

City of Salem, Massachusetts
Office of the City Clerk

Ilene Simons
City Clerk



Room 1
City Hall

April 20, 2021

MEETING NOTICE AND AGENDA

The City Council will meet on Thursday, April 22, 2021 at 7:00 P.M. remotely to hold its regular meeting for the purpose of discussing any and all business. Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Salem City Council will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the city's website, at www.salem.com. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the city's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

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

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83118146378?pwd=eExZR05rSVoyMFVTYnJXNmQxYXdUZz09>
Password: 629147

Go to the website link <https://zoom.us/join>. Enter meeting/webinar ID# 831 1814 6378 followed by the meeting password above if directed to do so on screen.

Or Telephone: Participants can dial a toll free number at 877-853-5257 or 888- 475-4499. When prompted, enter meeting/webinar ID#: 831 1814 6378 and follow the instructions to join the meeting. For those dialing in, you may press *9 to raise your hand to speak if signed up for public testimony or to participate in the public hearing portion of the agenda (if applicable)

Watch meeting live on SATV on Channel 22.

CITY OF SALEM**APRIL 22, 2021****CITY COUNCIL REGULAR MEETING**

Members of the public wishing to speak on the agenda items must follow the “How to Sign Up for Public Testimony” outlined on the agenda. If wishing to speak during public hearings designated on the agenda, you may raise your hand.

Very truly yours,

ATTEST:

ILENE SIMONS
CITY CLERK

“Persons requiring auxiliary aids and services for effective communication such as sign language interpreter, an assistive listening device, or print material in digital format or a reasonable modification in programs, services, policies, or activities, may contact the City of Salem ADA Coordinator at (978-619-5630) as soon as possible and no less than 2 business days before the meeting, program, or event.” Assistive Listening System is available for City Council Meetings. Those interested in utilizing these devices for meetings at 93 Washington Street may contact the City Clerk’s Office at 978-745-9595 ext. 41200 or isimons@salem.com.

“Know Your Rights Under the Open Meeting Law, M.G.L. c. 30A ss. 18-25, and City Ordinance Sections 2-2028 through 2-2033.”

CITY OF SALEM**APRIL 22, 2021****CITY COUNCIL REGULAR MEETING**

A Regular Meeting of the City Council is being held remotely on Thursday, April 22, 2021 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on April 20, 2021 at 10:08 A.M. This meeting is being taped and is live on S.A.T.V.

Councillors absent:

Council President Madore presided.

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

VOTED

President Madore 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.

How to Sign Up:

Due to Governor Baker's Emergency Order stated above, anyone wishing to present testimony at a City Council meeting regarding a matter on the agenda, may sign up until the date of the meeting by 6:30 P.M. by emailing isimons@salem.com OR leaving a voice mail at 978-619-5614. Please include your name, address, subject matter in addition to phone number, email address and screen name in which you will be using that evening. If you are able you may participate in Public Testimony remotely or the Council President will read your comment into the record if emailed.

CITY OF SALEM

APRIL 22, 2021

CITY COUNCIL REGULAR MEETING

HEARINGS

NONE

CITY OF SALEM**APRIL 22, 2021****CITY COUNCIL REGULAR MEETING****APPOINTMENTS AND REAPPOINTMENTS**

The Mayors appointment of Anna Freedman to the position of City Finance Director/Auditor with term to expire January 31, 2023.

Councillor	Suspension of the Rules	Councillor	Objection
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Action Contemplated

Councillor Hapworth	Held Under the Rules until the next meeting		Voted
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The Mayors appointment of Amanda Chiancola to the position of Assistant Planning Director with term to expire January 31, 2022.

Councillor	Suspension of the Rules	Councillor	Objection
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Action Contemplated

Councillor Hapworth	Held Under the Rules until the next meeting		Voted
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The Mayors appointment of Matt Veno to the Salem Contributory Retirement Board with term to expire March 24, 2022.

Councillor	Suspension of the Rules	Councillor	Objection
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Action Contemplated

Councillor Hapworth	Held Under the Rules until the next meeting		Voted
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CITY OF SALEM

APRIL 22, 2021

CITY COUNCIL REGULAR MEETING

APPOINTMENTS AND REAPPOINTMENTS

The Mayor's re-appointment of James Shea to the Parks & Recreation Commission with a term to expire May 1, 2026.

