

City of Salem, Massachusetts
Office of the City Clerk

Ilene Simons
City Clerk



Room 1
City Hall

November 17, 2020

MEETING NOTICE AND AGENDA

The City Council will meet on Thursday, November 19, 2020 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/87999169404?pwd=ekJleUFTS1RETlpPZGhCZ2I2UE5uZz09>

Password: 103366

Go to the website link <https://zoom.us/join>. Enter meeting/webinar ID# 879 9916 9404 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 (Toll Free) or 888-475-4499 (Toll Free). When prompted, enter meeting/webinar ID#: 879 9916 9404 and follow the instructions to join the meeting. For those dialing in, you may press *9 to raise your hand to speak if signed up for public testimony or to participate in the public hearing portion of the agenda (if applicable)
- Watch meeting live on SATV on Channel 22.
- Members of the public wishing to speak on the agenda items must follow the "How to Sign Up for Public Testimony" outlined on the agenda below.
- Members of the public wishing to speak during hearings designated as public hearings may do so by following how to participate noted above.

CITY OF SALEM**NOVEMBER 19, 2020****CITY COUNCIL REGULAR MEETING**

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**NOVEMBER 19, 2020****CITY COUNCIL REGULAR MEETING**

A Regular Meeting of the City Council is being held remotely on Thursday, November 19, 2020 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on November 17, 2020 at 9:04 A.M. This meeting is being taped and is live on S.A.T.V.

Councillors absent:

Council President McCarthy presided.

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

VOTED

President McCarthy 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

NOVEMBER 19, 2020

CITY COUNCIL REGULAR MEETING

HEARINGS

NONE

CITY OF SALEM**NOVEMBER 19, 2020****CITY COUNCIL REGULAR MEETING****APPOINTMENTS AND REAPPOINTMENTS**

The Mayor's appointment of Ezekiel Holt 34 Leach St to the Commission on Disabilities with a term to expire November 15, 2021

Councillor	Suspension of the Rules	Councillor	Objection
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Action Contemplated

Councillor Turiel	Held under the Rules Until the next meeting	Voted
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The Mayor's appointment of Kate Zuraw LICSW to the Commission on Disabilities with a term to expire November 19, 2023

Councillor	Suspension of the Rules	Councillor	Objection
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Action Contemplated

Councillor Madore	Held under the Rules Until the next meeting	Voted
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The Mayor's re-appointment of Sue Kirby 45 St Peter St. to the Salem Housing Authority as a tenant member with a term to expire March 1, 2025

Action Contemplated

Councillor Madore	Moved Confirmation by RCV	Yeas	Nays	Abs
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CITY OF SALEM

NOVEMBER 19, 2020

CITY COUNCIL REGULAR MEETING

COMMUNICATIONS FROM THE MAYOR

Bond Order: That the sum of Sixteen Million One Hundred Thousand Dollars (\$16,100,000) is hereby appropriated to pay costs of a signature parks improvement program that includes one or more of the following types of capital improvements at Forest River Park, Salem Willows, Salem Common, Pioneer Village, Winter Island, and Palmer Cove and any costs incidental and related thereto: (a) construction, reconstruction and/or relocation of, and extraordinary repairs and improvements to, buildings, structures, recreational facilities and landscape infrastructure, (b) construction and reconstruction of, and improvements to, roadways, sidewalks and pathways, and (c) acquisition and installation of lighting, fencing, benches, signage and other equipment; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that the Mayor is authorized to apply for, accept and expend any grants, donations or other aid to pay additional costs of the signature parks improvement program; that the Mayor is authorized to take any action necessary to carry out the signature parks improvement program; and that any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Councillor Turiel Suspension of the Rules C. Objection

Action Contemplated

Councillor Turiel Moved Adoption by RCV Yea Nay Abs
OR
Refer to Admin. & Finance under the Rules



CITY OF SALEM**NOVEMBER 19, 2020****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR**

ORDERED: That the sum of Twenty One Thousand, Six Hundred and Thirty Nine Dollars and Eighty Cents (\$21,639.80) 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
David Kezar	School	21,639.80
		\$ 21,639.80

Councillor Turiel Suspension of the Rules C. Objection

Action Contemplated

Councillor Turiel Moved Adoption by RCV Yea Nay Abs
OR
Refer to Admin. & Finance under the Rules

ORDERED: That the sum of Twenty Thousand, Three Hundred and Fifty Four Dollars and Forty Cents (\$20,354.40) 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
John Robinson	School	20,354.40
		\$ 20,354.40

Councillor Turiel Suspension of the Rules C. Objection

Action Contemplated

Councillor Turiel Moved Adoption by RCV Yea Nay Abs
OR
Refer to Admin. & Finance under the Rules

CITY OF SALEM

NOVEMBER 19, 2020

CITY COUNCIL REGULAR MEETING

COMMUNICATIONS FROM THE MAYOR

ORDERED: That the sum of Seven Thousand, Four Hundred and Fifty Eight Dollars (\$7,458.00) is hereby appropriated within the “Capital Outlay” account (20002114-5846CA) to be expended for emergency repair of the Library’s main elevator by the Library Department in accordance with the recommendation of Her Honor the Mayor.

