

City of Salem, Massachusetts
Office of the City Clerk

Ilene Simons
City Clerk



March 10, 2020

MEETING NOTICE AND AGENDA

**“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.”**

The City Council will meet in the City Council Chamber on Thursday, March 12, 2020 at 7:00 P.M. to hold its regular meeting for the purpose of discussing any and all business.

The Agenda for this meeting is posted on the website and listed below.

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.”

CITY OF SALEM**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING**

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

Assistive Listening System Now Available for City Council Meetings. Those interested in utilizing these devices for meetings at 93 Washington Street may contact the City Clerk Ilene Simons at 978-619-5610 or isimons@salem.com.

A Regular Meeting of the City Council held in the Council Chamber on Thursday, February 27, 2020 at 7:30 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on February 25, 2020 at 9:52 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 Name must be on roster 30 minutes prior to meeting Agenda items only

How to Sign Up:

Anyone wishing to present testimony at a City Council meeting regarding a matter on the agenda, must sign the roster in person stating their name, address and subject matter. The Roster will be available in the City Clerk’s Office (Room 1) and may sign the roster from the time the agenda is posted until thirty (30) minutes prior to the start of the regular Council Meeting (by 6:30 p.m.). Only those on the roster may present testimony at the Meeting.

(For complete rules for Public Testimony please refer to Council Rules Section 28C)

CITY OF SALEM

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CITY COUNCIL REGULAR MEETING

HEARINGS

Continuation from the last meeting regarding a hearing from National Grid and Verizon to install 1 JO pole on Orange Street

(WITHDRAWN BY APPLICANT)

CITY OF SALEM**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING****APPOINTMENTS AND REAPPOINTMENTS**

Held from the last meeting the Mayor's appointment of Kristin Macek to the Council on Aging Board with a term to expire February 27, 2023.

Action Contemplated

Councillor McCarthy	Confirmation by roll call vote	Yeas	Nays	Abs
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The Mayor's appointment of Filipe Zamborlini to the Affordable Housing Trust Fund Board with a term to expire March 12, 2001.

Councillor	Suspension of the Rules	Councillor	Objection
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Action Contemplated

Councillor McCarthy	Held under the Rules until the next meeting	Voted
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The Mayor's reappointment of the following to the Cable Television and Technology Commission with terms to expire on March 10, 2022

William Simons 79 School St. Salem
Kevin Walker 6 Mouton Ave. Salem
Olle Duijvesteijn 57 Dearborn St. Salem

Action Contemplated

Councillor McCarthy	Confirmation by roll call vote	Yeas	Nays	Abs
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CITY OF SALEM**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR**

BOND ORDER: That the sum of One Million Five Hundred Sixty-Five Thousand Dollars (\$1,565,000) is hereby appropriated to pay costs of replacing the boiler at Bentley Academy, including the payment of all costs incidental and related thereto (the "Project"), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the City may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the City of Salem Massachusetts, School Department; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to G.L. c.44, §7(1) and/or G.L. c.70B, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that the City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City, and the City further acknowledges that any grant that the City may receive from the MSBA for the Project shall not exceed the lesser of (1) seventy-five and thirty-seven hundredths percent (75.37%) of eligible approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; that the amount of the borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City and the MSBA; 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 G.L. c.44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Councillor

Suspension of the Rules

Councillor

Objection

Action Contemplated

Councillor Turiel

Moved Adoption for first passage by RCV
OR
Refer to Admin. & Finance under the Rules

Yeas Nays Abs

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CITY COUNCIL REGULAR MEETING

MAYOR'S INFORMATIONAL PAGE

NONE

CITY OF SALEM**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING****MOTIONS, ORDERS AND RESOLUTIONS**

Councillor McCarthy

ORDERED: That the City Council Elect Councillor Morsillo and Councillor Hapworth to the Affordable Housing Trust Fund Board of Trustees per ordinance Ch. 2, Sec. 1002: "The city council shall annually elect two members of the city council to serve for a term of one year. The city council president or his or her designee shall serve for a term of one year." And that their terms expire on December 31, 2020.

Action Contemplated

Councillor McCarthy

Moved Adoption

Voted

Councillor Dibble

ORDERED: That the Committee on Community and Economic Development co-posted with the Committee of the Whole meet with Ability, Triangle, Inc. for a presentation by this company.

