

**CITY OF SALEM**  
**NOVEMBER 19, 2020**  
**CITY COUNCIL REGULAR MEETING**

A Regular Meeting of the City Council is being held remotely on Thursday, November 19, 2020 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on November 17, 2020 at 9:04 A.M. This meeting is being taped and is live on S.A.T.V.

All Councillors were present.

Council President McCarthy presided.

Councillor Prosniewski 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.

**Public Testimony**

Steve Kapantais, 23A Wisteria Street, Salem - \$16.1 Million Signature Park Bond

**#477 – APPOINTMENT OF EZEKIEL HOLT TO THE COMMISSION ON DISABILITIES**

The Mayor's appointment of Ezekiel Holt 34 Leach St to the Commission on Disabilities with a term to expire November 15, 2021 was held under the rules.

**#478 – APPOINTMENT OF KATE ZURAW TO THE COMMISSION ON DISABILITIES**

The Mayor's appointment of Kate Zuraw LICSW to the Commission on Disabilities with a term to expire November 19, 2023 was held under the rules.

**#479 – RE-APPOINTMENT OF SUE KIRBY TO SALEM HOUSING AUTHORITY**

The Mayor's re-appointment of Sue Kirby 45 St. Peter St. to the Salem Housing Authority as a tenant member with a term to expire March 1, 2025 was confirmed by an unanimous roll call vote of 11 yeas, 0 nays, 0 absent.

**CITY OF SALEM****NOVEMBER 19, 2020****CITY COUNCIL REGULAR MEETING****#480 – BOND ORDER IN THE AMOUNT \$16,100,000 TO PAY COSTS FOR THE SIGNATURE PARKS IMPROVEMENT PROGRAM**

The following Bond Order submitted by the Mayor was adopted for first passage by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent and referred to the Committee on Administration and Finance co-posted to the Committee of Whole.

Bond Order: That the sum of Sixteen Million One Hundred Thousand Dollars (\$16,100,000) is hereby appropriated to pay costs of a signature parks improvement program that includes one or more of the following types of capital improvements at Forest River Park, Salem Willows, Salem Common, Pioneer Village, Winter Island, and Palmer Cove and any costs incidental and related thereto: (a) construction, reconstruction and/or relocation of, and extraordinary repairs and improvements to, buildings, structures, recreational facilities and landscape infrastructure, (b) construction and reconstruction of, and improvements to, roadways, sidewalks and pathways, and (c) acquisition and installation of lighting, fencing, benches, signage and other equipment; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that the Mayor is authorized to apply for, accept and expend any grants, donations or other aid to pay additional costs of the signature parks improvement program; that the Mayor is authorized to take any action necessary to carry out the signature parks improvement program; 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 Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Councillor Flynn stated he would like to know more specifics and since ADA was brought up is there an ADA component involved?

Councillor Turiel replied all the parks in the plans have an ADA component but that is not involved in obtaining the bond. All we are doing tonight is voting on the bond. For the past 2 ½ years, ADA has been a component since the beginning from the forest river pool, bath houses, parking, etc. This is just for the funding. The plans have to go in front of and be approved by the Park and Recreation Commission.

Councillor McCarthy stated that the bond rate is very low (around 1.5%); now is the time to borrow money.

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Councillor Dibble stated he is in support of this, but we have already spent quite a bit of money of some of these parks. Concerned with overall costs of this. ADA is law we are required to do this. Wanted more details on costs associated with the \$16.1 Million. Understand interest rates are low but need to make sure we can afford this. What is the cost to our tax bills going forward? If divide the vote now want to make sure we can make changes on the bond order unlike zoning. Any money reimbursable from grant.

Councillor Turiel stated the information is in our back-up package. Over 30 years in 2056 will spend \$25.4 Million.

Councillor Sargent asked for this to go into committee and then bring it back out.

Councillor Dominguez agreed this should be put into committee, but is this time sensitive?

Councillor Turiel – Bond language doesn't change between first and second passage. There is sensitivity in timing because there is only one meeting in December and trying to get Forest River underway. That's why capital funding done weeks ago because time sensitive. We've been without Forest River for 3 ½ years.

**#481 – APPROPRIATION OF \$21,639.80 FOR RETIREMENT STABILIZATION VACATION/SICK LEAVE BUYBACK FOR DAVID KEZAR, SCHOOL EMPLOYEE**

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

ORDERED: That the sum of Twenty One Thousand, Six Hundred and Thirty Nine Dollars and Eighty Cents (\$21,639.80) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2021 contractual buyback(s) listed below in accordance with the recommendation of Her Honor the Mayor.

