

City of Salem, Massachusetts
Office of the City Clerk

Ilene Simons
City Clerk



Room 1
City Hall

May 9, 2024

MEETING NOTICE AND AGENDA

The Salem City Council will hold its regular meeting in-person on Thursday, May 9, 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/84761448222?pwd=OVU0SktyZC9ibmFoWHhTK3JZYXlwZz09>

Password: 474195

Go to the website link <https://zoom.us/join>. Enter **Webinar ID: 847 6144 8222** followed by the meeting password noted above in necessary.

Or by Telephone: Participants can dial a toll-free number at 877-853-5257 (Toll Free) or 888- 475-4499 (Toll Free). When prompted, enter **Webinar ID: 847 6144 8222** 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

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City Ordinance Sections 2-2028 through 2-2033.”

A Regular Meeting of the City Council was held in-person on Thursday, May 9, 2024, at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on May 7, 2024, at 3:31 P.M. This meeting is being recorded and is live on S.A.T.V. and Zoom unless technological issues interrupt the transmission.

Councillors absent:

Council President Hapworth presided.

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

VOTED

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

Salem City Council Land Acknowledgment

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

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

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

PUBLIC TESTIMONY

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

How to Sign Up:

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

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

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

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This form will be available beginning 6:30 P.M. on the Tuesday before the meeting and remains open until 6:30 P.M. on the day of the Council Meeting. This form requests information such as your name, address, and whether you will attend in person or remotely.

If the on-line form is not available due to technology issues, you must use option #2. In addition, if you plan have signed up to speak on zoom, we will allow you to speak as long as it is technologically feasible.

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

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HEARINGS

NONE

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COMMUNICATIONS FROM THE MAYOR

Mayor submitting the Fiscal Year 2025 Operating and Capital and Capital Budget (see letter below – ends on page 12)

May 9, 2024

Salem City Council
93 Washington Street
Salem, MA 01970

Dear Councillors,

I am proud to submit for your consideration the proposed FY2025 City budget and the associated ordinances and orders necessary to implement it. Budgets reflect the values and priorities of a community, and Salem's is no exception. In developing the coming year's budget our focus was on advancing the three pillars of the FY2025 Strategic Plan: livability, improving services, and transparency. Focusing on affordability, sustainability and resilience, and equity will help us ensure a more livable and vibrant community for all. We want to provide municipal services, policies, and projects that are forward-looking, open to innovation and new approaches, and delivered efficiently and effectively. And City actions should be open, honest, evidence-based, and inclusive.

The FY2025 proposed budget is \$204,106,637, an increase of 4.1% over the previous year's budget. Most of the budgetary increase is due to increases in fixed costs. Fixed costs on the City side of the budget are increasing in FY2025 by \$3,383,766, exceeding the historical average: excepting the FY2021 pandemic-impacted budget the average increase in fixed costs on the City portion of the budget over the last decade was \$2,612,920. In other words, fixed costs on the City budget are nearly 30% more than the historical average. Fixed costs include health and retirement benefits for employees, debt payments, charges by the state, costs obligated by prior contracts, and utility costs. Many fixed costs have been driven up substantially by inflationary impacts from earlier in FY2024 and while our energy services contract and related sustainability work for City buildings and vehicles have lessened the impact of energy cost spikes (and will hopefully continue to do so), those overall costs have increased. Our largest single fixed-cost increase, however, is in health insurance for our employees, which will go up in FY2025 by \$1,655,721, almost 10% over FY2024. On the School side of the budget, fixed costs are increasing by \$3,156,472. Combined with the City amount, the total increase in fixed costs is \$6,540,238, which represents 81.4% of total budget increase. Put another way, for every dollar the budget increases, around 81-cents of that are from costs that are fixed and must be paid.

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This is no doubt a challenging year for Salem and for many communities across Massachusetts. Balanced against these increases in fixed costs, the impacts of inflation, and rapidly increasing cost of personnel to ensure competitive wages and benefits, one-time revenues derived from federal funding related to the pandemic are ending. Salem wisely took steps earlier in FY2024 to mitigate the effects of that to an extent, but we will continue to feel some consequences from it into FY2025, particularly related to pandemic funding for public schools. The proposed FY2025 budget accounts for and manages these changes strategically and without compromising our focus on critical services and programs for our community and for our schools.

While the pressures are significant in this coming fiscal year, along with uncertainties related to local aid from the state – which is not finalized by the legislature at the time this budget is being filed – and the on-going negotiations for new contracts with five of our City’s eight public employee unions, there are reasons for optimism.

A strong local economy has bolstered revenue projections for a number of our local receipts and receipts reserved categories, and we are estimating a conservative, but positive, change in new growth for FY2025. Growth of our tax base is critical to mitigating the impact on existing property taxpayers and must remain a shared priority for City government. For context, our anticipated new growth is just slightly less than the increase in our health insurance costs alone. Without growth, fixed cost increases such as that will fall to existing property taxpayers.

The combination of high interest rates and large federal allocations in City accounts generated healthy levels of investment income in FY2024; while this is not a recurring revenue source, it is aiding us in reducing the impact that would come from abruptly ceasing ARPA and ESSER funded programs as those federal funding sources conclude. Lastly, a debt analysis exercise by the Finance Department has identified opportunities to redirect unused bond authorizations and remaining ARPA dollars to shovel-ready capital projects. That will greatly reduce the amount of borrowing necessary for the FY2025 capital program, helping the City avoid the impact of higher interest rates for debt (even with our record bond rating from Standard & Poor’s reaffirmed earlier this year, overall interest rates remain challenging), reduce future years’ debt payments, and potentially favorably impact water/sewer rates in the years ahead.

The proposed FY2025 budget includes a number of changes and additions worth highlighting. With changes in leadership in three departments – Public Services, Engineering, and Information Technology – those three departments are undertaking minor internal reorganizations. Those new structures are reflected in the Public Services and IT department budgets, but Engineering is still underway and will be revised in the coming months. Public Services and Engineering are accomplishing their reorganizations without any net increase in their personnel costs; IT is shifting some personnel costs to their expense budget through their restructuring. In other words, none of these administrative changes will bring a net increase in the overall City budget.

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We are proposing a total addition of four new full-time positions (an increase in full-time personnel of 1.0%) and two new part-time positions an increase in part-time personnel of 1.2%) on the City (non-School) portion of the budget. To ensure we are meeting our goal of delivering services equitably, affordably, and efficiently, all of these positions are funded through the proposed changes to local fees reflected in ordinances filed with this budget or previously filed with you this year, or through anticipated grants.

