

*City of Salem, Massachusetts  
Office of the City Clerk*

*Ilene Simons  
City Clerk*



*Room 1  
City Hall*

January 25, 2022

**MEETING NOTICE AND AGENDA**

The Salem City Council will meet remotely on Thursday, January 27, 2022, at 7:00 P.M. to hold its regular meeting for the purpose of discussing any and all business via remote participation in accordance with Chapter 20 of the Acts of 2021. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the city's website, at [www.salem.com](http://www.salem.com). No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the city's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

For this meeting, members of the public who wish to watch, listen or provide comment (if applicable) during the meeting may do so in the following manner:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81243795227?pwd=VUxIL0dSVG9veFA1bzFYTDIYYTdyZz09>

Password: 902880

Go to the website link <https://zoom.us/join>. Enter meeting/webinar ID# 812 4379 5227 Followed by the meeting password above if directed to do so.

Or 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#: 812 4379 5227 and 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)

Watch meeting live on SATV on Channel 22.

Members of the public wishing to speak on the agenda items must follow the "How to Sign Up for Public Testimony" outlined on the agenda below.

Members of the public wishing to speak during hearings designated as public hearings may do so by following how to participate noted above.

Very truly yours,

ATTEST:

ILENE SIMONS  
CITY CLERK

**CITY OF SALEM**  
**JANUARY 27, 2022**  
**REGULAR MEETING**

“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](mailto: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 27, 2022**  
**REGULAR MEETING**

A Regular Meeting of the City Council was held remotely via zoom on Thursday, January 27, 2022, at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on January 25, 2022, at 8:50 A.M. This meeting is being recorded and is live on S.A.T.V.

Councillors absent:

Council President Morsillo presided.

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

VOTED

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

**PUBLIC TESTIMONY**

**Public Testimony not to exceed 15 minutes**

**Name must be on roster 30 minutes prior to meeting**

**Agenda items only**

**Public Testimony not to exceed 15 minutes. Public Testimony is not a public hearing or question and answer period. Public Testimony shall only pertain to Agenda items. Sign up must occur 30 minutes prior to meeting.**

**How to Sign Up:**

**Due to Chapter 20 of the Acts of 2021, anyone wishing to present testimony at a City Council meeting regarding a matter on the agenda, may sign up until the date of the meeting by 6:30 P.M. by email. Please email [isimons@salem.com](mailto:isimons@salem.com) and include your name, address, subject matter you wish to speak about, phone number, email address and screen name in which you will be using that evening. If you are able you may participate in Public Testimony remotely or the Council President will read your comment into the record if emailed.**

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**HEARINGS**

**NONE**

**CITY OF SALEM**  
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**APPOINTMENTS AND REAPPOINTMENTS**

Held from the last meeting, the Mayor's appointment of Stephen Cortes, 200 Leisure Lane #89, Stoneham, to the position of Director of Assessing for the City of Salem for a one-year term to expire January 31, 2023.

Action Contemplated

Councillor Hapworth      Moved Confirmation by RCV      Yeas      Nays      Abs

Held from the last meeting, the Mayor's appointment of the following with terms to expire

<b>Name</b>	<b>Address</b>	<b>Board</b>	<b>Term to Expire</b>
Kate Hanson	130 Boston St. #2, Salem	Cemetery Comm.	1/13/2025
Jacob St. Lois	34 Buffum St. #4, Salem	Cemetery Comm.	1/13/2025
Joe McEvoy	5 Beacon St., #2	Trust Fund Comm.	3/1/2026

Action Contemplated

Councillor Hapworth      Moved Confirmation by RCV      Yeas      Nays      Abs

Mayor's appointment of Catherine Bertrand, 2 Beacon St. to the Public Art Commission with a term to expire on January 11, 2024

Councillor      Suspension of Rules      Councillor      Objection

Action Contemplated

Councillor Hapworth      Held under the rules

**CITY OF SALEM**  
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**APPOINTMENTS AND REAPPOINTMENTS**

Mayor's appointment of Brooke Nagle, 25 Washington Square to the Beautification Committee with a term to expire on January 27, 2025

Councillor	Suspension of Rules	Councillor	Objection
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Action Contemplated

Councillor Hapworth	Held under the rules
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Mayor's re-appointment of the following with terms to expire

<b>Name</b>	<b>Address</b>	<b>Board</b>	<b>Term to Expire</b>
Richard Jagolta	41 Chestnut St.	Board of Assessors	Feb. 1, 2025
Donna Clifford	26 Gables Cir.	Council on Aging	Feb. 1, 2025
Beth Gerard	49 Larchmont Rd.	Cemetery Commission	Feb. 1, 2025
Patricia Donahue	12 Dearborn Ln.	Cemetery Commission	Feb. 1, 2025

Action Contemplated

Councillor Hapworth	Moved Confirmation by RCV	Yea	Nay	Abs
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**CITY OF SALEM**  
**JANUARY 27, 2022**  
**REGULAR MEETING**

**COMMUNICATIONS FROM THE MAYOR**

ORDERED: That the sum of Eighty Thousand, Ninety-Eight Dollars and Twenty-Eight Cents (\$80,098.28) be approved within the “Retirement Stabilization Fund-Vacation/Sick Leave Buyback” account (83113-5146) to be expended for the FY 2022 contractual buyback(s) listed below in accordance with the recommendation of Her Honor the Mayor.

<b>Name</b>	<b>Department</b>	<b>Amount</b>
David Adams	Salem Public Schools	\$ 24,071.08
Susan Hamlin	Salem Public Schools	\$ 36,888.80
Pamela Shorr	Salem Public Schools	\$ 19,138.40
		<b>\$ 80,098.28</b>

Councillor McCarthy      Suspension of the Rules      Councillor      Objection

Action Contemplated

Councillor McCarthy      Refer to the Comm. on Admin. & Finance  
OR  
Moved Adoption by RCV      Yeas   Nays   Abs

ORDERED: That the sum of Six Thousand, Eight-Hundred Thirty-Four Dollars and Twenty-Eight Cents (\$6,834.28) is hereby appropriated in the “Retirement Stabilization Fund-Vacation/Sick Leave Buyback” account (83113-5146) to be expended for the retroactive wage adjustments for sick leave buyback, holidays, and SMV stipend to retired officers provision pursuant to the July 1, 2020 collective bargaining agreement with the Salem Police Patrolman’s Association as needed in accordance with the recommendation of Her Honor the Mayor.

