

CITY OF SALEM
MAY 27, 2021
CITY COUNCIL REGULAR MEETING

A Regular Meeting of the City Council is being held remotely on Thursday, May 27, 2021, at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on May 25, 2021, at 8:59 A.M. This meeting is being taped and is live on S.A.T.V.

All Councillors were present.

Council President Madore presided.

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

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

#227 – (#220) – COMCAST TO INSTALL CONDUITS ON FIRST STREET

Continued from the May 13, 2021, meeting, a hearing on the Order from Comcast to install conduit on First Street.

David Flewelling, a representative from Comcast, appeared in favor.

Councillor Morsillo asked how will the abutters be notified? David Flewelling replied when they apply for a street opening. Councillor Morsillo requested that she be notified when the work will begin. Councillor Morsillo also asked about their process when closing the street if they come back and check.

Councillor Dibble asked if this one conduit is able to accommodate all 212 units. Dave Flewelling answered yes, the one conduit will suffice for the 212 units.

Councillor Morsillo moved to close the Public Hearing. It was so voted.

Councillor Morsillo moved that this be granted. Granting of this order was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

#256 – (#248) - NATIONAL GRID TO INSTALL CONDUITS ON FIRST ST.

A hearing was held on the Order from National Grid to install conduits on First Street.

Sabitah Mahabier-Sheehy, a representative from National Grid appeared in favor.

Councillor Morsillo asked how the neighbors get notified? Ms. Sheehy responder stated the contractor does when receives the street opening permit. Councillor Morsillo asked the representative let her know the date so she can notify the abutters.

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Councillor Morsillo also asked about the patching and closing of the street. Does the contractor follow the specs and bring to grade or do they come back? Ms. Sheehy responded she can put it in the work request that be done.

Councillor Morsillo moved to close the Public Hearing. It was so voted.

Councillor Morsillo moved that this be granted. Granting of this order was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

#257 – APPOINTMENT OF EMILUIS PEREZ TO PARKS & RECREATION

The Mayor's appointment of Emiluis Perez of 7 Ord St. to the Parks and Recreation Commission with a term to expire October 18, 2023, was held under the rules .

#258 – REAPPOINTMENT OF STEVEN HAVEY AS A CONSTABLE

The Mayor's re-appointment of Steven Havey to serve as a Constable with a term to expire April 18, 2024 was received and filed.

#259 – FISCAL YEAR 2022 OPERATING AND CIP BUDGETS

The Fiscal Year 2022 Operating and Capital Budget submitted by the Mayor was referred to the Committee on Administration and Finance co-posted with the Committee of the Whole. (Mayor's Budget letter below)

Councillor Turiel requested and received suspension of the rules to allow the Mayor to speak.

Honorable Salem City Council
 Salem City Hall
 Salem, MA 01970

RE: FY2022 Budget Filing

Ladies and Gentlemen of the Council:

We are pleased to present the balanced FY2022 operating and capital budgets for the City of Salem and the Salem Public Schools. The complete budget binders will be provided to you on Thursday. The COVID-19 pandemic has impacted our community, our Commonwealth, and our country to an unprecedented degree. The virus has taken lives, disrupted work and school, and forced us to adapt to ensure the health and safety of our community. Through it all, our dedicated City workforce has continued to provide the critical government services upon which our constituents rely every day. The pandemic, however, also triggered an unforeseeable financial crisis. With economic activity coming to a near complete standstill for much of FY2021, City revenues were substantially impacted. Now, however, our revenues are rebounding, and our local economy is coming back stronger than ever. Over the past

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year Salem had a net zero loss in businesses and our storefront vacancy rate decreased to 4%. Three of every five residents who lost their job at the height of the pandemic recession are now working again and the pace of our drop in unemployment is double that of the nationwide pace. We weathered the fiscal challenges without having to draw down substantially from our reserve funds or tap heavily into our levy capacity.

In FY2022 we will continue to strive to exceed the service level expectations of our constituents, while ensuring fiscal prudence in expenditures. The proposed budget aligns operations with our strategic goals and objectives, while maintaining necessary fiscal controls and a careful attention to our financial forecasts. It will demonstrate, once again, a strong commitment to the people we are fortunate enough to have been elected to serve. It continues our balanced and responsible approach to City finances. It invests in the critical services that make Salem a vibrant city and one with schools in which we can all take pride – in short, a stronger, more livable city for all. I look forward to working with you in the coming days to enact this proposed spending plan to ensure that Salem is a City that continues to welcome and work for everyone.

Sincerely,
 Kimberley Driscoll, Mayor City of Salem

#260 – BOND ORDER - FISCAL YEAR 2022 GENERAL FUND CAPITAL IMPROVEMENT PROGRAM

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

Fiscal Year 2022 General Fund Capital Improvement Program Funded from Bond Authorization as amended below:

ORDERED: That the sum of \$9,819,000 be and hereby is appropriated to pay costs of the following capital equipment and capital improvement projects listed under the heading FY22 CIP- Funded from BOND AUTHORIZATION and for the payment of all costs incidental and related thereto, and that to meet said appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said sum under M.G.L. Chapter 44, Section 7, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

FY22 CIP-Funded from BOND AUTHORIZATION			
Engineering	Roads, Sidewalks & Crosswalks (Non Chapter 90 eligible, includes Bridge, Boston, Washington, Essex, Other)		\$1,500,000
Engineering	Citywide Seawall Improvements		\$ 200,000
Engineering	McGrath Park Soils Redemption		\$ 200,000
Engineering	Derby Street Complete Project Phase 3		\$ 560,000
Fire	New Engine to Replace Engine 1		\$ 662,000
IT	Annual Equipment-Life-Cycle Mgmt Program (City)		\$ 125,000

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Library	General Building Upgrades, Improvements, Envelope, ADA		\$ 85,000
Recreation	Golf Course Cart Paths (CPA)		\$ 426,000
Recreation	City Wide Playground Equipment, Court, Minor Park Repairs		\$ 100,000
Recreation	Park and Recreation Major Improvements/ADA		\$ 100,000
Recreation	Willows Pier		\$ 900,000
Parking and Traffic	Traffic Calming Improvements		\$ 70,000
Parking and Traffic	Bicycle Infrastructure Design, Implementation & Repairs/Improvements		\$ 100,000
Parking and Traffic	Museum Place Garage Renovation Phase 2		\$1,580,000
Parking and Traffic	South Harbor Garage Stair Replacement & ADA Compliance		\$ 850,000
Parking and Traffic	MP & SH Garage Maintenance, Repairs, ADA		\$ 100,000
Planning	OTH Restorations & Systems Assessment, Planning, Design		\$ 100,000
Police	Police & Fire Radio Communication System		\$ 250,000
Police	Vehicle Replacement Program		\$ 150,000
Public Services - Equipment	Annual Small Repairs, DPS Building Studies and ADA Improvements - DPS & Cemeteries		\$ 75,000
Public Services - Equipment	Salem DPS Salt Shed Project		\$ 420,000
Public Services - Equipment	Replace Primary Sweeper		\$ 241,000
Schools	School Life Safety, MEP, Utility, Roof Repairs, Upgrades, Studies		\$ 150,000
Schools	Collins Roof/Masonry Study/Repair		\$ 125,000
Schools	District Camera and Access Control		\$ 250,000
Schools	Energy/Water Upgrades and Audits		\$ 125,000
Schools	Witchcraft Heights Floor Replacement		\$ 300,000
Schools	ADA/Architectural/Interior, Site Repairs, Upgrades, Studies Schools		\$ 75,000
TOTAL BOND AUTHORIZATION:			\$9,819,000

Any premium received upon the sale of any bonds or notes approved by this vote, 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 vote 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.

