

**SALEM CITY COUNCIL  
SPECIAL MEETING  
NOVEMBER 14, 2022**

A Special Meeting of the City Council was held in the City Council Chambers on Monday, November 14, 2022, at 7:00 P.M. for the purpose of taking action on an act relative to preliminary election dates and filling vacancies in the offices of Mayor and Councillor in the City of Salem.

Notice of this meeting was posted on November 9, 2022 at 5:31 P.M.

Councillor McCarthy had an excused absence.

Council President Patricia Morsillo presided.

**#637 - ACT RELATIVE TO PRELIMINARY ELECTION DATES AND FILLING  
VACANCIES IN THE OFFICES OF MAYOR AND COUNCILLOR IN THE CITY OF  
SALEM.**

Councillor Riccardi made a motion to refer this matter to the Committee of the Whole.

Councillor Riccardi requested and received suspension of the rules to allow the City Solicitor to speak.

The City Solicitor spoke about the Home Rule Petition (HRP) being submitted. The City's Ch. 45 of the Acts of 1960 is part of the City Charter. This was vote so the City could hold preliminary elections. It also specified that there only be 3 weeks between a preliminary election and the general election or special election. In the past the Section 103P of the MGL Ch. 54 was used to allow for more time between a preliminary and the final election, however not a special election. The amendment is to have between 6-8 weeks. The HRP is also replacing the word general with preliminary to correct the language in sections 3 and 4, adds gender neutral language and deletes all reference to the year nineteen hundred.

The City Solicitor also sent the HRP to Michelle Tassinari the legal counsel for the Secretary of State's Elections Division. She suggested two changes, in section 5, to state at the top of each ballot and to strike the first sentence in Section 8. The Solicitor incorporated these further amendments in the new version and would ask that these be voted on.

The home rule petition is also addressing Ch. 59A of the Charter – Filling the Vacancies of the Mayor and City Councillor to clarify the status of a Councillor serving as acting mayor post special election, removes the requirement of a special election for Ward Councillor vacancy and establishes the quantum of vote of council actions during the time when Councillor serving as Acting Mayor. How to fill the vacancy of a Ward Councillor received some additional questions and comments. The Solicitor stated since this is time sensitive to pull this out if this is the will of the body.

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Council President Morsillo stated that this was going to Committee and there would be no public testimony this evening. Public Testimony will be allowed at that meeting. Councillor Morsillo state that we will take up the amendments now so that it goes to committee clean and if there are any questions or comments from the Councillor to the Solicitor.

Councillor Watson-Felt asked for clarification of what we were voting on now.

Councillor Morsillo stated only voting on amendments from the State tonight.

Councillor Dominguez stated that this was time sensitive so the State can work on it as soon as possible.

Councillor Watson-Felt asked Councillor Morsillo to explain why no Public Testimony at Special Meeting.

Councillor Morsillo reiterated that no public testimony occurs at Special Meetings that it why referring the matter to the Committee of the Whole so the public can speak on the matter at that meeting.

Councillor Watson-Felt made motion to accept the two new amendments made by the State's Election Division. Seconded by Councillor Varela. The motion carries.

Councillor McClain stated these amendments are fine but to take all amendments and the red line version up at the next meeting.

Councillor Varela asked about the amendments voting on tonight.

Councillor Cohen took a moment to address an email he, and all Councillors, received and to explain this is not a matter of politics. This is only to expediate the process not the politics of a particular Councillor.

Councillor Morsillo explained this is a general change not just for this election – if a Ward Councillor needs to be replaced for any reason and we will have a full discussion on Thursday.

Councillor Varela stated if there is no further discussion he would like to make a motion. He started to make a motion to amend this document relative to 59A.

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Councillor Morsillo stated we were not going to have a discussion now. Not comfortable with making amendments today since public cannot comment. This should be all done at the Committee Meeting.

Councillor Varela agreed.

City Solicitor – will take the language from the State and add it and keep the redline version so you will know what the amendments are you are taking up to vote on.

On the motion of Councillor Dominguez the meeting adjourned at 7:29 P.M.

ATTEST:

ILENE SIMONS  
CITY CLERK