

City of Salem, Massachusetts  
Office of the City Clerk

Ilene Simons  
City Clerk



Room 1  
City Hall

February 7, 2023

**MEETING NOTICE AND AGENDA**

The Salem City Council will hold its regular meeting via remote participation in accordance with Chapter 107 of the Act of 2022 and in person on February 9, 2023, at 7:00 P.M. in the Council Chambers, 93 Washington Street, 2<sup>nd</sup> floor for the purpose of discussing any and all business.

Members of the public may attend in person or remotely via Zoom by clicking on the website link noted below:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89850112841?pwd=d1RDTUI5am9PalZzd0RVRzIUWTJsUT09>

Password: 421938

Go to the website link <https://zoom.us/join>. Enter Webinar ID: **898 5011 2841** 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#: **898 5011 2841** 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).

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

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](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**  
**FEBRUARY 9, 2023**  
**REGULAR MEETING**

A Regular Meeting of the City Council was held in-person and remotely via zoom on Thursday, February 9, 2023, at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on February 7, 2023, at 8:54 A.M. This meeting is being recorded and is live on S.A.T.V.

Councillors absent:

Council President Stott 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.

**PUBLIC TESTIMONY**

**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. Emails nor phone calls will be accepted anymore.**

**How to Sign Up:**

You may participate in Public Testimony remotely or in-person or the Council President may read your comment into the record.

You may sign up to speak using the following two (2) methods:

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 requires information such as your name, address, subject matter, etc.

2. You may also sign the roster in the City Clerk's Office, Room #1 no later than 6:30 P.M. on the date of the meeting.

**CITY OF SALEM**  
**FEBRUARY 9, 2023**  
**REGULAR MEETING**

**HEARINGS**

Order National Grid to install conduits on Bay View Circle

APPEARING IN FAVOR:

APPEARING IN OPPOSITION:

Action Contemplated

Councillor Stott	Moved to close the Public Hearing	Voted
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Councillor Stott	Moved Granted	Voted
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**CITY OF SALEM**  
**FEBRUARY 9, 2023**  
**REGULAR MEETING**

**APPOINTMENTS AND REAPPOINTMENTS**

The Mayor's Appointment of James Bostick of 32 Barr St., Salem, MA, to serve on the City of Salem Public Art Commission with the term to expire on February 9, 2024

Action Contemplated

Councillor Stott

Held under the Rules

Voted

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**CITY OF SALEM**  
**FEBRUARY 9, 2023**  
**REGULAR MEETING**

**COMMUNICATIONS FROM THE MAYOR**

ORDERED: That the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) is hereby appropriated within the "Capital Outlay" account (20002322-5846FU) to be expended by the Parking Department for costs associated with Phase 2 structural repairs at Museum Place Garage in accordance with the recommendation of His Honor the Mayor.

Councillor McClain	Suspension of the Rules	Councillor	Objection
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Action Contemplated

Councillor McClain	Refer to the Comm. on Admin. & Finance under the rules	Voted	
	OR		
	Moved Adoption		Voted

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ORDERED: That the sum of Forty-Two Thousand Seven Hundred Forty Dollars (\$42,740.00) is hereby appropriated within the "Capital Outlay" account (20002322-5846FT) to be expended by the Building Department for costs associated with the emergency boiler replacement at City Hall and related work in accordance with the recommendation of His Honor the Mayor.

Councillor McClain	Suspension of the Rules	Councillor	Objection
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Action Contemplated

Councillor McClain	Refer to the Comm. on Admin. & Finance under the rules	Voted	
	OR		
	Moved Adoption		Voted

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ORDERED: To accept the donation from Friends of the Salem Council on Aging in the amount of Four Thousand Five Hundred Dollars (\$4,500.00) for 250 Easter meals for isolated or homebound seniors. These funds will be deposited into the COA Donations Fund - Fund (2401) account number 24011-4830 in accordance with the recommendation of His Honor the Mayor.