<b>Name</b>	<b>Department</b>	<b>Amount</b>
David Kezar	School	21,639.80
		<b>\$ 21,639.80</b>

**CITY OF SALEM****NOVEMBER 19, 2020****CITY COUNCIL REGULAR MEETING****#482 – APPROPRIATION OF \$20,354.40 FOR RETIREMENT STABILIZATION VACATION/SICK LEAVE BUYBACK FOR JOHN ROBINSON, SCHOOL EMPLOYEE**

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

ORDERED: That the sum of Twenty Thousand, Three Hundred and Fifty Four Dollars and Forty Cents (\$20,354.40) be approved within the “Retirement Stabilization Fund-Vacation/Sick Leave Buyback” account (83113-5146) to be expended for the FY 2021 contractual buyback(s) listed below in accordance with the recommendation of Her Honor the Mayor.

<b>Name</b>	<b>Department</b>	<b>Amount</b>
John Robinson	School	20,354.40
		<b>\$ 20,354.40</b>

**#483 – APPROPRIATION OF \$7,458.00 FROM CAPITAL OUTLAY FOR EMEGENCY REPAIR OF THE LIBRARY’S MAIN ELEVATOR**

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

ORDERED: That the sum of Seven Thousand, Four Hundred and Fifty Eight Dollars (\$7,458.00) is hereby appropriated within the “Capital Outlay” account (20002114-5846CA) to be expended for emergency repair of the Library’s main elevator by the Library Department in accordance with the recommendation of Her Honor the Mayor.

**#484 – APPROPRIATION OF \$2,662.20 FOR RETIREMENT STABILIZATION VACATION/SICK LEAVE BUYBACK FOR DONNA SULLIVAN, SCHOOL EMPLOYEE**

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

ORDERED: That the sum of Two Thousand, Six Hundred and Sixty Two Dollars and Twenty Cents (\$2,662.20) be approved within the “Retirement Stabilization Fund-Vacation/Sick Leave Buyback” account (83113-5146) to be expended for the FY 2021

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contractual buyback(s) listed below in accordance with the recommendation of Her Honor the Mayor.

<b>Name</b>	<b>Department</b>	<b>Amount</b>
Donna Sullivan	School	2,662.20
		<b>\$ 2,662.20</b>

**#485 – INCREASE HARBORMASTER REVOLVING FUND FOR FISCAL YEAR 2021 TO FUND THE CITY'S SHARE OF A MULTI-MISSION PATROL/RESPONSE CRAFT**

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

ORDERED: That the City of Salem hereby authorizes an increase an amount of funds to be expensed from the Harbormaster Winter Storage Revolving fund (2368) from \$50,000 fifty thousand dollars to \$90,100 Ninety Thousand One Hundred dollars for fiscal year 2021 only, to include a purpose of funding the City share of a multi-mission patrol/response craft. The revolving account was established in accordance with M.G.L. Chapter 44, Section 53E ½ as a special purpose revolving account in accordance with the recommendation of Her Honor the Mayor

**#486 – DONATION FROM FOOTPRINT TO FIRE DEPARMENT**

The following Order submitted by the Mayor was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillor Flynn recused himself from this matter and is considered absent.

ORDERED: That the donation from Footprint Power Salem Harbor Development in the amount of Thirty Thousand Dollars (\$30,000.00) for virtual training for the team and equipment upgrades. These funds will be deposited into the City's Fire Department's Donations Fund 24131-4830 in accordance with the recommendation of Her Honor the Mayor.

**CITY OF SALEM****NOVEMBER 19, 2020****CITY COUNCIL REGULAR MEETING****#487 – DONATION FROM COUNCILLOR RICCARDI TO THE MACK PARK FOOD FARM**

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

ORDERED: That the donation from Megan Riccardi in the amount of One Thousand Dollars (\$1,000.00) to contribute to the Mack Park Food Farm. These funds will be deposited into the City's Mack Park Food Farm Donations Fund 25S01-4800 in accordance with the recommendation of Her Honor the Mayor.

**#488 – WAIVER OF LATE FEES FOR UNPAID PARKING FINES – “PEAS FOR FEES”**

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

ORDERED: Upon payment of an unpaid parking fine and the donation of two non-perishable items or canned goods to be donated to local food pantries, the City Collector shall waive, from December 1, 2020 – December 23, 2020, up to thirty dollars in late fees added to an unpaid parking fine, as provided in Section 17A of the City of Salem Traffic Code. The Collector shall not waive any surcharge imposed by the Massachusetts Registry of Motor Vehicles if the Collector has notified the Registry of Motor Vehicles of an unpaid fine and a non-renewal of license and/or registration has been recorded by the Registry of Motor Vehicles.

**#489 – FREE HOLIDAY PARKING AT CITY OWNED LOTS AND GARAGES**

The following Order submitted by the Mayor was adopted as amended by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent. The amendment was to add Sunday, November 29 and December 27.