Action Contemplated

Councillor Hapworth	Confirmation by roll call vote	Yeas	Nays	Abs
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The Mayor's re-appointment of Mark Ianuzzi to serve as a Constable with a term to expire April 23, 2024.

Action Contemplated

Councillor Hapworth	Moved Received and Filed	Voted
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CITY OF SALEM**APRIL 22, 2021****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR**

ORDERED: That the sum of Thirty-Seven Thousand, Four Hundred Forty One Dollars and Forty-Six Cents (\$37,441.46) is hereby appropriated and transferred from the "Capital Outlay Fund 2000" to the ST CIP Engineering WS Emergency Account (20002129-5846CI) emergency water repair performed on Loring Ave. performed on October 3, 2020, with the recommendation of Her Honor the Mayor.

Councillor Turiel Suspension of the rules Councillor Objection

Action Contemplated

Councillor Turiel Moved Adoption by RCV Yeas Nays Abs

ORDERED: That the sum of Thirty Thousand Dollars (\$30,000.00) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account (1-3245) to the Planning Contracted Services account to update the local wetlands protection policy in accordance with the recommendation of Her Honor the Mayor.

Account	Description	Amount
11822-5320	Contracted Services	\$ 30,000.00
Total		\$ 30,000.00

Councillor Turiel Suspension of the rules Councillor Objection

Action Contemplated

Councillor Turiel Moved Adoption by RCV Yeas Nays Abs

CITY OF SALEM

APRIL 22, 2021

CITY COUNCIL REGULAR MEETING

COMMUNICATIONS FROM THE MAYOR

ORDERED: That the sum of Thirty Thousand Dollars (\$30,000.00) is hereby appropriated and transferred from the “Capital Outlay Fund 2000” to the ST CIP Planning Artist Row Account (20002118-5846CL) to renovate the public bathroom facilities in accordance with the recommendation of Her Honor the Mayor.

Councillor Turiel Suspension of the rules Councillor Objection

Action Contemplated

Councillor Turiel Moved Adoption by RCV Yeas Nays Abs

ORDERED: That the sum of Twenty-Three Thousand Two-hundred Dollars (\$23,200.00) is hereby appropriated from the “Fund Balance Reserved for Appropriation – Free Cash” account (1-3245) to increase the Police Department Training and Education Account to cover the cost recruit training in accordance with the recommendation of Her Honor the Mayor.

Account	Description	Amount
12102-5317	Training and Education	\$ 23,200.00
Total		\$ 23,200.00

Councillor Turiel Suspension of the rules Councillor Objection

Action Contemplated

Councillor Turiel Moved Adoption by RCV Yeas Nays Abs

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COMMUNICATIONS FROM THE MAYOR

ORDERED: That the sum of Twenty Thousand Dollars (\$20,000.00) is hereby appropriated from the “Fund Balance Reserved for Appropriation – Free Cash” account (1-3245) to replenish the Fire Department purchase of services account to upgrade VOC voice-alarm dispatch system. in accordance with the recommendation of Her Honor the Mayor.

Account	Description	Amount
12202-5300	Purchase of Services	\$ 20,000.00
Total		\$ 20,000.00

Councillor Turiel Suspension of the rules Councillor Objection

Action Contemplated

Councillor Turiel Moved Adoption by RCV Yeas Nays Abs

ORDERED: That the sum of Fifteen Thousand, Six Hundred Seventy-Five Dollars (\$15,675.00) is hereby appropriated and transferred from the “Capital Outlay Fund 2000” to the ST CIP DPS Facility Account (20002129-5846CK) to address the fuel canopy collapse at the DPS Facility in accordance with the recommendation of Her Honor the Mayor.

Councillor Turiel Suspension of the rules Councillor Objection

Action Contemplated

Councillor Turiel Moved Adoption by RCV Yeas Nays Abs

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CITY COUNCIL REGULAR MEETING

COMMUNICATIONS FROM THE MAYOR

ORDERED: That the sum of Twelve Thousand One-Hundred Ninety-Nine dollars and Thirty-Nine Cents (\$12,199.39) be approved within the “Retirement Stabilization Fund-Vacation/Sick Leave Buyback” account (83113-5146) to be expended for the FY 2021 contractual buyback(s) listed below in accordance with the recommendation of Her Honor the Mayor.