Councillor McCarthy      Suspension of the Rules      Councillor      Objection

Action Contemplated

Councillor McCarthy      Refer to the Comm. on Admin. & Finance  
OR  
Moved Adoption by RCV      Yeas   Nays   Abs

**CITY OF SALEM**  
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**REGULAR MEETING**

**COMMUNICATIONS FROM THE MAYOR**

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 Five Hundred Ninety Dollars (\$590.00) of outstanding Fiscal Year 2021 invoices is hereby allowed to be paid from the Fiscal Year 2022 Electrical Department budget as listed below in accordance with the recommendation of Her Honor the Mayor.

<b>Department</b>	<b>Vendor</b>	<b>Amount</b>
Building	Boston Board Up LLC	\$ 590.00
<b>Total</b>		<b>\$ 590.00</b>

Councillor McCarthy      Suspension of the Rules      Councillor      Objection

Action Contemplated

Councillor McCarthy      Refer to the Comm. on Admin. & Finance  
OR  
Moved Adoption by RCV      Yeas   Nays   Abs  
(2/3 vote needed)

ORDERED: To accept the donation of a gift card from Home Depot in the amount of One Thousand Dollars (\$1,000.00) for community engagement activities. These funds and the resulting expenditures will be accounted for in the Police Donation Account - Fund (2411) account in accordance with the recommendation of Her Honor the Mayor.

Action Contemplated

Councillor McCarthy      Moved Adoption by RCV      Yeas   Nays   Abs



**CITY OF SALEM**  
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**REGULAR MEETING**

**COMMUNICATIONS FROM THE MAYOR**

The following Ordinance submitted by the Mayor amending Ch. 50 Wetlands Protection and Conservation (ends on page 20)

*In the year Two Thousand and Twenty-Two*

**An Ordinance** to Replace The Existing Ordinance, Chapter 50 Wetlands Protection And Conservation to increase protections for wetlands in the City of Salem.

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

**SECTION 1.** Sections 50-1 through 50-12 of Part III of the City of Salem Code, Ordinances, Chapter 50, Wetlands Protection and Conservation is hereby amending by deleting Sections 50-1 through 50-12 in their entirety and replacing it with the following new Sections 50-1 through 50-18:

**“Chapter 50 WETLANDS PROTECTION AND CONSERVATION\***

**Sec. 50-1. Introduction.**

This Ordinance is intended to utilize the City of Salem’s Home Rule authority to protect additional resource areas, identify additional values, and create additional standards and procedures stricter than those of the Wetlands Protection Act (M.G.L.A. c. 131, § 40; “the WPA”) and Regulations thereunder (310 CMR 10.00).

**Sec. 50-2. Purpose.**

The purpose of this Wetlands Protection Ordinance is to protect the wetlands, water resources, and adjoining land areas in Salem by controlling activities deemed by the Conservation Commission likely to have a significant or cumulative effect upon the following resource area values. Those identified with an asterisk\* are in addition to the interests protected by the WPA.

- ☐ public or private water supply
- ☐ ground water supply
- ☐ flood control
- ☐ storm damage prevention
- ☐ prevention of pollution
- ☐ protection of land containing shellfish
- ☐ protection of fisheries

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**COMMUNICATIONS FROM THE MAYOR**

- ☐ protection of wildlife habitat
- ☐ \*climate change adaptation and mitigation,

Collectively, the "resource area values protected by this Ordinance"

**Sec. 50-3. Jurisdiction.**

Except as permitted by the Conservation Commission, no person shall remove, fill, dredge, discharge into, build upon, degrade, or otherwise alter in or over any of the following resource areas: any freshwater wetland (e.g. wet meadows, bogs, swamps); any coastal wetland (e.g. coastal/barrier beaches, coastal dunes, coastal banks, rocky intertidal shores, land under the ocean, salt marsh, land under salt ponds, land containing shellfish, fish runs, land subject to tidal action); vernal pool; river, stream, pond, reservoir, or lake, or any bank to said waters, or any land under said waters; riverfront area; designated port areas or any land subject to inland and/or coastal flooding or inundation.

Additionally, except as permitted by the Conservation Commission, no person shall remove, fill, dredge, discharge into, build upon, degrade, or otherwise alter in or over land within 100-feet of the above resource areas, hereinafter the "buffer zone". Notwithstanding the foregoing, and in accordance with the WPA, the following resource areas do not have an associated buffer zone: riverfront area, land under waters, land containing shellfish, fish runs, land subject to tidal action, and designated port areas.

**Sec. 50-4. Exceptions.**

The above prohibitions shall not apply to emergency projects recognized by the WPA so long as the Conservation Commission or its designee certifies the emergency in accordance with the standards under the WPA and implementing regulations at 310 CMR 10.00.

Additionally, the requirements of this Ordinance and its implementing regulations shall not apply to the minor activities and other exemptions recognized by the WPA and its implementing regulations at 310 CMR 10.00 so long as the Conservation Commission is notified of proposed work via certified mail a minimum of 30 days prior to commencement of activities located in areas protected by this Ordinance.

Maintenance (but no further alteration, expansion, or change in character or use) of pre-existing lawfully located uses and structures that were in place on or before the promulgation of the Ordinance are permitted without application for a permit to the Conservation Commission, provided that notice of such activities is sent via certified mail a minimum of 30 days prior to commencement of work.

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**COMMUNICATIONS FROM THE MAYOR**

**Sec. 50-5. Definitions.**

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where further definition/clarification is provided through regulation. Terms follow the definitions found in the WPA and its implementing regulations at 310 CMR 10.00. To the extent not defined herein, words used in these regulations shall have the definitions contained in the WPA.

**Ancillary Structure** shall mean any structure on the same lot or lots in common ownership as the principal use, and whose purpose is customarily incidental to the main or principal building or use of the land.

**Alter** includes, without limitation, the following actions when undertaken in areas subject to this chapter: (1) Removal, placement, excavation or dredging of soil, sand, gravel, or aggregate material of any kind. (2) Changing drainage characteristics, flushing characteristics, salinity distribution, sedimentation patterns, flow patterns and flood retention characteristics. (3) Drainage or other disturbance of the water level or water table. (4) Dumping, discharging or filling with any material. (5) Driving of piles, erection of buildings or structures of any kind. (6) Placing of obstructions, whether or not they interfere with the flow of water. (7) Destruction of plant life, including cutting of trees, but excluding maintenance of landscape areas (provided that no unauthorized expansion of landscaping occurs) that were in place as of the original Ordinance adoption (DATE). (8) Changing of water temperature, biochemical oxygen demand or other physical or chemical characteristics of the water.

