

City of Salem, Massachusetts
Office of the City Clerk

Ilene Simons
City Clerk



Room 1
City Hall

March 23, 2021

MEETING NOTICE AND AGENDA

The City Council will meet on Thursday, March 25, 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.

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.

Members of the public wishing to speak during hearings designated as public hearings may do so by following how to participate noted above.

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**MARCH 25, 2021****CITY COUNCIL REGULAR MEETING**

A Regular Meeting of the City Council is being held remotely on Thursday, March 25, 2021 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on March 23, 2021 at 9:55 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

MARCH 25, 2021

CITY COUNCIL REGULAR MEETING

HEARINGS

Continued from the February 11, 2021 meeting

ORDERED: Verizon Wireless to install Telecommunications on Bridge St.

APPEARING IN FAVOR:

APPEARING IN OPPOSITION:

Action Contemplated

Councillor Riccardi	Moved to keep the Public Hearing Open until May 13, 2021 due to meeting conflict with Design Review Board by RCV	Yeas Nays Abs
---------------------	--	---------------

CITY OF SALEM

MARCH 25, 2021

CITY COUNCIL REGULAR MEETING

APPOINTMENTS AND REAPPOINTMENTS

The Mayors re-appointment of Filipe Zamborlini to the Affordable Housing Trust Fund Board with term to expire March 25, 2022.

Action Contemplated

Councillor McCarthy

Confirmation by RCV

Yea

Nay

Abs



CITY OF SALEM**MARCH 25, 2021****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR**

The following money matters:

ORDERED: That the sum of Three Hundred Fifty Thousand Dollars (\$350,000.00) is hereby appropriated from General Fund Balance Reserved for Free Cash (1-3245) to the following special revenue funds. This transfer is requested in accordance with the recommendation of Her Honor the Mayor.

Fund Name/Description	Amount
Retirement Stabilization Fund 8311	\$ 350,000.00

ORDERED: That the sum of Two Hundred Sixteen Thousand, Six Hundred Eighty-Eight Dollars and Twenty-Six Cents (\$216,688.26) 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 Guinta	Fire	\$ 91,144.90
Kevin Koen	Fire	62,599.80
Michael Leonard	Fire	62,943.56
		\$ 216,688.26

CITY OF SALEM

MARCH 25, 2021

CITY COUNCIL REGULAR MEETING

COMMUNICATIONS FROM THE MAYOR

ORDERED: That the sum of Thirteen Thousand Dollars (\$13,000.00) is hereby appropriated from the Receipts Reserved funds listed below to the Department of Public Services Burial Account (14112-5383) in accordance with the recommendation of Her Honor the Mayor.

From		To		Amount
24301- 4800	R/Res Sale of Lots	14112- 5383	DPS Burial	5,000.00
24311- 4800	R/Res Sale of Vaults	14112- 5383	DPS Burial	8,000.00
Total				13,000.00

ORDERED: That the sum of Eight Thousand, One Hundred and Ten Dollars (\$8,110.00) be hereby appropriated from the following "Receipts Reserved for Appropriation" account, to be transferred to the Park & Rec Equipment account 16512-5860 for to purchase a PAC-Van storage container for small equipment for the golf course in accordance with the recommendation of Her Honor the Mayor.

Description	Amount
Receipts Reserved – Golf Course	\$ 8,110.00
Total	\$ 8,110.00

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 SALEMMARCH 25, 2021CITY COUNCIL REGULAR MEETINGCOMMUNICATIONS FROM THE MAYOR

ORDERED: To accept the donation from Ruth R. Larrabee and David C. Larrabee in the amount of One Thousand, Nine Hundred Fifty Dollars (\$1,950.00). These funds will be deposited into the Park & Recreation Donation Fund 24061-4830 to be used for park bench funds in accordance with the recommendation of Her Honor the Mayor.

Action Contemplated

Councillor Turiel	Moved Adoption by RCV	Yea	Nay	Abs
-------------------	-----------------------	-----	-----	-----

ORDERED: That Council Order #436 of 2016, to create a revolving fund account for solar renewable energy certificates, be hereby amended as follows:

1. **Fund Name** is deleted and replaced by "Utility Energy Credit Fund."
2. **Programs & Purpose** is deleted and replaced by "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."
3. **Type of Receipts Collected** is deleted and replaced by "Credits or payments received for City projects or programs that specifically result in reduction in utility costs, use, or emissions."

