

**CITY OF SALEM**  
**OCTOBER 8, 2020**  
**CITY COUNCIL REGULAR MEETING**

A Regular Meeting of the City Council is being held remotely on Thursday, October 8, 2020 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on October 6, 2020 at 12:10 P.M. This meeting is being taped and is live on S.A.T.V.

All Councillors were present.

Council President McCarthy presided.

Councillor Riccardi moved to dispense with the reading of the record of the previous meeting. It was so voted.

President McCarthy requested that everyone please rise to recite the Pledge of Allegiance.

**#439 – (#432) – NATIONAL GRID TO INSTALL CONDUITS ON JEFFERSON AVE.**

A hearing was held on the Order for National Grid to install 2 conduits on 1 Jefferson Ave.

Sibhita Mahabier-Sheehey, a representative for National Grid, appeared in favor. These conduits are to provide service at 1 Jefferson Ave. No one appeared in opposition.

Councillor Morsillo moved that the hearing be closed. It was so voted.

Councillor Morsillo moved that the order be granted by a roll call vote. Eleven Councillors voted in the affirmative, none in the negative, the matter carries.

**#440 – (#433) – COMCAST TO INSTALL A CONDUIT AT 41 LAFAYETTE ST.**

A hearing was held on the order for Comcast to install a conduit on 41 Lafayette St.

Dave Flewelling a representative of Comcast appeared in favor. This conduit is to provide service at 41 Lafayette St. No one appeared opposed.

Councillor McCarthy moved that the hearing be closed. It was so voted.

Councillor McCarthy moved that the order be granted by a roll call vote. Eleven Councillors voted in the affirmative, none in the negative, the matter carries.

**CITY OF SALEM****OCTOBER 8, 2020****CITY COUNCIL REGULAR MEETING****# 441 – APPOINTMENT OF ALEXANDRA PINEROS SHIELDS TO THE BOARD OF REGISTRARS OF VOTERS**

The Mayor's Appointment of Alexandra Pineros Shields of 7 Bristol St. to the Board of Registrars as an unenrolled voter with a term to expire June 23, 2022 to replace Alexander Mitchell-Munevar was confirmed under suspension of rule 29A by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

**#442 – RE-APPOINTMENT OF ERIC PAPETTI TO THE TRAFFIC & PARKING COMMISSION**

The Mayor's Reappointment of Eric Papetti of 11 Symonds St. to the Traffic & Parking Commission with a term to expire October 12, 2023 was confirmed by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

**#443 – RE-APPOINTMENT OF TANYA STEPASIUK TO THE TRAFFIC & PARKING COMMISSION**

The Mayor's Reappointment of Tanya Stepasiuk of 10 Burnside St. to the Traffic & Parking Commission with a term to expire October 12, 2023 was confirmed by a roll call vote of 8 yeas, 3 nays and 0 absent. Councillors Flynn, Hapworth, Madore, Morsillo, Prosniewski, Riccardi, Turiel and McCarthy were recorded as voting in the affirmative. Councillors Dibble, Dominguez and Sargent were recorded as voting in the negative.

**#444 – APPROPRIATION OF \$75,000.00 FOR RIDESHARE PROGRAM**

The following order submitted by the Mayor was adopted under suspension of the rules by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

ORDERED: That the sum of Seventy-Five Thousand Dollars (\$75,000.00) be hereby appropriated from the "Transportation Enhancement Fund" to be used towards the launch of a city wide on-demand rideshare service in accordance with the recommendation of Her Honor the Mayor.

**CITY OF SALEM****OCTOBER 8, 2020****CITY COUNCIL REGULAR MEETING****#445 – APPROPRIATION OF \$54,694.44 FOR RETIREMENT BUYBACK OF FIRE DEPT. EMPLOYEE**

The following order submitted by the Mayor was adopted under suspension of the rules by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillor Flynn recused himself for this matter. There was an amendment made on the floor to increase the amount to \$58,067.56; however, after the meeting took place the amendment was not needed the additional amount was paid from the department's payroll account.