Department	Position	Revenue Off-Set
Health	Code Enforcement Officer (FT)	Short-term rental fee adjustment (administrative fee)
Inspectional Services	Local Building/Code Enforcement Compliance Inspector (FT)	Permit fee adjustment (enclosed)
Electrical	Journeyman Electrician (FT)	Permit fee adjustment (enclosed)
Finance	Grants Coordinator/Budget Analyst (FT)	Anticipated grants
Solicitor	40U Hearing Officer (PT)	MGL 40U fines
Solicitor	Enforcement Officer (PT)	Public guide fee adjustment (previously filed)

As mentioned above, we are currently negotiating successor contracts with five of our collective bargaining units. As such, there may be additional FY2025 personnel costs that will require a future City Council vote to appropriate. Funding to manage those future costs is being budgeted within the City's existing Salary Reserve account. That account also carries funds for a forthcoming accomplishment-based salary exercise for exempt employees. There are approximately 166 exempt (that is, non-union) City positions, including department heads. To more objectively ensure we are fairly compensating the employees in these positions, earlier this fiscal year we began a formal compensation study with an outside consultant. The FY2025 budget builds on the early results of that study, which is still on-going, by providing a cost-of-living adjustment and an added incremental adjustment to certain positions to begin moving them closer to a competitive salary range. The final report will outline a long-term classification plan to provide a roadmap for future adjustments to ensure a competitive workforce and improve employee retention, as well as a structure for accomplishment-based increases for exemplary employees. For FY2025, those merit-based increases will be funded out of the Salary Reserve, subject to City Council appropriation in early FY2025. For future years, exempt employee salary adjustments will be structured based on a COLA, the classification plan, and an accomplishment-based review conducted by department heads and the Mayor starting in February, so those changes can be fully reflected in the budget filed with the City Council in May.

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Also new in the FY2025 proposed budget is funding to carry out the newly issued Language Access Policy. This policy sets standards for City departments for the translation of public-facing documents into Spanish, which was supported initially by an allocation from our ARPA funding. On an on-going basis, we are proposing to provide stipends to bilingual employees who pass a certification test and provide bilingual translation and interpretation to those contacting departments. This is similar to a policy utilized successfully by Salem Public Schools and we are proud to be able to extend it to municipal departments now, as well.

Our schools' budget is \$74,592,616, an increase of \$3,438,474 or 4.83%, over the FY2024 school budget. This does not include school-related costs that appear elsewhere in the budget, such as school employee health insurance increases, unemployment costs, and debt for school building projects. It also does not include charter school tuition assessments or our assessment for the Essex North Shore Agricultural and Vocational Technical High School, which are also education-related expenditures by the City. When those factors are included, a substantial amount of Salem's budget is tied to our schools and our students, easily the largest single area of spending. The direct appropriation increase proposed for FY2025, however, \$3,438,474, is 72% more than the average increase over the past decade. The 4.83% boost to the City's appropriation to our schools exceeds the average increase of 3.26% of the previous decade and reflects our commitment to our public schools, our educators, and, most importantly, our students.

The enterprise fund budgets will increase by \$382,654, or 1.88%, over the FY2024 enterprise funds budget, due to increases in assessments for these services and the need for ongoing infrastructure maintenance and upgrades. Ordinances have been submitted to you establishing the water and sewer rates necessary to fund these budgets.

The FY2025 Capital Improvement Plan (CIP) is also included as part of this budget, as are the associated bond orders to fund these capital investments. I am proud that we continue to offer forward-looking capital plan in our budget each year, as a responsible and transparent way of planning for future obligations while meeting present-day needs to best serve Salem residents. The CIP reflects projects across most City departments and our public schools, and is funded through a wide diversity of funding sources, including bonds, short-term capital, grants and rebates, receipts, retained earnings, and more. As outlined above, for FY2025, we have sought to minimize debt costs by leveraging other funding sources for capital projects, in order to reduce future debt payment amounts and ease rate increases for water and sewer users. For example, the proposed FY2025 CIP derives \$8,028,761 from general fund and enterprise fund bonding, which is \$15,353,239 less than the total derived from bonding for the FY2024 CIP. The FY2025 CIP additionally aligns with our on-going energy service plan implementation to improve the sustainability of City facilities. These facts reflect the City's goal of investing in our critical capital needs to ensure a vibrant, resilient, and accessible community, but doing so in a strategic, thoughtful, and efficient manner.

The FY2025 CIP includes a multitude of important new projects, but to highlight just a few:

- Continuation of the smart traffic signal installations at Congress Street, Derby Street, and Hawthorne Boulevard (\$100,000).
- \$2,132,548 in both local and state funds for road paving and sidewalks.

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- Continuation of the Boston Street corridor project to advance the design from the current 75% to 100% (\$625,000).
- Efficiency and accessibility projects and repairs to fire stations (\$110,305).
- Replacement of police and fire vehicles (\$426,000).
- An overhaul of the City website to provide easier and more accessible public engagement to critical information (\$70,000).
- \$434,365 for substantial upgrades to wireless and internet service at Collins Middle School and Salem High School.
- New and more efficient lighting and control system in the Salem Public Library (\$54,135).
- New electric vehicle charging stations at the Community Life Center (\$258,000).
- Three new vans for the Council on Aging, including two electric ones (\$65,619).
- Final phase of local funding of \$500,844 for the Salem Willows Pier signature park project.
- \$1,010,000 for the Jefferson Avenue/Willson Street intersection safety project.
- \$325,000 to design safety improvements for the Essex Street/Cambridge Street intersection.
- Improvements and repairs to public property adjacent to Salem Wharf on Blaney Street and the City's deep-water berth, and design phase for the new Ferry Terminal building (\$511,410).
- Phase 2 of the Salem Willows Signature Park Project (\$421,750).
- Phases 2-4 of the Dickson Chapel historic preservation and restoration project (\$350,000).
- Creation of a preservation and management plan for Fort Lee (\$32,000).
- Begin design of a multi-use path network along Highland Avenue (\$40,000).
- Finalize design for the Curtis Park improvement project (\$90,813).
- Advance development goals for Church Street parking lots through public engagement and technical analysis (\$25,000).
- Artist Row roof replacements (\$222,500).
- Phase 2 of the Old Town Hall restoration and renovation project, focused on exterior preservation and improvement work, including additional accessibility and sustainability elements (\$2,000,000).
- \$200,000 for replacement of the emergency backup generator at the Salem Police Department and \$170,000 to replace the one at Witchcraft Heights Elementary School.
- Installation of a Level 1 fast charger for the Salem Police Department's increasing number of electric vehicles (\$217,608) and a second one for other municipal departments utilizing electric vehicles (\$250,000).
- Installation of an emergency speaker system downtown (\$100,000).
- Efficiency and accessibility projects and repairs at the police station (\$360,801).
- Begin installation of permanent street sweeping signage (\$25,000).
- Begin Citywide sidewalk small repair initiative (\$750,000).
- \$500,000 to repair and refresh the Bates Elementary School pre-K playground.
- \$1,764,328 for a variety of efficiency and improvement projects at Salem Public Schools buildings aligned with the City's energy services plan.
- Continuation of public engagement and outreach work related to Resilient Together: El Punto (\$50,000).
- Update to the City's Hazard Mitigation Plan (\$50,000).

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Salem should be proud of our record stabilization levels, bond rating, and considerable levy capacity. We have also enjoyed a low average tax bill increase relative to our region. In our budgeting practices, the taxpayers of Salem should be foremost in mind. This budget recognizes and respects the impact of property taxes on residents. Salem's average tax bill change over the last decade has been well below the average for our region and bolstered by the adoption of as many exemptions and abatements as practical, particularly focused on our neediest taxpayers, including lower income residents, seniors, veterans, and those living with disabilities, as well as through increasing the share of the cost burden being exported to visitors and non-residents through fees and excises. We continue to tax below our allowable levy limit; for FY2025, we will continue to maintain excess levy capacity – in the amount of \$7,816,157 – a further demonstration of our prudence and care with taxpayer dollars.