Name	Department	Amount
Sally Murtaugh	Building Services	\$ 12,199.39
		\$ 12,199.39

Councillor Turiel Suspension of the rules Councillor Objection

Action Contemplated

Councillor Turiel Moved Adoption by RCV Yeas Nays Abs

ORDERED: That the sum of Ten Thousand, Five Hundred dollars (\$10,500.00) is hereby appropriated from the “Stabilization Fund” to Various Enterprise Funds Accounts to replenish cuts made in anticipation of COVID 19 in accordance with the recommendation of Her Honor the Mayor.

Water/Sewer/Trash Enterprise Funds: \$10,500.00 – Enterprise Departments - restores \$’s for 14-hour furlough budget cuts.

Councillor Turiel Suspension of the rules Councillor Objection

Action Contemplated

Councillor Turiel Moved Adoption by RCV Yeas Nays Abs

ORDERED: To accept from the Peabody Essex Museum in the amount of Five Thousand Dollars (\$5,000.00) to support the creation of murals being commissioned by the City’s Public Art Commission

Action Contemplated

Councillor Turiel Moved Adoption by RCV Yeas Nays Abs

CITY OF SALEM**APRIL 22, 2021****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR**

ORDERED: That the City Council hereby approves the submittal of the City of Salem's Application for Federal Assistance to the United States Department of Housing and Urban Development (HUD) for Community Development Block Grant (CDBG) funds for the period of July 1, 2021 through June 30, 2022 in the amount determined by HUD's formula entitlement allocation (\$1,082,754).

Action Contemplated

Councillor Morsillo	Moved Adoption by RCV	Yeas	Nays	Abs
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Ordinance to amend an ordinance relative to demolition delay (action on page 17)

City of Salem

In the year Two Thousand Twenty-one

An Ordinance to amend an ordinance relative to demolition delay.

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

Section I. The Salem Code of Ordinances is hereby amended by deleting in its entirety Section 2-1572 of Chapter 2 entitled *Review process for granting demolition permits for historic buildings or structures* and inserting the following new Division within Article II. *Maintenance of Structures and Property* of Chapter 12 Building, Electricity and Plumbing Regulations:

"Division 4. Demolition Review for Historically Significant Buildings

Sec. 12-76. INTENT AND PURPOSE

This Demolition Delay Ordinance is intended to establish a uniform process for preserving and protecting significant buildings and structures in the City that constitute or reflect distinctive features of the architectural, cultural, political, or social history of the City; to encourage owners of these buildings to actively seek out alternatives that preserve, rehabilitate, relocate or restore these buildings rather than demolish them; and to provide a reasonable time period for public discussion before a historic building is lost. The ordinance further seeks to document those buildings that cannot be saved through photographic, video and/or written materials and to preserve those materials as part of the public record.

The intent of this ordinance is not to permanently prevent demolition, but rather to provide an opportunity to develop preservation solutions for properties threatened with demolition.

CITY OF SALEM**APRIL 22, 2021****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR****Sec. 12-77. DEFINITIONS**

“APPLICANT” - Any person or entity who files an application for a demolition permit. If the applicant is not the owner of the premises upon which the building is situated, the owner must indicate on or with the application his/her assent to the filing of the application.

“APPLICATION” - An application for the demolition of a building.

“BUILDING” – Any combination of materials forming a shelter for persons, animals, or property.

“BUILDING COMMISSIONER” - The person occupying the office of Director of Inspectional Services or otherwise authorized to issue demolition permits.

“BUSINESS DAY” – A day which is not a legal municipal holiday, Saturday or Sunday.

“COMMISSION” – The Salem Historical Commission or its designee.

“COMMISSION STAFF” – The person regularly providing staff services for the Commission whom the Commission has designated Commission Staff for the purposes of this ordinance.

“DEMOLITION” - Any act of pulling down, destroying, removing, dismantling or razing of an entire building or the removal of 50% or more of the existing structure of the building with the intent of completing the same.

“DEMOLITION PERMIT” - The building permit issued by the Building Commissioner for a demolition of a building, excluding a building permit issued solely for the demolition of the interior of a building.

