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A Regular Meeting of the City Council held in the Council Chamber on Thursday, December 5, 2019 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on December 3, 2019 at 8:44 A.M. Tax Classification Public Hearing advertised in the Salem News on 11/20/19 and 11/27/19. This meeting is being taped and is live on S.A.T.V.

Councillor Milo was recorded with an excused absent:

Council President Dibble presided.

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

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

(Firefighter Swearing-In Ceremony)

PUBLIC TESTIMONY

1. Jeff Cohen, 12 Hancock St., Salem - 20 Franklin Street
2. Anne Sterling, 29 Orchard St., Salem – 20 Franklin Street
3. Fawaz Abusharkh, 4 Harrison Rd., Salem – Tax Rate

#711 – TAX CLASSIFICATION PUBLIC HEARING

A Public Hearing was held on the issue of allocating the local property tax levy among the four (4) property classes for the fiscal year 2020, and the residential, open space, and small commercial exemption options. Notice of this meeting was posted on December 3, 2019 and advertised in the Salem News on November 20, 2019 and November 27, 2019.

Present are: Mayor Driscoll, Deborah Jackson, City Assessor, James Bond, Stephen Cortes, Assistant Assessors

Board of Assessors: Richard Jagolta, Jr., Tina Zelano and Robert Millerick

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President Dibble then turned the Public Hearing over to the Mayor, Director of Assessor and the Board of Assessor for discussion and presentation.

Deb Jackson presented a power point presentation of the FY20 Classification Hearing. She explained

The Power Point Presentation explained what happens at the tax classification hearing, definitions of key tax terms such as, levy, levy limit, levy ceiling, new growth, (increase in the tax rate due to new construction, parcel subdivisions, condo conversions and property renovations, but not due to revaluation. It is calculated by multiplying the increased assessed value by the prior year's tax rate for the property class) and excess levy capacity (the difference between the actual levy and the levy limit). Deb Jackson reminded the City Council what they will vote on. The four (4) votes include the residential factor, Open Space Discount, Residential Exemption and Small Commercial Exemption. Fiscal Year 2020 there was an overall 12% change in FY19 and FY20 Property Valuation. Residential property - 9%, commercial 9%, and Industrial 121%.

The presentation also included slides on the changes in property valuation from FY19 to FY20 and how new growth affects the Levy Limit. Total new growth tax dollars was \$5,902,454.00. The Board informed the public that the FY20 Levy Limit was \$107,591,472.00 and the FY20 Tax Levy is \$103,616,867.00. The FY20 tax levy is \$3,974,605 less than the \$107,591,472 levy limit. (The difference between the Levy limit and the tax levy is referred to as "excess levy capacity".

Further slides showed sales in the calendar year 2018, which are used to determine FY2020 values. There were 712 sales utilized – 396 condos, 207 single families, 88 multi-families, 17 commercial & industrial properties and 4 other sales (mixed use, land, etc.). FY19-FY20 Avg. Value Change/Class 6.05% for single families, 8.40% for condos and 6.06% for two families and 6.29% for three family homes. The City-Wide Parcels Graph shows in FY2020 12,985 parcels; with 4,954 single family parcels, 4,396 residential condos (making up 75% of all residential units in the city) and 1,533 two-family parcels. The remaining is spread out over 3 families, apartments, commercial and Industrial.

The average Single-Family Tax increase for Salem will be \$87.00. Other surrounding communities average single-family tax bill will increase between \$163.00 and \$264.00. Danvers increased by \$231, Marblehead's average increase is \$264, Gloucester \$191, Ipswich \$163 and Beverly by \$199.

In Salem, the average single-family home value is \$410,200. Thirty-eight percent of SF homes are assessed above average and 62% are assessed below the average. The average condo bill will increase by \$161.00. The average Condo Value is \$311,100 and 47% of Salem condos are assessed above the average and 53% are assessed below the average. The average two-family bill will increase by \$97.00. The average two family value in Salem is \$458,700 of which 39% are assessed above and 61% are assessed below. A three-family bill will increase by \$123.00. The average value is \$507,300 with 43% assessed above and 57% assessed below.