The financial challenges presented by fixed cost centers and the many externalities pressuring our fiscal conditions are very real and have a very real effect on our budget. Despite those pressures, I am proud that the FY2025 budget maintains our dedication to fiscal responsibility while making important investments to strengthen our community. Our fiscal practices have resulted in not only affirmation of our historic high AA bond rating for the last eleven years in a row, but also our regular receipt – for sixteen years in a row – of recognitions and awards from the Government Finance Officers' Association, a national agency that provides professional guidelines for government budgets and fiscal practices. In its affirmation of the AA bond rating, S&P Global Ratings specifically cited Salem's "strong financial management environment with a focus on long-term financial and capital planning...to support stable finances."

Lastly, another key factor in enhancing our local economy and contributing to new revenues to help meet our budgetary needs are the public and private investments we continue to see in our community. These projects enhance our short- and long-term economic growth, create much needed housing, add to our tax base, and generate jobs. We are projecting the value increase of new growth for FY2025 at \$1 million. That is \$1 million less burden on existing Salem taxpayers. Without responsible new growth we cannot provide the

services and improvements that our constituents rightly demand and deserve. Given the reliable increase in fixed costs to the City and the financial challenges of the past year, a reflexively anti-growth position is equivalent to endorsing substantial tax increases on Salem homeowners and reduction in critical City services like public safety, public schools, and public works. With appropriate new growth comes much needed housing, commercial enterprises with jobs, and new revenues to support the needs of Salem taxpayers and the ability of local government to deliver critical services.

In FY2025 we will continue to strive to exceed the service level expectations of our constituents, while simultaneously ensuring fiscal prudence in all expenditures. The mission of City government in Salem is to provide open, honest, and pro-active services effectively and efficiently, focusing on the needs of today, with a vision for the future. To accomplish this, the proposed budget aligns operations with strategic goals and objectives, while maintaining necessary fiscal controls and careful attention to our financial forecasts in our budgeting.

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I appreciate the hard work and cooperation our department heads have put into the preparation of this year's budget. I cannot say enough about the efforts made by our Finance Department especially. The department's work ensured that the budget was ready for submission and in compliance with the high standards we set for ourselves pursuant to GFOA Distinguished Budget guidelines. This year the department was tasked with having the budget prepared earlier in May than usual, to afford Councillors as much time as possible to review this important document. This goal, which the department achieved, put added pressure on the staff in that office and they stepped up to the challenge with incredible professionalism and dedication.

Salem is one of only a handful of Massachusetts communities who annually qualify for both a Certificate of Excellence for our Comprehensive Annual Financial Report and a Distinguished Budget Presentation Award from the GFOA. In furtherance of the GFOA's prioritization of improving transparency in public budgets, we are proud to offer a "Budget in Brief" summary that quickly highlights the most important parts of the FY2025 City budget.

The proposed FY2025 budget represents a strong commitment to the people we are fortunate enough to have been elected to serve. It continues our balanced and responsible approach to City finances. It invests in the critical services that make Salem a vibrant city and one with schools in which we can all take pride – in short, a livable, equitable, and vibrant city, with excellent municipal services and a commitment to transparency. I recommend adoption of the proposed FY2025 budget, CIP, and other associated budgetary measures and I look forward to working with you in the coming days to enact this proposed spending plan to continue ensuring that Salem is a financially strong and professionally administered community.

Sincerely,



Dominick Pangallo
 Mayor, City of Salem

CC: Department head, Salem School Committee members, State Senator Joan Lovely

Action Contemplated

Councillor Merkl

Refer to the Comm. on Admin. & Finance
 Co-posted with the Committee of the Whole

Voted

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COMMUNICATIONS FROM THE MAYOR

ORDERED: That the sum of \$3,253,363 be and hereby is appropriated as part of the FY 2025 Capital Improvement Plan to be expended as listed below in accordance with the recommendation of His Honor the Mayor.

Department	Description	Account	Amount
Building	Annual Priority Small Repairs, Upgrades, FF&E & Associated Improvements	20002522-5846HQ	\$50,000
Building	ADA Compliance and Associated Improvements	20002522-5846HR	\$30,000
Electrical	Traffic Light Infrastructure Improvements/Updates	20002508-5846HS	\$60,000
Electrical	Smart Signal Project Phase 3	20002508-5846HT	\$100,000
Electrical	ADA Walk Signal Buttons	20002508-5846HU	\$10,000
Engineering Municipal	Furlong Park - Lot A	20002529-5846HV	\$200,000
Engineering Municipal	McGrath Park Remediation	20002529-5846HW	\$250,000
Fire	Lighting System Improvements - Four Fire Stations	20002510-5846HX	\$39,366
Fire	Fire Station Weather Infiltration Reduction	20002510-5846HY	\$12,953
Fire	Replace 22 year old Rescue Squad Truck	20002510-5846HZ	\$80,000
Fire	Annual Priority Small Repairs, Upgrades, FF&E & Associated Improvements	20002510-5846IA	\$30,000
Fire	ADA Compliance and Associated Repairs	20002510-5846IB	\$12,000
IT	Website upgrade	20002507-5846IC	\$70,000
IT	IT Lifecycle Management (City)	20002507-5846ID	\$200,000
Library	Lighting System Improvements & Controls	20002514-5846IE	\$48,925
Library	ADA Improvements and Associated Repairs at Library	20002514-5846IF	\$12,000
Library	Annual Priority Small Repairs, Upgrades, FF&E & Associated Improvements	20002514-5846IG	\$50,000
Park & Recreation	Vans for the Council on Aging	20002517-5846IH	\$65,619

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Park & Recreation	Park and Recreation ADA Compliance and Related Repairs	20002517-5846II	\$10,000
Traffic & Parking	Bicycle Infrastructure Design, Implementation & Repairs/Improvements	20002518-5846IJ	\$100,000
Traffic & Parking	Garage Improvements - Annual Repairs & ADA Compliance	20002518-5846IK	\$50,000
Traffic & Parking	Parking Infrastructure Improvements, EV, and Equipment Install/Maintenance	20002518-5846IL	\$150,000
Traffic & Parking	Traffic Calming Capital Improvements	20002518-5846IM	\$200,000
Planning	Highland Avenue Area Trail Plan	20002520-5846IN	\$40,000
Planning	Church Street Lots Development Goals	20002520-5846GIO	\$25,000
Planning	Artists' Row Roof Replacement Project	20002520-5846IP	\$222,500
Planning	Planning, Policy, and Zoning Studies and Implementation	20002520-5846IQ	\$50,000
Police	Cameras - Community/Police	20002521-5846IR	\$40,000
Police	Salem Police Headquarters General Repairs, Upgrades, FF&E, Studies, and Associated Replacements	20002521-5846IS	\$175,000
Public Services	Lead Service Inventory	20002523-5846IT	\$200,000
Public Services	ADA Improvements and Associated Repairs- DPS & Cemeteries	20002523-5846IU	\$20,000
Public Services	Szetela Lane - Mitigation	20002523-5846IV	\$100,000
Public Services	Street Sweeping Annual Signage Replacement	20002523-5846IW	\$25,000
Public Services	Annual Small Repairs, DPS Building Studies - DPS & Cemeteries	20002523-5846IX	\$30,000
Schools	Safety & Security	20002525-5846IY	\$225,000
Schools	IT Life cycle Management Student Devices	20002525-5846IZ	\$250,000
Schools	ADA and Associated Repairs Schools	20002525-5846JA	\$20,000
TOTAL CAPITAL OUTLAY FUND			\$3,253,363

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Councillor Merkl	Suspension of the Rules	Councillor	Objection
Action Contemplated			
Councillor Merkl	Refer to the Comm. on Admin. & Finance Co-posted with the Comm. of the Whole		Voted
	OR		
	Moved Adoption		Voted

ORDERED: That the sum of Eighty-Five Thousand Dollars and Zero Cents (\$85,000.00) be hereby appropriated from the following “Receipts Reserved for Appropriation” account, to be transferred to the Park & Rec – Golf Course “Equipment” account 16512-5860 for costs associated with the replacement of the Groundmaster4300 mower in accordance with the recommendation of His Honor the Mayor.

