

City of Salem, Massachusetts
Office of the City Clerk

Ilene Simons
City Clerk



Room 1
City Hall

January 9, 2024

MEETING NOTICE AND AGENDA

The Salem City Council will hold its regular meeting in-person on Thursday, January 11, 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/83466840399?pwd=SkZzNnBCZlIGSmhaME9pTWZ6MXIzUT09>

Password: 092316

Go to the website link <https://zoom.us/join>. Enter Webinar ID: 834 6684 0399 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 meeting/webinar ID#: 834 6684 0399 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.”

CITY OF SALEM
JANUARY 11, 2024
REGULAR MEETING

A Regular Meeting of the City Council was held in-person on Thursday, January 11, 2024, at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on January 9, 2024, at 2:04 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 Stott 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:

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

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

This form is available beginning 6:30 P.M. on the Tuesday before the Thursday 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

ORDER Comcast to Install Conduits at the corner of North St and Federal St. (for service at 36 Federal St.).

APPEARING IN FAVOR:

APPEARING IN OPPOSITION:

Action Contemplated

Councillor Watson-Felt

Moved to close the Public Hearing

Voted

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APPOINTMENTS AND REAPPOINTMENTS

Held from the last meeting the Mayor's Re-Appointments with the following terms to expire:

(These appointments were confirmed 12/6/2022 for 1 Year with the condition that when expire in December of 2023 their term to expire reverts back to their original termination date.)

<u>Name</u>	<u>Board</u>	<u>Term Length</u>	<u>Term Expiration</u>
Mary Ellen Halliwell	Beautification Committee	3 Years	March 1, 2026
Colleen Downie	Bicycling & Shared Path Committee	3 Years	February 27, 2026
Robert Millerick	Board of Assessors	3 Years	March 1, 2026
Paul Kirby	Board of Health	3 Years	March 1, 2026
Sara Moore	Board of Health	3 Years	March 26, 2026
Darren Black	Commission on Disabilities	3 Years	April 23, 2026
Rebecca Christie	Commission on Disabilities	3 Years	April 13, 2026
Debra Lobsitz	Commission on Disabilities	3 Years	March 1, 2026
Eliud Alcala	Council on Aging Board	3 Years	March 1, 2026
Abigail Butt	Council on Aging Board	3 Years	March 1, 2026
Kristin Macek	Council on Aging Board	3 Years	February 27, 2026
Kathy Winn	Salem Harbor Port Authority	3 Years	January 12, 2026
Vijay Joyce	Historical Commission	3 Years	March 12, 2026
Rosa Ordaz	Zoning Board of Appeals	3 Years	May 1, 2026

Action Contemplated

Councillor Varela

Confirmation by RCV

Yeas

Nays

Abs

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APPOINTMENTS AND REAPPOINTMENTS

The Mayor's appointments of the following with a term to expire:

Name	Adress	Board	Term to Expire
Timothy Norton	9 Glover St. #2	Scholarship & Education Committee	March 28, 2025
Margarida Raka-Goncalves, Esq	16 Kosciuszko St	Historical Comm.	January 11, 2026
Councillor Varela	Suspension of the Rules	Councillor	Object
Action Contemplated			
Councillor Varela	Held Under the Rules		Voted

The Mayors Re-Appointment of the following with terms to expire:

Name	Board	Term Length	Term Expiration
Jason Sydoriak	Affordable Housing Trust Fund Board	2 years	January 25, 2026
Jason Leese	Affordable Housing Trust Fund Board	2 years	January 14, 2026
Patrcia Small	Council on Aging Board	3 years	January 14, 2027
Gwendolyn Rosemond	Public Art Commission	2 years	January 11, 2026
Norene Gachignard	Public Art Commission	2 years	January 11, 2026

Councillor Varela	Suspension of the Rules	Councillor	Object
Action Contemplated			
Councillor Varela	Held Under the Rules		Voted

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COMMUNICATIONS FROM THE MAYOR

ORDER: That the sum of Thirty Thousand Dollars (\$30,000.00) 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 His Honor the Mayor.

From		To		Amount
2430-4800	R/Res Sale of Lots	14112-5383	DPS Burial	\$15,000.00
2431-4800	R/Res Sale of Vaults	14112-5383	DPS Burial	\$15,000.00
Total				\$ 30,000.00

Councillor Merkl Suspension of the Rules Councillor Objection

Action Contemplated

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

ORDER: That the sum of Ten Thousand One Hundred Thirty-Four Dollars and Fourteen Cents (\$10,134.14) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account to the account listed below to fund required emergency repair costs in accordance with the recommendation of His Honor the Mayor.

