

City of Salem, Massachusetts
Office of the City Clerk

Ilene Simons
City Clerk



Room 1
City Hall

April 23, 2024

MEETING NOTICE AND AGENDA

**CORRECTION OF ORDINANCE ON THE BOTTOM OF PAGE 7
DELETED THE WORD "OCTOBER"**

The Salem City Council will hold its regular meeting in-person on Thursday, April 25, 2024, at 7:00 P.M. in the Council Chambers, 93 Washington Street, 2nd floor for the purpose of discussing any and all business.

In-Person shall be the primary method of public access to such meetings. A secondary method of public access may be provided, if technologically feasible through Salem Access Television, and/or remotely through Zoom. See below for remote access and SATV information.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85896465481?pwd=RW9QcGxieWFZY2I6THFsbk1nMXd3UT09>

Password: 035331

Go to the website link <https://zoom.us/join>. Enter **Webinar ID**: 858 9646 5481 followed by the meeting password noted above in necessary.

Or by Telephone: Participants can dial a toll-free number at 877-853-5257 (Toll Free) or 888- 475-4499 (Toll Free). When prompted, enter **Webinar ID**: 858 9646 5481 follow the instructions to join the meeting. For those dialing in, you may press *9 to raise your hand to speak if signed up for public testimony or to participate in the public hearing portion of the agenda (if applicable).

The public may also watch the meeting live on SATV on Channel 22.

Please note that it is the intent of the City Council that its meetings be available to the public in person, remotely and through Salem Access Television.

Very truly yours,

ATTEST:

ILENE SIMONS
CITY CLERK

"When in person, individuals requiring auxiliary aids and services for effective communication such as sign language interpreter, an assistive listening device, or print material in digital format or a reasonable modification in programs, services, policies, or activities, may contact the City of Salem ADA Coordinator at (978-619-5630) as soon as possible and no less than 2 business days before the meeting, program, or event." Assistive Listening System is available for City Council Meetings. Those interested in utilizing these devices for meetings at 93 Washington Street may contact the City Clerk's Office at 978-745-9595 ext. 41200 or isimons@salem.com.

CITY OF SALEM
APRIL 25, 2024
REGULAR MEETING

“Know Your Rights Under the Open Meeting Law, M.G.L. c. 30A ss. 18-25, and City Ordinance Sections 2-2028 through 2-2033.”

A Regular Meeting of the City Council was held in-person on Thursday, April 25, 2024, at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on April 23, 2024, at 10:28 A.M. This meeting is being recorded and is live on S.A.T.V. and Zoom unless technological issues interrupt the transmission.

Councillors absent:

Council President Hapworth presided.

Councillor moved to dispense with the reading of the record of the previous meeting. **VOTED**

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

Salem City Council Land Acknowledgment

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

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

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

PUBLIC TESTIMONY

Public Testimony not to exceed 15 minutes. Public Testimony is not a public hearing or question and answer period. Sign up must occur 30 minutes prior to meeting. The President shall, depending on the number of speakers, set a time limit, not to exceed three minutes, which each individual presenting testimony must abide.

How to Sign Up:

You may participate in Public Testimony in-person or remotely, if technologically feasible by either of the following two methods:

1. On-line form by using the link below:

<https://records.salem.com/Forms/PublicMeetingSpeaker>

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This form will be available beginning 6:30 P.M. on the Tuesday before the meeting and remains open until 6:30 P.M. on the day of the Council Meeting. This form requests information such as your name, address, and whether you will attend in person or remotely. If the on-line form is not available due to technology issues, you must use option #2. In addition, if you plan have signed up to speak on zoom, we will allow you to speak as long as it is technologically feasible.

2. You may also sign the roster in the City Clerk's Office, no later than 6:30 P.M. on the date of the meeting.

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HEARINGS

NONE

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COMMUNICATIONS FROM THE MAYOR

ORDERED: That the sum of Ten Thousand Dollars (\$10,000.00) is hereby appropriated and transferred from "Information Technology Full-Time Salary Account" (11551-5111) to the "Information Technology/GIS Fixed Cost Maintenance Account" (11562-5161) in FY2024 to outsource the open IT technical support analyst position to Delphi Technology Solutions effective April 25, 2024, in accordance with the recommendation of His Honor the Mayor.