ORDERED: That the sum of Fifty Four Thousand, Six Hundred and Ninety Four Dollars and Forty-Four Cents (\$54,694.44) 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.

<b>Name</b>	<b>Department</b>	<b>Amount</b>
Richard Arno	Fire	54,694.44
		<b>\$ 54,694.44</b>

**#446 – APPROPRIATION OF \$8,880.00 TO PARK & REC. – GOLF COURSE**

The following order submitted by the Mayor was adopted under suspension of the rules by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

ORDERED: That the sum of Eight Thousand, Eight Hundred and Eighty Dollars (\$8,880.00) be hereby appropriated from the following "Receipts Reserved for Appropriation" account, to be transferred to the Park & Rec Contracted Services account 16502-5320 for the "New Air Handler/HVAC Replacement" for the Golf Course in accordance with the recommendation of Her Honor the Mayor.

<b>Description</b>	<b>Amount</b>
Receipts Reserved – Golf Course	\$ 8,880.00
<b>Total</b>	<b>\$ 8,880.00</b>

**CITY OF SALEM****OCTOBER 8, 2020****CITY COUNCIL REGULAR MEETING****#447 – DONATION OF \$1,350.00 FOR PLANTING OF NEW TREES**

The following order submitted by the Mayor was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

ORDERED: To accept the donation from Darleen Melis in the amount of One Thousand, Three Hundred and Fifty Dollars (\$1,350.00) to contribute to the planting of new trees on the North and South lawns of Post Office on Margin Street in accordance with the Salem Tree Ordinance sec. 43-32. These funds will be deposited into the City's Tree Donation Fund 23301-4830 in accordance with the recommendation of Her Honor the Mayor.

**#448 – DONATION OF \$1,200.00 FOR PARK & REC. – GOLF LEAGUE**

The following order submitted by the Mayor was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

ORDERED: To accept the donation of One Thousand Two Hundred Dollars (\$1,200.00) from David Doyle. The donation is to be deposited into the Parks and Recreation Donation Fund 2406 (24061-4830) for the Golf League in accordance with the recommendation of Her Honor the Mayor.

**#449 – TRAFFIC ORDINANCE AMENDING HANDICAP ZONES – SALEM STREET**

The following ordinance introduced by Councillor McCarthy was adopted for first passage by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

**In the Year Two Thousand and Twenty**

An Ordinance to amend an Ordinance relative to Traffic, Ch. 42. Sec. 50B

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

**Section 1.** Amending Chapter 42, Section 50B – "Handicap Zones, Limited Time" is hereby amended by adding the following:

One HP parking space to be added on, Salem Street in front of #28 on the West side, beginning four (4) feet north of the driveway at 28 Salem Street, running north for twenty (20) feet "Handicapped Zones, Limited Time."

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

**CITY OF SALEM****OCTOBER 8, 2020****CITY COUNCIL REGULAR MEETING****#450 – TRAFFIC ORDINANCE AMENDING HANDICAP ZONES – LEACH STREET**

The following ordinance introduced by Councillor Turiel was adopted for first passage by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

***In the Year Two Thousand and Twenty***

*An Ordinance* to amend an Ordinance relative to Traffic, Ch. 42. Sec. 50B

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

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

One HP parking space to be added on, Leach Street on the North side, starting four (4) feet from the driveway at 15 Leach Street, running east for twenty (20) feet “Handicapped Zones, Limited Time.”

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

**#451 – TRAFFIC ORDINANCE AMENDING HANDICAP ZONES – APPLETON ST.  
(FOR #32 NURSERY STREET)**

The following ordinance introduced by Councillor Riccardi was adopted for first passage by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

***In the Year Two Thousand and Twenty***

*An Ordinance* to amend an Ordinance relative to Traffic, Ch. 42. Sec. 50B

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

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

One HP parking space to be added on, Appleton Street on the East side, beginning fifty-six (56) feet South of the intersection of Nursery Street, running South for twenty (20) feet “Handicapped Zones, Limited Time.”