Description	Fund	Amount
Fire Department Fire Equipment Repair	12202-5258	\$ 10,134.14
		\$ 10,134.14

Councillor Merkl Suspension of the Rules Councillor Objection

Action Contemplated

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

CITY OF SALEM
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COMMUNICATIONS FROM THE MAYOR

ORDER: That a petition to the General Court, accompanied by a bill to amend Chapter 250 of the Acts of 2016, as set forth below, be filed with an attested copy of this Order be, and hereby is, approved under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that the following legislation be adopted, except for amendments by the Senate or House of Representatives which conform to the intent of this home rule petition:

AN ACT amending Chapter 250 of the Acts of 2016 to include the City of Salem Designated Port Area as part of the Salem Harbor Port Area.

Be it enacted by the Senate and House of Representatives in General Court Assembled, and by the authority of the same as follows:

Section 1. Section 4 of Chapter 250 of the Acts of 2016 is hereby amended by inserting the following clause at the end of that section: - “, and the Salem Harbor Designated Port Area containing an area of 112.3 acres more or less and as shown generally on a plan entitled ‘Salem Harbor Designated Port Area (DPA),’ Scale: 1” = 350’ +/-, Prepared by: Massachusetts Office of Coastal Zone Management, 251 Causeway Street, Suite 800, Boston, MA 02114, Date: March 2011.”

Section 2. Section 5 of Chapter 250 of the Acts of 2016 is hereby amended by deleting clause (iii) and (iv) and inserting the following clauses at the end of that section: - “(iii) may sue and be sued in its own name and plead and be impleaded, but notwithstanding any special or general law to the contrary, shall not be liable for punitive damages; (iv) may make and enter into contracts and agreements necessary or incidental to the performance of its duties and the execution of the powers granted by this act including, but not limited to, the granting of leasehold interests, concessions, access and development rights and privileges and supplier, vendor, contractor and consultant contracts; and (v) may impose a tariff, pilotage and/or navigational requirements upon vessels calling on Salem Harbor or Harbor Port Area.”

Section 3. This act shall take effect as provided by law.

Action Contemplated

Councillor Jerzylo

Moved adoption by RCV
OR

Yeas Nays Abs

Refer to the Comm. on Ord., Lic. &
Legal Affairs

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MAYOR'S INFORMATIONAL PAGE

NONE

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MOTIONS, ORDERS AND RESOLUTIONS

ORDERED: That the Committee on Government Services co-posted with the Committee of the Whole meet to discuss the creation of an Elections Commission and the process involved.

Action Contemplated

Councillor Varela

Moved Adoption

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 Seaworms Paul Lynch, Timothy Lynch, Jose Machado, Joe Mendonca and Secondhand Clothing: Boston Street ReSale has considered said matter and would recommend Granted.

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Stott offered the following report for the Committee on Community and Economic Development co-posted with the Committee of the Whole to whom was referred the matter of the planning Department and the CIU Unit to discuss Single Room Occupancy, has considered said matter and would recommend (Action unknown meeting held after agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Stott offered the following report for the Committee Community and Economic Development co-posted with the Committee of the Whole of the to whom was referred the matter of creating a zoning Overlay District relative to food trucks and temporary food vendors. (Action unknown meeting held after agenda deadline).

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Stott offered the following report for the Committee on Community and Economic Development co-posted with the Committee of the Whole to whom was referred the matter of discuss Haunted Happenings 2023 issues and debriefing 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 and Verizon to install 1 Jointly Owned Pole 400' northeast of the centerline of the intersection of Pope and Proctor St.

HEARING ORDERED January 25, 2024

Petition from National Grid and Verizon to install 1 Jointly Owned Pole 142' west of the centerline of the intersection of Harbor St. and Congress St.