Councillor Turiel Suspension of the Rules C. Objection

Action Contemplated

Councillor Turiel Moved Adoption by RCV Yea Nay Abs
OR
Refer to Admin. & Finance under the Rules

ORDERED: That the sum of Two Thousand, Six Hundred and Sixty Two Dollars and Twenty Cents (\$2,662.20) 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
Donna Sullivan	School	2,662.20
		\$ 2,662.20

Councillor Turiel Suspension of the Rules C. Objection

Action Contemplated

Councillor Turiel Moved Adoption by RCV Yea Nay Abs
OR
Refer to Admin. & Finance under the Rules

CITY OF SALEM

NOVEMBER 19, 2020

CITY COUNCIL REGULAR MEETING

COMMUNICATIONS FROM THE MAYOR

ORDERED: That the City of Salem hereby authorizes an increase an amount of funds to be expensed from the Harbormaster Winter Storage Revolving fund (2368) from \$50,000 fifty thousand dollars to \$90,100 Ninety Thousand One Hundred dollars for fiscal year 2021 only, to include a purpose of funding the City share of a multi-mission patrol/response craft. The revolving account was established in accordance with M.G.L. Chapter 44, Section 53E ½ as a special purpose revolving account in accordance with the recommendation of Her Honor the Mayor

Councillor Turiel Suspension of the Rules C. Objection

Action Contemplated

Councillor Turiel Moved Adoption by RCV Yea Nay Abs
OR
Refer to Admin. & Finance under the Rules

ORDERED: That the donation from Footprint Power Salem Harbor Development in the amount of Thirty Thousand Dollars (\$30,000.00) for virtual training for the team and equipment upgrades. These funds will be deposited into the City’s Fire Department’s Donations Fund 24131-4830 in accordance with the recommendation of Her Honor the Mayor.

Action Contemplated

Councillor Turiel Moved Adoption by RCV Yea Nay Abs

ORDERED: That the donation from Megan Riccardi in the amount of One Thousand Dollars (\$1,000.00) to contribute to the Mack Park Food Farm. These funds will be deposited into the City’s Mack Park Food Farm Donations Fund 25S01-4800 in accordance with the recommendation of Her Honor the Mayor.

Action Contemplated

Councillor Turiel Moved Adoption by RCV Yea Nay Abs

CITY OF SALEM**NOVEMBER 19, 2020****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR**

ORDERED: Upon payment of an unpaid parking fine and the donation of two non-perishable items or canned goods to be donated to local food pantries, the City Collector shall waive, from December 1, 2020 – December 23, 2020, up to thirty dollars in late fees added to an unpaid parking fine, as provided in Section 17A of the City of Salem Traffic Code. The Collector shall not waive any surcharge imposed by the Massachusetts Registry of Motor Vehicles if the Collector has notified the Registry of Motor Vehicles of an unpaid fine and a non-renewal of license and/or registration has been recorded by the Registry of Motor Vehicles.

Action Contemplated

Councillor Turiel	Moved Adoption by RCV	Yea	Nay	Abs
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ORDERED: Parking at all City owned lots, garages, and on-street spaces shall be free of charge on the following days:

1. Thursday, November 26
2. Friday, November 27
3. Saturday, November 28
4. Thursday, December 24
5. Friday, December 25
6. Saturday, December 26

Action Contemplated

Councillor Turiel	Moved Adoption by RCV	Yea	Nay	Abs
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CITY OF SALEM**NOVEMBER 19, 2020****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR**

ORDERED: That the City Purchasing Agent is hereby authorized to solicit bids and lease, with the approval of the Mayor, no more than one-third of the city-owned lot at 297 Bridge Street for the period of November 27, 2020 through and including December 24, 2020 for the purpose of selling Christmas trees, wreaths, and similar holiday items.

Action Contemplated

Councillor Madore	Moved Adoption by RCV	Yea	Nay	Abs
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ORDERED: That the Mayor is hereby authorized to execute, on behalf of the City of Salem, an amendment to the July 24, 2018 Fiber Optic Network Installation Agreement between the City and SiFi Networks Salem, LLC to allow a change in Section 3.5.8, "Security Deposit" such that SiFi Networks Salem shall have the option of providing either a \$500,000 performance bond or a cash security deposit in the same amount to be held in escrow by the City Treasurer.

Action Contemplated

Councillor Madore	Moved Adoption by RCV	Yea	Nay	Abs
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CITY OF SALEM

NOVEMBER 19, 2020

CITY COUNCIL REGULAR MEETING

MAYOR'S INFORMATIONAL PAGE

Communication from the Mayor to address the City Council relative to an update on the City's response to COVID-19.

November 19, 2020

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I would like to request the opportunity to address you at your meeting of November 19th provide the public and the City Council with an update on the City's response to the COVID-19 pandemic.