Be it further Ordered:

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

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#261 – BOND ORDER - FISCAL YEAR 2022 WATER/SEWER ENTERPRISE FUND
CAPITAL IMPROVEMENT PROGRAM

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

Fiscal Year 2022 Water and Sewer Capital Improvement Program Funded from Bond Authorization as amended below:

ORDERED: That the sum of \$4,429,000 be and hereby is appropriated to pay costs of the following capital equipment and capital improvement projects listed under the heading FY22 CIP – Funded from BOND AUTHORIZATION and for the payment of all costs incidental and related there to, and that to meet said appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said sum under M.G.L. Chapter 44, Sections 7 and/or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

FY22 CIP-Funded from BOND AUTHORIZATION			
Water	Citywide Flushing, valve excecise, leak detection, GIS		\$400,000.00
Water	Folly Hill Water Tank Upgrades/Major Repairs		\$345,000.00
Water	Highland Ave 16 inch Water Main		\$300,000.00
Water	Water Distribution Main System Improvements		\$800,000.00
Water	Water Meter Reader Truck		\$34,000.00
Water	Water Transmission Main System Improvements		\$400,000.00
Water	Loring Ave. 16 Ince Water Main Replacement		\$200,000.00
Sewer	Community Wide Climate Change/Stormwater/Watershed Model and Outreach		\$50,000.00
Sewer	Citywide Drain & Sewer Flushing, Pipe Replacements, Sewer Extensions, GIS		\$1,450,000.00
Sewer	Ocean Ave Sewer Pump Station Design		\$150,000.00
Sewer	SSES Report Implementation (eliminate I/I sources citywide)		\$300,000.00
TOTAL BOND AUTHORIZATION:			\$4,429,000

Any premium received upon the sale of any bonds or notes approved by this vote, 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 vote 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.

And Be it further Ordered: That the Mayor and the Treasurer are each authorized to file an application to qualify under Chapter 44A of the

Massachusetts General Laws any and all bonds of the City issued under and pursuant hereto, and to provide such information and execute such documents as may be required in connection therewith.

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#262 – FISCAL YEAR 2022 CAPITAL IMPROVEMENT PLAN APPROPRIATION

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:

That the sum of \$995,000 be and hereby is appropriated as part of the FY 2022 Capital Improvement Plan to be expended as listed below in accordance with the recommendation of Her Honor the Mayor.

Department	Description	Account	Amount
Building	Improvements, Upgrades, Repairs, and ADA Compliance -	2000-20002022AA	\$40,000
City Clerk	Replacement of Voting Equipment	2000-20002203AA	\$55,000
Electrical	F350 Utility Truck	2000-20002208AA	\$55,000
Fire	Portable Radios	2000-20002210AA	\$20,000
Fire	General Building Maintenance/Upgrades/Master Plan	2000-20002210AB	\$50,000
HarborMaster	Dockhouse Relocation	2000-20002211AA	\$50,000
Health	Mack Park Community Farm	2000-20002212AA	\$15,000
Recreation	Equipment - Golf Course & Winter Island	2000-20002217AA	\$87,000
Parking	Parking Equipment Install and Maintenance (meters, kiosks, Evs, other)	2000-20002218AA	\$75,000
Planning	Studies, Including Open Space, Harmony Grove Multi-Use Path, Other	2000-20002220AA	\$100,000
Planning	Dickson Chapel Next Phases Design	2000-20002220AB	\$30,000
Planning	OTH & Artist Row General Upgrades, Improvements, Repairs, & ADA	2000-20002220BB	\$30,000
Police	Body Worn Cameras, Police Equipment	2000-20002221AA	\$90,000
Police	Community Cameras	2000-20002221AB	\$45,000
Police	Police Headquarters General Repairs, Improvements, Elevator, ADA	2000-20002221AC	\$75,000
Public Services	F550 Dump	2000-20002223AA	\$69,000

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School	Motorized Cleaning Equipment	2000-20002225AA	\$109,000
TOTAL CAPITAL OUTLAY FUND			\$995,000

#263 – REAPPROVAL FOR THE DOR OF \$890,000.00 FOR THE IMPROVEMENT OF A WATER MAIN IN HIGHLAND AVENUE

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

ORDERED: DOR requires that CO#71 that was approved February 25, 2021 be reapproved and modified (amount originally appropriated from retained earnings)

That the sum of Eight Hundred and Ninety Thousand dollars (\$890,000.00) is hereby appropriated from the "Fund Balance Reserved for Appropriation - Free Cash" account (1-3245) to the to the "Engineering FY2021 Water Highland CIP" account (3050-3050300) for the improvement of approximately 1,800 feet of a 16-inch water main in Highland Avenue, in accordance with the recommendation of Her Honor the Mayor.

Account	Description	Amount
3050-3050300	FY2021 Water Highland CIP	\$890,000.00
Total		\$ 890,000.00

#264 – REAPPROVAL OF PREVIOUS ORDERS FOR THE DEPARTMENT OF REVENUE

The following nine (9) Orders submitted by the Mayor was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

ORDERED: DOR requires that CO#10 that was approved January 14, 2021 be reapproved.

Original Request: That the sum of Twenty Thousand Dollars (\$20,000.00) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account (1-3245) to the "Health Department Contracted Services" account (15102-5320) to fund labor and equipment rental costs for the Mack Park Food Farm in accordance with the recommendation of Her Honor the Mayor.

Account	Description	Amount
15102-5320	Health Department Contracted Services	\$20,000.00
Total		\$ 20,000.00

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ORDERED: DOR requires that CO#12 that was approved January 14, 2021 be reapproved.

Original request: That the sum of Seven Thousand Dollars (\$7,000.00) is hereby appropriated from the "Fund Balance Reserved for Appropriation - Free Cash" account (1-3245) to the "COA Vehicle Prts & Acces" account (15412-5483) for state inspections and maintenance and repairs in accordance with the recommendation of Her Honor the Mayor.

