

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

*Ilene Simons
City Clerk*



October 22, 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, October 24, 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

OCTOBER 24, 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, October 24, 2019 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on October 22, 2019, at 11:09 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)

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

HEARINGS

ORDERED: National Grid to install Conduit on 10-12 Lynde St.

National Grid has Withdrawn this Order – No Hearing to be held

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

HEARINGS

ORDERED: Verizon to install Conduit on Norman St / Holyoke Sq.

APPEARING IN FAVOR:

APPEARING OPPOSED:

Councillor Madore

Moved the Hearing be Closed

Voted

Councillor Madore

Moved Granted

Voted

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

APPOINTMENTS AND REAPPOINTMENTS

The Mayor's appointment of Catherina Zelano of 29 Federal St., Beverly to the Board of Assessors with a term to expire February 22, 2021

Councillor	Suspension	Councillor	Objection
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Action Contemplated

Councillor Peterson	Held Under the Rules OR Confirmation by roll call vote	Voted Yeas Nays Abs
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The Mayor's appointment of Douglas Bowker of 41 Forrester St #2 to the Sustainability, Energy and Resiliency Committee with a term to expire July 20, 2020

Councillor	Suspension	Councillor	Objection
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Action Contemplated

Councillor Madore	Held Under the Rules OR Confirmation by roll call vote	Voted Yeas Nays Abs
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The Mayor's appointment of Carly McClain 22 Albion St. to the Salem Zoning Board of appeals with a term to expire October 24, 2020

Councillor	Suspension	Councillor	Objection
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Action Contemplated

Councillor Flynn	Held Under the Rules OR Confirmation by roll call vote	Voted Yeas Nays Abs
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OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

COMMUNICATIONS FROM THE MAYOR

ORDERED: That the sum of Thirty Thousand Dollars (\$30,000.00) appropriation is hereby transferred within the "Capital Outlay Fund 2000" from the ST CIP Fire Department Bay Floor Account to be expended by the Fire Department for the Fire Station Roof and Antenna Tower in accordance with the recommendation of Her Honor the Mayor.

Councillor Peterson	Suspension of the rules	Councillor	Objection
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Action Contemplated

Councillor Peterson	Moved Adoption OR Refer to Admin. & Finance Under the rules		Voted
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ORDERED: That the sum of Twenty Thousand Dollars (\$20,000.00) is hereby transferred from the Human Resource Department Health Insurance Account to the School Department School District Contract Services Account in accordance with the recommendation of Her Honor the Mayor.

Councillor Peterson	Suspension of the rules	Councillor	Objection
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Action Contemplated

Councillor Peterson	Moved Adoption OR Refer to Admin. & Finance Under the rules		Voted
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OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

COMMUNICATIONS FROM THE MAYOR

WHEREAS, Harbor Point Properties, LLC is investing \$10.9 million to create 34 total unit of housing;

NOW, THEREFORE, BE IT RESOLVED that the Salem City Council authorizes the Mayor to execute a Tax Increment Exemption Agreement between the City of Salem and Harbor Point Properties, LLC. Said agreement will provide for an exemption on property taxes based on the growth portion in assessed valuation of the property for a period not to exceed twenty years, beginning the first full fiscal year after the final Certificate of Occupancy is issued for the substantial rehabilitation of the buildings at 20 Harbor Street and 129 Lafayette Street. Said exemption being in accordance with the requirements and regulations established, which govern the implementation of such Tax Increment Exemption Agreements.

Action Contemplated

Councillor Peterson	Moved Adoption by RCV OR Refer to the Comm. on Admin. & Finance co-posted with Comm. of Whole	Yeas	Nays	Absent
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ORDERED: That the Ralph Eleaser Whiteside Earl portrait of Andrew Jackson in the Salem City Council Chambers be relocated to the Josephine Fusco City Council Anteroom and, in its place, a frame and sign be placed until such time as the commissioned portrait of a representative of the Naumkeag people can be completed and hung in said location.

Action Contemplated

Councillor McCarthy	Moved Refer to the Comm. On Government Services	Voted
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OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

MAYOR'S INFORMATIONAL PAGE

NONE

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Peterson

Resolution:

WHEREAS, in 2016, Salem was the first community in Massachusetts to pass a 100% clean energy resolution; in 2018, the City Council unanimously passed a resolution supporting carbon pricing; and in 2019, the Council unanimously passed a green new deal resolution; and

WHEREAS, Salem is a green community and programs initiated by SERC including Solarize Salem, municipal aggregation, wind turbine feasibilities, purchase of all lights/converting to LED, school solar projects and participating in the current Solarize MA North Shore program have resulted in about \$800K in annual savings; and

