

City of Salem, Massachusetts
Office of the City Clerk

Ilene Simons
City Clerk



Room 1
City Hall

February 20, 2024

MEETING NOTICE AND AGENDA

The Salem City Council will hold its regular meeting in-person on Thursday, February 22, 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/85336967602?pwd=UTVacnc0Ujqwd253SEt4YytFWGdhZz09>

Password: 286463

Go to the website link <https://zoom.us/join>. Enter **Webinar ID**: 853 3696 7602 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**: 853 3696 7602 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.

“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.”

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REGULAR MEETING

A Regular Meeting of the City Council was held in-person on Thursday, February 22, 2024, at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on February 20, 2024, at 12:53 P.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>

This form will be available beginning 6:30 P.M. on Thursday, February 8, 2024, 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

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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 Twenty-Nine Thousand, Six Hundred Sixty-One Dollars and Forty-Two Cents (\$29,661.42) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the contractual buyback(s) listed below in accordance with the recommendation of His Honor the Mayor.

Name	Department	Amount
Ellen Finn	Salem School Department	\$29,661.42
		\$29,661.42

Councillor Merkl Sus. of the Rules Councillor Objection

Action Contemplated

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

ORDERED: To accept the donation of One Thousand Two Hundred Dollars (\$1,200.00) from Linwood and Anne Marie Balentine. The donation is to be deposited into the Parks and Recreation Donation Fund 2406 (24061-4830) in accordance with the recommendation of His Honor the Mayor.

Action Contemplated

Councillor Merkl Moved Adoption Voted

ORDERED: To accept the donation of One Thousand Two Hundred Dollars (\$1,200.00) from Scott Hayward. The donation is to be deposited into the Parks and Recreation Donation Fund 2406 (24061-4830) in accordance with the recommendation of His Honor the Mayor.

Action Contemplated

Councillor Merkl Moved Adoption Voted

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COMMUNICATIONS FROM THE MAYOR

Resolution Authorizing Submission of a Statement of Interest to the Massachusetts School Building Authority

Resolved: Having convened in an open meeting on February 22, 2024, prior to the SOI submission closing date, the City Council of Salem, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated March 1, 2024 for the Bates Elementary School located at 53 Liberty Hill Avenue, Salem, MA 01970, which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future:

Priority 5. Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility. The roof at the Bates Elementary School is over 25 years old and is in fair to poor condition with active leaks, ponding water due to insufficient slope drains and the EPDM patches, seams, and sealants are failing;

and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the City of Salem to filing an application for funding with the Massachusetts School Building Authority.

Action Contemplated

Councillor Stott	Moved adoption by RCV	Yeas	Nays	Abs
Councillor Stott	Moved Immediate Reconsideration in hopes it does not prevail			Voted

Ordered: Pursuant to City Ordinance Chapter 2, Section 2-1688 requiring City Council authorization to enter into a contract exceeding three years, the City Council hereby authorized the Mayor to enter into a 20-year agreement with Framingham-based Ameresco, an Energy Services Company, for HVAC improvements at the Bates and Witchcraft Heights Elementary Schools.

Action Contemplated

Councillor Stott/Harvey	Moved adoption by RCV	Yeas	Nays	Abs
	OR			
	Refer to the Committee on Ord., Lic. & Legal Affairs			Voted

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MAYOR'S INFORMATIONAL PAGE

NONE

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MOTIONS, ORDERS AND RESOLUTIONS

RESOLUTION: DOMINICAN REPUBLIC INDEPENDENCE DAY

WHEREAS: The Dominican Flag Committee of Salem will celebrate the raising of the Dominican Flag at Lafayette Park to Celebrate the raising of the Dominican flag that marks Dominican Republic’s 180th Anniversary of Independence; and

WHEREAS: The Dominican Community has dedicated this celebration of independence to Dominican Republic’s men and women who have distinguished themselves in different disciplines in the City of Salem; and

WHEREAS: The Dominican community has established itself through the efforts of many Dominicans in business, sports, politics, education, and many other disciplines and have exhibited their pride, passion and love of family, religion, and commitment to hard work; and

WHEREAS: The Dominican community enriches the City of Salem by promoting the rich Dominican culture through music, dances, and the arts; and

WHEREAS: The City of Salem recognizes that supporting the Latinx community will lead to greater continued equality for all residents and help strengthen our City; and

WHEREAS: The Dominican Flag Raising will take place at Lafayette Park on Thursday, February 22, 2024, at 3:00 P.M. in anticipation of Dominican Republic Independence Day; and

NOW, THEREFORE, We, the Salem City Councillors, do hereby proclaim February 22nd, 2024, as DOMINICAN REPUBLIC INDEPENDENCE DAY and call upon our public officials, educators, librarians, and all Salem Residents to observe this month with appropriate ceremonies, activities, and programs here in Salem and beyond the borders of our Commonwealth.

