

*City of Salem, Massachusetts
Office of the City Clerk*

*Ilene Simons
City Clerk*



May 21, 2019

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, May 23, 2019 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 also listed below.

Very truly yours,

ATTEST:

ILENE SIMONS
CITY CLERK

MAY 23, 2019

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, May 23, 2019 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on May 21, 2019, at 8:12 A.M. This meeting is being taped and is live on S.A.T.V.

Councillors absent:

Council President Dibble presided.

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

VOTED

President Dibble 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)

MAY 23, 2019

CITY COUNCIL

REGULAR MEETING

HEARINGS

NONE

MAY 23, 2019

CITY COUNCIL

REGULAR MEETING

APPOINTMENTS AND REAPPOINTMENTS

Held from the last meeting, the Mayor’s appointment of Marc Parras, 6 Union St., to serve as a member on the Design Review Board with a term to expire on March 1, 2020

Action Contemplated

Councillor McCarthy	Moved Confirmation by RCV	Yeas	Nays	Abs
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The Mayor’s appointment of Darleen Melis, 155 Federal St. to serve on the Tree Commission with a term to expire on May 23, 2022.

Councillor	Suspension of the Rules	Councillor	Objection
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Action Contemplated

Councillor Madore	Held Under the Rules
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The Mayor’s appointment of Naomi Cottrell, 55 Warren St., to serve on the Tree Commission with a term to expire on May 23, 2022.

Councillor	Suspension of the Rules	Councillor	Objection
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Action Contemplated

Councillor Madore	Held Under the Rules
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MAY 23, 2019

CITY COUNCIL

REGULAR MEETING

APPOINTMENTS AND REAPPOINTMENTS

The Mayor's reappointment of Shantel Alex, 6 Hart St., Lynn to the Youth Commission with a term to expire on May 26, 2020.

Action Contemplated

Councillor Dominguez	Moved Confirmation by RCV	Yeas	Nays	Abs
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The Mayor's reappointment of Lynda Coffill of 56 Belleview Ave to the Council on Aging with a term to expire on May 23, 2022.

Action Contemplated

Councillor Flynn	Moved Confirmation by RCV	Yeas	Nays	Abs
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The Mayor's reappointment of David Moisan, 45 Saint Peter St., to the Disabilities Commission with a term to expire on June 1, 2022.

Action Contemplated

Councillor Madore	Moved Confirmation by RCV	Yeas	Nays	Abs
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MAY 23, 2019

CITY COUNCIL

REGULAR MEETING

APPOINTMENTS AND REAPPOINTMENTS

The Mayor's reappointment of J. Michael Sullivan, 10 Lee St., to the Design Review Board with a term to expire on June 11, 2022.

Action Contemplated

Councillor Gerard	Moved Confirmation by RCV	Yeas	Nays	Abs
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The Mayor's reappointment of Tyler Carlton, 34 Park St., to the Scholarship and Education Committee with a term to expire on June 1, 2022.

Action Contemplated

Councillor McCarthy	Moved Confirmation by RCV	Yeas	Nays	Abs
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The Mayor's reappointment of Liz McGovern, 8 Lyme St., to the Scholarship and Education Committee with a term to expire on June 1, 2022.

Action Contemplated

Councillor Turiel	Moved Confirmation by RCV	Yeas	Nays	Abs
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MAY 23, 2019

CITY COUNCIL

REGULAR MEETING

COMMUNICATIONS FROM THE MAYOR

Mayor submitting the proposed Budget and Capital Improvement Plan for Fiscal Year 2020.

Ladies and Gentlemen of the Council:

I am pleased to submit to you this week the proposed FY2020 operating and capital budgets for the City of Salem and the Salem Public Schools.

The FY2020 Capital Improvement Plan (CIP) will also be included as part of this budget, as are the associated bond orders for the capital plan. I am proud that we instituted a practice of including a forward-looking capital plan in our budget each year as a responsible and transparent way of planning for future obligations while meeting present-day needs to best serve Salem residents.

The budget package will also include authorization of the revolving funds for FY2020 and Ordinances pertaining to rates.

I look forward to working with you in the coming weeks to enact this proposed spending plan in order to continue strengthening and improving our great City.