Very truly yours,

Kimberley Driscoll
Mayor
City of Salem

Action Contemplated

Councillor Flynn

Moved Received and Filed

Voted

CITY OF SALEM**NOVEMBER 19, 2020****CITY COUNCIL REGULAR MEETING****MOTIONS, ORDERS AND RESOLUTIONS**

Councillor Madore

In the Year Two Thousand and Twenty*An Ordinance* to amend an Ordinance relative to Traffic, Ch. 42. Sec. 50B

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

Section 1. Amending Chapter 42, Section 50B – “Handicap Zones, Limited Time” is hereby amended by repealing the following:**Repeal** – Cross Street, in front of #3 Cross Street, for a distance of twenty (20) feet Handicap Parking only, Tow Zoned Time.” (11/21/19)**Section 2.** This Ordinance shall take effect as provided by City Charter.

Action Contemplated

Councillor Madore	Moved Adoption for first passage by RCV	Yeas	Nays	Abs
	OR			
	Refer to Comm. on Ord., Lic. & Legal Affairs			

Councillor Morsillo

In the Year Two Thousand and Twenty*An Ordinance* to amend an Ordinance relative to Traffic, Ch. 42. Sec. 50B

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

Section 1. Amending Chapter 42, Section 50B – “Handicap Zones, Limited Time” is hereby amended by repealing the following:**Repeal** – Hathorne Street, in front of #76, starting at a point twenty-four (24) feet southeast of the driveway at #76 Hathorne Street, running northwest for twenty (20) feet.**Section 2.** This Ordinance shall take effect as provided by City Charter.

Action Contemplated

Councillor Madore	Moved Adoption for first passage by RCV	Yeas	Nays	Abs
	OR			
	Refer to Comm. on Ord., Lic. & Legal Affairs			

CITY OF SALEM

NOVEMBER 19, 2020

CITY COUNCIL REGULAR MEETING

MOTIONS, ORDERS AND RESOLUTIONS

Councillor McCarthy

In the year Two Thousand and Twenty

An Ordinance to amend an Ordinance relative to Traffic, Ch. 42. Sec. 75

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

Section 1. Section 75 of Article V-A be amended by adding the following:

Hawthorne Boulevard – ZONE A COLOR BLUE – #24 Hawthorne Boulevard to be included to obtain resident sticker parking permits but no guest passes shall be issued.

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

Action Contemplated

Councillor McCarthy Moved Adoption for first passage by RCV Yeas Nays Abs
OR
Refer to Comm. on Ord., Lic. & Legal Affairs

CITY OF SALEM

NOVEMBER 19, 2020

CITY COUNCIL REGULAR MEETING

COMMITTEE REPORTS

COUNCILLOR Madore offered the following report for the Committee on Ordinances, Licenses and Legal Affairs co-posted with Committee of the Whole to whom was referred the matter of declaring parcel 1 of 413 Essex St. surplus and that the parcel be advertised for a sealed bid, has considered said matter and would recommend Adoption by roll call vote

Accept Report

Voted

Adopt the Recommendation

Yea Nay Abs

CITY OF SALEM

NOVEMBER 19, 2020

CITY COUNCIL REGULAR MEETING

PETITIONS

A Petition from National Grid to install (2) JO Poles (1) on Ferry St. and (1) on Waite St.

HEARING ORDERED DECEMBER 3, 2020

A Petition from Comcast to install underground Conduits for work to be done on Bridge St to include conduits on Osgood St and Ferry St.

HEARING ORDERED DECEMBER 3, 2020

The Following License Applications:

TAXI OPERATORS: Luis Felipe Vasquez 96 Congress St #2 Salem, MA

Action Contemplated

Councillor Madore	Moved Granted	VOTED
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A request from John Dorceus for a taxi operator hearing on the denial of his taxi operator license

Action Contemplated

Councillor Madore	Moved referred to the Comm. on Ord., Lic., & Legal Affairs (to hold an Executive Session if necessary)	VOTED
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CITY OF SALEM**NOVEMBER 19, 2020****CITY COUNCIL REGULAR MEETING****PETITIONS**

The Following Drainlayer/ Contract Operator License Application:

Waveguide 10 N Southwood Dr. Nashua, NH

Action Contemplated

Councillor Madore

Moved Granted

VOTED

The Following Claims:

Kendra Ferman 31 Sawdy Pond Ave. Tiverton, RI
 Luis Castillo 35 Cedar St. Salem, MA
 Joseph Comora 12 Cabot St. Salem, MA
 Peter Tully 33 Hart St. Salem, MA
 Octavian Biris 200 Exchange St. Providence, RI
 James Johnson, 65D Wharf St., Salem
 Michael Bonacorso, 225 Derby St., Salem
 Benjamin Henry, 68 Leavitt St., Salem
 Philip Mason, 23R Mason St., Salem
 Justin Horine, 41 Harbor St., Salem
 Beatrice Pena, 22 Foster St., Salem

Action Contemplated

Councillor Madore

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

VOTED

The Following Bond:

DRAINLAYER: Waveguide 10 N Southwood Dr., Nashua NH

Action Contemplated

Councillor Madore

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

VOTED

CITY OF SALEM

NOVEMBER 19, 2020

CITY COUNCIL REGULAR MEETING

UNFINISHED BUSINESS

NONE

On the motion of Councillor

the meeting adjourned at

P.M.