Action Contemplated

Councillor Turiel	Moved Adoption by RCV	Yea	Nay	Abs
-------------------	-----------------------	-----	-----	-----

ORDERED: That a petition to the General Court, accompanied by a bill for authorization to employ automated enforcement of speed limit violations in designated school zones within the city of Salem as set forth below, be filed with an attested copy of this Order be, and hereby is, approved under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that the following legislation be adopted, except for amendments by the Senate or House of Representatives which conform to the intent of this home rule petition:

CITY OF SALEM**MARCH 25, 2021****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR**

AN ACT authorizing the City of Salem to employ automated enforcement of speed limit violations in designated school zones within the city of Salem.

Be it enacted by the Senate and House of Representatives in General Court Assembled, and by the authority of the same as follows:

AUTOMATED ENFORCEMENT OF SPEED LIMIT VIOLATIONS IN DESIGNATED SCHOOL ZONES WITHIN CITY OF SALEM

Section 1. As used in this chapter, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

"Automated Road Safety Camera System" shall mean an automated motor vehicle sensor device installed which produces digital photographs and may record the speed of each motor vehicle at the time it is operated in a manner that is in violation of traffic laws and regulations where the automated road camera safety system is located.

"Camera Enforceable Violation" shall mean a violation of the traffic laws which may be enforced by an automated road safety camera system, limited to exceeding the speed limit pursuant to section 17 or section 18 of chapter 90 while travelling in a designated school zone.

"City" shall mean the City of Salem, Massachusetts.

"Designated School Zone" shall mean within 300 feet of the real property comprising a public or private accredited preschool, accredited headstart facility, elementary, vocational or secondary school if the violation occurs between 5:00 a.m. and midnight, whether or not school is in session.

Section 2. (a) The City of Salem may employ an automated road safety camera system as a means of promoting traffic safety in a designated school zone, which may be fixed along any portion of any ways within a designated school zone its control, or within a designated school zone in the control of the commonwealth with written permission from the department of transportation and may impose a penalty on the owner of a motor vehicle for failure by the operator thereof to comply with traffic laws and regulations.

(b) The City may employ no more than two fixed automated road safety camera systems per designated school zone.

Section 3. (a) The maximum fine imposed for a violation issued pursuant to this chapter shall be twenty five dollars per violation. For violations issued pursuant to this chapter, except as provided in section 4, the owner or owners of a vehicle shall be liable for the fine, however, no owner of a vehicle shall be responsible for a violation issued pursuant to this chapter where the operator of the motor vehicle was issued a citation for the underlying violation in accordance

CITY OF SALEM**MARCH 25, 2021****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR**

with section 2 of chapter 90C of the General Laws. The city may send a written warning to the owner or owners in lieu of enforcement for the purpose of education.

(b) A certificate, or a facsimile thereof, based upon inspection of photographs and data produced by an automated road safety camera system, and sworn to or affirmed by the police department or designee authorized to issue citations for violations of traffic laws and regulations, shall be prima facie evidence of the facts contained therein.

(c) A violation issued by the city shall not be made part of the operating record of the person upon whom such liability is imposed, nor shall such violation be considered a conviction of a moving violation of the motor vehicle laws for the purpose of determining a surcharge on a motor vehicle premium pursuant to section 113B of chapter 175 of the General Laws.

(d) The police department shall supervise and coordinate the administration of violations issued in conformance with this chapter. The police department shall have the authority to hire and designate such personnel as may be necessary or contract for such services to implement the provisions of this chapter.

(e) It shall be the duty of the police department or designee of a city to cause a notice of violation to the registered owner or owners of a motor vehicle identified in photographs produced by such device as evidence of a violation pursuant to this chapter. Such notice shall contain, but not be limited to, the following information: a copy of the aforementioned recorded images and other data showing the vehicle in the process of a camera enforceable violation; the registration number and state of issuance of the vehicle; the date, time and location of the violation; the specific camera enforceable violation charged; instructions for payment of the violation; instructions to contest the violation in writing; and instructions to obtain a hearing.

