

OCTOBER 24, 2019
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, October 24, 2019 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on October 22, 2019, at 11:09 A.M. This meeting is being taped and is live on S.A.T.V.

All Councillors were present.

Council President Dibble presided. Councillor Dibble ceremoniously turned the gavel over to Councillor Peterson to open the meeting.

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

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

PUBLIC TESTIMONY

1. Flora Tonthat, 30 Northey St. – ADU
2. Stan Franzeen, 34 Daniels St. – Resolution – Carbon Pricing (H2810)
3. Christopher Nagle, 11 Warren St. – Tap Boards
4. Shelly Stuler, 40 Summer St. - Resolution – Carbon Pricing (H2810)
5. Pat Gozemba, 17 Sutton Ave. - Resolution – Carbon Pricing (H2810)
6. Jeff Cohen, 12 Hancock St. – Benson Resolution and ALA/ADU
7. Fawaz Abusharkh, - 4 Harrison Rd. - Harbor Light and ADU

633 – (#623) - NATIONAL GRID TO INSTALL CONDUIT ON 10-12 LYNDE ST.

National Grid had Withdrawn this Order. No Hearing to be held. Councillor Madore stated that this hearing will be reinstated and will work out a date with the City Clerk.

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

633A – (#622) - VERIZON TO INSTALL CONDUIT ON NORMAN ST./HOLYOKE SQ.

A hearing was held on the order for Verizon to install Conduit on Norman St / Holyoke Sq.

Appearing in favor was the representative for Verizon. He stated this was for the property located at 35 Norman Street. They need to open the sidewalk to install new conduits.

Councillor Dominguez asked when will the work begin, how long it will take and are there any parking issues.

The representative replied they are looking to start after Halloween and the project should only take two weeks. Not aware of any parking issues.

Councillor Madore stated that this sidewalk is in the neighborhood of the elderly and disabled will you be willing to work with the Building Inspector on this new tap board order being introduced later on for the visually impaired.

Councillor Turiel asked about replacing and recasting concrete and not asphalt.

The representative stated they wouldn't do asphalt. And asked further questions about the tap board requirement.

Councillor Madore explained besides physical signage what the tap boards were and how they helped.

Councillor Dibble motioned to the work not start in October and to use tap boards.

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

Councillor Madore moved that the order be granted as amended. It was so voted.

#634 – APPOINTMENT OF CATHERINA ZELANO BEVERLY TO THE BOARD OF ASSESSORS

The Mayor's appointment of Catherina Zelano of 29 Federal St., Beverly to the Board of Assessors with a term to expire February 22, 2021 was confirmed under suspension of the rules by a roll call vote of 11 yeas, 0 nays and 0 absent. Councillors Turiel, Sargent, Peterson, Milo, McCarthy, Madore, Gerard Furey, Flynn, Dominguez and Dibble were all recorded in the affirmative.

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

#635 – APPOINTMENT OF DOUGLAS BOWKER TO THE S.E.R.C. COMMITTEE

The Mayor's appointment of Douglas Bowker of 41 Forrester St #2 to the Sustainability, Energy and Resiliency Committee with a term to expire July 20, 2020 was held under the rules.

#636 – APPOINTMENT OF CARLY MCCLAIN TO THE ZONING BOARD OF APPEALS

The Mayor's appointment of Carly McClain 22 Albion St. to the Salem Zoning Board of appeals with a term to expire October 24, 2020 was held under the rules.

#637 – APPROPRIATION FOR RETIREMENT BUYBACK FOR DENNIS LEVASSEUR, FIRE

Councillor Flynn recused himself for this matter.

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

ORDERED: That the sum of Seventy-Two Thousand, Nine Hundred Sixteen Dollars and Sixty-eight cents (\$72,916.68) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2020 contractual buyback listed below in accordance with the recommendation of Her Honor the Mayor.

Name	Department	Amount
Dennis Levasseur	Fire	<u>\$72,916.68</u>
	TOTAL	\$72,916.68

Councillor Dibble motioned that a City Seal be sent to Dennis Levasseur. It was so voted.