ORDERED: Parking at all City owned lots, garages, and on-street spaces shall be free of charge on the following days:

1. Thursday, November 26
2. Friday, November 27
3. Saturday, November 28
4. Thursday, December 24

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5. Friday, December 25
6. Saturday, December 26

**Order as Amended:**

ORDERED: Parking at all City owned lots, garages, and on-street spaces shall be free of charge on the following days:

1. Thursday, November 26
2. Friday, November 27
3. Saturday, November 28
4. Sunday, November 29
5. Thursday, December 24
6. Friday, December 25
7. Saturday, December 26
8. Sunday December 29

**#490 - BIDS TO SELL CHRISTMAS TREES AT 297 BRIDGE ST. UNIVERSAL PARKING LOT**

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

ORDERED: That the City Purchasing Agent is hereby authorized to solicit bids and lease, with the approval of the Mayor, no more than one-third of the city-owned lot at 297 Bridge Street for the period of November 27, 2020 through and including December 24, 2020 for the purpose of selling Christmas trees, wreaths, and similar holiday items.

**#491 – AMENDMENT TO THE FIBER OPTIC NETWORK INSTALLATION AGREEMENT RELATIVE TO SECURITY DEPOSIT**

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

ORDERED: That the Mayor is hereby authorized to execute, on behalf of the City of Salem, an amendment to the July 24, 2018 Fiber Optic Network Installation Agreement between the City and SiFi Networks Salem, LLC to allow a change in Section 3.5.8, "Security Deposit" such that SiFi Networks Salem shall have the option of providing either a \$500,000 performance bond or a cash security deposit in the same amount to be held in escrow by the City Treasurer.

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The original arrangement was that a bond be required for security deposit. Now they can give us money that will be held by the City Treasurer instead of getting a bond.

No other changes to the agreement. There was some engineering changes, but nothing to do with our agreement.

**#492 – MAYOR’S LETTER TO UPDATE COUNCIL RELATIVE TO COVID-19**

The following communication from the Mayor was received and placed on file.

Communication from the Mayor to address the City Council relative to an update on the City’s response to COVID-19.

November 19, 2020

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I would like to request the opportunity to address you at your meeting of November 19<sup>th</sup> provide the public and the City Council with an update on the City’s response to the COVID-19 pandemic.

Very truly yours,

Kimberley Driscoll  
Mayor  
City of Salem

The Mayor shared some data as of November 14, 2020 to the Council. The average new daily cases based on the last 2 weeks is 41 cases and our percent positivity rate in the last 14 days is 4.09%. There has been an uptick in cases in Salem. If we hit 5% then we will be in the red. Currently we are in the yellow. However surrounding communities such as Saugus, Lynn, Beverly and Peabody are in the red. The Mayor continue to detail what the City is doing. This includes: sewer surveillance, pool testing in schools, mask mailing to seniors, expanding public health awareness, hire additional public health nursing staff, new business support programs and curbside pic-up spaces, starting logistics planning for vaccine distribution. The Mayor also stated what residents



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can do: avoid formal and informal gatherings, wear a mask, get tested twice a month, circulate air indoors, support small businesses by shopping local.

Councillor Prosniewski wanted to thank everyone especially during October to still be yellow where others are red and we had Halloween. He asked if there was any insight into vaccine distribution.

The Mayor responded she will know more tomorrow. The hierarchy is medical professionals, sick, and high risk and it also depends on which vaccine is approved and using working in concert with our health care facilities.

Councillor Riccardi asked if there was any more efforts for flu vaccines? The Mayor is working with the Council on Aging and the nurse for more information.

Councillor Flynn asked about the time at the high school. There have been complaints about turning cars away.

Councillor Dominguez asked who sets level of colors. Who determines that 5% is the cut off percent.

The Mayor responded the percentage is set by the State and colors are set by the DPH.

Councillor Madore asked about expanding testing hours at Old Town Hall to include evening hours. And could an ambassador upload information to the City's website about wait time just like we had for Halloween. Also will the signs be the same size or different colors.

The Mayor stated evening hours would probably not happen at Old Town Hall. The signs will be the same color and size.

Councillor Dibble asked to remind the folks where the information is posted on the website. He also asked when discussing vaccine distribution if going to people's homes was possible especially where it is difficult for the elderly or people without transportation to get around or use places like the CLC or club houses at condos or high rises.