Account	Description	Amount
15412-5483	COA Vehicle Prts & Acces	\$7,000.00
Total		\$ 7,000.00

ORDERED: DOR requires that CO#33 that was approved January 28, 2021 be reapproved.

Original request: That the sum of Three Hundred and Fifty Thousand Dollars (\$350,000.00) is hereby appropriated from General Fund Balance Reserved for Free Cash (1-3245) to the following special revenue funds. This transfer is requested in accordance with the recommendation of Her Honor the Mayor.

Fund Name/Description	Amount
Retirement Stabilization Fund 8311	\$ 350,000.00

ORDERED: DOR requires that CO#66 that was approved February 11, 2021 be reapproved.

Original request: That the sum of Eighty-Three Thousand, Seven Hundred, Fourteen Dollars and Twenty-Eight Cents (\$83,714.28) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account (1-3245) to restore budget cuts made as a result of COVID 19 Pandemic in accordance with the recommendation of Her Honor the Mayor.

Account	Description	Amount
14111-5111	DPS FT Salaries	83,714.28
Total		\$ 83,714.28

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ORDERED: DOR requires that CO#135 that was approved March 25, 2021 be reapproved.

Original request: That the sum of Three Hundred Thousand Dollars (\$350,000.00) is hereby appropriated from General Fund Balance Reserved for Free Cash (1-3245) to the following special revenue funds. This transfer is requested in accordance with the recommendation of Her Honor the Mayor.

Fund Name/Description	Amount
Retirement Stabilization Fund 8311	\$ 350,000.00

ORDERED: DOR requires that CO#141 that was approved March 25, 2021 be reapproved.

Original request: That the sum of Forty Thousand Dollars (\$40,000.00) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account (1-3245) to appropriate start up costs for the Parks & Recreation Department, New Charter Street Cemetery Welcome Center at the Samuel Pickman House as provided below in accordance with the recommendation of Her Honor the Mayor.

Account	Description	Amount
16521-5118	P&R Seasonal Salary	\$ 24,000.00
16522-5581	P&R Inventory	14,000.00
16522-5320	P&R Contracted Services	2,000.00
Total		\$ 40,000.00

ORDERED: DOR requires that CO#199 that was approved April 22, 2021, be reapproved.

Original request: That the sum of Thirty Thousand Dollars (\$30,000.00) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account (1-3245) to the Planning Contracted Services account to update the local wetlands protection policy in accordance with the recommendation of Her Honor the Mayor.

Account	Description	Amount
11822-5320	Contracted Services	\$ 30,000.00
Total		\$ 30,000.00

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ORDERED: DOR requires that CO#201 that was approved April 22, 2021 be reapproved.

Original request: That the sum of Twenty-Three Thousand Two-hundred Dollars (\$23,200.00) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account (1-3245) to increase the Police Department Training and Education Account to cover the cost recruit training in accordance with the recommendation of Her Honor the Mayor.

Account	Description	Amount
12102-5317	Training and Education	\$ 23,200.00
Total		\$ 23,200.00

ORDERED: DOR requires that CO#202 that was approved April 22, 2021 be reapproved.

Original request: That the sum of Twenty Thousand Dollars (\$20,000.00) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account (1-3245) to replenish the Fire Department purchase of services account to upgrade VOC voice-alarm dispatch system in accordance with the recommendation of Her Honor the Mayor.

Account	Description	Amount
12202-5300	Purchase of Services	\$ 20,000.00
Total		\$ 20,000.00

#265 – APPROPRIATION OF \$15,000.00 TO CITY COUNCIL ADVERTISING

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 Fifteen Thousand Dollars (\$15,000.00) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account (1-3245) to replenish the City Council Advertising account for required public meeting advertising expenditures in accordance with the recommendation of Her Honor the Mayor.

Account	Description	Amount
11112-5306	City Council Advertising	\$ 15,000.00
Total		\$ 15,000.00

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**#266 – APPROPRIATION OF \$10,000.00 FOR POLIC DEPARTMENT
RADIO/VEHICLE ACCOUNT**

The following Order submitted by the Mayor was adopted under suspension of the rules by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillor Prosniewski recused himself from this matter and was recorded as absent.

ORDERED: That the sum of Ten Thousand Dollars (\$10,000.00) is hereby appropriated from the “Fund Balance Reserved for Appropriation – Free Cash” account (1-3245) to replenish the Police Department radio / vehicle account for increased costs of parts and repairs in accordance with the recommendation of Her Honor the Mayor.

Account	Description	Amount
12102-5253	Radio/Vehicle	\$ 10,000.00
Total		\$ 10,000.00

**#267 – APPROPRIATION OF \$4,000.00 FOR SIGNAGE AT THE COMMUNITY LIFE
CENTER**

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 Four Thousand Dollars (\$4,000.00) is hereby appropriated from the “Fund Balance Reserved for Appropriation - Free Cash” account (1-3245) to the “Parks and Recreation Renovation and Repairs” account (16502-5846) for signage for the Community Life Center in accordance with the recommendation of Her Honor the Mayor.

Account	Description	Amount
16502-5846	Parks and Recreation Renovation and Repairs	\$4,000.00
Total		\$ 4,000.00

**#268 – APPROPRIATION OF \$12,524.14 FOR RETIREMENT BUYBACK FOR LINDA
SERPA, CITY CLERK 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 Twelve Thousand, Five Hundred Twenty-Four Dollars and Fourteen Cents (\$12,524.14) 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.

Name	Department	Amount
Linda Serpa	Assistant Registrar	\$ 12,524.14
		\$ 12,524.14

#269 – APPROPRIATION OF \$6,119.76 FOR RETIREMENT BUYBACK FOR DEBORAH JACKSON, CITY ASSESSOR

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 Six Thousand, One Hundred Nineteen Dollars and Seventy-Six Cents (\$6,119.76) 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.

Name	Department	Amount
Deborah Jackson	Assessor	\$ 6,119.76
		\$ 6,119.76

#270 – APPROPRIATION OF \$6,000.00 TO DPS BURIAL

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 Six Thousand Dollars (\$6,000.00) is hereby transferred and appropriated from the Receipts Reserved funds listed below to the Department of Public Services Burial Account (14112-5383) in accordance with the recommendation of Her Honor the Mayor.

From		To		Amount
2430-4800	R/Res Sale of Lots	14112-5383	DPS Burial	\$ 4,000.00
2431-4800	R/Res Sale of Vaults	14112-5383	DPS Burial	2,000.00
Total				\$ 6,000.00

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#271 – APPROPRIATION OF \$2,482.96 FOR BUILDING DEPT. POSTAGE – INVOICE FROM LAST FISCAL YEAR

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: Per MGL Chapter 44 Section 64 which allows for a municipality to pay for prior fiscal year invoices using current fiscal year appropriations by two-thirds vote of the City Council we request the sum of Two thousand, four hundred eighty-two dollars and Ninety-Six Cents (\$2,482.96) of outstanding Fiscal Year 2020 invoices is hereby allowed to be paid from the Fiscal Year 2021 Building Department budget as listed below in accordance with the recommendation of Her Honor the Mayor.