Description	Amount
Receipts Reserved – Golf Course	\$ 85,000.00
Total	\$ 85,000.00

Councillor Merkl	Suspension of the Rules	Councillor	Objection
Action Contemplated			
Councillor Merkl	Refer to the Comm. on Admin. & Finance Co-posted with the Comm. of the Whole		Voted
	OR		
	Moved Adoption		Voted

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ORDERED: That the Salem City council vote, pursuant to the provisions of MGL Chapter 44, Section 53E ½ to authorize the establishment of the revolving funds for fiscal year 2025 has herein described. Expenditures from said funds shall not exceed the amount of funds received in the respective accounts or as authorized as stated, shall come from any funds received by respective boards for performing services, shall be used solely for the purpose of implementing the programs delineated and shall be approved by a majority vote of any respective boards in accordance with His Honor the Mayor.

Dept.	Fund Name	Fund #	Programs & Purposes	Type of Receipts Credited	Authorization for Spending	FY 2025 Budget Request Maximum Annual Expenditures
COA	COA Programs	2374	To defray program costs including instructors, presenters, entertainment, decorations, food, etc.	Revenues and fees charged for programs	COA Director and Mayor	40,000.00
Electrical	Telecom	2376	To fund public information technology, telecommunication and electrical initiatives and projects	Application fees and rental revenue from telecommunications attachments pursuant to sections 12-125 and 12-170 of the City Ordinances	City Electrician and Mayor	50,000.00
Fire	R/A Local Emergency Planning Comm	2433	Training and special equipment needed to respond to hazardous materials incidents per CH 21E	Fees charged to persons spilling or releasing hazardous materials	Fire Chief and Mayor	40,000.00
Harbormaster	R/A WI STORAGE	2368	To Fund Capital items for Harbormaster, maintenance costs of equipment and maritime access projects.	Fees charged for Boat and Float Storage at Winter Island and Kernwood Marina	Harbormaster and Mayor	55,000.00
Health Dept	Health Clinics	2364	To support vaccination program and other Health Promotion activities of the Health Department	Reimbursements from vaccination programs	Health Agent and Mayor	20,000.00
Mayor	Special Events	2361	To cover expenses for Fireworks, bands, portable potties and other unanticipated expenditures	Revenue from RFP's for services from vendors, and from misc sponsorships.	Mayor	275,000.00

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Recreation	Winter Island Store	2362	To increase and replenish store inventory as needed and to enhance and maintain Winter Island Store & Facilities.	Revenue from sale of inventory/services at Winter Island.	Recreation Director and Mayor	40,000.00
Recreation	Proctor's Ledge	2384	For Maintenance of Proctor's Ledge site	Revenue of 25 cents from the sale of each ticket at the Witch House.	Recreation Director and Mayor	12,000.00
Recreation	Road Race Fees	2385	For Park Maintenance	Field rental fees and five percent of race and event registration fees.	Recreation Director and Mayor	35,000.00
Recreation	Dog Park	2435	Renovations and Maintenance of Dog Park at Leslie's Retreat Park.	Fee charged for pass to use dog park (pooch pass). \$25. annually for pass.	Recreation Director and Mayor	5,000.00
Recreation	Park & Rec Public Access	2452	To be used for the operation and maintenance of Winter Island and McCabe Marina	Parking and launch fees charged at McCabe Marina & Winter Island	Recreation Director and Mayor	50,000.00
Recreation	Salem Willows Meters	2459	Renovations and Maintenance of Willows Park.	Money generated from Willows Meters	Recreation Director and Mayor	30,000.00
Recreation	Witch House	2499	To support Salem Award committee and the Salem Witch Trial Memorial	25 cent surcharge to tickets beginning in May 2009	Recreation Director and Mayor	10,000.00
Planning & Community Development	Old Town Hall	2373	Maintenance costs of old town hall	Rental revenue of old town hall	Director of Planning and Mayor	50,000.00
Planning & Community Development	Derby Square/Artists' Row	2375	Improvements for Derby Square and Artists' Row including outdoor furniture, signage, lighting, public art, marketing and stipends for performers	Vendor fees from Derby Square Flea/Salvage Art Market, Rent and Vendor Fees at Artists Row	Director of Planning and Mayor	50,000.00
Sustainability/ Planning & Community Development	Utility Energy Credit Fund	2377	To be used for City projects or programs that reduce utility costs, use, and/or emissions. This may include personnel costs associated with participation in the programs that generate the credits.	Credits or payments received for City projects or programs that specifically result in reduction in utility costs, use, or emissions.	Director of Planning and Mayor	400,000.00

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Planning & Community Development	Bike Sharing	2383	To receive and expend revenue from bike share program for system operation and promotion	Revenue from rentals and annual memberships	Director of Planning and Mayor	50,000.00
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Dept.	Fund Name	Fund #	Programs & Purposes	Type of Receipts Credited	Authorization for Spending	FY 2025 Budget Request Maximum Annual Expenditures
Planning & Community Development	Salem Ferry/Salem Wharf Operational	2453	Fund operational costs of the Salem Ferry and operating, maintenance, capital repairs, security, utilities related to Salem Wharf	Fees received during the season for leasing of the Salem Wharf, MBTA Salem Passes, and fuel reimbursements	Director of Planning and Mayor	500,000.00
Planning & Community Development	Charlotte Forten	NEW	Utility costs and maintenance costs for Charlotte Forten Park	Revenue from programming contract, vendor fees, event rentals	Director of Planning and Mayor	20,000.00
Insp Services	Abandoned Prop Maintenance	2371	To maintain abandoned and foreclosing residential and commercial properties	Registration fees (\$300.00) for vacant and/or foreclosing residential properties.	Inspectional Services Director and Mayor	85,000.00
Public Services	Tree Replacement	2330	To replace trees removed during construction as directed by the Tree Warden or Planning Board	Revenue from contributions per the Tree Ordinance or Planning Board decision	Director of Public Services And Mayor	30,000.00
Engineering	Traffic Island	2439	Projects related to City beautification events including Traffic Island, Beautification, and special events	Primarily from: Traffic Island Sponsorships, Special Events Revenues, Event and Beautification effort sponsors	City Engineer and Mayor	20,000.00
Treasurer	Tax Title	2388	Costs incurred for legal fees associated with tax title process	Any fees, charges and costs incurred under sections 15, 55, 62, 65, 68 or 79 of M.G.L. Chapter 60 and collected upon the redemption of tax titles and sales of real property acquired through foreclosures of tax titles	Treasurer and Mayor	40,000.00
					Totals	1,992,000.00

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COMMUNICATIONS FROM THE MAYOR

Action Contemplated

Councillor Merkl	Refer to the Comm. on Admin. & Finance Co-posted with the Comm. of the Whole	Voted
	OR	
	Moved Adoption	Voted