Councillor Flynn returned to the Council Chambers

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

#638 – APPROPRIATION FOR RETIREMENT BUYBACK FOR NINA BRIDGMAN, FINANCE DEPT.

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

ORDERED: That the sum of Thirty-Three Thousand, Forty-Three Dollars and Twenty-Eight Cents (\$33,043.28) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2020 contractual buyback listed below in accordance with the recommendation of Her Honor the Mayor.

Name	Department	Amount
Nina Bridgman	Finance	<u>\$33,043.28</u>
	TOTAL	\$33,043.28

Councillor Dibble motioned that a City Seal be sent to Nina Bridgman. It was so voted.

#639 – APPROPRIATION FROM CIP FIRE DEPT. FLOORS TO ROOF AND ANTENNA TOWER

Councillor Flynn recused himself for this matter.

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

ORDERED: That the sum of Thirty Thousand Dollars (\$30,000.00) appropriation is hereby transferred within the "Capital Outlay Fund 2000" from the ST CIP Fire Department Bay Floor Account to be expended by the Fire Department for the Fire Station Roof and Antenna Tower in accordance with the recommendation of Her Honor the Mayor.

Councillor Flynn returned to the Council Chambers

#640 – APPROPRIATION FROM HUMAN RESOURCES HEALTH INSURANCE TO SCHOOL DISTRICT CONTRACT SERVICES

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

ORDERED: That the sum of Twenty Thousand Dollars (\$20,000.00) is hereby transferred from the Human Resource Department Health Insurance Account to the School Department School District Contract Services Account in accordance with the recommendation of Her Honor the Mayor.

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

#641 – APPROPRIATION FOR RETIREMENT BUYBACK FOR KATHLEEN ROCHEVILLE, POLICE

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

ORDERED: That the sum of Fourteen Thousand, Six Hundred Seventy-One Dollars and Twenty-Three cents (\$14,671.23) be approved within the “Retirement Stabilization Fund-Vacation/Sick Leave Buyback” account (83113-5146) to be expended for the FY 2020 contractual buyback listed below in accordance with the recommendation of Her Honor the Mayor.

Name	Department	Amount
Kathleen Rocheville	Police	<u>\$14, 671.23</u>
	TOTAL	\$14, 671.23

#642 – RESOLUTION TAX INCREMENT EXEMPTION AGREEMENT WITH HARBOR POINT

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

Resolution: Tax Increment Exemption (TIE) Agreement Between the City of Salem And Harbor Point Properties, LLC.

WHEREAS, the City of Salem has been in negotiation with Harbor Point Properties, LLC regarding a development consisting of 31 units of market rate housing, three units of affordable housing reserved for families earning less than 80 percent of median area income, at 20 Harbor Street and 129 Lafayette Street;

WHEREAS, Harbor Point Properties, 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 Harbor Point Properties, 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 20 Harbor Street and 129 Lafayette Street, Salem MA, which is within the boundaries of the City of Salem’s designated Housing Development Zone;

WHEREAS, the City of Salem has agreed to offer Harbor Point Properties, LLC a Tax Increment Exemption Agreement;

WHEREAS, Harbor Point Properties, LLC is investing \$10.9 million to create 34 total unit of housing;

NOW, THEREFORE, BE IT RESOLVED that the Salem City Council authorizes the Mayor to execute a Tax Increment Exemption Agreement between the City of Salem and Harbor Point

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

Properties, 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 not to exceed twenty years, beginning the first full fiscal year after the final Certificate of Occupancy is issued for the substantial rehabilitation of the buildings at 20 Harbor Street and 129 Lafayette Street. Said exemption being in accordance with the requirements and regulations established, which govern the implementation of such Tax Increment Exemption Agreements.

Councillor Turiel has no issue with the T.I.E. agreement but there is no percent in this resolution. Would like to work out the percentage before approving and executing the agreement.