Sincerely,



Kimberley Driscoll
Mayor
City of Salem

Action Contemplated

Councillor Peterson

Moved to Refer to the Committee
On Administration & Finance co-posted
With the Committee of the Whole

Voted

MAY 23, 2019

CITY COUNCIL

REGULAR MEETING

COMMUNICATIONS FROM THE MAYOR

Mayor submitting an Ordinance amending Chapter 46, Sec. 230 for Sewer Use Charges

In the year Two Thousand and Nineteen

An Ordinance to amend to amend an Ordinance relative to Sewer Use Charges

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

Section I. Chapter 46, Section 230 is hereby amended by deleting subsection (c) in its entirety and replacing it with the following:

“(c) The rates for sewer use charges effective July 1, 2019 shall be as follows:

Residential, per 100 cubic feet...	\$ 6.91
Nonresidential, per 100 cubic feet up to 25,000 cubic feet per month	\$10.46
Nonresidential, per 100 cubic feet for 25,000 cubic feet and greater per month	\$13.40

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

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

Action Contemplated

Councillor McCarthy

Moved Adoption for first passage
OR Refer to the Committee
On Ord., Lic. & Legal Affairs co-posted
With the Committee of the Whole

Voted

MAY 23, 2019

CITY COUNCIL

REGULAR MEETING

COMMUNICATIONS FROM THE MAYOR

Mayor submitting an Ordinance amending Chapter 46, Sec. 66 for Water Use Charges

In the year Two Thousand and Nineteen

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

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

Section 1. Chapter 46, Section 66 is hereby amended by deleting subparagraph (b) in its entirety and replacing it with the following:

“(b) The rate for all water furnished by meter measurements effective July 1, 2019 shall be as follows:

- (1) Residential, per 100 cubic feet \$3.46
- (2) Nonresidential, per 100 cubic feet \$4.68

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

“(e) The minimum rate for residential metered water for each quarter shall be \$34.60 per 1000 cubic feet effective July 1, 2019.

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

Section 3. This Ordinance shall take effect as provided by City Charter.

Action Contemplated

Councillor McCarthy

Moved Adoption for first passage
OR Refer to the Committee
On Ord., Lic. & Legal Affairs co-posted
With the Committee of the Whole

Voted

MAY 23, 2019**CITY COUNCIL****REGULAR MEETING****COMMUNICATIONS FROM THE MAYOR**

ORDERED: That the Salem City Council Vote, pursuant to the provisions of MGL Chapter 44, Section 53E ½ to authorize the establishment of the revolving funds for FY 2020 as herein described. Expenditures from said funds shall not exceed the amount of funds received in the respective accounts or as authorized as stated, shall come from any funds received by the respective boards for performing services, shall be used solely for the purpose of implementing the programs delineated and shall be approved by a majority vote of any respective boards in accordance with the recommendation of Her Honor the Mayor.

Department	Fund Name	Fund #	Programs & Purposes	Type of Receipts Credited	Authorization for Spending	FY 2020 Budget Request Maximum Annual Expenditures
COA	COA Programs	2374	To defray program costs including instructors, presenters, entertainment, decorations, food, etc.	Revenues and fees charged for programs	COA Director and Mayor	\$ 40,000.00
Electrical	R/A Telecom	2376	To fund public information technology, telecommunication and electrical initiatives and projects	Application fees and rental revenue from telecommunications attachments pursuant to sections 12-125 and 12-170 of the City Ordinances	City Electrician and Mayor	\$ 50,000.00
Fire	R/A Local Emergency Planning Comm	2433	Training and special equipment needed to respond to hazardous materials incidents per CH 21E	Fees charged to persons spilling or releasing hazardous materials	Fire Chief and Mayor	\$ 5,000.00
Fire	R/A Confined Space Drills	2449	Confined space training for Firefighters.	Fee charged to Dominion Power Plant to cover OT costs for Firefighter Confined Space Drill training.	Fire Chief and Mayor	\$ 20,000.00
Harbormaster	Boat/Float Storage	2368	To fund Capital items for Harbormaster and to fund maintenance costs of equipment.	Fees charged for boat and float storage at Winter Island and Kernwood Marina	Harbormaster and Mayor	\$ 50,000.00