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The assessed value history was given from 1989-2020. The Board and the Mayor recommended a 1.68 CIP split or a Residential Factor of .854197%. What does it mean to adopt the residential factor? The proposed % tax with 1.68 shift for residential is 70.34 and the commercial proposed % tax is 15.26%. The tax levy calculation using the recommended 1.68 CIP shift (.854197) based on FY20 Residential valuation of \$5,043,728,493 and \$1,081,456,376 for FY20 valuation of Commercial, Industrial and Personal Property would be the following rate for residential of \$14.45 and \$28.42 for commercial.

Councillor Gerard asked the following questions:

1. Q: Are property valuations compared to other cities?
A: Deb Jackson responded: Don't look at other cities just Salem
2. Q: South Mason Street Assessments?
A: Just what is done at this point
3. Q: What will happen when done. 16 units more – will it double?
A: Probably yes
4. Q: How does the graphic look – Is it a healthy mix?
A: We are a small city – not a lot of property so a lot of properties upper level
5. Q: Are the Single-Families in a certain Area?
A. Now they are spread out everywhere.

Councillor Dibble asked it appears that Salem is the lowest increase this year compared to surrounding communities. How about Lynn or Peabody? Deb Jackson responded that those cities have not held their tax hearing yet. Councillor Dibble further asked if there is a reduction in commercial properties because switching commercial to residential. Deb Jackson responded we are not on route 128 – people want to live here there are no more factories.

Councillor Dibble also mentioned that 20 years ago the streets rolled up at night, no downtown activity. When compare residential condos to S.F. to condos, the increase doubles the bill of single-family homes. From \$87.00 to \$1161.00

Deb Jackson responded Condos go up and down. The greatest number of sales in Salem have been condos. Demographics show younger people buying condos because they can't get into the single-family market due to availability and price. New Condos are selling between \$400,000 - \$600,000 which skews the number up. If took out the new 75 condos selling above average that skews your math. Some years condos average bills go down. This is the lowest single-family average bill has gone up in the last 10 years.

Councillor Furey – Human Face and Dynamics in Salem. Look back to where Salem was, is and is going. Dynamic future very excited about the future. Credits Mayor Driscoll.

Councillor Flynn asked how much is the power plant paying. Answer: up to \$4M in taxes.

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Councillor Flynn asked about the difference in the average increase bill for single-families versus condos.

The Mayor stated we have a healthy mix. There are not as many condos in Danvers or Peabody. Other cities only use the word residential when speaking about single-family homes and condos. We break ours down more to give you more information. We are not pitting single families against condos. The same rate is based on the assessed values.

Councillor Flynn stated increase in last year in condos; last year and this year. Any way to soften that for next year.

The mayor responded only if the condo market crashes. The Mayor stated she sent out an email addressing this issue and any misconceptions out there. Condos are not paying more. They pay the same rate on value as single-family residential homes.

Deborah Jackson explained that the established condos may not go up as high; it's the newer condos bringing up the average price.

The Mayor stated that 53% of condos going to be less than \$131. Two and three families and condos everyone paying the same rate.

Councillor Dominguez asked a question on the 2 examples of valuation on 70 Boston St. and 11 S. Mason St. The response was it was based on the completion at the time of the tax rate deadline of June 30th. That is the cut off date. Is this based on limit income, equity and tax rate

The Mayor responded that the most important this to decrease the tax bill is new growth. \$1M increase every year just to keep the lights on. When we have new growth, we can make investments. Only seeing a \$87 increase. The Levy capacity helps with our bond rating. Top taxpayers in the past, JPI, Vincent's, Parker Brothers, Salem Oil and Grease. The pie looked a lot different back then. New growth fuels services.

Councillor Madore asked a question if change valuations for apartments. Selling higher than assessed. The answer was that large complexes (9+ units) were sold – double of assessed value. Councillor Madore asked if rents go up if increase in assessed values. Deb Jackson responded yes; rents go up.

The Mayor thanked the board of assessors. The Assessors offer exemptions and abatements. Recognize even if increase is only \$87.00 it is still difficult for some.

Councillor Sargent stated if apartment buildings are selling for higher than assessed value can we shift the 1.68 to 1.69 to help save on taxes.