Councillor Sargent stated that a Zoning change was already done for that area and that 10% should be the minimum we should ask for if not 20%.

Councillor Turiel made the motion to refer this matter to the Committee on Administration and Finance co-posted with the Committee of the Whole. Seconded by Councillor Milo. It was so voted.

#643 – REMOVE AND REPLACE A PORTRAIT IN THE COUNCIL CHAMBERS

The following order introduced by the Mayor was referred to the Committee on Government Services co-posted with the Committee of the Whole.

ORDERED: That the Ralph Eleaser Whiteside Earl portrait of Andrew Jackson in the Salem City Council Chambers be relocated to the Josephine Fusco City Council Anteroom and, in its place, a frame and sign be placed until such time as the commissioned portrait of a representative of the Naumkeag people can be completed and hung in said location.

#644 – RESOLUTION TO REDUCE GREEN HOUSE GASES HOUSE BILL H2810

The following Resolution introduced by Councillor Peterson was adopted by a roll call vote of 11 yeas, 0 nays and 0 absent. Councillors Turiel, Sargent, Peterson, Milo, McCarthy, Madore, Gerard Furey, Flynn, Dominguez and Dibble were all recorded in the affirmative.

Resolution:

WHEREAS, in 2016, Salem was the first community in Massachusetts to pass a 100% clean energy resolution; in 2018, the City Council unanimously passed a resolution supporting carbon pricing; and in 2019, the Council unanimously passed a green new deal resolution; and

WHEREAS, Salem is a green community and programs initiated by SERC including Solarize Salem, municipal aggregation, wind turbine feasibilities, purchase of all lights/converting to LED, school

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

solar projects and participating in the current Solarize MA North Shore program have resulted in about \$800K in annual savings; and

WHEREAS, Salem's City Government has realized the effort and innovation of non-profits such as SAFE (gas leaks), Salem Sound Coastwatch (resiliency); and

WHEREAS, this act will initiate and predictably increase carbon pollution fees for the dual purposes of reducing greenhouse gas emissions (GHG's) by moving us away from a fossil fuel dependent economy and also by raising revenue for investment in clean energy and green infrastructure; and

WHEREAS, 70% of the collected carbon pollution fees will be returned twice a year to MA residents and businesses in the form of rebates, with low and moderate-income households and vulnerable employers receiving additional amounts; and

WHEREAS, this act concentrates its impact on those MA energy sectors most in need of change; Transportation and Buildings, exempting the Electricity sector because it is already covered by RGGI (Regional Greenhouse Gas Initiative); and

WHEREAS, the remaining 30% of collected carbon pollution fees (estimated to be \$400-600 million/year) will go into a Green Infrastructure Fund (GIF) for local projects that will help people transition away from fossil fuels into clean energy and clean transportation as well as providing the resilience needed to deal with unavoidable impacts of climate change; and

WHEREAS, carbon pollution pricing has been singled-out as the most effective, fair, and bipartisan way to achieve a clean energy future as required by our landmark Global Warming Solutions Act; and

WHEREAS, H.2810 not only decreases GHG emissions and combats the climate crisis, it also creates thousands of good jobs and grows our economy; and

WHEREAS, while the current 108 co-sponsors indicate broad support throughout our Commonwealth, the added support of Mayors and City Councils will further compel passage of this critically-needed act;

We, THEREFORE, strongly and urgently petition the Massachusetts Legislature and the Governor to promptly pass *An Act to Reduce Greenhouse Gases and Promote Green Infrastructure (H2810)*.

BE IT FURTHER RESOLVED that the City Clerk for the Salem City Council send confirmed copies of this Resolution to: Governor Charles Baker; Speaker of the House Robert DeLeo; Senate President Karen Spilka, Senate Ways & Means Committee Chairman Michael Rodrigues, Representative Paul Tucker; Senator Joan Lovely; Congressman Seth Moulton; Senator Elizabeth Warren; Senator Edward Markey; and Salem Mayor Kimberley Driscoll

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

#645 – TO CREATE AN ORDINANCE RELATIVE TO TAP BOARDS

The following order introduced by Councillor Peterson was adopted.