“LOCAL HISTORIC DISTRICT” – Derby Street Local Historic District, Lafayette Street Local Historic District, McIntire Local Historic District, Washington Square Local Historic District or any other historic district which from time to time may be established under M.G.L. Ch. 40C.

“PREFERABLY PRESERVED” - Any significant building that the Commission determines, following a public hearing, that it is in the public interest to be preserved rather than demolished. A preferably preserved building is subject to the twelve month demolition delay period of this ordinance. The twelve month delay begins with the opening of the public hearing.

“SIGNIFICANT BUILDING” – Any building within the city that is in whole or in part fifty years or more old and which has been determined by the Commission or its designee to be in the public interest to be significant based on any of the following criteria:

- The Building is listed in, or is within an area listed in, the National Register of Historic Places; or
- The Building has been found eligible for the National Register of Historic Places; or

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COMMUNICATIONS FROM THE MAYOR

- The Building is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic or social history of the City of the Commonwealth; or
- The Building is historically or architecturally important (in terms of period, style, method of building construction or association with a recognized architect or builder) either by itself or as one of a series of like buildings that document an historical period.

Sec. 12-78. PROCEDURE AND ADMINISTRATION

a) Applicability. No demolition permit for a building that is in whole or in part 50 years or more old shall be issued without following the provisions of this ordinance. If a building is of undetermined age, it shall be assumed that the building is over 50 years old for the purposes of this ordinance.

For a residential garage or storage shed, but excluding carriage houses as defined in the zoning ordinance, section II.B, the Building Commissioner shall forward an application for demolition of such a structure to the Commission. Within 21 days of the receipt of such a request, the Commission shall make a determination of the historical or architectural significance of the garage or shed. If the structure is deemed significant, the application shall be forwarded to the full Commission for review as outlined in this section. If the structure is deemed to possess no historic or architectural significance or if no action is taken within the 21-day period, a demolition permit shall be issued.

b) Administration. The Commission may adopt such rules and regulations as are necessary to administer the terms of this ordinance; adopt a schedule of reasonable fees to cover the costs associated with the administration of this ordinance; and may delegate authority to make initial determinations of significance to one or more members of the Commission or to a municipal employee.

Sec. 12-79. APPLICATION

An applicant proposing to demolish a building subject to this ordinance shall file an application with the Historical Commission. The application shall be made or co-signed by the owner of record at the time of Application and shall contain or be accompanied by the following information:

- The address of the building to be demolished.
- The owner's name, address, and telephone number.
- Existing conditions photographs of all street façade elevations of the building.
- A description of the building to be demolished.
- The reason for requesting a demolition permit.
- If the application for demolition is based on a claim of structural deficiency, the applicant may be required by the Commission to submit a structural report on the structure's soundness that is prepared by a licensed professional structural engineer.
- A brief description of the proposed reuse, reconstruction, or replacement.
- Site plan and/or map of property.

CITY OF SALEM**APRIL 22, 2021****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR****Sec. 12-80. PUBLIC HEARING**

Within thirty (30) days of the receipt of the Application by the Commission, the Commission shall hold a public hearing. Public notice of the time, place and purpose of the hearing shall be posted in a conspicuous place in City Hall for a period of not less than 14 days prior to the date of said hearing and the Applicant and the Building Commissioner shall be notified in writing of the meeting time and place. The notice shall also be placed on the City's online meeting calendar 14 days prior to the hearing. A copy of said notice shall be mailed to the Applicant and to all abutters and abutters to abutters, including those across the street of the lot on which the building is located.

During the public hearing, the Commission shall decide whether the building is historically significant. If agreed to in writing by the Applicant, the determination of the Commission may be postponed.

Upon determination by the Commission that the building is not significant, the Commission shall so notify the Building Commissioner and the applicant in writing. The Building Commissioner may then issue the demolition permit.

Upon determination by the Commission that the building is significant, the Commission shall determine whether the building should be preferably preserved.

If the Commission determines that the building is not preferably preserved, the Commission shall so notify the Building Commissioner and Applicant in writing. The Building Commissioner may then issue the demolition permit.