Action Contemplated

Councillor Dibble

Moved Adoption

Voted

Councillor Madore

ORDERED: That Section 36 of the Rules and Orders of the City Council be amended by deleting the reference to "Cushing's Manual" and inserting in place thereof "Roberts Rules of Order"

Action Contemplated

No Action Taken Under the Rules until the next meeting on March 26, 2020

CITY OF SALEM**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING****MOTIONS, ORDERS AND RESOLUTIONS**Councillor Dominguez

RESOLUTION:

WHEREAS, the young people of *Salem, Massachusetts* are tomorrow's leaders; and**WHEREAS**, many young people need professional youth services to help them achieve their full potential; and**WHEREAS**, the Boys & Girls Club of Salem, Massachusetts serves more than 700 young people annually; and**WHEREAS**, Boys & Girls Clubs do whatever it takes to ensure every young person in America has the skills needed to graduate high school and be well prepared for life and work. Through programs like Power Hour, Diplomas to Degrees, Torch Club and Keystone Club, *Boys & Girls Club of Greater Salem* helps youth to develop the soft skills and hard skills need to close the jobs skills gap.**WHEREAS**, *Boys & Girls Club of Greater Salem* will celebrate National Boys & Girls Club Week with some 4,000 Clubs and over 2 million more children and teens nationwide.**NOW, THEREFORE**, We the City Council *for the City of Salem* do hereby proclaim March 30 – April 3, 2020, as Boys & Girls Club Week in *Salem, Massachusetts*.

Furthermore, I encourage all citizens to join me in recognizing and commending our 150-year-old Boys & Girls Club of Greater Salem for doing whatever it takes to build great futures for youth in our communities.

Action Contemplated

Councillor Dominguez

Moved Adoption

Voted

CITY OF SALEM**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM CITY OFFICIALS**

Communication from the City Solicitor:

ORDERED: Pursuant to Section 37 of the Rules and Orders of the City Council, the City Council hereby authorizes, by majority vote, the scheduling of a joint meeting of the City Council and the Park and Recreation Commission on March 24, 2020 at 6:00 p.m. at the Jean Levesque Community Life Center, 401 Bridge Street, Salem relative to land in dispute at 20 Franklin Street.

Action Contemplated

Councillor Riccardi

Moved Adoption

Voted

Communication from the City Solicitor:

ORDERED:

WHEREAS, the City of Salem is the recipient of Federal and State funds to undertake a Safe Routes to School Project to improve pedestrian and vehicular safety in the neighborhood of the Bates School, including the reconstruction of sidewalks, installation of ADA-compliant curb ramps, grading land, constructing, operating, improving, maintaining, repairing, replacing, relocating, realigning and/or reconstructing slopes of excavation and/or embankment, driveway aprons, landscaping, loaming, planting trees, seeding, and installing rapid flashing beacons and flashing school zone signs; and

WHEREAS, a condition of the Federal and State funding is that the City acquire easements and dedication of land necessary to implement the Safe Routes to School Project, specifically, a certain dedication and permanent and temporary easements as shown on the plans entitled "Easement Plan of Land, Bates Elementary School, Liberty Hill Avenue, Salem, Massachusetts" dated March 4, 2020, prepared by Nitsche Engineering ("the Plans"); and

WHEREAS, in order to acquire the permanent and temporary easements, the City must appropriate the sum of \$14,880.00 to compensate property owners upon whose properties said easements are located.

NOW, THEREFORE, BE IT ORDERED, that the Salem City Council may by purchase and/or eminent domain, for public way purposes, including but not limited to enhancements of pedestrian and vehicular safety, in the neighborhood of the Bates School, permanent easements in, on, over and under and along certain parcels of land shown as PE-2 through PE-7, inclusive, and temporary construction easements in, on,

CITY OF SALEM**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM CITY OFFICIALS**

over, under and along certain parcels of land shown as TE-1 through TE-7, inclusive, TE-13 and TE-15 on the Plans, which parcels are described in the Order of Taking of the Salem City Council to be recorded with the Essex South District Registry of Deeds.

AND, BE IT FURTHER ORDERED, that the Salem City Council acknowledge the allocation of the sum of \$14,880.00 from so-called Chapter 90 funds received by the City for the purpose of paying compensation to property owners for the acquisition of the permanent and temporary easements;

AND, BE IT FURTHER ORDERED, that the City Council dedicates the parcel of land shown as PE-1 on the Plans for the purpose of constructing an ADA curb cut and sidewalk and all purposes for which public ways are used in the City of Salem, including, without limitation, for the purpose of undertaking the Safe Routes to School Project for the Bates School.

AND, BE IT FURTHER ORDERED, that the City Council authorizes the City Council President Robert McCarthy to sign, on its behalf, an Order of Dedication and Taking and the City Solicitor is authorized to record said Order of Taking with the Essex South District Registry of Deeds.