**Banks** means that part of land adjoining any body of water which confines the water. Bank is associated with all intermittent streams shown on the USGS Map and display riverine characteristics, even those upgradient of other wetland resource areas in cases where a defined channel with evidence of flow is observed.

**Climate Change Adaptation and Mitigation** are measures designed or intended to protect resource areas from the impacts of climate change and to protect the ability of resource areas to mitigate the impacts of climate change with consideration of the resource area values protected by the Ordinance.

**Climate Change Impacts** include without limitation: extreme heat; the timing, frequency, intensity, and amount of precipitation, storm surges, and rising water levels; increased intensity or frequency of storm events or extreme weather events; and frequency, intensity, and duration of droughts.

**Coastal Wetland** means any bank, marsh, swamp, meadow, flat or other lowland subject to tidal action or coastal storm flowage.

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**Freshwater Wetland** is an area where soils are saturated and/or inundated such that they support wetland indicator plants. The ground water and surface water hydrological regime, soils, and the vegetational community which occur in a freshwater wetland, are defined under this Ordinance based on the definition of “Bordering Vegetated Wetland” at 310 CMR 10.00. The term freshwater wetland shall include isolated vegetated wetlands which are at least 750 square feet in size as defined herein.

**Green infrastructure/Nature-based solutions** means projects and practices incorporating the natural environment, supplement natural processes, or work in concert with natural systems to provide flood, fire, or drought risk reduction, or clean water or air benefits. Green infrastructure practices protect, restore, augment, or mimic ecological processes.

**Isolated Vegetated Wetland (IVW)** shall include wetlands which meet the MassDEP manual entitled “Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act” (1995 and as may be amended from time to time) with respect to the delineation standards for soils, hydrology, and vegetation, are at least 750 square feet in size or greater, but that do not require connectivity to surface waters. The Conservation Commission may, through written determination, exclude areas from being considered IVW if compelling evidence is presented that the IVW exists as a result of stormwater infrastructure or other human-induced disturbance/activity. Additionally, the Conservation Commission may find that areas that would otherwise qualify as IVW, but that are dominated by a prevalence of invasive and/or non-native plant species, are non-jurisdictional.

**Passive Passage** means any pedestrian activity which does not involve the disturbance of the substrate or existing vegetative conditions.

**Person** includes any individual, groups of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth, or political subdivisions thereof to the extent subject to city ordinances, administrative agencies, public or quasi-public corporations or bodies, the city, and any other legal entity, its legal representatives, agents or assigns.

**Previously Disturbed or Degraded** means areas which previously or currently lawfully contain(ed) impervious areas such as buildings, roadways, parking lots, or that were graded or altered by direct human activities not associated with natural resource or land management activities such that their present character is notably different than it would be had it not been altered. Previously Disturbed or Degraded areas may be partially vegetated provided there is a notable absence of topsoil (e.g., O or A Soil Horizon) or other compelling anthropogenic factor which documents the historic land use therein. An Applicant carries the burden of proof to demonstrate that land is Previously Disturbed or Degraded. Previously Disturbed or Degraded areas must have been the result of a lawful use/activity in order to be considered as such.

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**Stream** means a body of running water that moves in a definite channel in the ground due to a hydraulic gradient. Such a waterway is a stream regardless of its relationship to other resource areas. Streams do not include manmade channels unless such channels represent channelization or redirection of historically naturally occurring streams, or were created for the purpose of functioning as a stream (such as may be done for ecological projects, or replication/mitigation).

**Structures** include, but are not limited to, commercial and industrial buildings, single family houses, multifamily dwellings, porches, decks, additions, sheds, outbuildings, pools, docks, pile supported features, septic systems and any of their components, underground storage tanks, roadways, fencing which functions as a barrier to wildlife habitat (excluding perimeter sediment controls and snow fencing), driveways, and retaining walls supporting more than a 4-foot height of fill. Stormwater management infrastructure and other utilities shall be excluded from the definition of structure.

**Vernal Pool** shall mean an area that provides breeding habitat for species that depend on ephemeral bodies of water for breeding and other life stages. To be considered vernal pools such areas must meet certification criteria as defined by the MA Natural Heritage and Endangered Species Program (NHESP). Certain areas that have been extensively altered by human activities as of the effective date of this Ordinance amendment and maintained as such continuously are not regulated as vernal pools. Such disturbed areas may include, for example, the built and utilized footprints of: paved and graveled areas, golf courses, cemeteries, playgrounds, landfills, fairgrounds, quarries, gravel pits, buildings, lawns, gardens, roadways (including median strips, areas enclosed within highway interchanges, shoulders, and embankments), railroad tracks (including ballast and embankments), and similar areas. Areas mapped by NHESP as potential vernal pools are considered vernal pools under this Ordinance unless the project proponent demonstrates to the Conservation Commission that said area is not certifiable per NHESP criteria. In evaluating the information presented to demonstrate that an area is not a vernal pool, the Commission shall consider appropriate factors, including the extent of the investigations conducted and drought/rainfall conditions, for example.

**Wildlife Habitat** means important food, shelter, migratory or overwintering areas, or breeding areas for wildlife. Certain areas that have been extensively altered by human activities as of the effective date of this Ordinance amendment and maintained as such continuously are not important wildlife habitat. Such disturbed areas may include, for example, the built and utilized footprints of: paved and graveled areas, golf courses, cemeteries, playgrounds, landfills, fairgrounds, quarries, gravel pits, buildings, lawns, gardens, roadways (including median strips, areas enclosed within highway interchanges, shoulders, and embankments), railroad tracks (including ballast and embankments), and similar areas. The Commission may, on a case-by-case basis, include some areas of human disturbance to be considered wildlife habitat if the subject area is demonstrated to be such by a competent source.

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The Conservation Commission may, through its implementing regulations, expand upon or add additional definitions in order to protect the resource area values established by this Ordinance.