Councillor Merkl	Sus. of the Rules	Councillor	Obj.
Action Contemplated			

Councillor Merkl	Refer to the Comm. on Admin. & Finance	Voted
	OR	
	Moved Adoption	Voted

ORDERED: To accept the donation from Americal Auctioneers Services in the amount of Twelve Hundred Dollars (\$1,200.00) to the Parks and Recreation Department. These funds will be deposited into the Park and Recreation Donation account 24061-4830 in accordance with the recommendation of His Honor the Mayor.

Action Contemplated

Councillor Merkl	Moved Adoption	Voted
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In the year Two Thousand and Twenty-four

An Ordinance to amend the Ordinance relative to October parking prohibitions

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

Section I. Amend Chapter 42, Section 75A Parking prohibitions towing zone (October resident parking) by deleting the first paragraph in its entirety in paragraph A and replacing it with the following:

- A. **Temporary October Resident Permit Parking.** Residents of certain streets shall be granted eligibility for temporary resident permit parking, and certain streets shall be designated as temporary resident permit parking streets, from October 1 to November 1. Eligible residents will be permitted to register their vehicles through an online portal provided by the City. Residents will be required to provide proof of residence and vehicle registration such that their vehicle is identifiable to parking enforcement and police department staff based on said vehicles license plate. One

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COMMUNICATIONS FROM THE MAYOR

temporary guest permit may be purchased, in accordance with Section 75C, at a cost of \$30.00. Temporary resident permit parking signage will be installed on said streets. Temporary October Resident Permit Parking shall be in effect from 5:00 P.M. to 7:00 A.M., Monday through Friday, and 12:00 P.M. to 7:00 A.M. Saturday through Sunday, October 1 to November 1. Temporary October Resident Parking shall occur on the street in existing parking areas and shall not supersede other parking restrictions, including but not limited to, handicap/accessible parking spaces, parking within four (4) feet of a driveway, parking within twenty (20) feet of an intersection, or parking restricted on a certain side of the street.

Section II. Further amend Section 75A by inserting the following sentence at the end of Section B:

“In those instances, each issued permit shall cost \$2.00. “

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

Action Contemplated

Councillor Morsillo

Moved referred to the Comm. on
Ord., Lic. & Legal Affairs
OR
Adoption for first passage

Voted

In the year Two Thousand and Twenty-four

An Ordinance to amend the Ordinance relative to parking prohibitions

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

Section I. Amend Chapter 42, Section 75 by deleting this section in its entirety and replacing it with the following:

Sec. 75. Parking prohibitions towing zone (resident permit parking).

I. Resident Parking Zones

The following zones are hereby designated resident parking zones and only streets within these zones shall be eligible to be made limited to resident parking: ZONE A, ZONE B, ZONE C, ZONE D, ZONE E, ZONE F, and ZONE G. Any streets located

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outside ZONES A-G that are designated or should become designated for resident parking shall be part of a catch-all ZONE H.

The boundaries of the aforementioned zones are shown on a plan on file with the Director of Traffic and Parking entitled "City of Salem Residential Parking Zones: Parking Prohibitions Towing Zone" and is incorporated and made part of this ordinance.

No person shall stand or park or allow, permit or suffer any vehicle registered in their name to stand or park on any of the ways or parts of ways hereinafter described and during the periods of time set forth unless a resident permit has been purchased and is identifiable by parking enforcement and police department staff based on said vehicles license plate or visitor parking permit has been purchased and identifiable by parking enforcement and police department staff based on said vehicles license plate or unless said vehicles bear a handicapped license plate issued by the Registrar of Motor Vehicles pursuant to Massachusetts General Laws Chapter 90 Section 2.