(Copies of the plans are on file in the City Clerk's Office and also in the back-up documentation)

Action Contemplated

Councillor Riccardi

Moved Adoption by RCV
(2/3 vote required)

Yeas

Nays

Abs

CITY OF SALEM**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING****PETITIONS**

Request from the Salem YMCA to hold a road race Salem Road Race and use of city streets on September 13, 2020

Action Contemplated

Councillor McCarthy	Moved Granted	Voted
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Request from the Salem YMCA to hold a road race Witch City 5K and use of city streets on October 17, 2020

Action Contemplated

Councillor McCarthy	Moved Granted	Voted
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The Following License Applications:

PUBLIC GUIDES:	Michael Vitka 384 Essex St. Salem Patrick Cornacchio 6 Beachmont Rd. Salem Stacy Kilb 39 Northend Ave. Salem Kristin MacKenzie 557 Hancock St. Quincy
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TAXI CAB/LIMOS:	Americab 92 Jackson St (2 Limos)
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TAXI OPERATORS:	Ehadio Pena 38 Peabody St, Salem Leandro Aristy 78 Tremont St. Salem Amablea Gomez Tejada 10 First St. Salem Amauris Gomez Diaz 10 First St. Salem Luz Sanchez 117 Congress St. Salem Oscar Gutierrez 24 Mason St. Salem Roberto Pacheco 26 Mill St. Danvers
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Action Contemplated

Councillor Madore	Moved Granted	Voted
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CITY OF SALEM

MARCH 12, 2020

CITY COUNCIL REGULAR MEETING

PETITIONS

The Following License Application:

PUBLIC GUIDE: Thomas Vallor 40 Boardman St. Salem

Action Contemplated

Councillor Madore	Moved Denied	Voted
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The Following License Applications:

TAXI OPERATOR: Julio A. DeJesus 25 Loris Rd. Peabody

Action Contemplated

Councillor Madore	Moved Denied	Voted
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The Following License Applications:

TAXI OPERATOR/
REQUEST HEARING: Julio A. DeJesus 25 Loris Rd. Peabody

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**MARCH 12, 2020****CITY COUNCIL REGULAR MEETING****PETITIONS**

The Following Drainlayer/ Contract Operator License Application:

Thomas Mackey & Sons, Inc 58 Broadway Salem

Action Contemplated

Councillor Madore

Moved Granted

Voted

The Following Claims:

Arthur Veloukas 58 Essex St. Salem
 Clark Straight 154 Lynnway, Lynn
 Norman Erlich 10 Federal St. Salem

Action Contemplated

Councillor Madore

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

Voted

CITY OF SALEM

MARCH 12, 2020

CITY COUNCIL REGULAR MEETING

UNFINISHED BUSINESS

**SECOND PASSAGE OF AN ORDINANCE TO AMEND AN TRAFFIC – HANDICAP
PARKING – HAZEL STREET**

ORDINANCE: In the year Two Thousand and Twenty

An Ordinance to amend an Ordinance relative to Traffic

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

Section 1. Amending Chapter 42, Section 50B – “Handicapped Zones, Limited Time” is hereby amended by adding the following:

Hazel Street – One Handicapped Parking Space to be added in front of #38 Hazel Street, beginning four (4) feet North of the driveway at 38 Hazel Street, running north for twenty (20) feet.

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

Action Contemplated

Councillor Turiel

Moved adoption for second and final passage

Voted

CITY OF SALEM

MARCH 12, 2020

CITY COUNCIL REGULAR MEETING

UNFINISHED BUSINESS

SECOND PASSAGE OF AN ORDINANCE TO AMEND TRAFFIC – STOP SIGN – AT WHEATLAND AND LAWRENCE STREET

In the year Two Thousand and Twenty

An Ordinance to amend an Ordinance relative to Traffic

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

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

Wheatland Street, at the intersection with Lawrence Street, add one stop sign, easterly bound traffic on Wheatland Street.

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

Action Contemplated

Councillor Morsillo

Moved adoption for second and final passage

Voted

CITY OF SALEM

MARCH 12, 2020

CITY COUNCIL REGULAR MEETING

UNFINISHED BUSINESS

SECOND PASSAGE OF AN ORDINANCE – TRAFFIC - STOP SIGN - AT PINGREE AND LYNCH STREET

In the year Two Thousand and Twenty

An Ordinance to amend an Ordinance relative to Traffic

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

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

Pingree Street, northerly bound traffic on Pingree Street at Lynch Street.

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

Action Contemplated

Councillor McCarthy	Moved Adoption for Second and Final passage	Voted
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On the motion of Councillor	the meeting adjourned at	P.M.
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