Action Contemplated

Councillor Jerzylo

Moved Adoption by RCV

Yeas Nays Abs

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MOTIONS, ORDERS AND RESOLUTIONS

In the year Two Thousand and Twenty-Four

An Ordinance Relative to Traffic

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

Section 1. Section 29A of Article III be amended by inserting the following:

b) School Zones;

All school zones listed herein shall have a speed limit of 20 miles per hour on days that school is in session or when children are otherwise present. The speed limit shall be in effect during the times listed for each street below. The speed limit shall apply to all directions of travel.

1. Bridge Street – Reduced School Speed Limit Zone – For Carlton Innovation School: From a point 40 feet south of Beacon Street to a point 30 feet north of Rice Street. 8:00am-9:00am and between 2:30pm-3:30pm
2. Essex Street – Reduced School Speed Limit Zone – For Collins Middle School: From intersection with Jackson Street and Highland Avenue to a point 90 feet north of Dalton Parkway. 7:30am-8:30am and between 3:00pm-4:00pm
3. Fort Avenue – Reduced School Speed Limit Zone – For Bentley Academy Charter School: From a point 40 feet west of Lee Fort Terrace to a point 90 feet east of Memorial Drive. 7:00am-8:00am and between 2:00pm-3:00pm
4. Frederick Street – Reduced School Speed Limit Zone – For Witchcraft Heights Elementary School: From intersection with Belleview Avenue to school grounds. 8:00am-9:00am and between 2:30pm-3:30pm
5. Gables Circle – Reduced School Speed Limit Zone - For Witchcraft Heights Elementary School: From a point 120 feet west of Puritan Road to a point 120 feet east of Puritan Road. 8:00am-9:00am and between 2:30pm-3:30pm
6. Highland Avenue – Reduced School Speed Limit Zone – For Collins Middle School: From a point 170 feet south of Powder House Lane to intersection with Essex Street and Jackson Street. 7:30am-8:30am and between 3:00pm-4:00pm
7. Jackson Street – Reduced School Speed Limit Zone – For Collins Middle School: From intersection with Highland Avenue and Essex Street to intersection with Calabrese Street. 7:30am-8:30am and between 3:00pm-4:00pm
8. Lafayette Street – Reduced School Speed Limit Zone – For Saltonstall School: From intersection with Fairfield Street and Leavitt Street to intersection with Lafayette Place. 8:00am-9:00am and between 3:00pm-4:00pm
9. Liberty Hill Avenue – Reduced School Speed Limit Zone – For Bates Elementary School: From a point 400 feet north of Nursery Street to a point 400 feet west of Sargent Street. 7:30am-8:30am and between 1:30pm-2:30pm

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10. Lynch Street – Reduced School Speed Limit Zone – For Salem Academy Charter School: Lynch Street in its entirety. 8:00am-9:00am and between 3:00pm-4:00pm
11. Memorial Drive – Reduced School Speed Limit Zone – For Bentley Academy Charter School: From the intersection with Larkin Street to a point 100 feet south of Victory Road. 7:00am-8:00am and between 2:00pm-3:00pm
12. Puritan Road – Reduced School Speed Limit Zone – For Witchcraft Heights Elementary School: From intersection with Ord Street to intersection with Pioneer Circle, and from intersection with Gables Circle until intersection with Gallows Circle. 8:00am-9:00am and between 2:30pm-3:30pm
13. Salem Street – Reduced School Speed Limit Zone – For Saltonstall School: From intersection with Chase Street to a point 310 feet north of Lafayette Place. 8:00am-9:00am and between 3:00pm-4:00pm
14. Szetela Lane – Reduced School Speed Limit Zone – For Bentley Academy Charter School: From a point 90 feet north of Lee Fort Terrace to the intersection with Memorial Drive. 7:00am-8:00am and between 2:00pm-3:00pm
15. Willson Street – Reduced School Speed Limit Zone – For Salem High School and Horace Mann Elementary School: From intersection with Highland Avenue to a point 500 feet west of Old Road. 7:30am-8:30am and between 1:30pm-3:00pm

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

Action Contemplated

Councillor Morsillo

Moved Adoption for first passage

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 of Certain Licenses Secondhand Clothing: Re-Find 72 Washington St. has considered said matter and would recommend this licenses be granted.