**Sec. 50-6. Conservation Commission Filing.**

No person shall remove, fill, dredge, alter or build upon, over, or within areas subject to the Conservation Commission's jurisdiction without filing a written application for a permit including such plans as may be necessary to describe such proposed activity and its effect on the environment, and receiving and complying with a permit issued pursuant to this chapter. Such

application must be identical in form to a Notice of Intent or Request for Determination of Applicability as described in M.G.L.A. c. 131, § 40 and the implementing regulations at 310 CMR 10.00. The Conservation Commission may establish a filing fee schedule for such applications.

Notwithstanding the above, activities located solely within the 100-foot Buffer Zone to inland or coastal land subject to flooding or inundation may be reviewed by the Conservation Agent to determine whether a filing is required. In such cases, the Conservation Agent's administrative determination as to whether or not to require a filing shall be based upon a review of whether the project location is so topographically separated from the flood zone that the Ordinance values do not apply and that the proposed work qualifies as a minor activity as enumerated in 310 CMR 10.02(2)(b)2.

**Sec. 50-7. Hearing on Permit Application; Access to Property.** Notice of the time and place of the hearing shall be provided by the Applicant, using a legal notice document to be provided by the Conservation Office, not less than five days prior to the hearing, by publication in a newspaper of general circulation in the City. The Conservation Office may establish submission requirements, including required notifications to other City Departments, for example. The applicant shall provide notice to all abutters in the same form as detailed in M.G.L.A. c. 131, § 40 and the implementing regulations at 310 CMR 10.00. Notwithstanding the foregoing, abutter notification is not required for Request for Determination of Applicability filings.

For the purposes of reviewing an application for permit, the Conservation Commission, its agents, officers, and employees may enter upon privately owned land for the purpose of performing their duties under this chapter.

**Sec. 50-8. Buffer Zone and Setbacks**

In reviewing activities within the buffer zone, the Conservation Commission shall presume the buffer zone is important to the protection of its subject resource area because activities undertaken in close proximity have been shown to have a high likelihood of adverse impact, either immediately, as a consequence of construction, or over time, as a consequence of daily operation or existence of the activities.

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Adverse impacts to wetland resource areas from construction and use within their related buffer zone can include, without limitation, erosion, siltation, loss of groundwater recharge, poor water quality, loss of trees and other vegetation, and degradation of wildlife habitat. Therefore, this Ordinance gives the Commission broad discretion to permit, condition, and prohibit work within the buffer zone as the specific situation warrants.

This Ordinance further establishes the following areas within the 100-foot buffer zone, which are subject to specific requirements and greater scrutiny:

□ **25-foot No Disturbance Zone** – the first 25-feet within the buffer zone extending from an applicable resource area in which virtually no activities or work, other than passive passage, stormwater outfall components, and utilities, are permitted. No vegetation may be disturbed, leaf litter and woody debris remains in place, etc. The No Disturbance Zone shall remain unchanged from its pre-development project state when considering both the construction period and the long-term use of the project site. The land use restrictions within the No Disturbance Zone are to be further tabulated in the implementing regulations.

□ **50-foot Mitigation Zone** – the first 50-feet within the buffer zone extending from an applicable resource area in which disturbance is prohibited without adequate mitigation as determined by the Conservation Commission. The Mitigation Zone overlaps the No Disturbance Zone detailed above and wetland resource areas defined herein.

Beyond the above-described zones, the Conservation Commission shall consider proposals for work in the buffer zone in terms of broad forms of disturbance areas. This approach is intended to allow flexibility for property use while maintaining adequate levels of wetland resource area protection. Additional buffer zone disturbance setbacks may be enumerated through implementing regulations.

In considering the types of work and activities allowable within the overall 100-foot buffer zone, and conditions to apply, the Conservation Commission shall consider the following,

1. **Values and Functions of the Resource Area.** The quantity and quality of resource values and functions should be considered explicitly in placing conditions on buffer zone work.
2. **Pre-Project Characteristics of the Site.** Ground slope, soil conditions, vegetation, and prior disturbance are some of the site-specific characteristics that shall be considered in setting conditions for work in the buffer zone.
3. **The nature of the activities proposed and their potential likelihood of impacting the Ordinance values.**
4. **The Project's implementation of climate change adaptation measures.**

As appropriate to protect the Ordinance values, the Conservation Commission may expand the minimum setbacks indicated herein or in implementing regulations.

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The Applicant shall carry the burden of proof for demonstrating to the Commission's satisfaction that the proposed work or activities in the buffer zone are necessary, and that reasonable alternatives do not exist. Said demonstration may take the form of a written narrative or report with accompanying exhibits as appropriate.

Applicants wishing to rebut the presumptions set forth above shall provide the Commission with a written waiver request in accordance with Section 50-10 herein.

Notwithstanding the above, the Conservation Commission may, without requiring a formal waiver request, reduce the setbacks for:

1. Redevelopment of sites that contain previously disturbed or degraded areas regardless of whether such areas are within the relevant setback, so long as work results in an overall improvement to the applicable setback in terms of the ability of the associated resource area to protect the values of this Ordinance.
2. Projects involving work necessary to access buildable upland (including access roads, driveways, and utilities) as long as there is no other means of accessing said buildable upland, and said work meets all the other requirements of the WPA and this Ordinance.
3. If in its judgment such a reduction is necessary to accommodate a project that will have an overall benefit to the public and to the environment (such as a project addressing sewer inflow and infiltration, or an environmental enhancement project).
4. If in its judgment such a reduction is necessary to accommodate reasonable recreational access and connectivity by path, including paved or other surface type multiuse paths or other least intrusive means of access, to other portions of a property or the shoreline, as long as there is no other alternative means of accessing the other portions of the property, and that such alteration does not exceed the minimum path necessary to be compliant with state and federal accessibility requirements. Such paths are to include elevated boardwalks as appropriate to minimize impacts. Such alterations may require wetlands replication.
5. Ancillary Structures associated with single-family dwellings constructed prior to the adoption of this Ordinance.

The setback requirements shall not apply to:

1. Projects requiring Chapter 91 Licenses pursuant to the water-dependent use provisions, repairs of existing Chapter 91 Licensed structures, or other coastal engineering structures deemed by the Conservation Commission to be necessary to protect the interests of the WPA and this Ordinance.
2. Projects involving the maintenance and repair, but not expansion of or change in character or use of, existing and lawfully located buildings and structures, including roads, culverts, utilities, septic systems, or storm water drainage structures.