(f) In the case of a violation involving a motor vehicle registered under the laws of the Commonwealth, a notice of violation shall be mailed within 14 days of the violation to the address of the registered owner or owners as listed in the records of the registrar of motor vehicles. In the case of any motor vehicle registered under the laws of another state or country, such notice of violation shall be mailed within 21 days of the violation to the address of the registered owner or owners as listed in the records of the official in such state or country having charge of the registration of such motor vehicle. If said address is unavailable, it shall be sufficient for the police department or designee to mail a notice of violation to the official in such state or country having charge of the registration of such motor vehicle.

(g) A notice of violation shall be sent by first class mail in accordance with subsection (f) and shall include an affidavit form approved by the police department for the purpose of complying with subsection (b). A manual or automatic record of mailing processed by or on behalf of the police department in the ordinary course of business shall be prima facie evidence thereof, and shall be admitted as evidence in any judicial or administrative proceeding, as to the facts

CITY OF SALEM**MARCH 25, 2021****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR**

contained therein. Unless an owner or owners pay the fine or contest responsibility within 60 days of the violation, the provisions of subsection (l) will apply.

(h) Any owner to whom a notice of violation has been issued shall not be liable for a violation under the provisions of this chapter if: the violation was necessary to allow the passage of an emergency vehicle; the violation was incurred while participating in a funeral procession; the violation was incurred during a period of time in which the motor vehicle was reported to the police department of any state, city or town as having been stolen and had not been recovered prior to the time the violation occurred; the operator of the motor vehicle was operating the motor vehicle under a rental or lease agreement and the owner of the motor vehicle is a rental or leasing company and has complied with the provisions of section 4 of this chapter; the operator of the motor vehicle was issued a citation for the underlying violation in accordance with section 2 of chapter 90C of the General Laws; or, the violation was necessary to comply with any other law or regulation governing the operation of a motor vehicle.

(i) Any motor vehicle owner to whom a notice of violation has been issued pursuant to this chapter may admit responsibility for such violation and pay the fine provided therein. Payment may be made personally or through a duly authorized agent, by appearing before the police department's designee during normal office hours, by mailing or online. Payment by mail shall be made by check, money order or credit card to the police department or city. Payment of the established fine and any applicable penalties shall operate as the final disposition of the violation. Payment by one motor vehicle owner shall operate as the final disposition of the violation as to all other motor vehicle owners of the same motor vehicle for the same violation.

(j) An owner may contest responsibility for a violation under this chapter in writing by mail or online. The owner shall provide the police department with a signed affidavit in a form approved by the police department, stating: the reason for disputing the violation; the full legal name and address of the owner of the motor vehicle; and the full legal name and address of the operator of the motor vehicle at the time the violation occurred. An owner may include signed statements from witnesses, which include the names and addresses of witnesses, supporting the owner's defense. Within 21 days of receipt, the police department or the hearing officer shall send the decision of the hearing officer, including the reasons for the outcome, by first class mail to the registered owner or owners. If the owner is found responsible for the violation, the owner shall pay the fine in the manner described in (i) within 14 days of the issuance of the decision or request further judicial review pursuant to section 14 of Chapter 30A of the General Laws.

(k) An owner may request a hearing to contest responsibility for a violation. A hearing request shall be made in writing by mail or online. Upon receipt of a hearing request, the police department shall schedule the matter before hearing officer. Said hearing officer may be an employee of the police department of the city or such other person or persons as the police department may designate. Written notice of the date, time and place of said hearing shall be sent by first class mail to each registered owner. The hearing shall be informal, the rules of evidence

CITY OF SALEM**MARCH 25, 2021****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR**

shall not apply, and the decision of the hearing officer shall be final subject to judicial review as outlined by section 14 of Chapter 30A of the General Laws. Within 21 days of the hearing, the police department or the hearing officer should send the decision of the hearing officer, including the reasons for the outcome, by first class mail to the registered owner or owners. If the owner is found responsible for the violation, the owner shall pay the fine in the manner described in (i) within 14 days of the issuance of the decision or request further judicial review pursuant to section 14 of Chapter 30A of the General Laws.