ORDERED: That the City Solicitor and the Director of Inspectional Services investigate and create an ordinance amendment to Ch. 12, Building, Electricity and Plumbing Regulations (or another appropriate Code of Ordinance) to require the installation of tap boards wherever construction or scaffolding abuts pedestrian walkways and to report back to the full Council by the November 21, 2019 Council Meeting.

#646 – TRAFFIC ORDINANCE AMENDING HANDICAP PARKING, CROSS STREET

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

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 50B – “Handicapped Zones, Limited Time” is hereby amended by adding the following:

Cross Street – One Handicapped Parking Space to be added in front of #3, starting sixty (60) feet from the corner and continuing in a southerly direction for a distance of twenty (20) feet, “Handicapped Zones, Limited Time”

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

#647– TRAFFIC ORDINANCE AMENDING HANDICAP PARKING, #38 PEABODY STREET

The following Ordinance introduced by Councillor McCarthy was adopted for first passage.

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 50A – “Handicapped Parking Zones” is hereby amended by adding the following:

Peabody Street –in front of #38, for a distance of twenty (20) feet, “Handicapped Parking Zones”

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

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

#648 - TRAFFIC ORDINANCE AMENDING HANDICAP PARKING, #46 PEABODY STREET

The following Ordinance introduced by Councillor McCarthy was adopted for first passage.

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 50A – “Handicapped Parking Zones” is hereby amended by adding the following:

Peabody Street –in front of #46, for a distance of twenty (20) feet, “Handicapped Parking Zones”

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

#649 - TRAFFIC ORDINANCE AMENDING HANDICAP PARKING, WASHINGTON STREET

The following Ordinance introduced by Councillor Turiel was adopted for first passage.

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 50A – “Handicapped Parking Zones” is hereby amended by adding the following:

Washington Street –in front of #280, for a distance of twenty (20) feet, “Handicapped Parking Zones”

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

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

#650 - TRAFFIC ORDINANCE AMENDING TOW ZONE, #249 LAFAYETTE STREET

The following Ordinance introduced by Councillor Turiel was adopted for first passage.

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 74 – “General Towing Zone”
is hereby amended by adding the following:

Lafayette Street –in front of #249 as marked by sign, Monday through Friday, 8:00 A.M. to 6:00 P.M. “Tow Zone, Doctor’s Office Only”

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

#651 - TRAFFIC ORDINANCE AMENDING TOW ZONE, #156 LAFAYETTE STREET

The following Ordinance introduced by Councillor Turiel was adopted for first passage.

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 74 – “General Towing Zone”
is hereby amended by adding the following:

Lafayette Street –in front of #156 as marked by sign, Monday through Friday, 8:00 A.M. to 5:00 P.M. “Tow Zone, Doctor’s Office Only”

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

#652 – (#471) – EXPANSION OF HDIP TO ALL DISTRICTS IN THE CITY

Councillor Dominguez 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.

The Committee on Community and Economic Development co-posted with the Committee of the Whole to whom was referred Amending the HDIP Zone to all districts in the city has considered said matter and would recommend that the matter remain in committee. The committee had some questions and looking for more information. Once received by the Planning Department another meeting will be scheduled.

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

#653 - (#370) – ZONING ORDINANCE AMENDMENT RELATIVE TO ACCESSORY DWELLING UNITS – SEC. 3.2.8

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

The Committee on Ordinances, Licenses & Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of a zoning ordinance amendment relative to Accessory Living Uses Sec. 3.0 – Use Regulation by deleting and replacing 3.2.8 ordinance city has considered said matter and would recommend that the matter be referred out as amended with no recommendation.

Councillor McCarthy made the motion to adopt the zoning ordinance as amended by roll call vote (amended includes all the edits in front of Council including the Planning Board recommendations and edits from the Planning Department.) Councillor Gerard seconded the motion.