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3. Remediation activities performed under the Massachusetts Contingency Plan, provided that the activities comply with all other applicable state and local regulations.

**Sec. 50-9. Climate Change Resiliency.**

Climate change is an overriding public interest. Consideration of the effects of climate change on the City's wetlands resource areas is necessary to maintain the values of the Ordinance into the future. Additionally, appropriate protection of wetlands resource areas and their values will facilitate the City's climate change preparedness and resilience.

The Applicant shall, to the maximum extent practicable, integrate considerations of adaptation planning into their project to promote climate change resilience so as to protect and promote resource area values into the future. The Applicant shall consider the resource area's ability to be resilient to the effects of climate change and protect the values of the Ordinance. These considerations are especially important in Land Subject to Flooding and Coastal Storm Flowage (100-year floodplain), coastal wetlands, and other resource areas which protect the interest of Flood Control and Storm Damage Prevention, including the associated buffer zones. Resource areas may be directly impacted by extreme weather events expected to be more prevalent or more intense due to climate change, in surface runoff of pollutants, and in wildlife habitat due to changes in temperature.

In reviewing project climate change resiliency information, the Conservation Commission shall give consideration as to the size and scale of the project and the extent to which resource area impacts are avoided, minimized, and mitigated. Green infrastructure/nature-based solutions are preferred to demonstrate compliance with the climate change adaptation and mitigation resource area value.

The Conservation Commission may, through implementing regulations, adopt additional provisions and mapping related to resource area values respective of climate change in accordance with best available science. Mapping adopted by the Conservation Commission may include, without limitation, projections of Sea Level Rise and future storm events/flood zones for project proponents to consider in applications for work submitted to the Conservation Commission.

**Sea Level Rise Considerations**

The City of Salem recognizes the relative rise in elevation of the sea surface over time. Those portions of coastal floodplains which are immediately landward of salt marshes, coastal beaches, barrier beaches, coastal dunes or coastal banks require special protection as they are likely to be in a state of transition as the entire complex of coastal wetland resources gradually moves landward due to rising relative sea levels.

Development activities carried out within the transitional areas of coastal floodplains will be subject to increased storm damage and may interfere with the natural landward migration of the

**CITY OF SALEM**  
**JANUARY 27, 2022**  
**REGULAR MEETING**

**COMMUNICATIONS FROM THE MAYOR**

adjacent coastal resource areas. Therefore, the Salem Conservation Commission may adopt, through implementing regulations, performance standards for coastal resource areas with respect to Sea Level Rise.

**Sec. 50-10. Waiver Criteria.**

An Applicant may seek relief from the standards of the Ordinance and any implementing regulation by requesting a waiver to the applicable standards. The Commission may, at its discretion, grant a waiver to the standards of the Ordinance and regulations based on the Applicant's clear and convincing demonstration of the following:

1. The proposed land-use activity(ies) conforms with the goals and statutory interests of the Ordinance and regulations adopted thereunder, and the activity(ies), including proposed mitigation measures, will have an insignificant impact on the values protected by this Ordinance;
2. The relief requested by the project proponent is the minimum waiver necessary to achieve the project goals and to allow for reasonable use of the property;
3. The requested waiver is not the result of any prior action of the project proponent or any predecessor in title (i.e., the Applicant must document that the waiver is not the result of a self-created or self-imposed hardship);
4. The granting of the waiver will not hinder the ability of wetland resource areas or buffer zones to provide climate mitigation or protect the adjacent landscape from storm surge as anticipated based on best available information;
5. Where applicable, work within required setbacks noted herein shall not result in adverse impacts to the resource area values. Project proponents shall provide clear documentation to the Conservation Commission as to the means and methods for avoiding construction-phase impacts and impacts from the future existence of the project within setbacks; and
6. The Applicant shall demonstrate that all other feasible project alternatives to avoid or minimize impacts have been exhausted, including seeking relief from municipal zoning provisions as applicable.

Relief in the form of a waiver to a provision of the Ordinance does not remove the Applicant's responsibility for compliance with all other requirements of the Ordinance.

**Sec. 50-11. Severability.**

The invalidity of any section or provision of this Ordinance shall not invalidate any other section or provision thereof, nor shall it invalidate any permit, approval or determination which previously has been issued.

**CITY OF SALEM**  
**JANUARY 27, 2022**  
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**COMMUNICATIONS FROM THE MAYOR**

**Sec. 50-12. Relationship to State Statute.**

The Conservation Commission shall not impose additional or more stringent conditions pursuant to M.G.L.A. c. 131, § 40 than it imposes pursuant to this chapter, nor shall it require an applicant filing a notice of intention pursuant to M.G.L.A. c. 131, § 40 to provide materials or data in addition to those required pursuant to this chapter.

**Restoration of land in violation.** Consistent with M.G.L.A. c. 131, § 40, any person who purchases, inherits or otherwise acquires real estate upon which work has been done in violation of this chapter or in violation of any permit issued pursuant to this chapter shall forthwith comply with any such order or restore such land to its conditions prior to any such violation; provided, however, that no action, civil or criminal, shall be brought against such person unless commenced within three years following the date of acquisition of the real estate by such person.

**Sec. 50-13. Promulgation of Regulations.**

After due notice and public hearing, the Conservation Commission may promulgate rules and regulations to effectuate the purposes of this chapter. Failure by the Conservation Commission to promulgate such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this chapter.

**Sec. 50-14. Burden of Proof.**

The Applicant shall have the burden of proving by a preponderance of the credible evidence that the work proposed in the application for the permit required by this chapter will not harm the interests protected by this chapter. Failure to provide adequate evidence to the Conservation Commission supporting a determination that the proposed work will not harm the values protected by this chapter shall be sufficient cause for the Conservation Commission to deny a permit or to grant a permit with conditions or, in the Conservation Commission's discretion, to continue the hearing to another date to enable the Applicant or others to present additional evidence.

**Sec. 50-15. Security.**

The Conservation Commission may require, as a permit condition, that the performance and observance of other conditions be secured by one or both of the following methods:

1. A bond or deposit of money or negotiable securities in an amount determined by the Conservation Commission to be sufficient and payable to the Conservation Commission upon default.
2. A conservation restriction, easement or other covenant running with the land, executed and properly recorded or registered, in the case of registered land, with the Essex South District of Registry of Deeds.