WHEREAS, Salem's City Government has realized the effort and innovation of non-profits such as SAFE (gas leaks), Salem Sound Coastwatch (resiliency); and

WHEREAS, this act will initiate and predictably increase carbon pollution fees for the dual purposes of reducing greenhouse gas emissions (GHG's) by moving us away from a fossil fuel dependent economy and also by raising revenue for investment in clean energy and green infrastructure; and

WHEREAS, 70% of the collected carbon pollution fees will be returned twice a year to MA residents and businesses in the form of rebates, with low and moderate-income households and vulnerable employers receiving additional amounts; and

WHEREAS, this act concentrates its impact on those MA energy sectors most in need of change; Transportation and Buildings, exempting the Electricity sector because it is already covered by RGGI (Regional Greenhouse Gas Initiative); and

WHEREAS, the remaining 30% of collected carbon pollution fees (estimated to be \$400-600 million/year) will go into a Green Infrastructure Fund (GIF) for local projects that will help people transition away from fossil fuels into clean energy and clean transportation as well as providing the resilience needed to deal with unavoidable impacts of climate change; and

WHEREAS, carbon pollution pricing has been singled-out as the most effective, fair, and bipartisan way to achieve a clean energy future as required by our landmark Global Warming Solutions Act; and

WHEREAS, H.2810 not only decreases GHG emissions and combats the climate crisis, it also creates thousands of good jobs and grows our economy; and

WHEREAS, while the current 108 co-sponsors indicate broad support throughout our Commonwealth, the added support of Mayors and City Councils will further compel passage of this critically-needed act;

We, THEREFORE, strongly and urgently petition the Massachusetts Legislature and the Governor to promptly pass *An Act to Reduce Greenhouse Gases and Promote Green Infrastructure (H2810)*.

BE IT FURTHER RESOLVED that the City Clerk for the Salem City Council send confirmed copies of this Resolution to: Governor Charles Baker; Speaker of the House Robert DeLeo; Senate President Karen Spilka, Senate Ways & Means Committee Chairman Michael Rodrigues, Representative Paul Tucker; Senator Joan Lovely; Congressman Seth Moulton; Senator Elizabeth Warren; Senator Edward Markey; and Salem Mayor Kimberley Driscoll

Action Contemplated

Councillor Peterson	Moved Adopted by RCV	Yeas	Nays	Absent
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OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Peterson

ORDERED: That the City Solicitor and the Director of Inspectional Services investigate and create an ordinance amendment to Ch. 12, Building, Electricity and Plumbing Regulations (or another appropriate Code of Ordinance) to require the installation of tap boards wherever construction or scaffolding abuts pedestrian walkways and to report back to the full Council by the November 21, 2019 Council Meeting.

Action Contemplated

Councillor Peterson

Moved Adopted

Voted

Councillor Madore

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:

Cross Street – One Handicapped Parking Space to be added in front of #3, starting sixty (60) feet from the corner and continuing in a southerly direction for a distance of twenty (20) feet, “Handicapped Zones, Limited Time”

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

Action Contemplated

Councillor Madore

Adoption for first passage

Voted

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor McCarthy

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 50A – “Handicapped Parking Zones” is hereby amended by adding the following:

Peabody Street –in front of #38, for a distance of twenty (20) feet, “Handicapped Parking Zones”

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

Action Contemplated

Councillor McCarthy

Adoption for first passage

Voted

Councillor McCarthy

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 50A – “Handicapped Parking Zones” is hereby amended by adding the following:

Peabody Street –in front of #46, for a distance of twenty (20) feet, “Handicapped Parking Zones”

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

Action Contemplated

Councillor McCarthy

Adoption for first passage

Voted

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Turiel

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 50A – “Handicapped Parking Zones” is hereby amended by adding the following:

Washington Street –in front of #280, for a distance of twenty (20) feet, “Handicapped Parking Zones”

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

Action Contemplated

Councillor Turiel

Adoption for first passage

Voted

Councillor Turiel

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 74 – “General Towing Zone” is hereby amended by adding the following:

Lafayette Street –in front of #249 as marked by sign, Monday through Friday, 8:00 A.M. to 6:00 P.M. “Tow Zone, Doctor’s Office Only”

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

Action Contemplated

Councillor Turiel

Adoption for first passage

Voted

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

MOTIONS, ORDERS, AND RESOLUTIONS

Councillor Turiel

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 74 – “General Towing Zone”
is hereby amended by adding the following:

Lafayette Street –in front of #156 as marked by sign, Monday through Friday, 8:00 A.M. to
5:00 P.M. “Tow Zone, Doctor’s Office Only”