(l) If an owner to whom a notice of violation has been issued either fails to pay the fine in said notice in accordance with subsection (i), or is found responsible for the violation and does not pay the fine in accordance with subsection (j) or subsection (k), the police department shall notify the registrar of motor vehicles who shall place the matter on record. Upon receipt of the registrar of five or more of such notices, the registrar shall not issue or renew such owner's motor vehicle registration until after notification from the police department that all fines owed pursuant to this chapter have been paid. It shall be the duty of the police department to notify the registrar forthwith that such case has been so disposed; provided, however, that certified receipt of full and final payment from the police department shall also serve as legal notice to the registrar that said violation has been disposed of in accordance with this chapter. The certified receipt shall be printed in such form as the registrar of motor vehicles may approve.

Section 4. (a) Notwithstanding section 3 of this chapter, if the registered owner of a motor vehicle in receipt of a notice of violation is a person or entity engaged in the business of leasing or renting motor vehicles, and such motor vehicle was operating under a rental or lease agreement at the time of a violation, then the provisions of this section shall be applicable, and the registered owner shall not be liable for any unpaid fines; provided, however, that such owner has complied with the procedures of this section.

(b) The police department shall give to the registered owner notice in writing of each violation in which a motor vehicle owned by such owner is involved, as set forth in section 3.

(c) Within 45 days of the violation, the registered owner shall furnish to such department or designee in writing the name and address of the lessee or rentee of such motor vehicle at the time of the violation; the lessee's or rentee's driver's license number, state of issuance of such driver's license and the lessee's or rentee's date of birth.

(d) Such department or designee shall thereupon issue a notice of violation to such lessee or rentee in the form prescribed by section 3 and the lessee or rentee shall be liable for the violation.

(e) If such lessee or rentee to whom a notice of violation has been issued either fails to pay the fine in accordance with subsection (i) of section 3, or fails to receive a favorable adjudication of said notice in accordance with subsection (j) of section 3, or subsection (k) of section 3, the police department or designee shall notify the registrar of motor vehicles who shall place the

CITY OF SALEM**MARCH 25, 2021****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR**

matter on record. Upon notification to the registrar of five or more of such notices under this section, it shall be the duty of the registrar to suspend and not renew the license to operate a motor vehicle of such lessee or rentee or suspend the right to operate of a lessee or rentee not licensed in this commonwealth until after notification from the Salem police department that all fines, taxes and penalties owed by such owner pursuant to either this chapter, have been disposed of in accordance with this chapter. It shall be the duty of the police department to notify the registrar forthwith that such case has been so disposed; provided, however, that certified receipt of full and final payment from the police department shall also serve as notice to the registrar that said violation has been disposed of in accordance this chapter. The certified receipt shall be printed in such form as the registrar of motor vehicles may approve.

Section 5. No speed limit violation shall be issued unless the vehicle exceeds the speed limit by at least five miles per hour.

Section 6. (a) The city shall install a sign notifying the public that an automated road safety camera system is in use at each location of said camera.

(b) The city shall make a public announcement and conduct a public awareness campaign of use of automated road safety camera systems beginning at least 30 days before the enforcement program is in use. The city may install but not activate automated road safety camera systems during said time period.

Section 7. (a) The compensation paid to the manufacturer or vendor of the automated road safety camera system as authorized herein shall be based on the value of the equipment or services provided and shall not be based on the number of traffic citations issued or the revenue generated by the systems.

(b) Verification that the automated road safety camera system and any appurtenant traffic control signals are correctly calibrated shall be made by a professional engineer registered in the commonwealth.

Section 8. (a) Photographs and other recorded evidence shall only be captured when a camera enforceable violation occurs. Photographs and other recorded evidence shall be destroyed within 48 hours of the final disposition of a violation.