Official Traffic Signs

The provisions of Section 75 shall be effective only during such time as sufficient number of official traffic signs bearing the legend "Tow-Away Zone" are installed, erected, maintained and located as to be visible to approaching drivers, said signs to be appended above or incorporated into the legend of Resident Parking Prohibition Signs.

Procedures for Designating or Modifying a Street within a Resident Parking Zone

The Traffic and Parking Commission shall recommend policies for designating and modifying resident parking zones. These shall include accepting petitions from residents, and in coordination with the Ward Councillor, making recommendations to the City Council for approval.

II. Procedures for Obtaining Permits.

- A. **Eligibility:** Any motor vehicle owned by a resident domiciliary of the City of Salem registered under the General Laws of the Commonwealth of Massachusetts and garaged in the City of Salem, excluding any vehicles prohibited from residential areas under the provisions of Chapter 42, Section 55B, shall be eligible for a Resident Parking Permit provided said resident domiciliary resides in one of the zones aforementioned and streets hereinafter mentioned. A resident parking permit applicant shall provide the Traffic and Parking Department with a vehicle registration, driver's license, and utility/household bill as proof of current residency.

Eligibility of College and University Students Living Off Campus: A resident parking permit shall be issued to a College or University student living off campus with proof of a residential lease and/or utility bill in the student's name for a residence in one of the zones aforementioned and street hereinafter mentioned, College issued enrollment verification and vehicle registration, regardless of where the vehicle is registered.

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COMMUNICATIONS FROM THE MAYOR

Eligibility of Active-Duty Military Personnel: A resident permit shall be issued to active-duty military personnel living in Salem with proof of a residential lease and/or utility bill in the individual's name for a residence in one of the zones aforementioned and street hereinafter mentioned, verification of active-duty military status, and vehicle registration, regardless of where the vehicle is registered.

Compliance with state and local laws: No resident parking permits shall be issued for any unit where the number of non-related residents violates the State Building Code and/or City Ordinances, as determined by the City's Building Inspector.

- B. **How and where to obtain permits:** The Traffic and Parking Department shall be in charge of issuing permits upon verification of residence, domicile and registration. The City's Police Department and Traffic and Parking Department shall be responsible for enforcement of the ordinance. The Police Chief or their designee, or the Director of Traffic and Parking, may alter the requirements for obtaining a resident permit in limited circumstances, and upon consultation with the Ward Councillor. Renewal of resident parking permits shall be on a rolling basis by zone and staggered throughout the year, as determined by the Director of Traffic and Parking
- C. **Visitor parking permits:** The Traffic and Parking Department shall also be in charge of issuing no more than two (2) portable Visitor Parking Permits per dwelling unit, as defined in Section 10 of the City's Zoning Ordinance, excluding College and University Student Resident Parking Permit holders as defined in sub-section A above, that shall be used for visitors of the residents of the area. Proof of residency is required as in Sub-Section B above. The Visitor Permits are to be used ONLY while visitors are actually visiting the dwelling unit to which the permits are issued. Visitor permits shall be valid only for a period of time not longer than 7 consecutive days for any one visitor. Any abuse in the use of a Visitor Permit will result in the revocation of the Permit.
- D. **Fees:** The fee for each Resident Parking Permit shall be \$20.00 and shall be valid for a period of one year, provided that the owner of the vehicle continues to be domiciled within the zone indicated on the resident parking permit, in the event the owner of the vehicle is domiciled outside the zone indicated, the resident parking permit shall be considered null and void. The fee for the first Visitor Parking Permit shall be \$30.00. The fee for a second Visitor Parking Permit shall be \$50.00. Each Visitor Parking Permit shall be valid for one year.

The fee for each Resident Parking Permit issued to an individual who resides part -time in the city, with vehicles registered elsewhere, will be \$30.00 and no visitor parking permits shall be issued.

The fee for each Resident Parking Permit issued to a non-resident property owner or landlord shall be \$50.00 and no visitor parking permits shall be issued.