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

Action Contemplated

Councillor Turiel

Adoption for first passage

Voted

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

COMMITTEE REPORTS

Councillor Dominguez offered the following report for the Committee on Community and Economic Development co-posted with the Committee of the Whole to whom was referred Amending the HDIP Zone to all districts in the city has considered said matter and would recommend that the matter remain in committee

Accept the Report Voted

Adopt the Recommendation Voted

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses & Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of a zoning ordinance amendment relative to Accessory Living Uses Sec. 3.0 – Use Regulation by deleting and replacing 3.2.8 ordinance city has considered said matter and would recommend (action unknown meeting took place after agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses & Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of a zoning ordinance amendment relative to Accessory Living Uses Sec. 3.1 – Table of Principal and Accessory Use Regulations city has considered said matter and would recommend (action unknown meeting took place after agenda deadline)

Accept the Report Voted

Adopt the Recommendation Voted

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

COMMITTEE REPORTS

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses & Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of a code of ordinance amendment relative to Short Term Rentals Ch. 15, Sec. 4(a) – Ineligible Residential Units city has considered said matter and would recommend (action unknown meeting took place after agenda deadline)

Accept the Report	Voted
Adopt the Recommendation	Voted

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

COMMUNICATIONS FROM CITY OFFICIALS

The following Order introduced by the City Solicitor:

Ordered: In accordance with Massachusetts General Law, Chapter 268A, Section 20(b) the City Council hereby declares that Joanne Roomey has met the requirements for exemption as set forth in this Section and may be retained as the Clerk of the Tree Commission and Clerk of the Cemetery Commission by the Department of Public Services, not to exceed 500 hours in this calendar year.

Action Contemplated

Councillor McCarthy	Moved Adoption by RCV OR Refer to the Comm. on Ord., Lic. & Legal Affairs	Yea	Nay	Absent
				Voted

The following Order introduced by Jane Guy, Assistant Community Development Director

(Due to the State making minor changes to the wording of the restriction as originally adopted on April 25, 2019, the City Council needs to vote for the approval and acceptance for the new version)

ORDERED: That the City Council hereby approves and accepts the Conservation Restriction Agreement for the Conservation of the Recreational Resource at 15 Ward Street, Salem, MA and being in the public interest pursuant to Massachusetts General Laws Chapter 184, Section 31-33

Action Contemplated

Councillor McCarthy	Moved Adoption by RCV	Yeas	Nays	Absent
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OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

PETITIONS

A petition from Comcast to install a conduit at 231 Washington St.

HEARING ORDERED NOVEMBER 21, 2019

A request from the Residents of Lafayette St., to hold a block party behind Saltonstall School on October 25, 2019 from 5:00 P.M. to 7:30 P.M.

Action Contemplated

Councillor Turiel

Moved Granted

Voted

The Following License Applications:

PUBLIC GUIDES:

Alexandra Berube 47 Millett Rd., Swampscott
Robin Champa 111 Derby St #3, Salem
Amanda Eddy 11 Pope St., Salem

Action Contemplated

Councillor McCarthy

Moved Granted

Voted

OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

PETITIONS

The Following License Applications:

TAG DAYS: Salem High School Wrestling December 1, 2019

Action Contemplated

Councillor McCarthy	Moved Referred to Comm. On Ordinances Licenses & Legal Affairs	Voted
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The Following Drainlayer/Contract Operator License Application:

Pumel Enterprises 116 Rabbit Rd., Salisbury

Action Contemplated

Councillor McCarthy	Moved Granted	Voted
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OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

UNFINISHED BUSINESS

Councillor McCarthy moved to take from the table the Second Reading of an Order to Amend the Rules and Orders of the City Council

Voted

SECOND READING of an Order to amend the rules and Orders of the City Council by amending Section 10 by deleting the words "shall rise and"

Action Contemplated

Council Turiel	Moved Referred to Government Services OR Adopt by RCV (2/3 Vote needed)	Yeas	Nays	Voted Absent
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SECOND PASSAGE OF AN ORDINANCE:

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:

Summit Street – One Handicapped Parking Space to be added in front of #20, beginning four (4) feet southwest of the driveway at 16 Summit Street, running southwesterly for a distance of twenty (20) feet.

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

Action Contemplated

Councillor Dominguez	Moved Adoption for second and final passage			Voted
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OCTOBER 24, 2019
CITY COUNCIL
REGULAR MEETING

UNFINISHED BUSINESS

SECOND PASSAGE OF AN ORDINANCE:

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 as follows:

Repeal North Street – One Handicapped Parking Space in front of #157, North Street for a distance of twenty (20) feet.

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

Action Contemplated

Councillor Gerard

Moved Adoption for second and final passage

Voted

On the motion of Councillor

the meeting adjourned at

P.M.