ORDERED: That the City of Salem hereby requests the adoption of a Charlotte Forten Park revolving account in accordance with M.G.L. Chapter 44, Section 53E ½ which authorizes special purpose revolving accounts in accordance with the recommendation of His Honor the Mayor

Action Contemplated

Councillor Merkl	Refer to the Comm. on Admin. & Finance Co-posted with the Comm. of the Whole	Voted
	OR	
	Moved Adoption	Voted

In the year Two Thousand and Twenty-Four

An Ordinance to amend an Ordinance relative to Rates for Use of Water

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

Chapter 46, Section 66 is hereby amended by deleting subparagraph (b) in its entirety and replacing it with the following:

“(b) The rate for all water furnished by meter measurements effective July 1, 2024, shall be as follows:

- (1) Residential, per 100 cubic feet \$4.42
- (2) Nonresidential, per 100 cubic feet \$5.99

Section 2. Chapter 46, Section 66 is hereby further amended by deleting subparagraph (e) in its entirety and replacing it with the following:

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COMMUNICATIONS FROM THE MAYOR

The use of all water and sewer funds and SESD funds shall be excluded from all private development projects.”

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

Action Contemplated

Councillor Morsillo	Moved Refer to the Comm. on Ord., Lic. & Legal Affairs co-posted with the Comm. of the Whole	Voted
	OR	
	Adopt for first passage	Voted

In the year Two Thousand and Twenty-Four

An Ordinance to amend an ordinance relative to solid waste management.

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

Section 1.

1) Chapter 36, Section 36-6 Collection fee for certain residences is hereby amended by deleting the fee of “\$21.12” as it appears in paragraph (a) and replacing it with the fee of “\$21.86” and further amending this paragraph (a) by deleting the fee of “\$134.16” and replacing it with a fee of “\$138.86”.

2) Chapter 36, Section 36-8 Collection fee for certain commercial establishments is hereby amended by deleting the fee of “\$30.64” and replacing it with the fee of “\$31.71”.

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

Action Contemplated

Councillor Morsillo	Moved Refer to the Comm. on Ord., Lic. & Legal Affairs co-posted with the Comm. of the Whole	Voted
	OR	
	Adopt for first passage	Voted

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In the year Two Thousand and Twenty-four

**An Ordinance to amend Chapter 12 Building, Electricity and Plumbing Regulations
Be it ordained by the City Council of the City of Salem, as follows:**

Section I. Amend Sec. 12-2 *Additions* by

a) Deleting paragraph numbered (b)(2) in its entirety and replacing it with the following:

“(2) For solid fuel burning appliance, a fee of \$75.00 shall be charged. A minimum fee of \$75.00 shall be charged for all building permit applications, including new construction, alterations, repairs, remodeling, and all swimming pool and sign construction. The exact fee shall consist of \$15.00 per one thousand for residential (1 or 2 family) and \$20.00 per one thousand for commercial and multifamily.”

b) Deleting paragraph numbered (b)(3)c in its entirety

c) Replacing the fee of \$10 as it appears in paragraph number (b)(3)d to \$20 for a replacement permit.

d) Re-lettering all paragraphs in section (b)(3)

e) Deleting paragraph (c)(1) in its entirety and replacing it with the following:

“(c) (1) A building or structure shall not be used or occupied in whole or in part until a certificate of use and occupancy shall have been issued by the inspector of buildings. Where fees are not established by the code, the following schedule shall be applied to determine the applicable fee for each certification:

Existing construction: \$150

Fees for initial certificates of occupancy for new construction of single- and two-family residences shall be deemed to have been included in the building permit fee.”

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

Action Contemplated

Councillor Morsillo	Moved Refer to the Comm. on Ord., Lic. & Legal Affairs co-posted with the Comm. of the Whole	Voted
	OR	
	Adopt for first passage	Voted

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In the year Two Thousand and Twenty-four

An Ordinance to amend an Ordinance relative to business licenses and fees

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

Section 1. Amend Section 14-40 Fees for granting permits and certificates by head of fire department by deleting this section in its entirety and replacing it with the following:

Sec. 14-40. Fees for granting permits and certificates by head of fire department.

The fee schedule for granting of permits by the head of the fire department under the provisions of M.G.L.A. c. 148, § 10A, 13, 23, 38A and 39A, and city fire code shall be established as follows:

Description	Fee	Duration
Smoke detectors/fire alarm systems new construction		
Permit to install; includes plan review and on site location spotting, per site	\$60.00	per project
Smoke detectors/fire alarm systems existing construction		
On site inspection and issuance of certificate of compliance; per unit	60.00	per project
Chapter 148, sec. 26F smoke detector compliance (resale)		
Includes inspection and issuance of certificate of compliance for one-family/condominium; per unit	50.00	per compliance
Includes inspection and issuance of certificate of compliance for two-family; per unit	100.00	per compliance
Includes inspection and issuance of certificate of compliance for three-family to six-family; per unit	150.00	per compliance
Includes inspection and issuance of certificate of compliance for more than six-family; per unit	300.00	per compliance
Review of plans & specifications under 7,500 sq. ft. (fire department approval for building permit)		per compliance
Includes placement of smoke detector locations and/or review of fire alarm system design	60.00	per project
Review of plans & specifications over 7,500 sq. ft. (fire department approval for building permit)		
Includes review of fire alarm system project 7,500 to 12,500 s.f.	125.00	per project
Includes review of fire alarm system project 12,501 to 25,000 s.f.	200.00	per project
Includes review of fire alarm system project 25,001 to 52,000 s.f.	300.00	per project

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Includes review of fire alarm system project 52,001 or more s.f; in addition to hiring a city-authorized independent consultant	500.00	per project
Installation of sprinkler and/or standpipe system		
Includes plans review, site inspection(s) and witness of acceptance test for projects 7,500 to 12,500 s.f.	125.00	per project
Includes plans review, site inspection(s) and witness of acceptance test for projects 12,501 to 25,000 s.f.	200.00	per project
Includes plans review, site inspection(s) and witness of acceptance test for projects 25,001 to 52,000 s.f.	300.00	per project
Includes plans review, site inspection(s) and witness of acceptance test for projects 52,001 or more s.f; in addition to hiring a city-authorized independent consultant	500.00	per project
Installation of fixed fire extinguishing system (restaurant)		
Permit to install fixed extinguishing system to include plans review, on-site inspection and final testing and acceptance of system	60.00	per project
Installation of fixed fire extinguishing system (self-service gasoline station)		
Permit to install fixed extinguishing system to include plans review, on-site inspection and final testing and acceptance of system	60.00	per project
Installation of storage of LP Gas		
Issue application for permit to install includes on-site inspection	75.00	per installation
Underground storage tank removal		
Permit to remove/transport includes issuance of permit and on-site inspection(s) of site and tank(s)	150.00	per project
Installation of underground storage tank		
Permit to install includes plan review and site visit(s)	150.00	per project
Removal of underground storage tank (500 gallons and above)		
Permit to remove and transport includes issuance of permit and on-site inspection of site(s) and tank(s)	100.00	per tank
Removal of above ground storage tank (under 500 gallons)		
Permit to remove and transport	60.00	per tank
Oil burner permit & permit to store fuel oil		
Permit/application to install and certificate of completion. Includes on-site inspection and issuance of permit to store	60.00	per installation
Fireworks or theatrical pyrotechnics display		
Includes review of display plan and site visit(s)	75.00	per display
Blasting permit		