**CITY OF SALEM****NOVEMBER 19, 2020****CITY COUNCIL REGULAR MEETING****#493 – TRAFFIC ORDINANCE AMENDING HANDICAP PARKING – REPEAL –  
CROSS STREET**

The following Ordinance introduced by Councillor Madore was adopted by first passage by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

**In the Year Two Thousand and Twenty**

*An Ordinance* to amend an Ordinance relative to Traffic, Ch. 42. Sec. 50B

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

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

**Repeal** – Cross Street, in front of #3 Cross Street, for a distance of twenty (20) feet Handicap Parking only, Tow Zoned Time.” (11/21/19)

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

**#494 – TRAFFIC ORDINANCE AMENDING HANDICAP PARKING – REPEAL –  
HATHORNE STREET**

The following Ordinance introduced by Councillor Morsillo was adopted by first passage by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

**In the Year Two Thousand and Twenty**

*An Ordinance* to amend an Ordinance relative to Traffic, Ch. 42. Sec. 50B

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

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

**Repeal** – Hathorne Street, in front of #76, starting at a point twenty-four (24) feet southeast of the driveway at #76 Hathorne Street, running northwest for twenty (20) feet.

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

**CITY OF SALEM****NOVEMBER 19, 2020****CITY COUNCIL REGULAR MEETING****#495 – TRAFFIC ORDINANCE AMENDING RESIDENT STICKER – HAWTHORNE BLVD.**

The following Ordinance introduced by Councillor McCarthy was adopted by first passage by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

**In the year Two Thousand and Twenty**

An Ordinance to amend an Ordinance relative to Traffic, Ch. 42. Sec. 75

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

**Section 1.** Section 75 of Article V-A be amended by adding the following:

Hawthorne Boulevard – ZONE A COLOR BLUE – #24 Hawthorne Boulevard to be included to obtain resident sticker parking permits but no guest passes shall be issued.

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

**#496 – ORDINANCE AMENDING PUBLIC GUIDES RELATIVE TO AMPLIFICATION**

The following Order introduced by Councillor Madore was referred to the Committee on Ordinances, Licenses and Legal Affairs due to the late file.

Ordered: That the Committee on Ordinances, Licenses and the Legal Affairs to discuss amending an Ordinance relative to Public Guides Chapter 40 Section 40-30, subsection (8) Prohibitions – Amplification - Utilize a voice amplification device on Brown Street, Howard Street, Brown Street Court, Kimball Court or Higginson Square;  
Amended to add “alleyway between 93 Washington Street and 99 Washington Street”

**CITY OF SALEM****NOVEMBER 19, 2020****CITY COUNCIL REGULAR MEETING****#497 - (#468) – DECLARING PARCEL OF 1 OF #413 ESSEX STREET SURPLUS**

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

The Committee on Ordinances, Licenses and Legal Affairs co-posted with Committee of the Whole to whom was referred the matter of declaring parcel 1 of 413 Essex St. surplus and that the parcel be advertised for a sealed bid, has considered said matter and would recommend Adoption by roll call vote

**#498 – NATIONAL GRID TO INSTALL JO POLES ON FERRY AND WAITE ST.**

A hearing was ordered for December 3, 2020 on a petition from National Grid to install (2) JO Poles (1) on Ferry St. and (1) on Waite St.

**#499 – COMCAST TO INSTALL CONDUITS FOR BRIDGE, OSGOOD & FERRY ST.**

A hearing was ordered for December 3, 2020 on a petition from Comcast to install underground Conduits for work to be done on Bridge St to include conduits on Osgood St and Ferry St.

**#500 – TAXI OPERATOR**

The Following License Applications was granted.

TAXI OPERATOR: Luis Felipe Vasquez 96 Congress St #2 Salem, MA

**#501 – TAXI OPERATOR HEARING REQUEST**

A request from John Dorceus for a taxi operator hearing on the denial of his taxi operator license was referred to the Committee on Ordinances, Licenses & Legal Affairs (to hold an Executive Session if necessary)

**CITY OF SALEM****NOVEMBER 19, 2020****CITY COUNCIL REGULAR MEETING****#502 – DRAINLAYER / CONTRACT OPERATOR LICENSE**

The Following Drainlayer/ Contract Operator License Application was granted.

DRAINLAYER/CONTRACT OPERATOR: Waveguide 10 N Southwood Dr. Nashua, NH

**#503 - #513 - CLAIMS**

The Following Claims were referred to the Committee on Ordinances, Licenses and & Legal Affairs: #514

Kendra Ferman 31 Sawdy Pond Ave. Tiverton, RI  
Luis Castillo 35 Cedar St. Salem, MA  
Joseph Comora 12 Cabot St. Salem, MA  
Peter Tully 33 Hart St. Salem, MA  
Octavian Biris 200 Exchange St. Providence, RI  
James Johnson, 65D Wharf St., Salem  
Michael Bonacorso, 225 Derby St., Salem  
Benjamin Henry, 68 Leavitt St., Salem  
Philip Mason, 23R Mason St., Salem  
Justin Horine, 41 Harbor St., Salem  
Beatrice Pena, 22 Foster St., Salem

**#514 – DRAINLAYER BOND**

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

DRAINLAYER: Waveguide 10 N Southwood Dr., Nashua NH

On the motion of Councillor Sargent the meeting adjourned at 8:55 P.M.