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

**CITY OF SALEM****OCTOBER 8, 2020****CITY COUNCIL REGULAR MEETING****#452 – TRAFFIC ORDINANCE AMENDING HANDICAP ZONES – REPEAL BARTON ST.**

The following ordinance introduced by Councillor Madore was adopted for first passage by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

**In the Year Two Thousand and Twenty**

*An Ordinance* to amend an Ordinance relative to Traffic, Ch. 42. Sec. 50B

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

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

Repeal – Barton Street, in front of #13 ½ Barton Street, for a distance of twenty (20) feet “Handicapped Zones, Limited Time.” (1/11/18)

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

**#453 – ELECTION ORDER FOR NOVEMBER 3, 2020 PRESIDENTIAL ELECTION**

The following Order introduced by Councillor Sargent was adopted by a roll call vote of 11 yeas, 0 nays and 0 absent.

ORDERED: That the meetings of the qualified voters of the City of Salem be held in the several voting precincts in the city at the polling places designated hereinafter on Tuesday, November 3, 2020 from 7:00 A.M. to 8:00 P.M. for the purpose of casting votes in the State Election for the candidates for the following offices and questions:

ELECTORS OF PRESIDENT AND VICE PRESIDENT..... FOR THESE UNITED STATES  
 SENATOR IN CONGRESS. .... FOR THIS COMMONWEALTH  
 REPRESENTATIVE IN CONGRESS. .... FOR THE SIXTH DISTRICT  
 COUNCILLOR. .... FOR THE FIFTH DISTRICT  
 SENATOR IN GENERAL COURT ..... FOR THE SECOND ESSEX DISTRICT  
 REPRESENTATIVE IN GENERAL COURT. .... FOR THE SEVENTH ESSEX DISTRICT  
 REGISTER OF PROBATE. .... FOR ESSEX COUNTY

**CITY OF SALEM****OCTOBER 8, 2020****CITY COUNCIL REGULAR MEETING****QUESTION 1: LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 5, 2020?

**SUMMARY**

This proposed law would require that motor vehicle owners and independent repair facilities be provided with expanded access to mechanical data related to vehicle maintenance and repair.

Starting with model year 2022, the proposed law would require manufacturers of motor vehicles sold in Massachusetts to equip any such vehicles that use telematics systems — systems that collect and wirelessly transmit mechanical data to a remote server — with a standardized open access data platform. Owners of motor vehicles with telematics systems would get access to mechanical data through a mobile device application. With vehicle owner authorization, independent repair facilities (those not affiliated with a manufacturer) and independent dealerships would be able to retrieve mechanical data from, and send commands to, the vehicle for repair, maintenance, and diagnostic testing.

Under the proposed law, manufacturers would not be allowed to require authorization before owners or repair facilities could access mechanical data stored in a motor vehicle's on-board diagnostic system, except through an authorization process standardized across all makes and models and administered by an entity unaffiliated with the manufacturer.

The proposed law would require the Attorney General to prepare a notice for prospective motor vehicle owners and lessees explaining telematics systems and the proposed law's requirements concerning access to the vehicle's mechanical data. Under the proposed law, dealers would have to provide prospective owners with, and prospective owners would have to acknowledge receipt of, the notice before buying or leasing a vehicle. Failure to comply with these notice requirements would subject motor vehicle dealers to sanctions by the applicable licensing authority.

Motor vehicle owners and independent repair facilities could enforce this law through state consumer protection laws and recover civil penalties of the greater of treble damages or \$10,000 per violation.

**A YES VOTE** would provide motor vehicle owners and independent repair facilities with expanded access to wirelessly transmitted mechanical data related to their vehicles' maintenance and repair.