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Appearing in favor from the public:

1. Lev McClain, 22 Albion St., Salem. – Think reasonable tax levy- struck by increase of apartment segment in contrast to small parcels ownership of city and not afford to rent. Urge to incentivize more affordable housing stock. Restaurant workers priced out of City. How do we help wages to go up in the City?

Appearing in opposition from the public:

1. Fawaz Abusharkh, 4 Harrison Rd., Salem. \$87.00 not really reflected Insurance Company assessment \$40,000 less than Sale's assessment. He bought his house in 1988. From 1985-2005 taxes were \$2800. Value of home \$250-260K. Now taxes \$8,000. Paint a true picture – good and bad. If all that extra income why are taxes still going up. Approve the budget but not approve the tax rate then not paying your bill. When approved the budget, did we stick to it? No – No because extra spending i.e. Pop up bike lanes and cones, we pay for it now.

Councillor Dibble asked if power plant and new units why are taxes still going up?

Mayor responded we approved a fairly modest budget. Can't spend money without going in front of Council. Have to have at least \$1M of new revenue to keep status quo. Make investments in public safety. Pay the budget trying to plan accordingly. Despite new growth taxes are still going up. \$300,000 in retail cannabis.

A question was asked about the numbers presented to us do not reflect a tax bill. Some only going up \$7.00/month. Yes, it depends where you fall in the range – The average family home assessed at \$410,000 will be \$7.00/mo. There are 38% of Salem's homes assessed above the average value and 68% assessed below the average value.

Councillor Turiel stated his single-family home is assess at \$460,000 so he will pay more then average maybe \$100/yr. We are not getting money from the State any more relative to the hold harmless. The Power plant is paying the same.

The Mayor responded that the hold harmless legislation helped us greatly without its taxpayers would have seen a huge increase.

Councillor Sargent stated money is tough. \$1M of growth. What if cut budge by \$1M. What if we do it backwards. 4 ½ to 4%.

Mayor responded struggle with that 160 Million control over much smaller. Can't control pensions, medical, contractual obligations, debt services. The council can cut the budget, but we cut it before we get it to the Council. We cut the budget \$40,000 on e year because kind of lean. It's a balancing Act.

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Councillor Peterson moved to close the Public Hearing. It was so voted.

#712 - (#623, #633 & #678) – NATIONAL GRID TO INSTALL CONDUIT ON LYNDE STREET

A hearing was held on the Order for National Grid to install a conduit on 10-12 Lynde St. Sabitah Mahabier-Sheey, National Grid representative, 44 River St., Beverly appeared in favor. There was an amendment to this location. It is to upgrade service and conduit. Councillor Madore made mention of the City's moratorium on digging up streets, but will be happy to help. No one appeared in opposition.

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

Councillor Madore moved it be granted. It was so voted.

#713 - (#687) – CROWN CASTLE TO INSTALL CONDUIT ON HIGHLAND AVE.

A hearing was held on the Order for Crown Castle to install a conduit on Highland Ave. at Traders Way. Bill Conway from Crown Castle appeared in favor. A conduit is needed between two poles and we cannot replace the pole so need to connect underground. No one appeared in opposition.

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

Councillor Peterson moved that it be granted. It was so voted.

(#635) - APPOINTMENT OF DOUGLAS BOWKER TO SERC

Held from the October 24, 2019 meeting, the Mayor's appointment of Douglas Bowker of 41 Forrester St #2., Salem to the Sustainability, Energy and Resiliency Committee with a term to expire on July 20, 2020 was held under the rules.

(#636) - APPOINTMENT OF CARLY MCCLAIN TO THE ZONING BOARD OF APPEALS

Held from the October 24, 2019 meeting, the Mayor's appointment of Carly McClain of 22 Albion St., Salem to the Zoning Board of Appeals with a term to expire on October 24, 2020 was confirmed by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Turiel, Sargent, Peterson, McCarthy, Madore, Gerard, Furey, Flynn, Dominguez and Dibble were all recorded in the affirmative. Councillor Milo was recorded as absent.

Councillor Flynn requested and received unanimous consent to suspend the rules to allow Carly McClain to speak.