**CITY OF SALEM**  
**JANUARY 27, 2022**  
**REGULAR MEETING**

**COMMUNICATIONS FROM THE MAYOR**

**Sec. 50-16. Appeal.**

A decision of the Conservation Commission shall be reviewable in the Superior Court in accordance with M.G.L.A. c. 249, § 4.

**Sec. 50-17. Enforcement.**

Any person who violates any section of this chapter or any condition of a permit issued pursuant to this chapter shall be punished by fines as provided in Section 1-10 (c) – Noncriminal disposition of ordinance violations.. Each day or portion thereof during which a violation continues shall constitute a separate offense; if more than one, each condition violated shall constitute a separate offense. Upon request of the Conservation Commission or of the City Council, the Mayor, and City Solicitor shall take such legal action as may be necessary to enforce this chapter and permits issued pursuant to this chapter.

**Sec. 50-18. Effective Date.**

This Ordinance Amendment becomes effective upon final passage and signature of the Mayor and shall apply to all Notices of Intent filed on or after that date and any subsequent procedures related to such filings made on or after that date. This Ordinance Amendment shall not apply to projects for which a Notice of Intent was filed (and for which an Order of Conditions remains valid) prior to the effective date.”

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

**Action Contemplated**

Councillor Riccardi	Moved referred to the Comm. on Ord., Lic. & Legal Affairs co-posted with the Comm. of the Whole	Voted
	OR	
	Adopt for first passage by RCV	Yeas   Nays   Abs

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**CITY OF SALEM**  
**JANUARY 27, 2022**  
**REGULAR MEETING**

**COMMUNICATIONS FROM THE MAYOR**

The Following Ordinance submitted by the Mayor to amend Sec. 1-10(c) – Noncriminal Violations for Wetlands

**An Ordinance** to amend Section 1-10 (C). – Noncriminal Disposition Of Ordinance Violations to provide for enforcement and penalties for violations of the Wetlands Protection and Conservation Ordinance.

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

**SECTION 1.** Section 1-10. of Part III of the City of Salem Code, Ordinances, Chapter 1, Noncriminal Disposition of Ordinance Violations is hereby amending by adding the following language to the end of the Section 1-10 (c):

*“Chapter 50, Wetlands Protection and Conservation Ordinance*

Penalty for violations of Wetlands Protection and Conservation Ordinance.

Penalty:

First offense .....\$100.00

Second offense .....\$150.00

Third offense .....\$200.00

Enforcing persons: Conservation Agent; police department personnel.”

**SECTION 2.** This Ordinance shall take effect as provided by the City Charter.

Action Contemplated

Councillor Riccardi	Moved referred to the Comm. on Ord., Lic. & Legal Affairs co-posted with the Comm. of the Whole	Voted
	OR	
	Adopt for first passage by RCV	Yeas   Nays   Abs

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**CITY OF SALEM**  
**JANUARY 27, 2022**  
**REGULAR MEETING**

**COMMUNICATIONS FROM THE MAYOR**

The following Ordinance submitted by the Mayor relative to amending Mooring fees

*In the year Two Thousand and Twenty-Two*

**An Ordinance** to amend mooring permit fees.

**Section 1.** Section 10-24(d) *Mooring Permit* of Chapter 10 *Boats and Waterways* is hereby amended by deleting paragraphs (1) through (4) in their entirety and replacing them with the following:

- “(1) Fee for mooring, \$7.00 per foot of vessel per year.
- (2) Fee for slip, \$7.00 per foot of vessel per year.
- (3) Fee for commercial transient mooring, \$100.00 per year.
- (4) Fee for guest mooring (city owned), \$40.00 per day.
- (5) Fee for private float, \$100 per year.
- (6) Fee for a waitlist for a mooring, \$10 per year.”

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

Action Contemplated

Councillor Riccardi	Moved referred to the Comm. on Ord., Lic. & Legal Affairs co-posted with the Comm. of the Whole	Voted
	OR	
	Adopt for first passage by RCV	Yeas   Nays   Abs

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CITY OF SALEM  
JANUARY 27, 2022  
REGULAR MEETING  
MAYOR'S INFORMATIONAL PAGE  
NONE

**CITY OF SALEM**  
**JANUARY 27, 2022**  
**REGULAR MEETING**

**MOTIONS, ORDERS AND RESOLUTIONS**

Councillor Riccardi

**ORDERED:** That the Rules and Orders and the City Council shall be amended as follows:

Section 26. – Appointment of chairperson when into committee of the whole; and

Section 27. – Rules when in committee of the whole

Be deleted in its entirety; and

Section 30. Committees, generally be amended by adding the following:

#6. Committee of the Whole. The Committee of the Whole shall consist of all members of the Council and be chaired by the President or their designee, and shall meet separately when required to address matters before it.

Action Contemplated

Councillor Riccardi	Moved Held to the next meeting under the rules	Voted
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Councillor Morsillo

***In the year Two Thousand and Twenty Two***

**An Ordinance Relative to Traffic Ch. 42, Sec. 75 - Parking prohibitions towing zone (resident sticker)**

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

**Section 1.** Section 75 – Parking prohibitions towing zone (resident sticker) of Article V-A be amended by adding the following:

Cleveland Street – ZONE D-COLOR YELLOW-north side only, beginning forty (40) feet from the intersection with Jefferson Avenue, proceeding in a westerly direction for a distance of thirty (30) feet. No visitor passes shall be issued for qualifying addresses on this street.