Department	Payee	Amount
Public		
Properties/Building		\$2,482.96
Total		\$2,482.96

#272 – FISCAL YEAR 2022 LIST OF REVOLVING FUNDS

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 was recorded as absent.

ORDERED: That the Salem City council vote, pursuant to the provisions of MGL Chapter 44, Section 53E ½ to authorize the establishment of the revolving funds for fiscal year 2022 has herein described. Expenditures from said funds shall not exceed the amount of funds received in the respective accounts or as authorized as stated, shall come from any funds received by respective boards for performing services, shall be used solely for the purpose of implementing the programs delineated and shall be approved by a majority vote of any respective boards in accordance with Her Honor the Mayor.

Dept.	Fund Name	Fund #	Programs & Purposes	Type of Receipts Credited	Authorization for Spending	FY 2022 Budget Request Maximum Annual Expenditures
COA	COA Programs	2374	To defray program costs including instructors, presenters, entertainment, decorations, food, etc.	Revenues and fees charged for programs	COA Director and Mayor	40,000.00

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Electrical	Telecom	2376	To fund public information technology, telecommunication and electrical initiatives and projects	Application fees and rental revenue from telecommunications attachments pursuant to sections 12-125 and 12-170 of the City Ordinances	City Electrician and Mayor	50,000.00
Fire	R/A Local Emergency Planning Comm	2433	Training and special equipment needed to respond to hazardous materials incidents per CH 21E	Fees charged to persons spilling or releasing hazardous materials	Fire Chief and Mayor	40,000.00
Harbormaster	R/A WI STORAGE	2368	To Fund Capital items for Harbormaster, maintenance costs of equipment and maritime access projects.	Fees charged for Boat and Float Storage at Winter Island and Kernwood Marina	Harbormaster and Mayor	50,000.00
Health Dept	Health Clinics	2364	To support vaccination program and other Health Promotion activities of the Health Department	Reimbursements from vaccination programs	Health Agent and Mayor	20,000.00
Mayor	Special Events	2361	To cover expenses for Fireworks, bands, portable potties and other unanticipated expenditures	Revenue from RFP's for services from vendors, and from misc sponsorships.	Mayor	125,000.00
Recreation	Winter Island Store	2362	To increase and replenish store inventory as needed and to enhance and maintain Winter Island Store & Facilities.	Revenue from sale of inventory/services at Winter Island.	Recreation Director and Mayor	40,000.00
Recreation	Proctor's Ledge	2384	For Maintenance of Proctor's Ledge site	Revenue of 25 cents from the sale of each ticket at the Witch House.	Recreation Director and Mayor	12,000.00
Recreation	Road Race Fees	2385	For Park Maintenance	Field rental fees and five percent of race and event registration fees.	Recreation Director and Mayor	6,000.00
Recreation	Dog Park	2435	Renovations and Maintenance of Dog Park at Leslie's Retreat Park.	Fee charged for pass to use dog park (pooch pass). \$25. annually for pass.	Recreation Director and Mayor	5,000.00
Recreation	Park & Rec Public Access	2452	To be used for the operation and maintenance of Winter Island and McCabe Marina	Parking and launch fees charged at McCabe Marina & Winter Island	Recreation Director and Mayor	50,000.00
Recreation	Salem Willows Meters	2459	Renovations and Maintenance of Willows Park.	Money generated from Willows Meters	Recreation Director and Mayor	30,000.00

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Recreation	Witch House	2499	To support Salem Award committee and the Salem Witch Trial Memorial	25 cent surchrge to tickets beginning in May 2009	Recreation Director and Mayor	10,000.00
Planning & Community Development	Old Town Hall	2373	Maintenance costs of old town hall	Rental revenue of old town hall	Director of Planning and Mayor	50,000.00
Planning & Community Development	Derby Square/Artists' Row	2375	Improvements for Derby Square and Artists' Row including outdoor furniture, signage, lighting, public art, marketing and stipends for performers	Vendor fees from Derby Square Flea/Salvage Art Market, Rent and Vendor Fees at Artists Row	Director of Planning and Mayor	50,000.00
Planning & Community Development	Utility Energy Credit Fund	2377	To be used for City projects or programs that reduce utility costs, use, and/or emissions. This may include personnel costs associated with participation in the programs that generate the credits.	Credits or payments received for City projects or programs that specifically result in reduction in utility costs, use, or emissions.	Director of Planning and Mayor	250,000.00
Planning & Community Development	Bike Sharing	2383	To receive and expend revenue from bike share program for system operation and promotion	Revenue from rentals and annual memberships	Director of Planning and Mayor	50,000.00
Planning & Community Development	Salem Ferry/Salem Wharf Operational	2453	Fund operational costs of the Salem Ferry and operating, maintenance, capital repairs, security, utilities related to Salem Wharf	Fees received during the season for leasing of the Salem Wharf, MBTA Salem Passes, and fuel reimbursements	Director of Planning and Mayor	500,000.00
Insp Services	Abandoned Prop Maint	2371	To maintain abandoned and foreclosing residential and commercial properties	Registration fees (\$300.00) for vacant and/or foreclosing residential properties.	Inspectional Services Director and Mayor	85,000.00
Public Services	Tree Replacement	New 2330	To replace trees removed during construction as directed by the Tree Warden or Planning Board	Revenue from contributions per the Tree Ordinance or Planning Board decision	Director of Public Services And Mayor	30,000.00
Engineering	Traffic Island	2439	Projects related to City beautification events including Traffic Island, Beautification, and special events	Primarily from: Traffic Island Sponsorships, Special Events Revenues, Event and Beautification effort sponsors	City Engineer and Mayor	20,000.00
School-SBO	Building Rental	2601	Building Rental	Payments for rental of building by outside groups	School Committee and Mayor	225,000.00

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School-SPED	Early Childhood	2608	Pre-School Tuition	Tuition payments for students attending the pre-school program at the Early Childhood Center	School Committee and Mayor	100,000.00
School-Trans	School Busing	2614	School Bus pass	Purchases of school bus passes	School Committee and Mayor	160,000.00
School-HS	Night/Summer School	2620	Night School Tuition	Tuition payments for students attending the night school program	School Committee and Mayor	50,000.00
School-SPED	Special Education Tuition	2627	Special Education Tuition	Tuition Payments for students from other districts attending Special Education programs in Salem	School Committee and Mayor	300,000.00
School-Auto	SHS Automotive	2645	To pay for parts and materials for automotive repairs to vehicles brought in to the HS Automotive Vocational School by Citizens	Fees charged for parts and materials for automotive repairs to vehicles brought in by citizens	School Committee and Mayor	50,000.00
					Totals	2,398,000.00

#273 – ORDINANCE AMENDING CH. 46 SEC. 66 – RATES FOR USE OF WATER

The following Ordinance submitted by the Mayor was referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole.