MAY 23, 2019**CITY COUNCIL****REGULAR MEETING**

Department	Fund Name	Fund #	Programs & Purposes	Type of Receipts Credited	Authorization for Spending	FY 2020 Budget Request Maximum Annual Expenditures
Health	Health Clinics	2364	To support vaccination program and other health promotion activities of the Health Department	Reimbursements from vaccination programs	Health Agent and Mayor	\$ 20,000.00
Mayor	Special Events	2361	To cover expenses for July 4th and Haunted Happenings events.	Funding from RFP's for services, vendors and miscellaneous sponsorships.	Mayor	\$ 125,000.00
Recreation	Winter Island	2362	To increase and replenish store inventory as needed and to enhance and maintain WI store.	Revenue from sale of inventor at the Winter Island Store	Recreation Director and Mayor	\$ 40,000.00
Recreation	Proctor's Ledge	2384	For Maintenance of Proctor's Ledge site	Revenue of 25 cents from the sale of each ticket at the Witch House.	Recreation Director and Mayor	\$ 12,000.00
Recreation	Road Race Fees	2385	For Park Maintenance	Five percent of race and event registration fees.	Recreation Director and Mayor	\$ 6,000.00
Recreation	Dog Park	2435	Renovations and Maintenance of Dog Park at Leslie's Retreat Park.	Fee charged for pass to use dog park (pooch pass). Twenty-Five dollars annually for pass.	Recreation Director and Mayor	\$ 5,000.00
Recreation	Park & Rec Public Access	2452	To be used for the operation and maintenance of Winter Island and McCabe Marina	Parking and launch fees charged at McCabe Marina & Winter Island	Recreation Director and Mayor	\$ 50,000.00
Recreation	Salem Willows Meters	2459	Renovations and Maintenance of Willows Park.	Money generated from Willows Meters	Recreation Director and Mayor	\$ 30,000.00
Recreation	Witch House	2499	To support Salem Award committee and the Salem Witch Trial Memorial	Twenty-Five cent surcharge to tickets beginning in May 2009	Recreation Director and Mayor	\$ 10,000.00
Planning & Community Development	Old Town Hall	2373	Maintenance costs of old town hall	Rental revenue of old town hall	Director of Planning and Mayor	\$ 50,000.00

MAY 23, 2019**CITY COUNCIL****REGULAR MEETING**

Department	Fund Name	Fund #	Programs & Purposes	Type of Receipts Credited	Authorization for Spending	FY 2020 Budget Request Maximum Annual Expenditures
Planning & Community Development	Derby Sq/Artists Row	2375	Improvements for Derby Square and Artists' Row including outdoor furniture, signage, lighting, public art, marketing and stipends for performers	Vendor fees from Derby Square Flea/Salvage Art Market, Rent and Vendor Fees at Artists Row	Director of Planning and Mayor	\$ 20,000.00
Planning & Community Development	Solar Renewable Energy Cert	2377	To offset Electrical Costs	Solar renewable energy credits received for rooftop solar photovoltaic systems on City and School Buildings	Director of Planning and Mayor	\$ 250,000.00
Planning & Community Development	Bike Sharing	2383	To receive and expend revenue from bike share program for system operation and promotion	Revenue from rentals and annual memberships	Director of Planning and Mayor	\$ 50,000.00
Planning & Community Development	Salem Ferry Operational	2453	Fund operational costs of the Salem Ferry and Blaney Street Dock	Fees received during the off season for use/rent of ferry	Director of Planning and Mayor	\$ 500,000.00
Insp Services	Abandoned Prop Maint	2371	To maintain abandoned and foreclosed residential and commercial properties	Registration fees (\$300.00) for vacant and/or foreclosed residential properties	Public Service Director and Mayor	\$ 80,000.00
Engineering	Traffic Island	2439	Projects related to City beautification events including Traffic Island, Beautification, and special events such as Tremendous	Primarily from: Traffic Island Sponsorships, Special Events Revenues, Event and Beautification effort sponsors	City Engineer and Mayor	\$ 20,000.00
School	Building Rental	2601	Building Rental	Payments for rental of building by outside groups	School Committee and Mayor	\$ 225,000.00
School	Early Childhood	2608	Pre-School Tuition	Tuition payments for students attending the pre-school program at the Early Childhood Center	School Committee and Mayor	\$ 100,000.00
School	School Busing	2614	School Bus pass	Purchases of school bus passes	School Committee and Mayor	\$ 160,000.00