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

Action Contemplated

Councillor Morsillo	Moved Adoption for first passage by RCV	Yea	Nay	Abs
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**CITY OF SALEM**  
**JANUARY 27, 2022**  
**REGULAR MEETING**

**MOTIONS, ORDERS AND RESOLUTIONS**

Councillor Morsillo

*In the year Two Thousand and Twenty Two*

An Ordinance Relative to Traffic, Ch. 42 Sec. 51 - Parking Prohibited on Certain Streets

*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 adding the following:

Jefferson Avenue – Parking Prohibited on Certain Streets – westerly side beginning approximately one hundred and sixty-five (165) feet south of the intersection with Jackson Street in a southerly direction for a distance of eight (80) feet

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

Action Contemplated

Councillor Morsillo	Moved Adoption for first passage by RCV	Yea	Nay	Abs
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Councillor Cohen

*In the year Two Thousand and Twenty Two*

An Ordinance Relative to Traffic Ch. 42, Sec. 51 - Parking Prohibited on Certain Streets

*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 adding the following:

Leavitt Street – Parking Prohibited on Certain Streets – southerly side beginning at the intersection with Prince Street in a westerly direction for a distance of one hundred and five (105) feet

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

Action Contemplated

Councillor Cohen	Moved Adoption for first passage by RCV	Yea	Nay	Abs
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**CITY OF SALEM**  
**JANUARY 27, 2022**  
**REGULAR MEETING**

**MOTIONS, ORDERS AND RESOLUTIONS**

Councillor Varela

*In the year Two Thousand and Twenty Two*

An Ordinance Relative to Traffic, Ch. 42 Sec. 49 - Obedience to Isolated Stop Signs

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

**Section 1.** Ch. 42, Section 49 – Obedience to Isolated Stop Signs shall be amended by adding the following:

Cedarcrest Road – Stop Sign – southeast bound traffic on Cedarcrest Road at Cedarcrest Avenue

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

Action Contemplated

Councillor Varela	Moved Adoption for first passage by RCV	Yea	Nay	Abs
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Councillor McCarthy

*In the year Two Thousand and Twenty Two*

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 1.** Section 50B – Handicapped Zones, Limited Time shall be amended by adding the following:

Naumkeag Street – One Handicap Parking space to be added in front of #36 Naumkeag Street, for a distance of twenty (20) feet

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

Action Contemplated

Councillor McCarthy	Moved Adoption for first passage by RCV	Yea	Nay	Abs
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**CITY OF SALEM**  
**JANUARY 27, 2022**  
**REGULAR MEETING**

**COMMITTEE REPORTS**

Councillor McCarthy offered the following report for the Committee on Administration and Finance to whom was referred the matter of an Appropriation in the amount of \$7,400,048.25 from Free Cash to the Special Revenue Funds – Stabilization, Capital Improvement Plan, OPEB, 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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Councillor McCarthy offered the following report for the Committee on Administration and Finance co-posted with the Committee of the Whole to whom was referred the matter of an Appropriation in the amount of \$11,600.00 from Assessing Department Full-Time Salary Acct. to the Assessors – Contract Services Acct. (Co-posted), 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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Councillor Riccardi 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:      Re-Find LLC, 72 Washington St., Salem

SECOND HAND VALUABLES:    Tobies Jewelry, 140 Washington St., Salem  
    Olde Naumkeag Antiques, 1 Hawthorne Blvd., Salem  
    Record Exchange, LLC, 256 Washington St., Salem

Accept the Report                      Voted

Adopt the Recommendation   Voted

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**CITY OF SALEM**  
**JANUARY 27, 2022**  
**REGULAR MEETING**

**COMMITTEE REPORTS**

Councillor Riccardi 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 an ordinance amending an ordinance relative to Municipal Buildings and Operations (Green Ordinance), has considered said matter and would recommend that the matter remain in committee.

Accept the Report                      Voted

Adopt the Recommendation    Voted

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Councillor Riccardi 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 an ordinance amending a zoning ordinance relative to the Waterfront Industrial Overlay District, 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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Councillor Riccardi 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 an ordinance amending a zoning ordinance regarding buffer zones relative to marijuana establishments, 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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**CITY OF SALEM**  
**JANUARY 27, 2022**  
**REGULAR MEETING**

**COMMITTEE REPORTS**

Councillor Hapworth 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 meeting with the City Engineer to discuss water main breaks, has considered said matter and would recommend that the matter be discharged from committee

Accept the Report                      Voted

Adopt the Recommendation    Voted

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Councillor Prosniowski offered the following report for the Committee on Public Health, Safety and Environment co-posted with the Committee of the Whole to whom was referred the matter of repairs and maintenance to offices at 93 Washington Street, has considered said matter and would recommend that the matter remain in committee and that the Building Inspector's Office, the Finance Director and the Mayor's office work together to submit estimates on cost of repairs to the Council for the FY2023 Budget.

Accept the Report                      Voted

Adopt the Recommendation    Voted

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**CITY OF SALEM**  
**JANUARY 27, 2022**  
**REGULAR MEETING**

**COMMUNICATIONS FROM CITY OFFICIALS**

Documentation from Jane Guy, Assistant Community Development Director, relative to a Preservation Restriction for the Brookhouse Home, which is being granted as a condition of CPA funding. The document has been reviewed by Massachusetts Historical Commission, signed by the Brookhouse Home officers, and accepted by the Salem Historical Commission and needs acceptance by the City Council. (See backup for entire document)

Action Contemplated

Councillor McCarthy/McClain	Moved adopted by RCV	Yeas	Nays	Abs
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Communication and Order from City Solicitor to surplus and convey to the Salem Housing Authority a 10,217 sf City owned parcel know as Parcel A (consisting of a narrow strip of land between Pioneer Terrace and the Seawall along Palmer's Cove)

Ordered: The Salem City Council hereby declares that the 10,217 square foot parcel identified as "Parcel A" on the attached plan entitled "Plan of Land located in Salem, Massachusetts, Essex County," prepared for City of Salem and Salem Housing Authority, dated November 2, 2021 prepared by Meridian Associates, is surplus to the City's needs.

Be it further Ordered that the Mayor is authorized, on behalf of the City, to deed Parcel A to the Salem Housing Authority at no cost pursuant to the requirements set forth in Massachusetts General Law Chapter 30B, Section 16(i). The deed shall include an easement to the City for maintenance of the adjacent seawall and an easement for the public to pass and repass over Parcel A which shall be maintained as open space.

Action Contemplated

Councillor Riccardi/Cohen	Moved Refer to the Comm. on Ord., Lic. & Legal Affairs co-posted w/ COW			Voted
	OR			
	Moved adopted by RCV	Yeas	Nays	Abs

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**CITY OF SALEM**  
**JANUARY 27, 2022**  
**REGULAR MEETING**  
**PETITIONS**

Petition from Comcast to install Conduit on Lynde Street

HEARING ORDERED FEBRUARY 10, 2022

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Petition from Comcast to enlarge an existing manhole

HEARING ORDERED FEBRUARY 10, 2022

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Petition from National Grid to install Conduits on Peabody Street

HEARING ORDERED FEBRUARY 10, 2022

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Petition from National Grid to install Conduits on Norman Street

HEARING ORDERED FEBRUARY 10, 2022

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Communication from Alphonse V. Wright, Co-Chair, Salem Human Rights Coalition requesting that a Council liaison for the newly named Salem Human Rights Coalition (formerly No Place for Hate) be assigned.