Ordinance to Amend Water Rates

In the Year Two Thousand and twenty one

An Ordinance to amend an Ordinance relative to Rates for Use of Water

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

Section 1. Chapter 46, Section 66 is hereby amended by deleting subparagraph (b) in its entirety and replacing it with the following:

“(b) The rate for all water furnished by meter measurements effective July 1, 2021 shall be as follows:

(1) Residential, per 100 cubic feet \$3.64

(2) Nonresidential, per 100 cubic feet \$4.92

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

“(e) The minimum rate for residential metered water for each quarter shall be \$36.40 per 1000 cubic feet effective July 1, 2021.

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

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

#274 – ORDINANCE AMENDING CH. 46, SEC. 230 – SEWERUSE CHARGE

The following Ordinance submitted by the Mayor was referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole.

In the year Two Thousand and Twenty-One

An Ordinance to amend an Ordinance relative to Sewer User Charges

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

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

“(c) The rates for sewer use charges effective July 1, 2019 shall be as follows:

Residential, per 100 cubic feet...	\$ 7.41
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Nonresidential, per 100 cubic feet up to 25,000 cubic feet per month	\$11.22
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Nonresidential, per 100 cubic feet for 25,000 cubic feet and greater per month	\$14.37
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The use of all water and sewer funds and SESD funds shall be excluded from all private development projects.”

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

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**#275 – RESOLUTION RECOGNIZING THE SERVICE OF SALEM POLICE
DEPARTMENT CANINES**

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

Councillor Prosniewski requested and received suspension of the rules to allow Captain Dennis King to speak.

Councillor Turiel requested that a City Seal and letter of thanks be sent to the Police Department and that doggie treats be given as well.

**Resolution: Recognizing the Service of Salem Police Department Canines
“Turbo” and “Axel”**

WHEREAS: The Salem Police Canine (K9) Unit was formed in 2012 as a result of fundraising efforts by the Salem community, including the Mack Park Neighborhood Association, the Salem Lions Club, the Salem Moose Family Center and in partnership with the Massachusetts Vest-A-Dog organization; and

WHEREAS: The Salem community has remained steadfast in its support – through fundraising, engagement, and encouragement – of the K9 program since its inception; and

WHEREAS: On May 27, 2021 we recognize the service of recently retired Salem Police Department K9’s “Turbo” and “Axel”; and

WHEREAS: Both K9 Turbo and K9 Axel joined the ranks of the Salem Police Department in 2012 as founding members of the K9 Unit and served honorably and faithfully until their respective retirements on 26 August 2020 and 26 January 2021; and

WHEREAS: The Mayor and City Council recognize that both Turbo and Axel have provided the residents of Salem invaluable service by assisting officers in the apprehension of suspects, the discovery of evidence, assisting in locating missing persons, and being outstanding police ambassadors to the community.

NOW THEREFORE BE IT RESOLVED: That the Mayor of the City of Salem and the Salem City Council, on behalf of the residents of Salem, express our appreciation to K9 Turbo and K9 Axel for their combined seventeen years of loyal and faithful service to our community.

AND BE IT FURTHER RESOLVED: That this Resolution be made a matter of record of these proceedings, and that a copy of this Resolution and a copy of the City Seal, be presented to the Salem Police Department for display at the police station as a lasting tribute to the service of these fine animals

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#276 – TRAFFIC ORDINANCE AMENDING CH. 42, SEC. 50B – HANDICAPPED ZONES
REPEAL LATHROP STREET

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

In the year Two Thousand and Twenty One

An Ordinance to amend an Ordinance relative to Traffic Ch. 42, Sec. 50B,
“Handicapped Zones, Limited Time”

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

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

Repeal - Lathrop Street, in front of #18 Lathrop Street, beginning four (4) feet west of the driveway at 18 Lathrop Street, running west for twenty (20) feet.

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

#277 – TRAFFIC ORDINANCE AMENDING CH. 42, SEC. 50B – HANDICAPPED ZONES
REPEAL EMERTON STREET

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

In the year Two Thousand and Twenty One

An Ordinance to amend an Ordinance relative to Traffic Ch. 42, Sec. 50B,
“Handicapped Zones, Limited Time”

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

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

Repeal – Emerton Street, easterly side along #2 Emerton Street for a distance of twenty (20) feet.

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

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#278 – ZONING ORDINANCE AMENDMENT RELATIVE TO THE WATERFRONT INDUSTRIAL OVERLAY DISTRICT

The following Zoning Ordinance Amendment introduced by Councillor Turiel was referred to the Planning Board to hold a Joint Public Hearing.

Councillor Turiel stated that we have enhanced their zoning a number of times to be more like the Cummings Center. This gives the City options to give us more say on what happens in this location.

Councillor Sargent asked to amend this ordinance to add and review Section 7.3.

Councillor Turiel spoke with Planning Department and Legal on this. He stated that he spoke to the Planning Department and Legal on this. Changing this overlay zone will change that. Overlay Zones removes/supersedes – can be additive.

In the year two thousand and Twenty-One

An Ordinance to amend an Ordinance relative Zoning

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

Section 1. Chapter 8.6 – Waterfront Industrial Overlay District (WIOD) of the City of Salem Zoning Ordinance is hereby amended by adding a new table entry to 8.6.3 – Permitted Uses with the following:

PRINCIPAL USES	WIOD
C. HOUSING USES	
Planned Unit Development.....	N

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

#279 – DISCUSS SECTION 28C OF COUNCIL RULES AND ORDERS RELATIVE TO PUBLIC TESTIMONY

The following Order introduced by Councillor Hapworth was adopted. No discussion late file.

ORDERED: That Government Services co-posted with the Committee of the Whole meet to discuss City Council Rules and Orders Section 28C relative to public testimony during regular meetings.

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#280 – ADU ZONING ORDINANCE BE PLACED ON THE MUNICIPAL BALLOT

The following Order introduced by Councillor Dominguez did not carry by a roll call vote of 4 yeas, 7 nays and 0 absent. Councillors Sargent, Flynn, Dominguez, and Dibble were recorded in the affirmative. Councillors Turiel, Riccardi, Prosniewski, Morsillo, McCarthy, Hapworth and Madore were recorded in the negative.

ORDERED: As provided by the Charter of the City of Salem that the ADU Zoning Ordinance be placed on the next election of Salem as a ballot question.

#281 – (#70 & #241) – ORDINANCE AMENDING SHORT TERM RENTALS

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 the recommendation was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Turiel, Sargent, Riccardi, Prosniewski, Morsillo, McCarthy, Flynn, Dominguez, Dibble and Madore were recorded in the affirmative. Councillor Hapworth recused himself on this matter and was recorded as absent.

The Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of Ordinance amending Short Term Rentals has considered said matter and would recommend that this ordinance be adopted as amended for first passage.

#282 – (#252) – GRANTING CERTAIN LICENSES

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

The Committee on Ordinances, Licenses and Legal Affairs to whom was referred the matter of Granting of Certain Licenses – Seaworms has considered said matter and would recommend the license be granted.

SEAWORM: Manuel Silva, 80 Northend St., Peabody

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**#283 – (#532 & #589 OF 2019, #400 OF 2020 AND #243 OF 2021) –
ORDINANCE AMENDING RESIDENT STICKER PARKING PROGRAM**

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 Amending Resident Sticker Parking Program has considered said matter and would recommend Adoption as Amended for First Passage by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

Councillor McCarthy made a motion to add 3 & 3 ½ Becket Ave as qualified residences to receive stickers. Councillor Turiel seconded this motion. It was so voted.

Councillor Sargent made a motion that if someone loses a pass in a year, that it can still be renewed the following year. Councillor Dibble seconded the motion. It was so voted.

**#284 – (#221) – PEDICAB APPLICATION WITH CONSUMPTION OF
ALCOHOL**

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 Pedi Cab Application with Consumption of Alcohol has considered said matter and would recommend the matter remain in Committee.

#285 – COMCAST TO INSTALL A CONDUIT ON ESSEX ST.

A hearing was ordered on June 10, 2021 on a petition from Comcast to install a conduit on Essex Street

#286 – COMCAST TO INSTALL A CONDUIT ON WASHINGTON ST.

A hearing was ordered on June 10, 2021 on a petition from Comcast to install a new vault and conduit on Washington St.

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#287 – BLOCK PARTY

A request from the Federal St. Neighborhood Association to hold a block party on July 3, 2021, at the intersection of Federal, Beckford, and Andover Streets from 4:00 P.M. to 7:00 P.M. with a rain date of July 4, 2021.

#288 – ROAD RACE

A request from the Wicked Running Club to hold their annual Miles Over the Moon road race and use of city streets on July 16, 2021 was granted.

#289 – ROAD RACE

A request from the B&S Fitness to hold their annual Devils Chase 6.66/Creepy Clown 3.33 road race and use of city streets on October 23, 2021 was held on June 10, 2021.

#290 – LICENSE APPLICATIONS

The Following License Applications were granted.

PUBLIC GUIDES:	Nicole Escobar 2 Winnmere Ave., Burlington, MA
	Owen Rourke-Nicholas 6 Andover St., Salem, MA
	Melissa Nierman 7 Crombie St., Salem, MA
	Liam McKillop 130 Boston St., Salem, MA
	April Newman 367 West St., Reading, MA
	Tora Ueland 37 Lakeview Ave., Lynn, MA

#291 – CLAIM

The Following Claim was referred to the Committee on Ordinances, Licenses and Legal Affairs.

Norma Delvalla 32 Dunlap St., Salem

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(#68) – ADU ZONING ORDINANCE

Councillor Turiel moved to remove this matter from the table by roll call vote. Councillor Hapworth seconded this motion. The vote to take from the table passed unanimously by a roll call vote of 11 yeas, 0 nays and 0 absent.

Councillor Dibble made a motion to amend 3 sections. Section 4, #4(A)(3) – to add the word “affordable” before the word accessory on the third line; Section 4, #5(A) add on first line after words dwelling unit, “ or should the homeowner reside in the accessory dwelling unit, then the maximum rent of the principal dwelling unit,”; and in Section 4 #5 (S) add after the word prohibited in “both the affordable accessory and principal dwelling units.” Councillor Dominguez seconded the motion.

Councillor Turiel moved to divide the question to vote on Section 4, #4(A)(3) and Section 4 #5(S) and remove Section 4, #5(A). This was seconded by Councillor Morsillo. The motion carried.

Councillor Sargent seems to go against everything we have done to make units affordable if allow owners to move into ADU and rent primary at market rate.

Councillor Morsillo stated to keep seniors to stay living in salem. If this helps them to move into the ADU because it is smaller and then they choose to rent out their house.

Councillor Prosniowski stated we should let the homeowner make that choice.

Motion to divide the question and vote on the two amendments only (remove 5(A) passed by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Turiel, Sargent, Riccardi, Prosniowski, Morsillo, McCarthy, Flynn, Dominguez, Dibble and Madore were recorded in the affirmative. Councillor Hapworth recused himself on this matter and was recorded as absent.

Motion to amend 5(A) does not carry by a roll call vote of 7 yeas, 4 nays and 0 absent. Councillors Sargent, Flynn, Dominguez, and Dibble were recorded in the affirmative and Councillors Turiel, Riccardi, Prosniowski, Morsillo, McCarthy, Hapworth and Madore were recorded in the negative.

Motion to adopt for second passage as amended was adopted by a roll call vote of 7 yeas, 4 nays and 0 absent. Councillors Sargent, Flynn, Dominguez, and Dibble were recorded in the affirmative and Councillors Turiel, Riccardi, Prosniowski, Morsillo, McCarthy, Hapworth and Madore were recorded in the negative.

Motion for Immediate reconsideration was denied.

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The ordinance below is as adopted after 1st passage.

Section 1. The City of Salem Zoning Ordinance Section 3. Table of Principal and Accessory Use Regulations is hereby amended by deleting the use entitled Accessory Living Area and adding the following new uses within Section E Accessory Uses:

E. ACCESSORY USES	RC	R1	R2	R3	B1	B2	B4	B5	I	BPD	NRCC
Affordable Accessory Dwelling Unit attached to a Principal Dwelling (as defined in Sec 3.2.8) or within a Principal Dwelling.	Y	Y	Y	Y	N	N	N	N	N	N	Y
Affordable Accessory Dwelling Unit within an Existing Detached Accessory Building, as defined in Sec 3.2.8	Y	Y	Y	Y	N	N	N	N	N	N	Y

Section 2. Section 10 Definitions is hereby amended by deleting the definition “Accessory Living Area” in its entirety and inserting the definition “Affordable Accessory Dwelling Unit” as follows:

“Affordable Accessory Dwelling Unit: A housekeeping unit with a maximum rent at least 30 percent below the United States Department of Housing and Urban Development (HUD) fair market rent limit for Salem, with its own sleeping, cooking and sanitary facilities, located either in a detached accessory building, or within or attached to a principal dwelling and subordinate in size to the principal unit(s), separated from it in a manner which maintains the appearance of the principal unit(s), and allowed pursuant to Section 3.2.8 of this ordinance.”

Section 3. Section 3.2.4 Accessory Buildings and Structures is hereby amended by deleting paragraph 4 in its entirety and replacing it with the following new paragraphs 4, 5 and 6 as follows:

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“4. Accessory structures, garages and detached affordable accessory dwelling units shall not exceed one and one-half (1.5) stories or eighteen (18) feet in height.