Action Contemplated

Councillor McClain	Moved Adoption		Voted
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MAYOR'S INFORMATIONAL PAGE

NONE

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

**MOTIONS, ORDERS AND RESOLUTIONS**

Councillor Hapworth

ORDERED: That the Committee on Government Services co-posted with the Committee of the Whole meet with the City Engineer to discuss trash pickup fees and their impact on renters

Action Contemplated

Councillor Hapworth	Moved Adoption	Voted
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Councillor Hapworth

ORDERED: That the Committee on Government Services co-posted with the Committee of the Whole meet with members of the Planning Department and the Community Impact Unit to discuss Sigle Room Occupancy

Action Contemplated

Councillor Hapworth	Moved Adoption	Voted
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Councillor Watson-Felt

ORDERED: That the Department of Planning and Community Development send a report to the City Council in six (6) months and twelve (12) months on how many ADU permits are in process, processed, or units created after the second passage of the current Zoning Amendments to the Accessory Dwelling Units and the Affordable Accessory Dwelling Units. The report should also include a summary of parking issues and any other problems or concerns.

Action Contemplated

Councillor Watson-Felt	Moved Adoption	Voted
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**CITY OF SALEM**  
**FEBRUARY 9, 2023**  
**REGULAR MEETING**

**MOTIONS, ORDERS AND RESOLUTIONS**

Councillor McClain

ORDERED: That the Committee on Administration and Finance co-posted with the Committee of the Whole meet to review the Compensation of the Mayor, Ch. 2 Sec. 142 and that a recommendation be reported out to the City Council no later than the first meeting in April. The Committee shall recommend the salary of the Mayor for the subsequent two fiscal years.

Action Contemplated

Councillor McClain

Moved Adoption

Voted

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Councillor Stott

ORDERED: That the City Council re-elect Councillor Cohen and Councillor Watson-Felt to the Affordable Housing Trust Fund Board of trustees per Ordinance Ch. 2 Sec. 1002; "The City Council shall annually elect two members of the City Council to serve for a term of one year. The City Council President or designee shall serve for a term of one year. No trustee, excluding the Mayor, shall serve for a term exceeding two years" And that their terms expire on December 31, 2023

Action Contemplated

Councillor Stott

Moved Adoption

Voted

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

**COMMITTEE REPORTS**

Councillor McClain offered the following report for the Committee on Administration and Finance to whom it was referred the matter of \$62,084.42 appropriation to various departments for mid-year personnel adjustments due to increase in minimum wage and other costs has consider said matter and would recommend (Action unknown as meeting held after agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

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

PAWN BROKER: Salem Loan & Jewelry, Salem

SEAWORMS: Joe Mendonca, Peabody

SECONDHAND VALUABLES: Witch City Consignment, Salem

TAG DAY: SHS Band, Orchestra & Chorus, May 20, 2023

Accept the Report Voted

Adopt the Recommendation Voted

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Councillor Merkl offered the following report for the Committee of the Whole to whom it was referred the matter of Overview of Destination Salem's work as the City's Destination Marketing Organization has considered said matter and would recommend the Presentation be Received and Filed

Accept the Report Voted

Adopt the Recommendation Voted

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**CITY OF SALEM**  
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**COMMUNICATIONS FROM CITY OFFICIALS**

Communication from Planning Board relative to the proposed Amendments to Zoning Ordinance and the Map for 67 Derby Street

**Report of the Planning Board to City Council**  
**Re: Proposed Amendments to Zoning Ordinance and Map**

February 3, 2023

At its meeting on February 2, 2023, the Planning Board discussed a proposed amendment to the Zoning Ordinance and Map to amend Section 1 to rezone a parcel at 67 Derby Street from Residential 2 Family (R2) to Industrial (I).

This item was referred from the January 30, 2023, joint public hearing with the City Council.

The Planning Board voted nine (9) (Chair Bill Griset, Kirt Rieder, Zach Caunter, Carole Hamilton, Sarah Tarbet, Helen Sides, Tom Furey, Jonathan Berk, and Josh Turiel) in favor, and zero (0) opposed to recommend that the City Council adopt the proposed amendment.

If you have questions regarding this matter, please contact Tom Daniel, AICP, Director of Planning & Community Development, at 978-619-5685.