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Fees for College and University Students Living Off Campus with non-Salem vehicle registration: The fee for each Resident Parking Permit issued to a College or University student living off campus and eligible for such a Permit shall be \$20.00 and shall be valid for a period of one year, provided that the owner of the vehicle continues to be domiciled within the zone indicated on the resident parking permit. In the event the owner of the vehicle is domiciled outside the zone indicated, the resident parking permit shall be considered null and void. No Visitor Parking Permits shall be issued.

Fees for Active-Duty Military Personnel with non-Salem vehicle registration: The fee for each Resident Parking Permit issued to active-duty military personnel living in Salem with non-Salem vehicle registration and eligible for such a Permit shall be waived and shall be valid for a period of one year, provided that the owner of the vehicle continues to be domiciled within the zone indicated on the resident parking permit. In the event the owner of the vehicle is domiciled outside the zone indicated, the resident parking permit shall be considered null and void.

E. Miscellaneous:

1. The Traffic and Parking Department shall keep records of the issuance of all resident permits and their expiration dates.
2. The Director of Traffic and Parking is authorized to revoke the residential parking permit of any person found in violation of these regulations.

III. Parking prohibitions—Fine and/or towing.

The following streets or portions thereof, shall comprise the Resident Parking Zones within the City and all parking shall be prohibited during the hours indicated except by motor vehicles containing the Resident Parking Permit or Visitor Parking Permit provided herein:

IV. This Ordinance shall take effect as provided by City Charter.

(FOR A LIST OF STREETS SEE BACK-UP DOCUMENTATION)

Action Contemplated

Councillor Morsillo

Moved referred to the Comm. on
Ord., Lic. & Legal Affairs
OR
Adoption for first passage

Voted

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MAYOR'S INFORMATIONAL PAGE

NONE

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MOTIONS, ORDERS AND RESOLUTIONS

ORDERED: That the City Council re-appointment of Deborah Greel and Kate Martin to the Community Preservation Act Committee with their terms to expire on May 23, 2026

Councillor Varela	Suspension of the Rules	Councillor	Object
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Action Contemplated

Councillor Varela	Moved Held Under the Rules		Voted
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ORDERED: That the Regular Meetings of the City Council for the months of July and August be combined and held on Thursday, July 11, 2024 and the City Council meeting for November and December be held on Thursday, November 14, 2024, and December 5, 2024 respectfully.

Action Contemplated

Councillor Prosniewski	Moved adopted		Voted
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COMMITTEE REPORTS

Councillor Morsillo offered the following report for the Committee on Ordinances, Licenses, and Legal Affairs to whom was referred the matter of granting certain licenses has considered said matter and would recommend that the following licenses be granted.

SECOND HAND CLOTHING: To Do Ta Done, 3 Pleasant St, Salem, MA

SECOND HAND VALUABLE: To Do Ta Done, 3 Pleasant St, Salem, MA

Accept the report Voted

Adopt the recommendation Voted

Councillor Morsillo offered the following report for the Committee on Ordinances, Licenses, and Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of amending an ordinance relative to Water and Sewers Ch. 46, Sec. 35 Meters; estimated readings, has considered said matter and would recommend (action unknown meeting took place after agenda deadline)

Accept the report Voted

Adopt the recommendation Voted

Councillor Cohen offered the following report for the Committee on Public Health, Safety and the Environment co-posted with the Committee of the Whole to whom was referred the matter of a Camping Ordinance has considered said matter and would recommend (action unknown meeting took place after agenda deadline)

Accept the report Voted

Adopt the recommendation Voted

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COMMUNICATIONS FROM CITY OFFICIALS

The following order submitted by the City Clerk regarding new voting equipment

ORDERED: Pursuant to Massachusetts General Law Chapter 54, Section 34, that the Salem City Council vote to approve the use of the ImageCast Precinct Gen 2 Tabulator – Version 5.17 at the next election, the State Primary to be held on September 3, 2024, and thereafter at all elections held in the City of Salem, until otherwise ordered by a vote of the Salem City Council. Said electronic voting system shall be used in those polling places designated by the Salem City Council. And be it further ordered that the Salem City Council shall discontinue the use of the Accu-Vote Optical Scanner in any and all elections held in the City of Salem.