5. Detached affordable accessory dwelling units shall comply with all regulations set forth in Section 3.2.4 (Accessory Buildings and Structures) of this Ordinance with the exception of setbacks, which shall comply with Section 3.2.4(6).

6. Detached affordable accessory dwelling units shall comply with all setbacks of the principal structure, as set forth in Section 4.1 of this ordinance (Dimensional Requirements), irrespective of whether the principal structure on the property in question complies with such setbacks or not, unless otherwise permitted by a Special Permit pursuant to subsection 3 of Section 3.2.8.”

Section 4. Section 3.2.8 Accessory Dwelling Areas is hereby amended by deleting Section 3.2.8 in its entirety and replacing it with the following:

“3.2.8 Affordable Accessory Dwelling Units. Affordable Accessory Dwelling Units shall be allowed as provided set forth in this section.

1. Purpose.

- A. To add affordable rental units to the housing stock to meet the needs of smaller households and make housing units available to households who might otherwise have difficulty finding housing.
- B. To encourage the efficient use of the city's housing supply while preserving the character of the city's neighborhoods.
- C. To maximize privacy, dignity, and independent living among family members preserving domestic family bonds as well as to protect the stability, property values, and the residential character of the neighborhood.
- D. To permit the owner of an existing, or a proposed, principal dwelling to construct one additional affordable dwelling unit per principal dwelling. Such a use is incidental and subordinate in size to the principal dwelling.
- E. To increase the supply of housing and the diversity of housing options, in response to demographic changes such as smaller households and older households.

2. Procedure.

- A. The Building Inspector shall administer and enforce the provisions of this section.

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3. Special Permit. Pursuant to Section 9.4, in the interests of design flexibility and overall project quality, the Zoning Board of Appeals may grant a Special Permit for the following:
 - A. An existing detached accessory building as defined in subsection 8 of Section 3.2.8 that is not in compliance with the setbacks of the principal dwelling unit.
 - B. An expanded detached accessory building as defined in subsection 8 of Section 3.2.8.
4. Application.
 - A. The Application for the Building Permit, shall:
 1. Be signed by one hundred (100) percent of the record title ownership interest of the principal dwelling and shall include a copy of the deed and in the case of a property held by a condominium trust, all owners of all units within the condominium.
 2. Include a floor plan of the affordable accessory dwelling unit, the principal dwelling where it is to be located and all elevations. All plans shall be drawn to scale and identify the existing structure and proposed modifications to create the affordable accessory dwelling unit.
 3. Be accompanied by a letter of intent signed by the homeowner(s) and shall be submitted to the Department of Planning and Community Development that certifies the rent of the accessory dwelling unit will be at least 30 percent below the established fair market rent limit determined by the United States Department of Housing and Urban Development.
5. Requirements.
 - A. The maximum rent of the affordable accessory dwelling unit, including utilities and parking, shall be at least thirty percent below the established Fair Market Rent limit for the City of Salem as determined annually by the United States Department of Housing and Urban Development.
 - B. The affordable accessory dwelling unit shall not be constructed within a new detached accessory building, as defined in subsection 8 of Section 3.2.8.
 - C. The affordable accessory dwelling unit shall not be considered a dwelling unit for the purpose of Section 5.1 Required Parking.
 - D. The affordable accessory dwelling unit shall not result in a net loss of the total measured caliper inches of private trees on the lot in which the affordable accessory dwelling unit will be located unless a payment in per caliper inch of the tree diameter at breast height (DBH) at the prevailing rate set by the Tree Warden is made to the tree replacement fund.

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- E. The affordable accessory dwelling unit shall not contain less than 350 square feet of habitable space.
- F. The affordable accessory dwelling unit shall not contain in excess of 900 square feet of habitable space.
- G. The affordable accessory dwelling unit shall not exceed 50% of the gross floor area of the principal dwelling.
- H. No more than one (1) affordable accessory dwelling unit shall be permitted for each principal dwelling unit and at least one (1) owner of the residence in which the affordable accessory dwelling unit is created shall reside in one (1) of the dwelling units, either the principal or accessory unit created therein, as a principal place of residence. For the purpose of this section, the "owner" shall be one or more individuals who hold title to the property, or a purchase and sales agreement and for whom the dwelling shall be the primary residence as evidenced by voter registration, tax return or other documentation demonstrating primary residence. Owner occupancy is required for an affordable accessory dwelling unit to be permitted.
- I. An affordable accessory dwelling unit shall not be permitted in a building with five (5) or more units.
- J. Electricity, water, oil and gas shall be provided by a single service to both the affordable accessory dwelling unit and the principal dwelling, and included in the rent.
- K. The affordable accessory dwelling unit may not be sold or transferred separate and apart from the principal dwelling to which it is an accessory use. The principal dwelling and the accessory dwelling unit shall remain in common or single ownership and shall not be severed in ownership.
- L. All stairways to the affordable accessory dwelling unit above the first floor shall be located on the rear or side of the dwelling.
- M. The affordable accessory dwelling unit shall not contain more than two (2) bedrooms.
- N. The affordable accessory dwelling unit shall be clearly subordinate in use, size and design to the principal dwelling.
- O. The affordable accessory dwelling unit must be capable of being discontinued as a separate dwelling unit without demolition of any structural component of the principal dwelling.
- P. There shall be no occupancy of the affordable accessory dwelling unit until the Building Inspector has issued a certificate of occupancy that the principal dwelling and affordable accessory dwelling unit are in compliance with all applicable health and building codes.
- Q. The Building Permit shall be revoked upon determination by the Building Inspector that any condition imposed by Section 3.2.8 has not been fulfilled.

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- R. By filing the Application for a Building Permit for an affordable accessory dwelling unit, all owners consent to an inspection without a warrant upon reasonable notice by the Building Inspector to ensure compliance with all terms of this section.
- S. Short term rentals, as defined in Salem Code of Ordinances Chapter 15, are prohibited in the accessory dwelling unit.
- T. The affordable accessory dwelling unit shall obtain a certificate of fitness subject to the provisions of Section 2-705 of the City of Salem Code of Ordinances.

6. Termination.

- A. The affordable accessory dwelling unit use shall terminate immediately upon any violation of any term or condition of this ordinance that the owner fails to cure, upon thirty (30) days written notice mailed to the applicant and to the occupants at the dwelling address by certified mail, return receipt requested.
- B. Duty of Owner Upon Termination include:
 - a. The owner shall discontinue the use of the affordable accessory dwelling unit as a separate dwelling unit.
 - b. The kitchen facilities of the affordable accessory dwelling unit shall be removed unless determined by the Building Inspector to be incidental and subordinate as an accessory use of the principal dwelling.
 - c. Any additional exterior entrance constructed to provide access to the accessory dwelling unit shall be permanently closed, unless the Building Inspector provides a waiver. The owner shall permit an inspection by the Building Inspector without a warrant.