If the Commission determines that the building is preferably preserved, the Commission shall notify the Building Commissioner and Applicant in writing. No demolition permit may then be issued for a period of 12 months from the date of the public hearing unless otherwise agreed to by the Commission. If the Commission does not so notify the Building Commissioner in writing within 21 days of the public hearing, the Building Commissioner may issue the demolition permit.

Upon determination by the Commission that any building which is the subject of an application is a preferably preserved building, no building permit for new construction or alterations on the premises shall be issued for a period of twelve months from the date of the public hearing unless otherwise agreed to by the Commission.

The Building Commissioner may issue a demolition permit or a building permit for a preferably preserved building within the 12 months if the Commission notifies the Building Commissioner in writing that the Commission finds that the intent and purpose of this ordinance is served even with the issuance of the demolition permit or the building permit. This may include that the Commission is satisfied that the applicant for the demolition permit has made a bona fide, reasonable and unsuccessful effort to identify alternative plans for demolition, or the applicant has agreed to accept a demolition permit on specified conditions approved by the Commission.

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Such conditions may include the review and approval by the Commission of a revised set of submitted development plans.

The owner shall be responsible for properly securing the building, if vacant, to the satisfaction of the Building Commissioner. Should the owner fail to secure the building, and as a result, such building is lost through fire or other cause, this shall be considered voluntary demolition for the purposes of this ordinance.

Following the twelve month delay period, the Building Commissioner may issue the demolition permit.

Sec. 12-81. EXPIRATION TIMES FOR DEMOLITION AUTHORIZED BY COMMISSION

Where the Commission has determined that the demolition of a building *would not* be detrimental to the historical or architectural heritage or resources of Salem, or where 21 days have passed after the date of the Commission's public hearing on a demolition application without Commission notification of its determination to the Building Commissioner, thereby in either case permitting the Building Commission to issue a demolition permit in accordance with procedures set forth in these regulations, any request to extend such demolition permit or a renewed permit application shall be reviewed *de novo* if the demolition previously authorized is not substantially concluded within one year of the issuance of the demolition permit, or, if no permit has been issued, within one year of the Commission's initial determination

Where the Commission has determined that the demolition of a building *would* be detrimental to the historical or architectural heritage or resources of Salem, hereby preventing the Building Commissioner from issuing a demolition permit in accordance with the procedures set forth in these regulations, such determination shall be reviewed *de novo* if:

- a) A demolition permit application is not submitted to the Building Commissioner within six months of the expiration of the twelve month delay period, or
- b) Application for demolition is so made within six months of the expiration of the twelve month delay period, but actual demolition is not substantially concluded within six months of the issuance of the demolition permit.

Transfer of Ownership – The time limits set forth above apply only to the original owner requesting a demolition permit. Any subsequent owner of the property shall be required to apply *de novo* pursuant to the procedures set forth above and should demolition be delayed, be subject to the time periods set forth herein from the date such new demolition delay is imposed, unless otherwise determined by the Commission.

In implementation of the above, the Commission shall include the applicable expiration date for authorization of the demolition in any notification to the Building Commissioner with a copy to the demolition permit applicant, provided that the Commission Chair may, for cause, grant in writing one or more extensions of time of such authorization for periods not exceeding six months each.

CITY OF SALEM**APRIL 22, 2021****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR*****Sec. 12-82. EMERGENCY DEMOLITION***

If after an inspection, the Building Commissioner finds that a building subject to this ordinance is found to pose an immediate threat to public health or safety due to its deteriorated condition and that there is no reasonable alternative to the immediate demolition of the building or structure, nothing in this Ordinance shall prevent the Building Commissioner from issuing, pursuant to statutory authority, an emergency demolition permit to the owner of the building or structure. The Building Commissioner shall then prepare a report explaining the condition of the building and the basis for his decision which shall be immediately forwarded to the Commission.

Sec. 12-83. ENFORCEMENT AND REMEDIES

The Commission and/or the Building Commissioner are each specifically authorized to institute any and all actions and proceedings, in law or equity, as they may deem necessary and appropriate to obtain compliance with the requirements of this ordinance or to prevent a threatened violation thereof.

Any owner of a building subject to this ordinance that demolishes the building without first obtaining a demolition permit in accordance with the provisions of this ordinance shall be subject to a fine of not more than Three Hundred Dollars. Each day the violation exists shall constitute a separate offense until a faithful recreation of the demolished building is completed or unless otherwise agreed to by the Commission.