MAY 23, 2019**CITY COUNCIL****REGULAR MEETING**

Department	Fund Name	Fund #	Programs & Purposes	Type of Receipts Credited	Authorization for Spending	FY 2020 Budget Request Maximum Annual Expenditures
School	Night School	2620	Night School Tuition	Tuition payments for students attending the night school program	School Committee and Mayor	\$ 50,000.00
School	Special Ed Tuition	2627	Special Ed Tuition	Tuition payments for students from other districts attending Special Ed programs in Salem	School Committee and Mayor	\$ 300,000.00
School	SHS Automotive	2645	To pay for parts and materials for automotive repairs to vehicles brought in to the HS Automotive Vocational School by citizens	Fees charged for parts and materials for automotive repairs to vehicles brought in by citizens	School Committee and Mayor	\$ 50,000.00

Action Contemplated

Councillor Peterson

Moved Adopted Or
 Refer to the Committee
 On Administration & Finance co-posted
 With the Committee of the Whole

Voted

ORDERED: To accept the donation from Mack Park Neighborhood in the amount of One Thousand Four Hundred Dollars (\$1,400.00) to fund a dedication bench at Greenlawn Cemetery. These funds will be deposited into the Recreation Department Donation Fund 24061-4830 in accordance with the recommendation of Her Honor the Mayor.

Action Contemplated

Councillor Peterson

Moved Adoption

Voted

MAY 23, 2019

CITY COUNCIL

REGULAR MEETING

COMMUNICATIONS FROM THE MAYOR

ORDERED: To accept the donation from St. Jeans Credit Union in the amount of One Thousand Dollars (\$1,000.00) to fund sponsor the luncheon for the 2nd Annual Friends of Park and Recreation 2019 Golf Tournament Fundraising event. These funds will be deposited into the Recreation Department Donation Fund 24061-4830 in accordance with the recommendation of Her Honor the Mayor.

Action Contemplated

Councillor Peterson

Moved Adoption

Voted

ORDERED: To accept the two donations from The Disabled American Veterans Chapter 84 totaling One Thousand Dollars (\$1,000.00). These funds will be deposited into the Veterans Department Donation Fund 23671-4830 in accordance with the recommendation of Her Honor the Mayor.

Action Contemplated

Councillor Peterson

Moved Adoption

Voted

ORDERED: That the Salem City Council authorizes and ratifies the execution by the Mayor of an agreement with Zagster, through May 2020, a copy of which is attached hereto, to allow the rental of e-scooters within the City.

Further, this Order is in accordance with Council Order #643 dated October 18, 2018 requiring City Council ratification of any such agreement.

Action Contemplated

Councillor McCarthy

Moved Adoption

Voted

OR

Refer to the Comm. on Ord.,
Lic., and Legal Affairs

MAY 23, 2019

CITY COUNCIL

REGULAR MEETING

MAYOR'S INFORMATIONAL PAGE

NONE

MAY 23, 2019

CITY COUNCIL

REGULAR MEETING

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Turiel

ORDERED: That Her Honor the Mayor be invited to address the members of the Council at the next regular Council Meeting on June 13, 2019 at 7:00 P.M. to give Her State of the City Address and that the public be invited.

Action Contemplated

Councillor Turiel

Moved Adoption

Voted

Councillor Peterson

ORDERED: That the FY2019 Monthly Financial Report dated April 30, 2019 be referred to the Committee on Administration and Finance.

Action Contemplated

Councillor Peterson

Moved Adoption

Voted

Councillor Madore

ORDERED: That the Committee on Ordinances, Licenses and Legal Affairs meet to discuss amending an Ordinance Relative to the Salem Common- Prohibited Activities, Ch. 26, Sec. 75 (15) by replacing "smoking within 50 feet of the perimeter of any play structure, basketball court and bandstand" with "Smoking within the perimeter of the Common".