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 discussing right-on-red Ordinances for Traffic Lights in South Salem and Highland Avenue areas, has considered said matter and would recommend the matter remain in Committee.

Accept the Report	Voted
Adopt the Recommendation	Voted

Councillor Varela offered the following report for the Committee on Government Services co-posted with the Committee of the Whole to whom was referred the matter of Creating an Election Commission and the process involved, has considered said matter and would recommend (Action unknown, meeting held after agenda deadline)

Accept the Report	Voted
Adopt the Recommendation	Voted

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COMMUNICATIONS FROM CITY OFFICIALS

NONE

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PETITIONS

Petition from National Grid to install 1 Single Owned Pole on Congress St., near the intersection of Harbor St.

HEARING ORDERD March 14, 2024

Petition from National Grid to install Conduits on Congress St., near the intersection of Harbor St.

HEARING ORDERD March 14, 2024

A request from B&S Fitness to hold a road race (Black Cat 10 & 20 Miler) and use of city streets on March 24, 2024

Action Contemplated

Councillor Morsillo

Moved Granted

Voted

The Following License Applications:

PUBLIC GUIDES:

Samantha Page 22 Fowler St., Salem
Jeffrey Lilley 265 Lafayette St., Salem
Courtney Reardon 151 Lambtown Rd., Ledyrd Ct.
Molly "Euni" Morrow 296 Pearl St. Manchester NH
Paul Royka 97 Derby St., Salem
PJ Maguire 125 Essex St., Salem
Robert Zachary Sanzone 91 Essex St., Salem

TAXI OPERATORS:

Juan Miguel Martinez 12 Pope St., Salem
Jose Manuel Castillo De La Rosa 109 Bridge St., Salem
Ramon Guzman 45 Waslsh Ave., Peabody
Ramon Rodriguez 9 Prince St. Pl., Salem
Hanlen Garden 46 Ward St., Salem
Juan Pena Tauarez 10 Rockmere Garden., Lynn

**VEHICLE FOR HIRE:
OPERATORS ONLY**

Maureen Tanzella 29 Eastern Ave., Beverly

Councillor Morsillo

Moved Granted

Voted

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UNFINISHED BUSINESS

SECOND PASSAGE OF A TRAFFIC ORDINANCE RELATIVE TO PLEASANT STREET

Ordinance amending Traffic Ch. 42 Sec. 51B -Parking Prohibited at Certain Times on Certain Streets and 57A – Parking Time Limited: Unmetered Zones – Pleasant Street

In the year Two Thousand and Twenty-Four

An Ordinance Relative to Traffic

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

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

Pleasant Street – Parking Prohibited at Certain Times on Certain Streets - on the easterly side, beginning thirty-eight (38) feet from the intersection of Pleasant Street and Webb Street and proceeding southerly for a distance of one hundred twenty-five (125) feet. Fifteen (15) minute parking limit. (4/13/87)

Section 2. Section 57A of Article V be amended by repealing the following:

Pleasant Street – Parking Time Limited: Unmetered Zones - easterly side, starting at a point fifty-nine (59) feet from the intersection of Bridge Street in a southerly direction for a distance of eighty-four (84) feet. Two hour parking. (12/5/80 DPW 5-1905)

And inserting the following:

Pleasant Street – Parking Time Limited: Unmetered Zones - easterly side, beginning forty-five (45) feet south of the intersection with Bridge Street and extending in a southerly direction for fifty (50) feet, thirty (30) minute parking limit, Monday through Sunday, 8:00 A.M. to 6:00 P.M.

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

Action Contemplated

Councillor Watson-Felt

Moved Adoption for Second Passage

Voted

On the motion of Councillor Prosniewski the meeting adjourned at

P.M.