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Includes on-site inspection and review of site plans	60.00	per project
Storage of flammable fluids (annual renewable)		
Includes site visit if required	60.00	annual
Storage of black or smokeless powder (annual renewable)		
Includes site visit if required	60.00	annual
Welding and/or cutting (annual renewable)		
Includes site visit if required	60.00	annual
Operation of repair garage (annual renewable)		
Includes site visit if required	60.00	annual
Tar kettle operation (annual renewable)		
Includes site visit if required	60.00	annual
Underground storage tank registry		
(Mass form FP290)	10.00	per registration
Tank truck inspection		
Includes inspect of vehicle at fire prevention and issuance of permit and decal	60.00	per inspection
Transfer tank vehicle inspection		
Includes inspection of vehicle at fire prevention and issuance of permit and decal for contractor with pickup/service truck (single user)	60.00	per inspection
Carpet or fabric approval		
Includes issuance of permit and review of use plan	30.00	per approval
Chapter 21E site assessment report		
Includes research and issuance of report	100.00	per report
Copy of fire report		
Includes research and issuance of report(s)	5.00	per report
Inspection of summer camp (annual)	30.00	per inspection
Pre-demolition permit including site visit	60.00	Per project
Keep and store paint for spray booths	60.00	Per project
Permit to install spray booth	60.00	Per project

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

Action Contemplated

Councillor Morsillo	Moved Refer to the Comm. on Ord., Lic. & Legal Affairs co-posted with the Comm. of the Whole	Voted
	OR	
	Adopt for first passage	Voted

CITY OF SALEM
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COMMUNICATIONS FROM THE MAYOR

In the year Two Thousand and Twenty-four

An Ordinance to amend Chapter 12 Building, Electricity and Plumbing Regulations

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

Section I. Delete Sec. 12-163 *Blanket permits or election to contract to pay for inspection services: fees* in its entirety.

Section II. Delete Sec. 12-164. *General permit fees* in its entirety and replace it with the following:

“Sec. 12-164 *General permit fees*

The general schedule of electrical permit fees shall be as follows:

- (1) Minimum fee for any electrical work performed in all types of property, which includes city buildings \$30.00
- (2) Per thousand on building permit valuation—renovations, new work, which includes city buildings \$3.00
- (3) Installation of gas/oil burner per burner \$30.00
- (4) For any electrical work connected with swimming pools (building permit required) or similar installations \$30.00
- (5) Installation of each pump used at a gasoline service station \$50.00
- (6) Installation of each electric sign \$50.00
- (7) Installation of temporary, new service or renewed service up to 200 amperes \$40.00
 Additional meters - \$10.00 each
 Installation of a sub feeder \$30
- (8) Installation of temporary, new service or renewed service up to 400 amperes \$70.00
 Additional meters—\$10.00 each
 Installation of a sub feeder \$30.00
- (9) Installation of temporary, new service or renewed service up to 800 amperes \$150.00
 Additional meters—\$10.00 each
 Installation of a sub feeder \$30.00
- (10) Installation of temporary, new service or renewed service up over 800 amperes \$250.00
 Additional meters—\$10.00 each
 Installation of a sub feeder \$30.00
- (11) Change service panel from fuses to circuit breakers or any change \$40.00
- (12) Installation of HVAC and or control wiring per unit, without a building permit \$50.00

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- (13) Installation of smoke detectors, burglar alarm systems and interior fire alarm systems, voice/data, computer, or telephone cable wiring per unit \$50.00
 Over 25 outlets and or devices—\$.50 each
- (14) Re-inspection all types of property \$30.00
- (15) Certificate of occupancy—all buildings \$50.00
- (16) Installation of traffic lights \$100.00
- (17) Vendors use of electricity at Salem common and on other city sites \$35.00
- (18) Vendors use of additional electrical equipment requiring special installation \$200.00
- (19) Penalty fee for tampering with city master fire alarms without prior notification for plug outs \$200.00
- (20) For the initial timing and connection to the city terminals (as designated by the city electrician) of a privately owned F/A master box by the electrical department \$200.00
- (21) Industrial permits by licensed staff personnel in house wiring \$200.00
- (22) Installation of a generator up to 15,000 K.W. \$75.00
 Installation of a generator over 15,000 K.W. \$200.00
- (23) Lighting retrofits—\$2.00 each
- (24) Electric Car Charging Station \$30/each
- (25) Solar Panels – per thousand on building permit valuation \$3”

Section III. Delete Sec. 12-165 *Maximum fee for installation in existing city buildings* in its entirety and replace it with the following:

“Sec. 12-165 *Maximum fee for installation in existing city buildings*

A maximum filing fee of \$15.00 will be assessed for all electrical installations on existing city buildings.”

Section IV. This ordinance shall take effect as provided by City Charte

Action Contemplated

Councillor Morsillo	Moved Refer to the Comm. on Ord., Lic. & Legal Affairs co-posted with the Comm. of the Whole OR Adopt for first passage	Voted
	OR Adopt for first passage	Voted

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MAYOR'S INFORMATIONAL PAGE

NONE

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MOTIONS, ORDERS, AND RESOLUTIONS

The following order held from the last Meeting under the rules:

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

Councillor Varela

Moved confirmation by RCV

Yea Nay Abs

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Report of the Planning Board to City Council Re: Coastal Resiliency Overlay District (CROD)

May 3, 2024

At its meeting on May 2, 2024, the Planning Board discussed the proposed Coastal Resiliency Overlay District ordinance, which would amend Chapter 8, Special District Regulations by adding Section 8.9.

This item was referred to the Planning Board for its recommendation from the April 29, 2024, 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 ordinance.

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

(#111) – Ordinance amending zoning by adding Section 8.9 – Coastal Resiliency Overlay District (C-ROD)

SUMMARY

Add Sec. 8.9, Coastal Resiliency Overlay District (C-ROD) to establish standards for development within areas subject to projected worsening flood risk. Boundaries are based on the MA Coast Flood Risk Model's projected Significant Wave Height elevation in a 100-year flood event in 2070. Section applies to all new buildings within the overlay district and modification of buildings with 6 or more residential units or greater than 7,500 sq. ft. non-residential space. Modification of an existing building where within a 24-month period Level 2 Alteration (per State Building Code) neither exceeds 50% of the aggregate building area below the Sea Level Rise Base Flood Elevation (SLR BFE) nor 75% of the aggregate building area above the SLR BFE. Residential dwelling units, building mechanical uses, and electrical service uses shall be located above the SLR BFE with the exception of Building Mechanical Uses and Electrical Service Uses that Cannot Practically Be Located Above the SLR BFE. Section provides limited relief from dimensional requirements for Building Height (measured from SLR BFE); and gross floor area and front, rear, and side yards (to exclude vertical circulation and flood protection equipment). Projects subject to the ordinance shall

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undergo C-ROD site plan review by the Planning Board who shall consider the following C-ROD site plan review criteria: adequacy of best practices to minimize flood risk or damage; adequacy of alternatives analysis and operations and maintenance plan for parking located below the SLR BFE within or beneath a building; adequacy of flood protection for all Building Mechanical Uses and Electrical Service Uses that Cannot Practically Be Located Above SLR BFE; adequacy of convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets and sidewalks in the event of coastal flooding; adequacy of project design to support pedestrian connections; adequacy of the minimization of the visual impact of utilities, building mechanicals, and flood protection equipment; adequacy of protection of the building’s historic character and compatibility with historic character of the surrounding neighborhood. Waivers may be granted by the Planning Board if a project can achieve the purposes of this section without strictly meeting every provision, subject to the following considerations: whether existing roadway and sidewalk grade make compliance with requirement for vehicular and pedestrians movement during flood event impractical; whether there is no way to achieve vertical circulation that complies fully with both this section and the Americans with Disabilities Act and MA Architectural Access Board standards; whether the purposes of the ordinance can be achieved through innovative design approaches or through external site features. A project within a Local Historic District, individually listed on the National Register of Historic Places, or determined by the Salem Historical Commission to be historically significant, that meets the provisions of the ordinance to the maximum extent practicable but demonstrates that full compliance with the ordinance is not feasible without degrading the structure’s historic character, may request a waiver from the Planning Board.

