTAURANT GROUP

Councillor Varela recused himself for the entire matter.

Councillor Merkl 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 8 yeas, 1 nay and 2 absent. Councillors Cohen, Davis, Harvey, Merkl, Morsillo, Prosniewski, Watson-Felt and Hapworth were recorded as voting in the affirmative. Councillor Jerzylo was recorded as a nay vote and Councillors Stott and Varela were recorded as absent.

The Committee on Administration and Finance co-posted with the Committee of the Whole to whom it was referred the matter of a Tax Increment Financing (TIF) Agreement with Chambers Property Holdings, LLC and Chambers Restaurant Group, LLC for a restaurant at 65 Washington St., has considered said matter and would recommend adoption.

Councillor Varela returned to the Council Chambers.

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#119 – (#437 of 2023 & #88) – RIGHT ON RED ORDINANCE

Councillor Morsillo offered the following report for the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole. It was voted to accept the report 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 discussing right-on-red Ordinances for Traffic Lights in Northwest Salem, has considered said matter and would recommend the matter remain in Committee.

#120 – (#84) – TWENTY YEAR AGREEMENT WITH AMERESCO

Councillor Morsillo offered the following report for the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole. It was voted to accept the report 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 discussing of City Ordinance Ch 2, Sec 2-1688 City Council to Authorize the Mayor to enter into a 20-year agreement with Framingham-based Ameresco, an Energy Services Company, has considered said matter and would recommend adoption.

Councillor Morsillo stated they had an informative meeting and that a 20-year agreement is required when making this kind of purchase. This agreement is specifically for Bates School and Witchcraft. The project includes upgrading and enhancing the building control systems in both buildings and replacing the boilers at Bates.

Councillor Cohen stated you can opt out of this if better incentives i.e. warranty, amount, warranty.

Councillor Harvey wants to make sure that it is compatible with future improvements and you can opt out after 5 years.

#121 – (#560 of 2023 & #16) – HAUNTED HAPPENINGS 2023 DEBRIEFING

Councillor Varela offered the following report for the Committee on Community and Economic Development co posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation.

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The Committee on Community and Economic Development co posted with the Committee of the Whole to whom was referred the matter of Haunted Happenings 2023 issues and debriefing, has considered said matter and would recommend that the report from the Mayor be Received and Filed, and that the Matter remain in Committee.

This is our 2nd year doing this and having these meetings shows the residents we care and continue to improve matters.

Councillor Prosniewski stated that all the presentations given by the departments were very well done. Since it was a long meeting, there was not enough time for public to give feedback.

Councillor Merkl encourages the public to always send feedback and comments year round.

#122 – (#12 & #89) – CREATING AN ELECTION COMMISSION

Councillor Varela offered the following report for the Committee on Government Services co-posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation.

The Committee on Government Services co-posted with the Committee of the Whole to whom was referred the matter of Creating an Election Commission and the process involved, has considered said matter and would recommend that the matter remain in committee.

Councillor Varela stated we want to get this right. It's important to have these discussions and get more clarification about MGL 51 Sec. 16A. The word shall was added to the sentence that the Election Commission shall educate. Hope to adopt this Home Rule Petition in enough time to make the effective date January 1, 2025. He spoke to the Mayor and the last thing we want is the Mayor to Veto this. We need him on board. The Mayor needs to fund this commission. We believe the legislation should approve this in a reasonable time since it is within the purview of cities and towns. We will continue this discussion.

#123 – PRESERVATION RESTRICTION AGREEMENT WITH ST. PETER'S CHURCH

The Preservation Restriction Agreement submitted by Patricia Kelleher, Preservation Planner, for St. Peter's Church as a condition of CPA funding was adopted. The document has been reviewed by Massachusetts Historical Commission and signed by the Parish. (the entire text of the preservation restriction agreement can be viewed at the City Clerk's office during normal working hours.)

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#124 – TO EXPLORE PARTNERSHIP WITH THE CITY FOR FILM FEST AND OTHER FESTIVALS

The petition from Joe Ferrari from the Salem Film Fest to explore a greater partnership with the City of Salem including financial support for not only the Salem Film Fest, but all other festivals in Salem was referred to the Committee on Community and Economic Development co-posted with the Committee of the Whole.

Councillor Watson-Felt looks forward to having a broader discussion and hearing his ideas.

Councillor Varela stated when he lived in Santa Barbara the film fest were huge successes because the city was involved. Local Film Fests ignite the city. We can show that Salem is more than just Halloween.

#125 – PETITION TO ESTABLISH AN ORDINANCE FOR AN AMERICAN FREEDMAN COMMISSION - TABLED

Councillor Cohen tabled the request from Saskia Vann James, Grow to Consume, for the Salem City Council to adopt an ordinance for an American Freedman Commission and to meet with the Council to hold educational workshops on transitional justice and American Freedmen history.

The Race and Equity Commission has been tasked to look into this and the Council should wait until they come up with a proposal.

#126 – PUBLIC GUIDE APPLICATIONS

The Following License Applications were granted.