**A NO VOTE** would make no change in the law governing access to vehicles' wirelessly transmitted mechanical data.

**QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 5, 2020?

**CITY OF SALEM****OCTOBER 8, 2020****CITY COUNCIL REGULAR MEETING****SUMMARY**

This proposed law would implement a voting system known as “ranked-choice voting,” in which voters rank one or more candidates by order of preference. Ranked-choice voting would be used in primary and general elections for all Massachusetts statewide offices, state legislative offices, federal congressional offices, and certain other offices beginning in 2022. Ranked-choice voting would not be used in elections for president, county commissioner, or regional district school committee member.

Under the proposed law, votes would be counted in a series of rounds. In the first round, if one candidate received more than 50 percent of the first-place votes, that candidate would be declared the winner and no other rounds would be necessary. If no candidate received more than 50 percent of the first-place votes, then the candidate or candidates who received the fewest first-place votes would be eliminated and, in the next round, each vote for an eliminated candidate would instead be counted toward the next highest-ranked candidate on that voter’s ballot. Depending on the number of candidates, additional rounds of counting could occur, with the last-place candidate or candidates in each round being eliminated and the votes for an eliminated candidate going to the voter’s next choice out of the remaining candidates. A tie for last place in any round would be broken by comparing the tied candidates’ support in earlier rounds. Ultimately, the candidate who was, out of the remaining candidates, the preference of a majority of voters would be declared the winner.

Ranked-choice voting would be used only in races where a single candidate is to be declared the winner and not in races where more than one person is to be elected.

Under the proposed law, if no candidate received more than 50 percent of first-place votes in the first round, the rounds of ballot-counting necessary for ranked-choice voting would be conducted at a central tabulation facility. At the facility, voters’ rankings would be entered into a computer, which would then be used to calculate the results of each round of the counting process. The proposed law provides that candidates in a statewide or district election would have at least three days to request a recount.

The Secretary of State would be required to issue regulations to implement the proposed law and conduct a voter education campaign about the ranked-choice voting process. The proposed law would take effect on January 1, 2022.

**A YES VOTE** would create a system of ranked-choice voting in which voters would have the option to rank candidates in order of preference and votes would be counted in rounds, eliminating candidates with the lowest votes until one candidate has received a majority.

**A NO VOTE** would make no change in the laws governing voting and how votes are counted.



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Be it FURTHER ORDERED: That the following places be and hereby are designated as polling places for said voting:

**WARD ONE**

PRECINCT ONE                      Bentley School, Memorial Drive

PRECINCT TWO                      \*Saltonstall School, 211 Lafayette St.

\*Please note the above for WARD 1 Precinct 2 is a Polling location change. This change is temporary for the State/Federal Election on November 3, 2020.

**WARD TWO**

PRECINCT ONE & TWO              \*Community Life Center, 401 Bridge St.

\*Please note the above for WARD 2 Precincts 1 & 2 is a Polling location change. This change is temporary for the State/Federal Election on November 3, 2020.

**WARD THREE**

PRECINCT ONE & TWO              Salem High School Auditorium, 77 Willson St.

**WARD FOUR**

PRECINCT ONE & TWO              Witchcraft Heights School Gym, 1 Frederick St.

**WARD FIVE**

PRECINCT ONE & TWO              Saltonstall School, 211 Lafayette St.

**WARD SIX**

PRECINCT ONE & TWO              Bates School Gymnasium, Liberty Hill Avenue

**WARD SEVEN**

PRECINCT ONE & TWO              \*Salem High School Library, 77 Willson St.

\*Please note the above for WARD 7 Precinct 1 & 2 is a Polling location change. This change is temporary for the State/Federal Election on November 3, 2020.

BE IT FURTHER ORDERED: That the polls for said voting be opened at 7:00 A.M. and closed at 8:00 P.M. and that the City Clerk be instructed to post this notice as required by law.