Sec. 12-84. HISTORIC DISTRICT ACT

Following a determination that the building is significant and preferably preserved, the Commission may recommend to the City Council that the building be protected through the provisions of Massachusetts General Law, Chapter 40C, the Historic Districts Act. The steps required under M.G.L. Chapter 40C shall be followed prior to the establishment of a local historic district. Nothing in this ordinance shall be deemed to conflict with the provisions of the Historic District Act, Massachusetts General Laws Chapter 40C. If any of the provisions of this ordinance do so conflict, that act shall prevail.

Sec. 12-85. SEVERABILITY

In case any section, paragraph or part of this ordinance be for any reason declared invalid or unconstitutional by any court, every other section, paragraph, and part shall continue in full force and effect."

Action Contemplated

Councillor Morsillo	Moved adoption for first passage by RCV	Yeas	Nays	Abs
	OR			
	Refer to Committee on Ord., Lic. & Legal Affairs co-posted with Comm. of the Whole			

CITY OF SALEM**APRIL 22, 2021****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR****Ordinance to amend gender-specific nouns and pronouns in the City of Salem's Code of Ordinance****(See Back-up Documentation for complete text of ordinance)**

Action Contemplated

Councillor Morsillo	Moved adoption for first passage by RCV	Yeas	Nays	Abs
	OR			
	Refer to Committee on Ord., Lic. & Legal Affairs co-posted with Comm. of the Whole			

Resolution: Authorizing the City of Salem to Participate in the Massachusetts Commercial Property Assessed Clean Energy Program (PACE Massachusetts)

WHEREAS, pursuant to M.G.L. c. 23M, as amended (the "PACE Act"), the Commonwealth has established a commercial sustainable energy program known as the Massachusetts Property Assessed Clean Energy Program ("PACE Massachusetts") to provide a financing mechanism ("PACE financing") to private owners of commercial and industrial properties for certain qualifying commercial energy improvements ("improvements"); and

WHEREAS, pursuant to the PACE Act, PACE Massachusetts is administered by the Massachusetts Development Finance Agency ("MassDevelopment"), in consultation with the Massachusetts Department of Energy Resources; and

WHEREAS, under PACE Massachusetts, the owner of the commercial or industrial property benefitting from the improvements (the "benefitted property") is required to repay the PACE financing through the payment of a betterment assessment (a "PACE betterment assessment") placed on such benefitted property by the municipality in which the benefitted property is located; and

WHEREAS, in order for an owner of commercial or industrial property to participate in PACE Massachusetts, Section 2 of the PACE Act requires that the municipality in which such property is located must elect to participate in PACE Massachusetts; and

WHEREAS, the City of Salem (the "Municipality") has determined that it is in the best interest of the Municipality to participate in PACE Massachusetts as a "participating municipality," as provided in the PACE Act, to permit the owners of commercial and industrial properties located in the Municipality to access PACE financing for qualifying commercial energy improvements through PACE Massachusetts;

CITY OF SALEM**APRIL 22, 2021****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR****WHEREAS, NOW THEREFORE, BE IT [VOTED/RESOLVED],** as follows:

The City Council of the City of Salem, with the approval of the Mayor, hereby approves the Municipality participating in PACE Massachusetts pursuant to the PACE Act, and authorizes the [Mayor/Town Manager] to enter into a PACE Massachusetts Municipal Assessment and Assignment Agreement (the "Agreement") with MassDevelopment, pursuant to which the Municipality will agree to (i) levy PACE betterment assessments and impose PACE betterment assessment liens on benefitted properties located in the Municipality, in the amounts determined by MassDevelopment to be sufficient to repay the PACE financing, (ii) assign the PACE betterment assessment liens to MassDevelopment, which MassDevelopment may in turn assign to the providers of the PACE financing (each a "capital provider"), as collateral for such PACE financing, (iii) include on the property tax bills for the benefitted properties the installment payments necessary to repay the PACE betterment assessments, in the amounts and at the times as determined by MassDevelopment, (iv) collect and pay over to MassDevelopment or its designee, the PACE betterment assessment installment payments, as and when collected, and (v) enforce, to the extent required by the Agreement, the PACE betterment assessments and liens; the Agreement to be substantially in the form presented to this meeting, with such changes, modifications and insertions as the [Mayor/Town Manager] may approve as being in the best interest of the Municipality. The Collector Treasurer of the City/Town or such other City/Town agency as may be designated in the Agreement is authorized to levy such PACE betterment assessments and impose the PACE betterment assessment liens on behalf of the City/Town without further authorization by this legislative body.