William Griset, Chair of the Planning Board  
 CC: Ilene Simons, City Clerk

Action Contemplated

Councillor Morsillo

Moved received and filed

Voted

ZONING ORDINANCE AND MAP AMENDMENT TO REZONE A PARCEL AT 67 DERBY STREET

In the year two thousand and twenty-two

An Ordinance to amend an Ordinance and Map relative to Zoning

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

**Section 1.** The City of Salem Zoning Map in accordance with the requirements of Massachusetts General Laws, Chapter 40A, Section 5, that the following parcel located

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in Residential Two Family (R2) and Industrial (I) districts be rezoned to the Industrial (I) district.

Address

Assessor's Map and Lot Number

67 Derby Street

Assessor's Map 41, Parcel Lot Number 0339

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

Action Contemplated

Councillor Prosniewski

Moved adoption for first passage by RCV

Yea    Nay    Abs



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**PETITIONS**

Petition from National Grid to install 1 pole on Bridge St. (pole #2972)

HEARING ORDERED FEBRUARY 23, 2023

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Petition from National Grid to install 1 Jointly Owned pole on Endicott St.

HEARING ORDERED FEBRUARY 23, 2023

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Petition from National Grid to install 1 pole on Bridge St. (pole #598)

HEARING ORDERED FEBRUARY 23, 2023

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Request from HAWK to hold a road race – Walk/Run for HAWK and use of city streets on June 4, 2023

Action Contemplated

Councillor Watson-Felt

Moved Granted

Voted

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Request from Mental Makeover to hold a road race – The World Needs You Here Road Race and use of city streets on July 30, 2023

Action Contemplated

Councillor Watson-Felt

Moved Granted

Voted

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**PETITIONS**

The Following License Applications:

PUBLIC GUIDES:	<p>Pamela Cyran 394 Essex St., Salem  Katherine Travers 394 Essex St., Salem  Sarah-Frankie Carter 394 Essex St., Salem  Katheryn Rutkowski 1 Spiros Way, Peabody  Michael Vitka 384 Essex St., Salem  Karen Scalia 29 RR Upham St., Salem  Chalotte Michaels 10 Summer St., Salem  Julia Finn 1 Ledgewood Way, Peabody  Lemaris Bell 116 Boston St., Salem  Rebecca Parry 2 Wallace Rd., Marblehead  Sarah Black 377 Essex St., Salem  Beverly Ballaro 25 Arlington St., Lynnfield  William Ayers 5 Correll Rd, Marblehead  William Clemens 49 Summer St., Danvers  David Tullis 14 Fowler St., Salem  Mark Harwitz 22 Cloutmans Ln., Marblehead  Saeed Maseeh 787 Columbia Rd., Boston  Aaron Amnott 34 Loring Ave, Salem  Merry Beth Gardner 204 Jefferson Ave., Salem</p>
TAXI OPERATORS:	<p>Rafael Moja 407 Essex St., Salem  Cristhian Tejada Nunez 42 Harbor St., Salem  Jose Fabian Corneil 22 Pulaski St., Peabody  Juan Carlos Ronan 9233 Crane Brook Way, Peabody  Santo Ozoria 9 Prince St. Pl, Salem  Martin Santana 33 Harbor St., Salem  Jose Luis Munoz Monegro 16 Cherry St., Salem  Leandro Aristy Cedeno 37 Cook St., Lynn  Eliezer Polanco 46 Ward St., Salem  Eddy Pena Martinez 71 Harbor St., Salem  Valentina Rodriguez 135 Lafayette St., Salem</p>
TAXI CAB/LIMO:	<p>Witch City Taxi 92 Jackson St., Salem (2 Taxi's)</p>

Action Contemplated

Councillor Morsillo

Moved Granted

Voted

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**CITY OF SALEM**  
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**PETITIONS**

The Following Claims: Maria Rodriguez 16 Chase St., Salem  
James Mills 48 Endicott St., Salem  
Bradley Mickiewicz 20 High St., Salem  
Simona Sharoni 281 Essex St., Salem

Action Contemplated

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

T. Mackey and Sons Inc., 58 Broadway Salem  
Delulis Bros. Construction 31 Collins St. Ter., Lynn  
Caruso & McGovern Construction 1 Industrial Way, Georgetown

Action Contemplated

Councillor Morsillo	Moved Granted	Voted
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**CITY OF SALEM**  
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**REGULAR MEETING**

**UNFINISHED BUSINESS**

Second Passage of a Zoning Ordinance relative to Accessory Buildings and Structures and Affordable Accessory Dwelling Units.