HEARING ORDERED January 25, 2024

The Following License Applications:

PUBLIC GUIDES:

Scott Aden 14 Winthrop Shore Drive Winthrop
Cynthia J. Aparicio P.O. Box 390453 Cambridge
William Ayer 5 Cornell Road Marblehead
Heidi Bevins-Ayer 5 Cornell Road Marblehead
Sarah Black 377 Essex Street Apt C Salem
Derrick Buflod 80 Linden St. Salem
David Coviello 41 Washington Sq N. Salem
Patrick Curran 9 Rockland Road Danvers
Sean CE Dixon-Gumm 10 Hersey St. #3 Salem
Corey Fedde 27 Dunlap St #2 Salem
Erin Fortunato 43 Shortell Ave. Beverly
Donald Friary 16 Loring Ave. Salem
Robert L. Gautreau, Jr 21 Sturgis St. #2 Woburn
Loretta Jamieson 31 Waldeck St. Dorchester
Rebecca Johnson 5 Laurel St Unit 1 Salem
David N. Harris 3 Buford Rd. Peabody
Linda M. Harris 3 Buford Rd. Peabody
Robert Hawkins 90 Ridgewood Ln. Gardner
Jobian Herron 12 Dearborn St #2 Salem
Mark Hurwitz 22 Cloutmans Ln Marblehead
Rachel Justin 6 Phelps St. Apt 2 Salem
Robert Kerrigan 13 Bruce Ln Wenham
James Low 92 Washington Sq Salem
Dawn McGrath 10 Phelps St. Salem
David Molinet 30 Franklin St. Malden
Aurelia Nelson 12 Davis St Beverly
Joan M. Pagliuca 31 Winthrop St Dedham
Ellen Pariser 135 North St. Salem
Christine Remus 13 Merrimac St Amesbury

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PUBLIC GUIDES CON'T:

- Jason Daniel Roberts 17A Bonair Ave Hampton, NH
- Kathryn Rutkowski 1 Spiros Way Peabody
- Diane Sanchez 6 Sutton Ave Salem
- Joseph R Steele 32 West St Beverly
- Maria Stephens 11 Noyes Pl #4 Boston
- Jonathan Beirne Streff 10 Bradford St Salem
- Kayla Sullivan 11 Winthrop Ave #2 Beverly
- Michael Vitka 384 Essex St Apt. 1 Salem
- Donald Warnock 1 Fortune Way Salem
- Charles Galvin 5 Warren St Salem
- Hilary Ippolito-Wan 42 Walter St Salem
- Beth Crowley 100 Federal St Salem
- Cody McAllister 8565 Sierra Brook Ct Elk Grove CA
- Mikayla Boyle 32 Braman St Danvers
- Charles Galvin 5 Warren St Salem
- Joyce O'Brien 4 Winter Island Rd Salem
- Danielle Aldrich 18 Watson St Marblehead, MA
- Ryan Sullivan 8 Hersey St Salem
- Michael Hanan 80 Summer St Salem
- Simon Checksfield 6 Hale Park Ave Beverly
- Henry Gilbert 141 Washington St Salem
- Danielle McMullen 28 Teele Rd Bolton
- Michael Perry 18 Watson St Marblehead

Action Contemplated

Councillor Morsillo

Moved Granted

Voted

The Following License Applications:

- SECONDHAND VALUABLE: Tobies Jewelry 140 Washington St.
 Glass and Etc. 180 Essex St.
 Olde Naumkeag Antiques 1 Hawthorne Blvd

Action Contemplated

Councillor Morsillo

Moved Refer Comm. on Ord., Lic & Legal Affairs

Voted

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PETITIONS

The Following Claims:

- Katheryn Weiss 9 Madison Rd., Marblehead
- Robert Blinkhorn 498 Lorning Ave., Salem
- Suzanne Biscaia 21 Cushing St., Salem
- Felicia Copeland 357 Essex St., Salem
- Ellen Jarmusick 21 1/2 Cross St., Salem
- Ellen Berman 153 Nassau Dr., Springfield

Action Contemplated

Councillor Morsillo	Moved referred Comm. on Ord., Lic. & Legal Affair	Voted
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The Following Drainlayer/Contractor Operator Licenses:

- McGrath Enterprises 28 Oakville St., Lynn
- Geosearch, Inc, 11 Chocksett Rd., Sterling
- RB Strong Excavating 122 Western Ave., Gloucester
- N. Granese & Sons 59 Jefferson Ave., Salem
- Frank DeLucia & Sons 119 Newton Rd (rear), Plaistow, NH
- Delulis Bros Const. 31 Collins St. Ter., Lynn
- Landmark Utilities & Site Exc. 134 Centre St., Danvers
- Six Progress Cort 6 Versona St., Salem

Action Contemplated

Councillor Morsillo	Moved Granted	Voted
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