For projects in the Central Business District, the amendment shall be applicable upon approval of an Economic Feasibility Analysis by the Executive Office of Housing and Livable Communities.

Action Contemplated

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

The following Order submitted by the City Clerk relative to rescheduling the last meeting in October

ORDERED: That the City Council October 24, 2024 Regular Meeting be rescheduled to Thursday, October 17, 2024 due to In-Person Early Voting for the Presidential Election. Therefore, the October 2024 Regular Council Meetings will be held on Thursday, October 10, 2024 and Thursday, October 17, 2024.

Action Contemplated

Councillor Prosniewski Moved Adopted Voted

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PETITIONS

A request from Andy Lippman for a street closure on Chestnut Street (between Flint and Cambridge) on the morning of Saturday, May 18th from 10AM to noon (Rain date 19th.) to install the plants in the planters along the street and we need the street closed to make it safe for the children who will be participating. This is a day and time that should cause minimal disruption of traffic.

The following Road Races:

A request from Wicked Running Club to hold the Mile Over the Moon Road Race and use of city streets on July 12, 2024

A request from B&S Fitness to hold the Devils Chase/ Creepy Clown Road Race and use of city streets on October 19, 2024

A request from the City of Salem’s Park and Rec Department to hold the Derby Street Mile and use of city streets on August 16, 2024

A request from The Boys and Girls Club of Greater Salem to hold the Wild Turkey 5 Mile Run and use of city streets on November 28, 2024

A request from Mental Makeover to hold The World Needs you Here Walk and use of city streets on July 28, 2024

Action Contemplated

Councillor Morsillo

Moved Adopted

Voted

The Following License Applications:

LIVERY: Witch City Taxi 92 Jackson St. Salem, Ma (4 Cars)

PUBLIC GUIDES: Ana Dee (Dulce) Ros 5 Winthrop St Unit 2 Salem, Ma
Guido Rocchi 10 Surry Road Winchester, Ma
Christian Vanderslice 10 Portland Road Braintree, Ma
Joan Findley 71 Virginia Road Quincy, Ma

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The Second Passage of Amending an Ordinance relate to Camping

In the year Two Thousand and Twenty-four

An Ordinance to regulate camping

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

Section 1. Chapter 24 is hereby amended by adding a new Section 24-31 *Camping*

“Section 24-31 Camping

(a) Definitions

For the purposes of Section 24-31, the following definitions shall apply:

“To camp” means to pitch, erect, or occupy a Campsite or to use Camp Materials, or both, for the purposes of, or to facilitate, outdoor sheltering, either temporarily or permanently.

“Campsite” means any place where a tent, tarp, or other temporary structure is established for the purpose of maintaining an outdoor shelter.

“Camp Materials” means items used to establish or facilitate occupancy of a Campsite, including tents, tarps, or other temporary structures, as well as large furniture, stoves, and other cooking instruments.

“City Storage Program Policy” refers to the City’s written policy for storage and tracking/record-keeping of Eligible Property. This policy shall take into consideration equitable access to stored eligible property, reasonableness of communication with persons whose eligible property is stored, transportation to access stored eligible property, and any other policies or criteria that ensure the safety and access of eligible property by their owner for a reasonable period of time.

“Eligible Property” means items including, but not limited to, personal identification and documents, valuables, clothing, hygiene products and toiletries, personal effects, and items of basic necessity. Any item damaged in such a manner that it is deemed, by the Board of Health or their Agent, to be unsafe to store or may pose a health risk or hazard, is not Eligible Property. The City Storage Program Policy shall further define property that is eligible for storage.

“Emergency Shelter Space” means a City-authorized location, within the City of Salem or within 15 miles from the nearest border of Salem, providing temporary shelter or alternative sleeping space practically available to persons experiencing homelessness. Emergency Shelter Space shall be at

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a shelter, housing accommodation, or alternative sleeping space that has reasonable transit access and maintains policies and procedures for accommodations under the Americans with Disabilities Act.

“Period When Shelter Is Unavailable” means a length of time in which there is no Emergency Shelter Space available to individuals experiencing homelessness in Salem.

“Reasonable transit access” means a shelter that is within .5 miles from a commuter rail station, subway station, ferry terminal or bus stop and that a person in shelter may reasonably access transit options to return to Salem without relying on automotive or non-public transit options.

“Supportive services” means any programs or services offered by qualified, licensed, and registered non-profit service agency providing housing, employment, financial, academic, or other similar services, and entities that provide medical health, mental health, recovery, treatment or other similar services.

(b) Purpose

- (i) It is the purpose of this Ordinance to promote public health, public safety, general welfare, and the economic health and well-being of Salem, its workers, visitors, and residents, including individuals experiencing homelessness, by prohibiting unsanctioned camping and the dangerous and unsafe conditions surrounding such Campsites, to offer an available shelter and available unit to persons experiencing homelessness in Salem who live in campsites, and to better provide persons experiencing homelessness who live in campsites with housing space and emergency shelter space that provides reasonable transit access, and to connect people to supportive services as they so choose to receive.
- (ii) The Ordinance seeks to improve access to housing and recovery services by restoring access to public spaces, the public right-of-way, and curtailing the existence of Campsites which may create public health concerns. It is also the purpose of this Ordinance to protect the rights of individuals related to their personal property and to treat such property with respect and consideration.
- (iii) This Ordinance shall apply to all Campsites and camping on public property, including, but not limited to, streets, sidewalks, and public rights-of-way.

(c) Unlawful Camping on Public Property

It is unlawful for any person to camp or maintain a Campsite or Camp Materials in or on any public property or in the public right-of-way, including, but not limited to, any street, sidewalk, school or public park, unless specifically authorized by the City or during a Period When Shelter Is Unavailable, subject to the restrictions and regulations specified by this Section.

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UNFINISHED BUSINESS

(d) Unlawful Camping on Private Property

Unless specifically authorized by the City or during a Period When Shelter Is Unavailable, it is unlawful for any person to camp or maintain a Campsite or Camp Materials upon private property in the City for more than 48 hours unless allowed by the City's Zoning Code as a permitted Commercial Recreation (Outdoor) or Nonprofit Outdoor Recreational Facilities use. This section shall not apply to camping activities conducted by minors at or in the yard of their own or their guardian's residence for recreational purposes.