Action Contemplated

Councillor Hapworth	Moved referred to the Comm. on Gvt. Services co-posted with Comm. of the Whole	Voted
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**CITY OF SALEM**  
**JANUARY 27, 2022**  
**REGULAR MEETING**

**PETITIONS**

The Following License Applications:

**PUBLIC GUIDES:**

Chris Dowgin, 192 Essex St., Salem  
 Euni Morrow, 200 16<sup>th</sup> Ave. Florida  
 Christine Gandolfi-Piper, 40 Aborn St., Peabody  
 Roger Fruggiero, 11 Berrywood Ln., Salem  
 Kenneth Glover, 20 Essex St., Beverly  
 James Menice, 9 Monte Rd., Lynn  
 Sarah Black, 3 English St., Salem  
 Susan Conlin, 11 Kimball St., Marblehead  
 David Harris, 3 Buford Rd., Peabody  
 Linda Harris, 3 Buford Rd., Peabody  
 Cody McCallister, 7 Forrester St., #2, Salem  
 Ronald Olson, 50 Stony Brook Rd., Marblehead  
 Beth Crowley, 7 Forrester St., Salem  
 Tammy Harrington, 48 Federal St. #305, Beverly  
 Amey Butler, 14 Hunt St., Danvers  
 Robert Sant Fournier, 5 Crescent Ct., Beverly  
 Mollie Steward, 1 Gerrish Place, Salem

**TAXI OPERATORS:**

Jose Guerrero, 30 Symonds St., Salem  
 Johanny Altagracia Polanco, 15 Boston St., Salem  
 Cristhian Nunez, 15 Pond St., Salem  
 Jonathanael Baez Nunez, 12 Mason St., Salem  
 Marino Concepcion, 96C Tremont St., Peabody  
 Javier Guillermo, 32 Rainbow Ter., Salem  
 Oscar Ramirez, 15 Dunlap St., Salem  
 Vladimir Inoa, 414 Essex St., Salem  
 Delta Gomez, 32 Rainbow Ter., Salem  
 German Rosario, 34 Prince St., Salem

Action Contemplated

Councillor Riccardi

Moved Granted

Voted

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**CITY OF SALEM**  
**JANUARY 27, 2022**  
**REGULAR MEETING**

**PETITIONS**

The Following Taxi Operator License

TAXI OPERATOR: Jose Romero, 10 Peabody St. #1, Salem

Action Contemplated

Councillor Riccardi	Moved Denied	Voted
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The Following License Applications:

SECOND HAND VALUABLE: Glass & Etc., 180 Essex St., Salem

TAG DAY: SHS Concert Band & Wind Ensemble, May 14, 2022

Action Contemplated

Councillor Riccardi	Refer to Comm. on Ord., Lic. & Legal Affairs	Voted
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The Following Contract Operator/Drainlayer Licenses:

Caruso Corp., 320 Charger St., Revere  
 Caruso & McGovern Construction, Inc., 1 Industrial Way, Georgetown  
 D & M Civil, Inc., 30Log Bridge Rd., Middleton  
 Delulis Brothers Construction Co., Inc., 31 Collins St., Lynn  
 DiBiase Corporation, 749 Lowell St., Lynnfield  
 Early Contractors, Inc., 50 South Main St., Bradford  
 J. Masterson Construction, 46 Prince St., Danvers  
 McGrath Enterprises, 28 Oakville St., Lynn  
 Meninno Construction, 76Oakville St., Lynn  
 Raffaele Construction Corp., 233 Burrill St., Swampscott  
 Tufts Construction, Inc., 100 Tremont St., Everett  
 WAM General Contractors, Inc., 363 Cabot St., Beverly

Action Contemplated

Councillor Riccardi	Moved Granted	Voted
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**CITY OF SALEM**  
**JANUARY 27, 2022**  
**REGULAR MEETING**  
**PETITIONS**

The Following Claims:

Jordan Bartholomew (Owner of Bada Bing), 96 Washington St., Salem  
 Kathleen Franson (Owner/Landlord), 96 Washington St., Salem  
 Jason Stull, 28 Prospect St., Marblehead,

Action Contemplated

Councillor Riccardi	Moved referred to the Comm. on Ord., Lic. & Legal Affairs	Voted
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The Following Bonds:

DRAINLAYERS:	Delulis Brothers Construction Co., Inc., 31 Collins St., Lynn Raffaele Construction Corp., 233 Burrill St., Swampscott
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Action Contemplated

Councillor Riccardi	Moved referred to the Comm. on Ord., Lic. & Legal Affairs & Returned Approved	Voted
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**CITY OF SALEM**  
**JANUARY 27, 2022**  
**REGULAR MEETING**  
**UNFINISHED BUSINESS**

Second Passage of a Bond Order

ORDERED: That the order of the City Council passed on July 9, 2020 and approved by the Mayor on July 13, 2020 authorizing an appropriation and borrowing in the aggregate amount of \$9,638,451 to fund the Fiscal Year 2021 General Fund Capital Improvement Program and allocating such authorized amount among various capital projects in specified amounts ("the FY21 CIP Loan Order"), is hereby amended to replace the project designated in the FY21 CIP Loan Order as "School – Salem High Bathroom renovations - \$200,000" with the following project: "School – Salem Public Schools bathroom renovations - \$200,000"; and that the FY21 CIP Loan Order is otherwise ratified and confirmed in all respects.

Action Contemplated

Councillor McCarthy Moved Adoption for second passage by RCV Yeas Nays Abs

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Second Passage of an Ordinance amending an Ordinance to expand the safety enhancement zone

**An Ordinance** to expand the safety enhancement zone.

**Section 1.** Section 1-11 of the Code of Ordinances is amended by replacing (b)(1) definitions in its entirety with the following:

"Safety enhancement zone is defined as the B-5 Central Business District of the City of Salem's Zoning Ordinance and all areas of the city up to and including one mile from the border of the B-5 Central Business District."

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

Action Contemplated

Councillor Riccardi Moved Adoption for second passage by RCV Yeas Nays Abs

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On the motion of Councillor

the meeting adjourned at

P.M.