(b) No photographs taken in conformance with this chapter shall be discoverable in any judicial or administrative proceeding other than a proceeding held pursuant to this chapter without a court order. No photograph taken in conformance with this chapter shall be admissible in any judicial or administrative proceeding other than in a proceeding to adjudicate liability for such violation of this chapter without a court order. A court shall order a release of a photograph taken in conformance with this chapter only where the photograph tends to establish or undermine a

CITY OF SALEM**MARCH 25, 2021****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR**

finding of a moving violation and the violation is material as to a finding of civil or criminal liability.

(c) Photographs and other personally identifying information collected by the city pursuant to this chapter are not public record.

(d) No automated road safety camera system shall be utilized in such a manner as to take a frontal view photograph of a motor vehicle.

Section 9. This act shall take effect upon its passage.

Action Contemplated

Councillor Morsillo

Moved Adopted by RCV

Yeas Nays Abs

Resolution: Calling for Permanent Changes to Massachusetts' Open Meeting Law to Facilitate Greater Public Participation through Technology

WHEREAS: On March 12, 2020, Governor Baker issued an emergency order suspending certain provisions of the Commonwealth's Open Meeting Law, M.G.L. c. 30A, §20; and,

WHEREAS: The Governor's order and subsequent regulations by the state allowed for municipal boards, commissions, and committees to conduct business using remote participation technologies and online platforms; and,

WHEREAS: Because of those actions, access to local public meetings greatly expanded, giving residents and other members of the public more accessibility to the deliberations, public comment opportunities, and votes at those meetings; and,

WHEREAS: The residents of Salem have benefited enormously from the flexibility provided by virtual meetings, substantially increasing the number and diversity of voices able to participate in these important discussions and actions; and

CITY OF SALEM**MARCH 25, 2021****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR**

WHEREAS: The City of Salem is developing its own local ordinances and policies to allow for the continuation of virtual meeting broadcasts and public comment options, even after the current state of emergency concludes, which would allow in person meetings to continue to be broadcast online and for remote participation by members of the public; and

WHEREAS: All residents of the Commonwealth would additionally benefit from the state legislature and state boards similarly providing access to the public via remote participation;

NOW THEREFORE BE IT RESOLVED: That the Mayor of the City of Salem and the Salem City Council urge the Massachusetts legislature to develop and approve such legislation as necessary to amend the Open Meeting Law to allow for remote participation by the public and greater flexibility by municipal boards and commissions, as well as the state legislature and state boards, in utilizing technology to facilitate greater public participation, even after the conclusion of the current state of emergency.

Action Contemplated

Councillor Morsillo	Moved Adopted by RCV	Yeas	Nays	Abs
	Or			
	Refer to the Comm. on Gvt. Svcs			

**Resolution: Recognizing the Service of Mary Butler, Chief of Police (retired)
Salem Police Department**

WHEREAS: On March 25, 2021 we pay tribute to Mary E. Butler, recently retired chief of police of the Salem Police Department.

WHEREAS: Chief Butler began her service to the City of Salem and its residents when she joined the ranks of the Salem Police Department as a patrol officer in 1987. She served two years in the Patrol Division before being appointed a detective and assigned to the Criminal Investigations Division (CID). Detective Butler was one of the first female officers to be designated a detective on the North Shore.

CITY OF SALEM**MARCH 25, 2021****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR**

WHEREAS: In 1992, Butler was promoted to the rank of sergeant and assumed an increasing level of supervisory and managerial responsibility within the Department. In 1993, she was named as the administrative aide to then-Chief Robert St. Pierre. Promoted to the rank of lieutenant in 1996, Butler was responsible for managing key areas of the Department including the operating budget, grants, technology, personnel, recruit selection and overseeing the Special Operations Division. From 2010 through 2014, Lieutenant Butler served as a shift commander in the Patrol Division, overseeing uniformed patrol operations protecting the residents of Salem.

WHEREAS: In 2014, Lieutenant Butler was promoted to acting captain and on April 9th 2015, was appointed chief of police by Mayor Kimberley Driscoll. Chief Butler was the first woman chief of police in a Department that can trace its roots back to our City's founding. Chief Butler served with honor, integrity and dedication throughout her career and has left a positive and lasting impression not only on the Salem Police Department and the officers who serve, but on policing throughout the North Shore. Chief Butler's well-deserved retirement occurred on August 1st 2020.