7. Severability. All the clauses of this ordinance are distinct and severable, and if any clause shall be deemed illegal, void, or unenforceable, it shall not affect the validity, legality, or enforceability of any other clause or portion of this bylaw."

8. Definitions.

Attached affordable accessory dwelling unit: An affordable accessory dwelling unit created by adding gross floor area to the principal dwelling after the adoption of this ordinance.

Existing detached accessory building: A detached accessory building that is existing as of the effective date of this ordinance, that has a foundation, and is a minimum of 350 square feet.

Expanded detached accessory building: An existing detached accessory building that is expanded after the effective date of this ordinance.

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New detached accessory building: A detached accessory building that is not existing as of the effective date of this ordinance.

Principal dwelling unit: A dwelling unit permitted as a principal residential use under Section 3, Table of Principal and Accessory Use Regulations. By way of example a single-family home permitted pursuant to Section 3 shall comprise of one principal dwelling unit, whereas a two-family home permitted pursuant to Section 3 shall comprise of two principal dwelling units. An accessory dwelling unit shall not be considered a principal dwelling unit.

Section 5. This Ordinance shall take effect as provided by City Charter.

Amendments made:

4. Application

3. Be accompanied by a letter of intent signed by the homeowner(s) and shall be submitted to the Department of Planning and Community Development that certifies the rent of the affordable accessory dwelling unit will be at least 30 percent below the established fair market rent limit determined by the United States Department of Housing and Urban Development.

5. Requirements

S. Short term rentals, as defined in Salem Code of Ordinances Chapter 15, are prohibited, in both the affordable accessory and principal dwelling units.

(#232) – ORDINANCE AMENDING OUTDOOR COOKING APPLIANCES, HEATING EQUIPMENT AND FIREPLACES.

Second Passage of the following ordinance was then taken up. This ordinance was adopted for second passage by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent. Immediate Reconsideration was denied.

In the year two thousand and twenty one

An Ordinance to amend an Ordinance relative to outdoor cooking appliances, heating equipment and fireplaces.

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

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Section I. Article III *Fire Prevention Code* of Chapter 20 of the Code of Ordinances is hereby amended by deleting Sec. 20 -129 in its entirety and replacing it with the following:

“Sec. 20 -129. – Use of solid fuel outdoor patio and space heaters, outdoor decorative heating appliances and outdoor fireplaces within the city.

a. Unless otherwise provided herein, it is prohibited within the city to use any outdoor patio or space heater, decorative heating appliance such as a chiminea, fire pit or outdoor fireplace using solid fuel including charcoal, wood, fuel pellets or any non-gaseous fuel.

b. Solid fuel campfires shall be permitted at Winter Island Campground within the confines of the entire park beginning at the main entrance security gate, but not including the beach, walkway leading to the beach or within the confines of historic Fort Pickering. Campfires are permitted under the following conditions:

(1) No campfire shall be permitted in any location on Winter Island other than designated campsites. All fires must be within a proper firepit no larger than 30 inches. Campfires must be kept small and always remain within the designated firepit.

(2) Bon fires are not permitted.

(3) Only clean, untreated, and non-contaminated wood may be burned. No construction debris, composite materials, paper, household waste, rubber, plastic, leaves, pressure treated or painted wood may be burned.

(4) Solid fuel/wood may be sold by Winter Island staff.

(5) No accelerants such as gasoline, oil, or kerosene may be used.

(6) All campfires must be supervised at all times by an adult 18 years and older.

(7) No campfires are allowed prior to 5 p.m. and all fires must be extinguished by 11:30 p.m.

(8) The Winter Island Manager may establish and enforce rules and regulations governing campfires within the designated campsites on Winter Island.

c. Fire officials and the Winter Island Manager or their designees are authorized to enforce this ordinance.”

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

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CITY COUNCIL REGULAR MEETING

(#237) – TRAFFIC ORDINANCE AMENDING CH. 42, SEC. 50B – HANDICAPPED ZONES – ORNE STREET

Second Passage of the following ordinance was then taken up. This ordinance was adopted for second passage by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent. Immediate Reconsideration was denied.

In the year Two Thousand and Twenty One

An Ordinance to amend an Ordinance relative to Traffic Ch. 42, Sec. 50B, “Handicapped Zones, Limited Time”

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

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

Orne Street – One Handicapped Parking Space to be added in front of #44 Orne Street, for the distance of twenty (20) feet.

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

(#239) – TRAFFIC ORDINANCE AMENDING CH. 42, SECS. 51, 51B, 56, & 75 – FORT AVENUE AND MEMORIAL DRIVE

Second Passage of the following ordinance was then taken up. This ordinance was adopted for second passage by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent. Immediate Reconsideration was denied.

In the year Two Thousand and Twenty One

An Ordinance Relative to Traffic

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

Section 1. Section 51 of Article V shall be amended by repealing the following:

Fort Avenue – Parking Prohibited on Certain Streets – from Bay View Avenue to Island Road southeasterly side.

Section 2. Section 51 of Article V shall be further amended by adding the following:

Memorial Drive – Parking Prohibited on Certain Streets – southwesterly side between Restaurant Row and Fort Avenue.

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Section 3. Section 51B of Article V shall be amended by repealing the following:

Fort Avenue – Parking Prohibited at Certain Times on Certain Streets – both sides between Memorial Drive and Columbus Avenue. Two (2) hour parking).

Fort Avenue – Parking Prohibited at Certain Times on Certain Streets – southerly side, at the intersection of Bayview Avenue and running in an easterly direction for a distance of five hundred and ninety (590) feet. Fifteen (15) minute parking.

Section 4. Section 56 of Article V shall be amended by adding the following:

Fort Avenue – Parking Meter Zones Established – southeasterly side beginning at Bay View Avenue for a distance of five hundred ninety (590) feet. Two (2) hour parking. April 1 to October 31. Monday through Sunday, 8:00am to 8:00pm.

Section 5. Section 75 of Article V-A shall be amended by repealing the following:

Fort Avenue – Parking Prohibitions Towing Zone (Resident Sticker) – ZONE A, COLOR BLUE, in a northerly direction, from Columbus Avenue to Bay View Avenue. Resident Sticker Parking, Tow Zone.

And replacing it with:

Fort Avenue – Parking Prohibitions Towing Zone (Resident Sticker) – ZONE A, COLOR BLUE, from Columbus Avenue to Bay View Avenue, southeasterly side. Resident Sticker Parking, Tow Zone.

Section 6. This ordinance shall take effect as provided by City Charter.

On the motion of Councillor Sargent the meeting adjourned at 9:05 P.M.

ATTEST:

ILENE SIMONS
CITY CLERK