Action Contemplated

Councillor Varela

Moved Adopted by RCV

Yeas Nays Abs

The City Solicitor submitting three (3) Orders relative to exemptions to MGL Ch. 268A, Section 20(b)

Ordered: In accordance with Massachusetts General Law, Chapter 268A, Section 20(b) the City Council hereby declares that Linda Abbene has met the requirements for exemption as set forth in this Section and may be retained to teach art classes for both the Council on Aging and Park and Recreation by the Park, Recreation and Community Services, not to exceed 500 hours in this calendar year.

Ordered: In accordance with Massachusetts General Law, Chapter 268A, Section 20(b) the City Council hereby declares that Kristen Stevens has met the requirements for exemption as set forth in this Section and may be retained to lead a weeklong (10 hours) Lacrosse Clinic by the Park, Recreation and Community Services Department, not to exceed 500 hours in this calendar year.

Ordered: In accordance with Massachusetts General Law, Chapter 268A, Section 20(b) the City Council hereby declares that Brian Donnelly has met the requirements for exemption as set forth in this Section and may be retained as an Artist to paint electrical box by the Beautification Committee, not to exceed 500 hours in this calendar year.

Action Contemplated

Councillor Morsillo

Moved Adopted

Voted

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PETITIONS

The Following License Applications:

LIMOUSINE: Witch City Taxi 92 Jackson St. Salem, Ma (6 Cars)

PUBLIC GUIDES: Vanessa Riutta 4 1st Street, Salem, Ma
Christopher Macneil 10 Stacia Road, Peabody, Ma
Emmett Sbuttoni 1 Loring Ave, Salem, Ma
Jeremiah Hakundry 78 Washington Sq. East #4, Salem, Ma
Kelleigh Welch 10R Joseph Street, Somerville, Ma
Kevin Keen 1 Landers Drive, Beverly, Ma
Danielle Gravelle 32 Bass Ave #2 Gloucester, MA
David Mulhern 105 Club Forest Lane, Ponte Vedra, FL

TAXI OPERATORS: Migual Bonilla 37 Chestnut St. #2 Lynn, Ma
Eladio Pena 5A Ropes St. Salem, Ma
Jailey Pimentel 34 Prince St #5, Salem, Ma
Juan Polance 64 1/2 Harbor St. Apt 3-1 Salem, Ma
Joao Carrapichano 386 Essex Ave, Gloucester, Ma
Cecilio Nunez 44 Ward St Apt 2 Salem, Ma
Cristian Wilson 3 Mason St. Salem, Ma
Victor Ozoria Toribio 9 Prince St Pl. Apt 1 Salem, Ma

VEHICLE FOR HIRE OPERATOR ONLY: Roger A. Fruggiero 11 Berrywood Lane, Salem, Ma
Elizabeth V. Kauler 28 Goodhue St Unit 308 Salem, Ma
Dawn M. Kulakowski 16 Clinton Ave, Danvers, Ma

Action Contemplated

Councillor Morsillo

Moved Granted

Voted



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PETITIONS

The Following Claims:

Taliya I Rivera Barker 34 Park St Apt 3, Salem, Ma
James M. Sweet 57 Country Road, Peabody, Ma
Ardwshir Jamali 59 Tupelo Road Swampscott, Ma

Action Contemplated

Councillor Morsillo	Moved referred Comm. on Ord., Lic. & Legal Affairs	Voted
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The following Bonds:

Constable: Mark Ianuzzi, 29 Granite St., Salem

Action Contemplated

Councillor Morsillo	Moved referred Comm. on Ord., Lic. & Legal Affairs and returned approved	Voted
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REGULAR MEETING

UNFINISHED BUSINESS

NONE

On the motion of Councillor Prosniewski the meeting adjourned at

P.M.