WHEREAS: Chief Butler was an innovator in community policing and exemplified the principles of policing attributed to Sir Robert Peel who, in his 7th Principle wrote; *"Police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence."*

NOW THEREFORE BE IT RESOLVED: That the Mayor of the City of Salem and the Salem City Council, on behalf of the staff of the Salem Police Department and the residents of Salem, express our sincere appreciation and gratitude to Chief Butler for the loyalty and dedication she displayed throughout her thirty-three years of public service.

AND BE IT FURTHER RESOLVED: That this Resolution be made a matter of record of these proceedings, and that a suitable copy be presented to Chief Butler along with a copy of the City Seal on behalf of the Mayor, the City Council, the Salem Police Department and the residents of Salem.

Action Contemplated

Councillor Prosniewski

Moved Adoption by RCV

Yeas Nays Abs

CITY OF SALEM**MARCH 25, 2021****CITY COUNCIL REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR****Resolution: Recognizing the Service of Gerry Giunta, Fire Chief (retired)
Salem Fire Department**

WHEREAS: On March 25, 2021 we pay tribute to Gerry Giunta, recently retired Chief of the Salem Fire Department; and,

WHEREAS: Chief Giunta joined the Salem Fire Department as a firefighter in 1983 and served on Engine 1 and Ladder 2. He served as Lieutenant with Engines 1, 2, and 4 from 1986 to 1993, Captain on Ladder 1 and Tower 2 from 1993 to 2007, and as Deputy Chief from 2007 to 2018, when Mayor Kim Driscoll appointed him to serve as Chief; and,

WHEREAS: Giunta was a member of FEMA's Massachusetts Urban Search and Rescue Task Force and led that team from 2006 to 2018. In his time with the Task Force, Giunta deployed in response to Hurricanes Harvey, Irene, and Katrina, the 2011 Springfield tornadoes, the 1996 Atlanta Olympics, and as operations leader with a 70-member team deployed to New York City following the attacks on September 11, 2001; and,

WHEREAS: As Chief, Giunta led the department with integrity and a commitment to public safety and public service. He oversaw major capital investments in fire stations and apparatus, provided expanded training and professional development opportunities for firefighters, worked in collaboration with major community stakeholders such as Footprint, SSU, NSMC, and SESD on emergency response preparation, secured state and federal grants to upgrade equipment, and increased the diversity of the department's workforce to better represent the community it serves; and,

WHEREAS: Chief Giunta served as a key member of the City's COVID Response Task Force, leading efforts around protective equipment distribution, community coordination, and emergency preparedness.

NOW THEREFORE BE IT RESOLVED: That the Mayor of the City of Salem and the Salem City Council, on behalf of the staff of the Salem Fire Department and the residents of Salem, express our sincere appreciation and gratitude to Chief Giunta for the loyalty and dedication he displayed throughout his thirty-eight years of public service.

AND BE IT FURTHER RESOLVED: That this Resolution be made a matter of record of these proceedings, and that a suitable copy be presented to Chief Giunta along with a

CITY OF SALEM

MARCH 25, 2021

CITY COUNCIL REGULAR MEETING

COMMUNICATIONS FROM THE MAYOR

copy of the City Seal on behalf of the Mayor, the City Council, the Salem Fire Department and the residents of Salem.

Action Contemplated

Councillor Flynn

Moved Adoption by RCV

Yeas Nays Abs

CITY OF SALEM

MARCH 25, 2021

CITY COUNCIL REGULAR MEETING

MAYOR'S INFORMATIONAL PAGE

NONE

CITY OF SALEM**MARCH 25, 2021****CITY COUNCIL REGULAR MEETING****MOTIONS, ORDERS AND RESOLUTIONS**Councillor Madore**A RESOLUTION CONDEMNING ACTS OF HATE AND VIOLENCE AGAINST THE ASIAN AMERICAN AND PACIFIC ISLANDER COMMUNITY**

WHEREAS 23 million Asian Americans and Pacific Islanders account for 7 percent of the population in the United States; and

WHEREAS approximately 1,300 of our brothers, sisters, neighbors, and business owners in the City of Salem identify as Asian American or Pacific Islander (AAPI); and