Councillor Dominguez stated he wants affordable housing. If purpose is to create more affordable housing should have something in the ordinance not to become market rate. Need real solutions.

Councillor Furey – Housing, housing, housing. Lived in 3 owner occupied homes. The rent was right for them and affordable to me.

Councillor Turiel – This doesn't solve our housing issue but may make a small dent and some relief to homeowners. ALAs most likely lower cost because smaller units. Each piece is part of a puzzle.

Councillor Milo – stated when voted in favor of Municipal and Religious Reuse by Special Permit she stated then that she would look through the lens of Affordable Housing. This has the potential to turn R1 into R2 and no guarantee benefit of affordable housing. Nothing is in writing. If it isn't in writing then it doesn't exist (quoted late Councillor Joseph O'Keefe). We can't legislate on what we think and what we hope need to legislate on facts. Cannot support this.

Councillor Peterson – At our last Committee meeting about this last night, nearly good, never perfect. We are all in favor of affordable housing, but no tools in our toolbox. We will get there if enough tools. Not one tool solves every problem.

Councillor Gerard – Basically saying in crisis – not affordable to stay. If vote no then saying fine for me if in crisis. Facts supply and demand. If we supply more housing options rent demands lower.

Councillor Flynn – We have an ordinance in place now for accessory living units for family members and care givers. I care about housing and people but heard concerns from people in R1 Zones. For that reason, voting No.

Councillor Furey - Councillor O'Keefe as a family man would also say housing.

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

Councillor Dominguez – I may not be a good communicator but represent a community who needs real solutions. 20% instead of 10%. We have built for many years housing in Salem but where's the affordable housing?

The rules were suspended to allow the Mayor to speak.

The Mayor stated this will be a huge setback if don't approve this. Goals we went over in the beginning of the year. We get calls from people being displaced all the time. Young, Old, service people can no longer live here. No one thing that will solve this, but pieces. Housing Crisis throughout the State. ADUs may not be subsidized but if smaller units then rent smaller. I have started working on Loan pools and tax exemptions. Don't box yourselves in. Think about this to have this tool available. Why is this helpful because the main structure (the house) already exists. Not needing big construction or demolition needed. We didn't spend ten months to get to get to the 1-yard line. We are all here working on this to get it right. You have my word and commitment that I'm bringing in loan pools and tax exemptions. There has been lots of affordable housing built over the last ten years but need more. The Planning Board recommended it. This is something good. Cannot be refiled if vote it down. I hope you will vote for this. This is good for Salem.

Councillor Sargent – We all care about affordable housing just differ on how to go about it. One friendly 40B and can get 25 units. And this ADU city-wide may get 25 total. We don't take our vote on how many people show up to a meeting. We have to do it our way. This will affect R1 neighborhoods. Salem State's South Campus zoning changes aren't little things hard to reverse. Old churches could turn into 100% affordable especially for seniors. CPA \$ is based on Real Estate taxes and we put 10% for Affordable Housing. Can use up to 60% why aren't we using that to buy 3-family homes in Salem and turning them over to the SRA to make affordable. Anytime anybody's getting more then we should get more. I'm against Zoning Changes – this is not affordable housing.

Councillor Furey assumes the chair.

Councillor Dibble – Agree with Councillor Milo and Councillor Sargent that zoning should not be taken lightly – it's hard to take back. I voted for it last time to keep alive and to keep working on it. But this has unintended consequences if act to quickly (for example short-term rentals). But in my opinion, this is not fixable this causes more harm then good. Not building any affordable housing. It's been twenty-five years since the SRA has built any affordable housing especially for seniors or veterans. We have other crisis we are not addressing such as traffic and our schools. There are some simple changes but we are not doing them, like the current in-law apartment ordinance. We can do better for our seniors, veterans and low-income families. This is a domino effect. We need to get some senior housing built so it can open up other existing housing options. Like to see senior or diverse housing (seniors, young, veterans, low-income) at the SSU South campus. Voting no on this.