DECEMBER 5, 2019**REGULAR MEETING****#714 – APPROPRIATION TO REDUCE TAXATION FOR FY2020**

The following Order introduced by the Mayor was adopted under suspension of the rules.

ORDERED: That the sum of One Million, Two Hundred Thirty Eight Thousand, Five Hundred Sixteen Dollars (\$1,238,516.00) is hereby appropriated from the following “Receipts Reserved for Appropriation” accounts to reduce the gross amount to be raised by taxation when Fiscal Year 2020 tax rate is set in accordance with the recommendation of Her Honor the Mayor.

| <u>Description</u> | <u>Amount</u> |
|----------------------------------|-----------------------|
| Receipts Reserved – Witch House | \$298,516.00 |
| Receipts Reserved – Golf Course | \$710,000.00 |
| Receipts Reserved – Harbormaster | \$230,000.00 |
| TOTAL | \$1,238,516.00 |

#715 – APPROPRIATION FOR PIONEER VILLAGE AND NAUMKEAG PROJECT STUDY

The following Order introduced by the Mayor was adopted under suspension of the rules.

ORDERED: That the sum of One Hundred Thousand Dollars (\$100,000.00) is hereby transferred from the Witch House Reserved Receipts Fun 2437 to the “Capital Outlay Fund 2000” in accordance with the recommendation of Her Honor the Mayor; and that the sum of One Hundred Thousand Dollars (\$100,000.00) is hereby appropriated within the “Capital Outlay Fund 2000” to be expended by the Park and Recreation Department for the Pioneer Village and Naumkeag Project Study in accordance with the recommendation of Her Honor the Mayor

#716 – ACCEPT SEC. 4 OF CH. 73 OF THE ACTS OF 1986 FOR EXEMPTION

The following Order introduced by the Mayor was adopted by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Turiel, Sargent, Peterson, McCarthy, Madore, Gerard, Furey, Flynn, Dominguez and Dibble were all recorded in the affirmative. Councillor Milo was recorded as absent.

ORDER: That the Mayor and City Council accept the provisions of Section 4, Chapter 73 of the Acts of 1986 for Fiscal Year 2020, and that such additional exemptions granted be 100% of the statutory exemption amounts, provided all other qualifications specified in said Section 4, Chapter 73 of the Acts of 1986 are met.

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#717 – COMMUNICATION FROM THE MAYOR RELATIVE TO THE FY2020 TAX RATE

The following letter from the Mayor with her recommendation of the setting of the current fiscal year tax rate. The Mayor's recommendation for the proposed tax rate of \$14.45 for residential and \$28.42 for commercial which will again be under the City's allowable levy limit was received and placed on file.
(See below for letter in full)

Ladies and Gentlemen of the City Council:

Each year the City Council must vote to set the residential tax factor and thereby set the tax rate for the fiscal year. In Massachusetts, Proposition 2 ½ caps new property taxes at no more than 2.5% of the previous year's levy. This year, the tax rate – \$14.45 for residential and \$28.42 for commercial – is once again under the City's allowable levy limit, with excess levy capacity of about \$3.9 million dollars, validating our City's responsible approach to budgeting and managing public finances. We continue to maintain a generally low tax bill increase over time, as well, with the average increase over the last 10 years for the average single-family taxpayer in Salem coming in at a reasonable 3.1% per year.

Based on the rates above, the change in the average single-family tax bill will be \$87.26 (1.49%), the average condominium unit change will be \$160.77 (3.71%), the average two-family change will be \$96.96 (1.48%) per property or \$48.48 per unit, the average three-family change will be \$123.30 (1.71%) per property or \$41.10 per unit. Given the range of commercial properties in Salem, from small shops to hotels to large office complexes, it's hard to identify a truly 'average commercial property', however we expect the average commercial property increase is estimated at 6.36% or just over \$1,100. An appropriation order submitted separately applies receipts reserved to help hold down the increase in property taxes, reducing the total amount raised by taxation and saving Salem property owners from an additional \$1.2 million in taxes to be collected.