WHEREAS AAPI communities are immensely diverse, consisting of multiple ethnicities, hundreds of languages and dialects, wide-ranging socioeconomic characteristics, and distinct immigration patterns; and

WHEREAS the belief that AAPIs are a monolithic group and achieve universal success, also known as the “model minority myth,” perpetuates stereotypes, and masks the disparities within these communities; and

WHEREAS racism and scapegoating toward AAPIs have persisted since the 19th century and contributed toward policies like the Chinese Exclusion Act of 1882, which prohibited immigration of Chinese laborers, and introduction of the term “yellow peril,” which represented East Asians as dangerous and threatening to the United States; and

WHEREAS racist policies continued into the 20th century with the Immigration Act of 1924, effectively banning all immigration from Asia; Executive Order 9066 in 1942 authorizing the incarceration of Japanese Americans during World War II; and others that have impacted Southeast Asian Americans, South Asians, Muslims, and Sikhs, among others; and

WHEREAS the use of anti-Asian rhetoric, especially as it intensified this past year, has resulted in Asian Americans being harassed, assaulted, and scapegoated for the COVID–19 pandemic; and

WHEREAS violence and hate crimes against Asian Americans have increased by 150 percent in major U.S. cities in the last year, and AAPI women made up 68 percent of the 3,800 reported incidents against AAPIs, of which nearly 70 were in Massachusetts alone, with many more unreported; and

CITY OF SALEM**MARCH 25, 2021****CITY COUNCIL REGULAR MEETING****MOTIONS, ORDERS AND RESOLUTIONS**

WHEREAS no one should live in fear in our communities in the City of Salem and across the United States; and

WHEREAS the City of Salem is committed to inclusion and advancing equity and justice for people of all races, national origins, and ethnicities; and

NOW THEREFORE, BE IT RESOLVED by the Salem City Council condemns racism, xenophobia, and violence of all forms against the Asian American and Pacific Islander community; and

BE IT FURTHER RESOLVED that the Salem City Council encourages everyone to condemn anti-Asian bias, read, learn, and seek opportunities to experience cultures other than their own, review their practices that may create barriers or contribute to systemic racism, and in these ways and others seek to become a more welcoming, inclusive, anti-racist community; and

BE IT FURTHER RESOLVED that the Salem City Council encourages the Salem Police Department to continue its work with local agencies community-based organizations to prevent discrimination, expand culturally competent and linguistically appropriate education campaigns on public reporting of hate crimes, and build intentional relationships with our diverse communities.

Action Contemplated

Councillor Madore

Moved Adopted by RCV

Yea Nay Abs

Councillor Dominguez

ORDERED: To institute immediately a Temporary Moratorium on the review of projects pertaining to new construction on Salem floodplains and wetlands by the City's Boards and Commissions with exception to alterations of existing residential structures. In consideration of the number of development and construction projects proposed for floodplains and wetlands while the City Council works to amend Salem's ordinance 8.1 Flood Hazard Overlay District, upon the concerns of the Planning Board and the Conservation Commission, and the need to preserve and restore the viability of the floodplains and wetlands of the City of Salem, the following order shall be implemented until such time as the amendment to ordinance 8.1 Flood Hazard Overlay District is

CITY OF SALEM**MARCH 25, 2021****CITY COUNCIL REGULAR MEETING****MOTIONS, ORDERS AND RESOLUTIONS**

complete. Effective Friday, March 26, 2021, the City is suspending all reviews pertaining to development plans for projects on floodplains and wetlands that are new or pending full approval. Upon issuance of this order, all Board and Commission meeting agendas will not include any discussion of proposed development and construction approvals in Salem floodplains and wetlands. Proposals for alterations to existing residential structures located in the floodplains and wetlands will be permitted on municipal agendas with the need for the amended ordinance taken into consideration. For purposes of this Order, • Review of new construction proposals in floodplains and wetlands will not be permitted at any City boards or commissions until the ordinance 8.1 Flood Hazard Overlay District has been amended to provide needed protections for Salem floodplains and wetlands. • Proposals for alterations to existing residential structures located in the floodplains and wetlands will be accepted for consideration with the need for amendment to the noted ordinance in mind. In addition, the City will, on a case-by-case basis, review requests for extensions to the time allowed for development proposals that may be granted by the Planning Board and Conservation Commission. This order is effective Friday, March 26, 2021 through Monday, September 26, 2021 or the date the needed amendment to the ordinance 8.1 Flood Hazard Overlay District has been completed by the City Council. New projects in our floodplains and wetlands cannot be presented or approved during this time. Any person who violates this order will be subject to issuance of an immediate Stop Order and an assessment of the maximum penalty authorized by law.