(e) Restrictions on Unlawful Camping During A Period When Shelter Is Unavailable

- (i) The prohibitions against Campsites and camping in 24-31(c) and 24-31(d) shall not apply during a Period When Shelter Is Unavailable.
- (ii) City officials shall maintain a list of identified Emergency Shelter Spaces with existing capacity, which is updated daily and is communicated upon updating to the Salem Police Department, Health Department, Council on Aging, Veterans Service Officer, and community nonprofits and other agencies, organizations, and entities who work directly with persons experiencing homelessness. The list shall be posted on the City's website and at any Salem-based shelter. It shall include the date of posting and any site regulation that may present an obstacle for admittance
- (iii) During a Period When Shelter Is Unavailable, or when a Campsite is specifically authorized by the City, a Campsite or use of Camp Materials must comply with existing state and local laws to ensure public health and safety of those in and around the Campsite.
- (iv) During any Period When Shelter Is Unavailable, the City, through the Board of Health or its Agent, the Police Department, the Fire Department, and the Department of Inspectional Services, is hereby authorized to promulgate any additional regulations relative to the time, place, and manner for camping and for the density of Campsites on either public or private property, in order to protect public health, maintain access to the public right-of-way, protect private property, and support the effective operation of facilities such as schools, shelters, and health care institutions during such periods.

(f) Offer of Shelter

- (i) In the event of a violation of this Ordinance, the City shall provide, or cause to be provided, an offer of available Emergency Shelter Space to an individual experiencing homelessness and must inform that individual that transportation to available Emergency Shelter Space is available. The City shall furnish or

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cause to be furnished said transportation, which may be public transportation. Before making a referral, the city shall ensure a space is available for a reasonable period of time.

- (ii) Each Emergency Shelter Space offered to an individual pursuant to 24-31(f)(i) shall be at a shelter, housing accommodation, or alternative sleeping space that maintains policies and procedures for accommodations under the Americans with Disabilities Act.
- (iii) If an individual is employed in Salem or a neighboring community, the city shall to the best of its ability offer shelter space within the community in which they are employed and shall not use the existence of shelter space in other communities as a means to displace them from an encampment. The city shall also consider the work schedule of the individual and refrain from offering shelter space with curfews, check-in schedules or any other policy or restriction that may interfere with the individual's ability to maintain their employment.

(g) Storage of Property

- (i) The Salem Police Chief shall establish, and from time to time amend, a City Storage Program Policy not inconsistent with this ordinance.
- (ii) In the event of a violation of this Ordinance, the City shall offer and provide storage for personal belongings consistent with the City Storage Program Policy. The City Storage Program Policy shall provide for the storage of Eligible Property, define at its sole discretion property that is eligible for storage, and provide clear instructions on how individuals with property in storage may regularly access and recover their belongings.
- (iii) The City Storage Program Policy will also provide that for property at a Campsite in violation of this Ordinance and that is not claimed by any person within 24 hours of it being deemed by the City as being unclaimed, City staff will assess whether the property is abandoned property or an individual's temporarily unattended property through reasonable and documented attempts to identify the property owner. Property determined by City staff to pose an immediate health or safety risk is subject to immediate disposal.
- (iv) The City shall store Eligible Property determined, pursuant to 24-31(g)(i), to be temporarily unattended Eligible Property under the City Storage Program Policy. For temporarily unattended property that is not Eligible Property under the City Storage Program Policy, the Inspectional Services Department shall either, at the director or their designee's sole discretion, post notice for 24 hours prior to the removal of the unattended property not eligible for City storage or temporarily store, for at least 24 hours, the unattended property and post notice as to how to recover it.

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- (v) City officials shall provide a written copy of the City Storage Program Policy when providing an offer of storage, which shall be made available in any language required pursuant to the City's Language Access Policy.
- (vi) In the event of a violation of this Ordinance, should an individual leave the area of a Campsite without their belongings, City staff shall store eligible property in accordance with the City's Storage Program Policy and this section.
- (vii) In the event of lost property subject to the City's Storage Program Policy, individuals who wish to bring a claim for such lost property shall utilize the City's existing process for submitting claims. No fees may be charged for the processing of claims submitted pursuant to this subsection of the Ordinance.

(h) Removal

Once the City has engaged an individual pursuant to Section 24-31(f) and Section 24-31(g), the City may, in its sole discretion, remove any Campsite and/or Camp Materials not removed by said individual.

(i) Notice to Individuals

- (i) Whenever the City may identify Campsites reasonably presumed by the City to be occupied by individuals experiencing homelessness, and it is not a Period When Shelter Is Unavailable, the City shall distribute weather-resistant notices to said individuals and post weather-resistant signage proximate to said Campsite(s).
 - a. Such signage shall state in any language required pursuant to the City's Language Access Policy: "WARNING: CITY ORDINANCE RESTRICTS CAMPING. VIOLATION MAY BE SUBJECT TO REMOVAL AND/OR ENFORCEMENT ACTION."
 - b. Such notice shall state the same, in any language required pursuant to the City's Language Access Policy, along with the full text of this Ordinance, the City Storage Program Policy, and any additional information or resources that the City may determine will be helpful to the individual.
- (ii) Upon the effective date of this Ordinance, once the City has engaged an individual pursuant to Section 24-31(f) and Section 24-31(g) no further notice is required to enforce this Ordinance.
- (iii) During a Period When Shelter Is Unavailable, when the City notifies an individual located in any Campsite that a Period When Shelter Is Unavailable has ended,

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said individual shall have seventy-two (72) hours to remove their Camping Materials.

(j) Penalty for Violations

Individuals in violation of this Ordinance may be subject to penalties. This Ordinance shall be enforced by the Salem Police Department, the Salem Board of Health or its Agent or their designees, the Salem Department of Inspectional Services, and the Salem Fire Department, as well as any sworn law enforcement agency empowered to make an arrest within the jurisdictional boundaries of the City of Salem. Any of the following penalties may apply:

- a. All enforcement methods authorized by law, excluding fines for the unhoused, but including, issuance of a warning, G. L. c. 40, s. 21, or enforcement authorized by G. L. c. 272, s.59 (ordinances or Regulations Relating to Streets, Reservations or Parkways; Alcoholic beverages; Profanity; Arrest Without a Warrant) if the Salem Police or other duly authorized officer on scene determines a violation of G. L. c. 272, s. 59 has occurred in their presence.

(k) Severability

The provisions in this Ordinance are severable. If any part or provision of this Ordinance is held invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected by such holding and shall continue to have full force and effect.”

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

Action Contemplated

Councillor Cohen

Moved Adopted for second and final passage

Voted

The Second Passage amending an ordinance relative to Water and Sewers (meters)

In the year Two Thousand and Twenty-four

An Ordinance to amend an Ordinance relative to Water and Sewers

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

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SECTION I: Chapter 46. Sec. 46-35. Meters is hereby amended by deleting paragraph (d) *Estimates of use of water* in its entirety and replacing it with the following paragraph:

“(d) Water Usage Estimates: In instances when an actual read is not being received due to reasons such as meter or MIU malfunction, but not excluding other causes, the water taker shall be billed based on the historical average. For commercial or industrial water takers, the water registrar will estimate the daily volume for billing purposes. In cases where actual readings are not available for the main meter but a deduct meter is getting actual reads, the estimate will be calculated based on the actual reads of the deduct meter and historical variances between the two meters.”

SECTION II. This Ordinance shall take effect as provided by City Charter.

Action Contemplated

Councillor Morsillo

Moved Adopted for second and final passage

Voted

On the motion of Councillor Prosniewski

the meeting adjourned at

P.M.