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

**An Ordinance** to amend an ordinance relative to zoning

**Section I.** Amend Section 3.2.4 *Accessory Buildings and Structures* by

- a. Deleting the phrase “with the exception of setback, which shall comply with Section 3.2.4(6)” from paragraph 5.
- b. Deleting paragraph 6 in its entirety.

**Section II.** Amend Section 3.2.8(5) *Affordable Accessory Dwelling Units. Requirements* by

- a. Deleting paragraph 5(b) in its entirety.
- b. Inserting the word “exterior” following the word “all” in Section 5(l).
- c. Deleting Section 5(m) in its entirety.

**Section III.** Amend Section 3.2.8 by deleting, in their entirety, the definitions of “Existing detached accessory building,” “Expanded detached accessory building,” and “New detached accessory building.”

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

Action Contemplated

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

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Second Passage of a Traffic Ordinance relative to Handicap Parking – Nursery Street

**In the year two thousand and twenty-three**

**An Ordinance** to amend an Ordinance relative to Traffic

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

**Section 1.** Chapter 42, Section 50B – “Handicap Zone Limited Time” is hereby amended by adding the following:



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**UNFINISHED BUSINESS**

Nursery Street – in front of #11 for a distance of 20 feet, “Handicap Parking, Limited Time, Tow Zone”

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

Action Contemplated

Councillor Stott	Moved Adoption for second passage	Voted
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Second Passage of a Traffic Ordinance relative to Handicap Parking – Repeal Ocean Ave. West

**In the year two thousand and twenty-three**

**An Ordinance** to amend an Ordinance relative to Traffic

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

**Section 1.** Chapter 42, Section 50B – “Handicap Zone Limited Time” is hereby amended by repealing the following:

Ocean Ave West – **REPEAL** - in front of #169 Ocean Ave West for a distance of twenty (20) feet, “Handicap Parking, Limited Time, Tow Zone”

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

Action Contemplated

Councillor Morsillo	Moved Adoption for second passage	Voted
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Second Passage of a Traffic Ordinance relative to Service Zones – Congress Street

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

**An Ordinance** Relative to Traffic

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

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**UNFINISHED BUSINESS**

**Section 1.** Section 13 of Article I be amended by inserting the following:

Congress Street – Service Zones – on the westerly side of Congress Street at a point beginning forty (40) feet north of the intersection with Leavitt Street, and extending northward for twenty (20) feet, Monday through Saturday, 8am to 4pm.

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

Action Contemplated

Councillor Prosniewski

Moved Adoption for second passage

Voted

Second Passage of a Traffic Ordinance relative to Parking Prohibited on Certain Streets and Certain Times – Ocean Terrace

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

**An Ordinance Relative to Traffic**

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

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

Ocean Terrace – Parking Prohibited on Certain Streets – southerly side. (8/20/73 DPW 5-754)

And inserting:

Ocean Terrace – Parking Prohibited on Certain Streets – northerly side.

Ocean Terrace – Parking Prohibited on Certain Streets – southerly side, beginning at a point a distance of 92 feet east of the intersection with Cliff Street and proceeding in an eastward direction until the end of the street.

**CITY OF SALEM**  
**FEBRUARY 9, 2023**  
**REGULAR MEETING**

**UNFINISHED BUSINESS**

**Section 2.** Section 51B of Article V be amended by repealing the following:

Ocean Terrace – Parking Prohibited at Certain Times on Certain Streets – southerly side, Sundays and holidays, 9:00 A. M. to 4:00 P. M. June 1 to September 30. (5/23/61 DPW 10652)

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

Action Contemplated

Councillor Cohen

Moved Adoption for second passage

Voted

On the motion of Councillor Dominguez the meeting adjourned at

P.M.