PUBLIC GUIDES:

- Allison Balmforth 23 Jasmine Cir Saunderson, RI
- Adam Klein 236 Hancock Ave Ext Medford
- Will Hanson 66 Eagle Rd Worcester
- Tim Mitchell 40 Adams St Somerville
- Nabil Shouhayib 3 Holman St Allston
- Denise Ann Kuell 145 High St Danvers
- John Paylalta 8 Chase St Lynn MA
- Nadia East 11 Bentley St Salem
- Neil OMalley 6 Jacobs Landing Danvers MA
- Hannah Silverman 11 Waterman Lane Westminster
- Elizabeth DiCicco 9 Hawthorne Pl Boston
- Alicia Diozzi 40 English St Salem
- Alina Transia 70 Boston St Salem
- Mary Margaret Griffen 18 Jaeger Ter Boston

CITY OF SALEM
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REGULAR MEETING

Benjamin DiScipio 11 Railroad Ave Salisbury
Peter White 233 Kelton St Allston
Allison DelFranco 65 Washington St Salem
Roger Herson 9 Mill St Beverly
Vincent Morreale 18 Roslyn St Salem
Daniel Minkle Fury 126 Federal St Salem
Beth Pasquarello 29 Station Rd Salem
David Molinet 30 Franklin St Malden
Brittney Avila 63 Federal St Salem
Brian Carr Jr. 38 Japonica St Salem
Christopher Padgett 2 Linden St Salem
Donna Ratte 343 Cabot St Beverly
Julia Gleson 61 Wheelwright Farm Cohasset

#127 - #130 – CLAIMS

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

Alex Ingemi 168 Essex St., Salem
Floyd Church 191 Federal St., Salem
Vincent Pintone 6 Lynn St Ct Peabody
Ryan Hawks 27 Marbleridge Rd N Andover

#131 - DRAINLAYER/CONTRACTOR OPERATOR LICENSE APPLICATION

The Following Drainlayer/Contractor Operator License Application was granted.

Tufts Construction Inc. 100 Tremont St. Everett MA

(#86) - SECOND PASSAGE OF A TRAFFIC ORDINANCE AMENDING SCHOOL ZONES

The second passage of a traffic ordinance amending school zones was taken up. This ordinance was adopted for second and final passage.

In the year Two Thousand and Twenty-Four

An Ordinance Relative to Traffic

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

CITY OF SALEM
MARCH 14, 2024
REGULAR MEETING

Section 1. Section 29A of Article III be amended by inserting the following:

b) School Zones;

All school zones listed herein shall have a speed limit of 20 miles per hour on days that school is in session or when children are otherwise present. The speed limit shall be in effect during the times listed for each street below. The speed limit shall apply to all directions of travel.

1. Bridge Street – Reduced School Speed Limit Zone – For Carlton Innovation School: From a point 40 feet south of Beacon Street to a point 30 feet north of Rice Street. 8:00am-9:00am and between 2:30pm-3:30pm
2. Essex Street – Reduced School Speed Limit Zone – For Collins Middle School: From intersection with Jackson Street and Highland Avenue to a point 90 feet north of Dalton Parkway. 7:30am-8:30am and between 3:00pm-4:00pm
3. Fort Avenue – Reduced School Speed Limit Zone – For Bentley Academy Charter School: From a point 40 feet west of Lee Fort Terrace to a point 90 feet east of Memorial Drive. 7:00am-8:00am and between 2:00pm-3:00pm
4. Frederick Street – Reduced School Speed Limit Zone – For Witchcraft Heights Elementary School: From intersection with Belleview Avenue to school grounds. 8:00am-9:00am and between 2:30pm-3:30pm
5. Gables Circle – Reduced School Speed Limit Zone - For Witchcraft Heights Elementary School: From a point 120 feet west of Puritan Road to a point 120 feet east of Puritan Road. 8:00am-9:00am and between 2:30pm-3:30pm
6. Highland Avenue – Reduced School Speed Limit Zone – For Collins Middle School: From a point 170 feet south of Powder House Lane to intersection with Essex Street and Jackson Street. 7:30am-8:30am and between 3:00pm-4:00pm
7. Jackson Street – Reduced School Speed Limit Zone – For Collins Middle School: From intersection with Highland Avenue and Essex Street to intersection with Calabrese Street. 7:30am-8:30am and between 3:00pm-4:00pm
8. Lafayette Street – Reduced School Speed Limit Zone – For Saltonstall School: From intersection with Fairfield Street and Leavitt Street to intersection with Lafayette Place. 8:00am-9:00am and between 3:00pm-4:00pm
9. Liberty Hill Avenue – Reduced School Speed Limit Zone – For Bates Elementary School: From a point 400 feet north of Nursery Street to a point 400 feet west of Sargent Street. 7:30am-8:30am and between 1:30pm-2:30pm
10. Lynch Street – Reduced School Speed Limit Zone – For Salem Academy Charter School: Lynch Street in its entirety. 8:00am-9:00am and between 3:00pm-4:00pm
11. Memorial Drive – Reduced School Speed Limit Zone – For Bentley Academy Charter School: From the intersection with Larkin Street to a point 100 feet south of Victory Road. 7:00am-8:00am and between 2:00pm-3:00pm
12. Puritan Road – Reduced School Speed Limit Zone – For Witchcraft Heights Elementary School: From intersection with Ord Street to intersection with Pioneer Circle, and from intersection with Gables Circle until intersection with Gallows Circle. 8:00am-9:00am and between 2:30pm-3:30pm

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13. Salem Street – Reduced School Speed Limit Zone – For Saltonstall School: From intersection with Chase Street to a point 310 feet north of Lafayette Place. 8:00am-9:00am and between 3:00pm-4:00pm
14. Szetela Lane – Reduced School Speed Limit Zone – For Bentley Academy Charter School: From a point 90 feet north of Lee Fort Terrace to the intersection with Memorial Drive. 7:00am-8:00am and between 2:00pm-3:00pm
15. Willson Street – Reduced School Speed Limit Zone – For Salem High School and Horace Mann Elementary School: From intersection with Highland Avenue to a point 500 feet west of Old Road. 7:30am-8:30am and between 1:30pm-3:00pm

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

On the motion of Councillor Prosniewski the meeting adjourned at 8:26 P.M.

ATTEST:

ILENE SIMONS
CITY CLERK