Councillor Furey started we have an opportunity to do something. Come up with solutions. To kill it tonight is an injustice.

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

Councillor McCarthy stated there are about four Councillors in this room during the time when we were sued. We took a bold step to extend the B5 on block on Lafayette Street. One Block – all affordable – and we were sued and held up in court. That was a bold step. This is only one baby step. Is it perfect? No. Is it helpful? Yes.

Councillor Madore – WE have an opportunity now to lead. Make of musical chairs. Number of chairs dwindling and number of people playing the game is going up. Not just for a family member or a caregiver to live there but maybe a college student. Carriage houses ADUs make it affordable for others to live here.

Councillor Gerard – This ill help senior housing. If a senior can't live in their home with stairs – they can live in the garage and let another family move into the main house. Doesn't mean everyone will do this. Why drag this out so long if say no; why work on this for so long the Planning Department, Mayor to get to this end. All decisions have unintended consequences, even an appointment to a board.

Councillor Turiel – We do have a need for senior housing and veterans. Salem Housing Authority is a state agency. They have the charge of building new housing. We have needs for market rate housing, need for affordable housing, need for people to stay here. It takes all sorts of thing to make this all happen. If this was to pass not going to see a wave or massive changes. This was good work by everyone to make this happen.

Councillor Dominguez – Some people say took a long time – I respect my colleagues, but represent entire city. Not afraid to ask questions or take an independent position. Need to be more aggressive; need to have solutions. Want to do the job right.

Councillor Peterson – We don't make decisions based on what we hear in the Chamber, but we see the anxiety of our young people. This is a good solution for seniors, young workers and veterans. When we talk about protecting our neighborhoods – are we talking about buildings over people.

The matter of second passage of adopting a zoning ordinance as amended relative to Accessory Dwelling Units section 3.2.8 did not carry by a roll call vote of 6 yeas, 5 nays and 0 absent. Councillors Turiel, Peterson, McCarthy, Madore, Gerard, and Furey all voted in the affirmative. Councillors Sargent, Milo, Flynn, Dominguez and Dibble were recorded as voted in the negative. (Zoning Ordinances need a 2/3 vote to pass)

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

#654 – (#371) - ZONING ORDINANCE AMENDMENT RELATIVE TO ACCESSORY DWELLING UNITS – SEC. 3.1 – TABLE OF PRINCIPAL AND ACCESSORY USE REGULATIONS

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

The Committee on Ordinances, Licenses & Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of a zoning ordinance amendment relative to Accessory Living Uses Sec. 3.1 – Table of Principal and Accessory Use Regulations city has considered said matter and would recommend that the matter be referred out with no recommendation.

The matter of second passage of adopting a zoning ordinance relative to Accessory Dwelling Units section 3.1 – Table of Principal and Accessory Use Regulations did not carry by a roll call vote of 6 yeas, 5 nays and 0 absent. Councillors Turiel, Peterson, McCarthy, Madore, Gerard, and Furey all voted in the affirmative. Councillors Sargent, Milo, Flynn, Dominguez and Dibble were recorded as voted in the negative. (Zoning Ordinances need a 2/3 vote to pass)

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

#655 - (#372) – ORDINANCE AMENDING SHORT TERM RENTALS CH. 15, SEC. 4(a) – INELIGIBLE RESIDENTIAL UNITS

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses & Legal Affairs co-posted with the Committee of the Whole.

The Committee on Ordinances, Licenses & Legal Affairs co-posted with the Committee of the Whole. to whom was referred the matter of a code of ordinance amendment relative to Short Term Rentals Ch. 15, Sec. 4(a) – Ineligible Residential Units city has considered said matter and would recommend if the two (2) ADU zoning ordinance amendments pass for second passage then recommend this ordinance be adopted for first passage. Since the two zoning ADU amendments were not passed, Councillor McCarthy motioned for this matter to remain in committee. It was so voted.