Action Contemplated

Councillor Madore

Moved Adoption

Voted

MAY 23, 2019

CITY COUNCIL

REGULAR MEETING

COMMITTEE REPORTS

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses & Legal Affairs Whole to whom was referred the matter of granting certain licenses has considered said matter and would recommend that the licenses be granted.

SEAWORMS: Manuel Silva 80 Northend St., Peabody
Derek Cerqueira 54 Gooddale St., Peabody

TAG DAYS: SHS Boys Soccer 8/24/19, 9/7/19 & 9/21/19
Dance Enthusiasm 6/8/19, 6/9/19, 6/23/19

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Dominguez offered the following report for the Committee on Community and Economic Development to whom was referred matters brought forth by Salem United has considered said matter and would recommend that the matter remain in Committee.

Accept the Report Voted

Adopt the Recommendation Voted

MAY 23, 2019

CITY COUNCIL

REGULAR MEETING

COMMUNICATIONS FROM CITY OFFICIALS

Order submitted by the City Solicitor

ORDERED: In accordance with Massachusetts General Law, Chapter 268A, Section 20 (b) the City Council hereby declares that Kristen Hoggins and Carlos Hernandez have met the requirements for exemption as set forth in this Section and may be retained as Instructors by the Park, Recreation and Community Services Department during the 2019 summer season, not to exceed 500 hours in this calendar year

Action Contemplated

Councillor Dominguez

Moved Adoption

Voted

MAY 23, 2019

CITY COUNCIL

REGULAR MEETING

PETITIONS

A request from the Resident of Cedarcrest Ave. to hold a block party on July 20, 2019 from 2:00 P.M. to 10:00 P.M. with a rain date of July 21, 2019.

Action Contemplated

Councillor Dibble

Moved Granted

Voted

A request from the Resident of Bay View Ave. to hold a block party on June 1, 2019 from 2:00 P.M. to 8:00 P.M.

Action Contemplated

Councillor McCarthy

Moved Granted

Voted

Request form Salem Park Recreation & Community Services to hold their annual Derby St Mile road race and use of city streets on August 23, 2019

Action Contemplated

Councillor Dominguez

Moved Granted

Voted

MAY 23, 2019

CITY COUNCIL

REGULAR MEETING

PETITIONS

The Following License Applications:

PUBLIC GUIDES:	Paige Welch 90 Faith Dr., Exeter, NH Marc Ewart-Cyzon 10 Gifford Ct., Salem Owen Rourke-Nicholas 6 Andover St., Salem Richard Paperchia 9 Oak St., Salem Vijay Joyce 10 1/2 Herbert St. Apt 31, Salem Cassandra Johnstone 377 Essex St., Salem
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Action Contemplated

Councillor McCarthy	Moved Granted	VOTED
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The Following License Applications:

JUNK DEALER:	The Newark Group dba Grief 53 Jefferson Ave
SEAWORMS:	Jose Bettencourt 54 Fulton St., Peabody Robert Bettencourt 52 Buffum St., Salem
TAG DAYS:	Salem Youth Football & Cheering June 29, 2019 S.H.S Girls Volleyball October 5 & 26, 2019

Action Contemplated

Councillor McCarthy	Refer to Comm. On Ord., Lic. & Legal Affairs	Voted
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The Following Claims:

Cynthia Bourgault 19 Belleau Rd., Salem
 Matthew Crescenzo 15 Viking Rd., Saugus
 Karen Oppenheim-Shapiro 226 Humphrey St., Marblehead
 Pamela Hernandez 33 Beach Ave., Swampscott
 Michelle Johnson 5 Symonds St., Salem
 Camille Belle 5 Pioneer Terr., Salem

Action Contemplated

Councillor McCarthy	Refer to Comm. On Ord., Lic. & Legal Affairs	Voted
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MAY 23, 2019

CITY COUNCIL

REGULAR MEETING

UNFINISHED BUSINESS

NONE

On the motion of Councillor

the meeting adjourned at

P.M.