Action Contemplated

Councillor Dominguez

Moved Adoption by RCV

Yeas Nays Abs

Councillor Morsillo

The following (4) Traffic Ordinance Amendments:

In the year Two Thousand and Twenty One

An Ordinance to amend an Ordinance relative to Traffic Ch. 42, Sec. 50B, "Handicapped Zones, Limited Time"

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

CITY OF SALEM**MARCH 25, 2021****CITY COUNCIL REGULAR MEETING****MOTIONS, ORDERS AND RESOLUTIONS**

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

Hathorne Street – One Handicapped Parking Space to be renewed in front of #74 Hathorne Street, for the distance of twenty (20) feet.

Section II. 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 Ch. 42, Sec. 50B, “Handicapped Zones, Limited Time”

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

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

Hathorne Street – **Repeal** - One Handicapped Parking Space in front of #75 Hathorne Street, for the distance of twenty (20) feet.

Section II. 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 Ch. 42, Sec. 50B, “Handicapped Zones, Limited Time”

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

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

Hathorne Street – **Repeal** - One Handicapped Parking Space in front of #80-82 Hathorne Street, for the distance of twenty (20) feet.

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

CITY OF SALEM

MARCH 25, 2021

CITY COUNCIL REGULAR MEETING

MOTIONS, ORDERS AND RESOLUTIONS

In the year Two Thousand and Twenty One

An Ordinance Relative to Traffic Chapter 42, Section 49

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

Section 1. Chapter 42, Section 49 of Article IV shall be amended by adding the following:

Dodge Street – Obedience to Isolated Stop Signs – easterly bound traffic on Dodge Street at Lafayette Street.

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

Action Contemplated

Councillor Morsillo	Moved adoption for first passage by RCV	Yea	Nay	Abs
---------------------	---	-----	-----	-----

CITY OF SALEM

MARCH 25, 2021

CITY COUNCIL REGULAR MEETING

COMMITTEE REPORTS

COUNCILLOR Morsillo offered the following report for the Committee on Ordinances, Licenses and Legal Affairs to whom was referred the matter of Granting of certain licenses has considered said matter and would recommend, The following licenses be granted.

SECOND HAND VALUABLES: Timeless Life Treasures 68 Wharf St., Salem

TAG DAY: Salem Youth Football & Cheering Aug. 28 & Oct 16, 2021

Accept the Report Voted

Adopt the Recommendation Voted

COUNCILLOR Riccardi offered the following report for the Committee on Public Health, Safety and Environment co-posted with the Committee of the Whole to whom was referred the matter of Salem Sound Coastwatch for a presentation of Salem’s Greenway Gateway City Program has considered said matter and would recommend (Action unknown. Meeting took place after agenda deadline).

Accept Report Voted

Adopt the Recommendation Yea Nay Abs

COUNCILLOR Riccardi offered the following report for the Committee on Public Health, Safety and Environment co-posted with the Committee of the Whole to whom was referred the matter of a Draft Ordinance relative to Urban Agriculture has considered said matter and would recommend (Action unknown. Meeting took place after agenda deadline).

Accept Report Voted

Adopt the Recommendation Yea Nay Abs

CITY OF SALEM

MARCH 25, 2021

CITY COUNCIL REGULAR MEETING

COMMUNICATIONS FROM CITY OFFICIALS

NONE

CITY OF SALEM

MARCH 25, 2021

CITY COUNCIL REGULAR MEETING

UNFINISHED BUSINESS

NONE

On the motion of Councillor

the meeting adjourned at

P.M.