#656 – ACCEPT MGL CH. 268A, SEC. 20(b) TO ALLOW JOANNE ROOMEY TO BE RETAINED AS THE CLERK OF THE TREE COMMISSION AND CEMETERY COMMISSION

The following Order introduced by the City Solicitor was adopted by a roll call vote of 11 yeas, 0 nays and 0 absent. Councillors Turiel, Sargent, Peterson, Milo, McCarthy, Madore, Gerard Furey, Flynn, Dominguez and Dibble were all recorded in the affirmative.

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

Ordered: In accordance with Massachusetts General Law, Chapter 268A, Section 20(b) the City Council hereby declares that Joanne Roomey has met the requirements for exemption as set forth in this Section and may be retained as the Clerk of the Tree Commission and Clerk of the Cemetery Commission by the Department of Public Services, not to exceed 500 hours in this calendar year.

#657 – APPROVE CONSERVATION RESTRICTION AGREEMENT FOR 15 WARD ST. PARK

The following Order introduced by Jane Guy, Assistant Community Development Director was adopted by a roll call vote of 11 yeas, 0 nays and 0 absent. Councillors Turiel, Sargent, Peterson, Milo, McCarthy, Madore, Gerard Furey, Flynn, Dominguez and Dibble were all recorded in the affirmative.

Housekeeping Purposes only - Due to the State making minor changes to the wording of the restriction as originally adopted on April 25, 2019, the City Council needed to vote for the approval and accept the new language.

ORDERED: That the City Council hereby approves and accepts the Conservation Restriction Agreement for the Conservation of the Recreational Resource at 15 Ward Street, Salem, MA and being in the public interest pursuant to Massachusetts General Laws Chapter 184, Section 31-33

#658 – COMCAST TO INSTALL CONDUIT AT 231 WASHINGTON STREET

A hearing was ordered for November 21, 2019 on the petition from Comcast to install a conduit at 231 Washington St.

#659 – BLOCK PARTY FOR SALTONSTALL SCHOOL

A request from the Residents of Lafayette St., to hold a block party behind Saltonstall School on October 25, 2019 from 5:00 P.M. to 7:30 P.M. was granted.

#660 – PUBLIC GUIDES

The Following Public Guide License Applications were granted:

PUBLIC GUIDES:

Alexandra Berube 47 Millett Rd., Swampscott
Robin Champa 111 Derby St #3, Salem
Amanda Eddy 11 Pope St., Salem

TAG DAY: Salem High School Wrestling December 1, 2019

The Following Drainlayer/Contract Operator License Application was granted:

Pumel Enterprises 116 Rabbit Rd., Salisbury

Councillor McCarthy moved to take from the table the Second Reading of an Order to Amend the Rules and Orders of the City Council

Councillor Dibble motioned to lay it on the table. Seconded by Councillor Dominguez. It was so voted.

SECOND READING of an Order to amend the rules and Orders of the City Council by amending Section 10 by deleting the words “shall rise and”

The matter of second and final passage of an Ordinance Amending Traffic Ch. 42, Sec. Section 50B "Handicap Parking" was then taken up. It was adopted for second and final passage.

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 50B – Handicapped Zones, Limited Time” is hereby amended by adding the following:

Summit Street – One Handicapped Parking Space to be added in front of #20, beginning four (4) feet southwest of the driveway at 16 Summit Street, running southwesterly for a distance of twenty (20) feet.

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

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

(#615) SECOND PASSAGE, TRAFFIC AMENDING HANDICAPPED ZONE REPEAL NORTH ST.

The matter of second and final passage of an Ordinance Amending Traffic Ch. 42, Sec. Section 50B "Handicap Parking" was then taken up. It was adopted for second and final passage.

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 50B – Handicapped Zones, Limited Time”
is hereby amended as follows:

Repeal North Street – One Handicapped Parking Space in front of #157, North Street for a distance of twenty (20) feet.

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

On the motion of Councillor Furey the meeting adjourned at 10:00 P.M.

ATTEST:

ILENE SIMONS
CITY CLERK