Notwithstanding any other provision of law to the contrary, officers and officials of the Municipality, including, without limitation, municipal tax assessors and tax collectors, are not personally liable to MassDevelopment or to any other person for claims, of whatever kind or nature, under or related to PACE Massachusetts, including, without limitation, claims for or related to uncollected PACE betterment assessments. Other than fulfillment of the obligations specified in the Agreement, the Municipality has no liability to the owner of the benefitted property or to any capital provider related to the Municipality's participation in PACE Massachusetts.

Action Contemplated

Councillor Morsillo

Moved adoption by RCV

Yeas Nays Abs

OR

Refer to Committee on Ord., Lic. & Legal
Affairs co-posted with Comm. of the Whole**Resolution: Proclaiming Fair Housing Month in Salem**

WHEREAS: The Fair Housing Act, enacted on April 11, 1968, enshrined into federal law the goal of eliminating racial segregation and ending housing discrimination in the United States; and

WHEREAS: The Fair Housing Act prohibits discrimination in housing based on race, color, religion, sex, familiar status, national origin, and disability, and commits recipients of federal funding to affirmatively further fair housing in their communities; and

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CITY COUNCIL REGULAR MEETING

COMMUNICATIONS FROM THE MAYOR

WHEREAS: The City of Salem is committed to the mission and intent of the Fair Housing Act to provide fair and equal housing opportunities for all; and

WHEREAS: Our social fabric, economy, health, and environment are all strengthened by ensuring diverse and inclusive communities where all residents are housing secure; and

WHEREAS: While progress has been made in many respects, more than 50 years after the passage of the Fair Housing Act, housing discrimination still persists and far too many neighborhoods and communities remain segregated either by policy or by tradition; and

WHEREAS: Acts of housing discrimination and barriers to equal housing opportunity are inconsistent with our common goals of equity, security, and fairness for all.

NOW THEREFORE BE IT RESOLVED: That the Mayor and City Council of Salem do hereby declare the month of April for this year and all years henceforth to be **Fair Housing Month** in the City of Salem, Massachusetts, as a demonstration of our community’s commitment to inclusivity and support for equal housing opportunities for all residents and prospective residents of our City.

Action Contemplated

Councillor Morsillo

Moved adoption by RCV
OR

Yeas Nays Abs

Refer to Committee on Ord., Lic. & Legal
Affairs co-posted with Comm. of the Whole



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MAYOR'S INFORMATIONAL PAGE

NONE

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CITY COUNCIL REGULAR MEETING

MOTIONS, ORDERS AND RESOLUTIONS

Councillor Dominguez

ORDERED: Per the request of the Salem Redevelopment Authority that the Committee on Community and Economic Development co-posted with the Committee of the Whole meet to receive an update from the SRA on the courthouse and crescent lot redevelopment project and that the Winn Development Team be included in this meeting. And be it further ordered that this meeting take place on Wednesday, May 5, 2021 at 6:00 P.M.

Action Contemplated

Councillor Dominguez

Moved Adoption

Voted

Councillor Morsillo (the following 3 traffic ordinances)

In the year two thousand and twenty-one

An Ordinance to amend an Ordinance relative to Traffic, Parking Prohibited, Certain Times on Certain Streets

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

Section 1. Chapter 42, Section 51B, is hereby amended by repealing the following:

Repeal – Directly in front of #60 Essex Street, for a distance of forty (40) feet, thirty (30) minute parking, 8:00 A.M. to 6:00 P.M. (10/20/99)

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

CITY OF SALEM

APRIL 22, 2021

CITY COUNCIL REGULAR MEETING

MOTIONS, ORDERS AND RESOLUTIONS

In the year two thousand and twenty-one

An Ordinance to amend an Ordinance relative to Traffic, Stop Sign

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

Section 1. Chapter 42, Section 49, Obedience to Isolated Stop Signs, is hereby amended by adding the following:

Appleton Street, northwesterly bound traffic on Appleton Street at Liberty Hill Avenue

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



In the year two thousand and twenty-one

An Ordinance to amend an Ordinance relative to Traffic, Stop Sign

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

Section 1. Chapter 42, Section 49, Obedience to Isolated Stop Signs, is hereby amended by adding the following:

Liberty Hill Avenue, northeasterly bound traffic on Liberty Hill Avenue at Appleton Street

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

Action Contemplated

Councillor Morsillo Moved Adoption for First Passage by RCV Yeas Nays Abs



CITY OF SALEM

APRIL 22, 2021

CITY COUNCIL REGULAR MEETING

COMMITTEE REPORTS

COUNCILLOR Turiel offered the following report for the Committee on Administration and Finance co-posted with the Committee of the Whole to whom was referred the matter of \$50,000.00 appropriation for the Bike Share Program has considered said matter and would recommend adoption

Accept the Report Voted

Adopt the Recommendation.
By RCV Yea Nay Abs

COUNCILLOR Morsillo offered the following report for the Committee on Ordinances, Licenses and Legal Affairs to whom was referred the matter of Zoning Ordinance Amendment relative to ADU's (with attached dwelling) has considered said matter and would recommend (action unknown, meeting held after agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

COUNCILLOR Morsillo offered the following report for the Committee on Ordinances, Licenses and Legal Affairs to whom was referred the matter of Zoning Ordinance Amendment relative to ADU's (without attached dwelling) has considered said matter and would recommend (action unknown, meeting held after agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

CITY OF SALEM

APRIL 22, 2021

CITY COUNCIL REGULAR MEETING

COMMUNICATIONS FROM CITY OFFICIALS

NONE

CITY OF SALEM**APRIL 22, 2021****CITY COUNCIL REGULAR MEETING****PETITIONS**

A petition from Comcast to install a Conduit on First St.

Hearing Ordered on May 13, 2021

A petition from Kayla Page Beese to open a new business for a Pedi-Cab for 21+ for sightseeing and consumption of alcohol.

Action Contemplated

Councillor Morsillo	Moved referred to the Comm. on Ord., Lic. & Legal Affairs	VOTED
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The Following License Applications:

PUBLIC GUIDES: Ellis Jones 27 Creighton St., Boston
 Shelby Kravette 154 Tracy Ave., Lynn

TAXI OPERATORS: Rafael Gomez 57 Harbor St., Salem
 Johnny Fabian 52 Ward St., Salem
 Jesus Rosario 30 Warren St., Peabody
 Felipe Garcia 30 Ridgeway St., Lynn
 Gorman Jose Meja Rosario 34 Prince St., Salem
 Ramon Espinal Jr. 15 Heritage Dr., Salem
 Domingo Moronta 5 Albion St., Salem
 Jose Munoz Negro 16 Cherry St., Salem
 Rosa Almancar 80 Essex St., Beverly
 Cristian Tejada Nunez 15 Pond St., Salem
 Welkins Vicioso 52 Dow St., Salem

Action Contemplated

Councillor Morsillo	Moved Granted	VOTED
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CITY OF SALEM

APRIL 22, 2021

CITY COUNCIL REGULAR MEETING

PETITIONS

The Following Claims:

Lawrence Borrmann 19 Harbor St., Salem
Christine Keller 88 Cavendish Cir., Salem
Eugenia Koutsos 1 Red Jacket Lane, Salem

Action Contemplated

Councillor Morsillo

Moved referred to the Comm. on
Ord., Lic. & Legal Affairs

VOTED

CITY OF SALEM

APRIL 22, 2021

CITY COUNCIL REGULAR MEETING

UNFINISHED BUSINESS

Councillor Morsillo

In the year two thousand and twenty one

An Ordinance to amend an Ordinance relative to vehicles for hire

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

Section I. Chapter 44, Sec. 44-32(a) vehicle license is amended by deleting the last sentence in sub-paragraph (a) and replacing it with the following:

“The city council shall not approve the issuance of more than 35 taxicab and 50 limousine or livery licenses.”

Section II. 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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On the motion of Councillor the meeting adjourned at P.M.