**CITY OF SALEM****OCTOBER 8, 2020****CITY COUNCIL REGULAR MEETING****#454 – BLOCK PARTY - CHESTNUT STREET**

A request from the residents of Chestnut St. & all thoroughfares to hold a Block Party on October 31, 2020 5:00 PM – 10:00 PM was denied by a roll call vote of 6 yeas, 5 nays and 0 absent. Councillors Hapworth, Madore, Morsillo, Riccardi, Turiel and McCarthy were recorded in voting in the affirmative and Councillors Dibble, Dominguez, Flynn, Prosniowski and Sargent were recorded in the negative.

Councillor Madore stated that she spoke with Acting Police Chief King and Dave Greenbaum, Health Agent. The residents wanted to shut down the street more for safety than to actually hold a party.

Councillor Sargent stated it was a tradition and that they should be allowed. We should worry more about downtown.

Councillor Dominguez stated it should be allowed.

Councillor Turiel stated that Haunted Happenings was cancelled but people will still come. As long as in state of emergency there is a restriction of how many can gather outdoors. He cannot vote for this.

Councillor Dibble stated we are only voting on closing down the street not for a party to be held. The Block party that was denied on Cedarcrest still happened. There were 50-55 people mostly in their driveways, but street was still open. Allowed by law so will vote for it.

Councillor Madore reiterated that this was really a traffic request not a party request. The Acting Police Chief can close any roads for safety, so this is not needed.

Councillor Prosniowski for a public safety background the street should be shut down from 5pm to 10 pm party or no party. Don't care what you call it.

Councillor Riccardi is concerned for the safety of the children. She understands the need for public safety but the term we use is Block party and that should be denied.

Councillor Sargent stated that block parties are going on downtown. Hasn't seen anything that says Haunted Happenings has been cancelled. We have cancelled events but never said HH was cancelled like the Topsfield Fair was cancelled.

Councillor McCarthy said that the applicant admitted it was not for a block party and they wanted it for safety reasons because of through traffic they would like the street shut down.

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Councillor Flynn asked if we could amend this to say shut down of street and not block party.

Councillor McCarthy stated we don't need to do that because the Police has the authority and ability to close down streets.

**#455 – PUBLIC GUIDES**

The Following License Applications were granted.

PUBLIC GUIDES:                Simone Norden 257 Washington St., Salem  
                                      Rita Parisi 43 Merrimac St., Amesbury  
                                      Brian Keady 34 Clement Ave., Peabody  
                                      Jessica Bishop Dalrymple 480 Rantoul St., Beverly

**#456 – DRAINLAYER / CONTRACT OPERATORS**

The Following License Applications were granted.

The Following Drainlayers:    Messina Site & Utility Corp., 2 Riverside Dr., Marblehead  
    Tufts Construction, Inc., 100 Tremont St., Everett

**#457 - #459 – CLAIMS**

The Following Claims were referred to the Committee on Ordinances, Licenses and Legal Affairs.

Sean Ferril 100 Washington St., Salem  
Katelyn Donovan 70B School St., Salem  
Michelle Altieri 100 Washington St., Salem

**#460 - #461 – BONDS**

The Following Bonds were referred to the Committee on Ordinances, Licenses & Legal Affairs and returned approved.

DRAINLAYERS:                Messina Site & Utility Corp., 2 Riverside Dr., Marblehead  
                                      Tufts Construction, Inc., 100 Tremont St., Everett

**CITY OF SALEM****OCTOBER 8, 2020****CITY COUNCIL REGULAR MEETING****(#421) – SECOND PASSAGE – ORDINANCE AMENDING TRAFFIC – HANDICAP PARKING – HATHORNE STREET**

Second Passage of the following Ordinance amending Traffic was adopted for second passage by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

***In the Year Two Thousand and Twenty***

*An Ordinance* to amend an Ordinance relative to Traffic, Ch. 42. Sec. 50B

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

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

Hathorne Street, in front of #77, for a distance of Twenty (20) feet “Handicapped Parking Only, Tow Zone.” (5/13/10)

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

On the motion of Councillor Sargent the meeting adjourned at 8:12 P.M.

ATTEST:

ILENE SIMONS  
CITY CLERK