For homeowners, FY2020 represents the lowest tax bill increase, not only in my administration, in decades. Despite an active housing market increasing values and despite increases in fixed costs for delivering local services by around \$2.7 million this fiscal year, we have managed to keep tax increases quite low. The reason for this is simple: growth matters. As we grow our tax base, we have been able to successfully distribute the burden of funding critical local services to more taxpayers, alleviating the burden on existing property owners. This is why – in addition to the housing need and the desire to great good, local jobs – it is so very important we consider new growth opportunities with an open mind and strategic approach. We cannot cut our way to stabilized taxes or better services; we can, however, broaden the size of the base that funds our local government, thereby stabilizing taxes and improving services. FY2020 demonstrates that exact strategy at work.

We always strive to manage the overall tax burden on our City's homeowners and I am proud that we have never needed or sought a Proposition 2 ½ override. We seek efficiencies and opportunities for regionalization or streamlining. We look to technology and performance improvement strategies to reduce the cost of doing business. We shift the cost of government off property taxpayers by pursuing a substantial number of grant opportunities and by looking to tax options that shift those costs to visitors when possible by supporting the development of new hotels and the extension of lodging taxes to short-term rentals. Even the new 3% adult-use cannabis local excise tax is, to a large extent, split between residents and visitors to our community. For the three quarters of cannabis excise receipts we have thus far, the City has received just under \$300,000.

The most powerful tool at our disposal, however, is responsible, sensible private development that adds to our tax base. This is why we have advocated for the appropriate redevelopment of sites such as the former courthouses, the vacant power plant property, and the under-utilized and vacant former industrial parcels that comprise the North River Canal Corridor. I am extremely pleased that certified new growth this fiscal year is \$5.9 million. While much of this is due to the power plant, removing that single entity still results in a new growth figure of \$1.9 million. Even excluding the effect of the power plant, this level of new growths exceeds the growth we saw in any other year in the last 17 years,

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with the exception of FY2018, and is 76% more than the average new growth we have seen each year in that same time period.

We have been extremely pro-active in pursuing grant opportunities whenever they become available. Since the start of my administration in 2006 we have successfully received over \$150 million in state and federal grants. Just about one-fifth of our revenues is aid from the state, and we still rely on and require a strong state partnership to make much needed infrastructure investments.

We also work to have meaningful partnerships with our anchor institutions and non-profits, including our tax agreement and CBA with Footprint, investments in our schools and neighborhoods from SSU, and discussions about expanded community support from NSMC, and our ongoing push for a nearly two decades' over-due adjustment in our SESD PILOT. Salem is a better place for our anchor institutions, which certainly have a collective positive economic impact on our community; however, because they are tax-exempt, we must also balance the impact of around 14% of our property values being off the tax rolls.

One of the biggest challenges we continue to face is pressure from reductions in revenues and increases in fixed costs. Our general City budget grew by only 4.3% this fiscal year, however 40% of that growth was due to increases in fixed costs such as state charges, health insurance costs, Medicare, worker's compensation, debt payments, and municipal insurance.

As we set our tax rate for the current fiscal year, the recommendation is to return our CIP split to 1.68, making the residential factor 0.854197 or 85.4197%. As you may recall, a number of years ago we adjusted the CIP and, at that time, indicated it would not be a permanent change. This adjustment back to 1.68 is keeping our promise to remain open to adjusting the split back to where it had been in the interest of fairness to our small businesses.

The vision for our City laid out in our annual budget, and continued with this tax proposal, reflects our collective desire to keep Salem a vibrant, thriving community that delivers quality public services in as efficient and affordable a manner as possible. When I took office, we faced a \$3.5 million deficit. We spent all our savings just to keep the lights on and were forced to borrow money to pay normal operating expenses. We have worked collaboratively over the years to eliminate prior deficits, improve city finances, and balance our books with an eye on both the needs of today and our aspirations for the future. It has not always been easy. Just as we emerged from those local fiscal trials in 2007 our national economy spiraled into a recession.

But whatever the cause of our challenges, we weathered them and are today stronger and better positioned than ever, with record growth, a vibrant local economy, record bond ratings, and award-winning balanced budgets. Our City's bond rating from Standard & Poor's was upgraded six years ago to AA, the highest in the City's history. In their most recent ratings report the agency cited our financial stability and conservative budgeting practices in affirming that strong rating. This is validation that Salem's fiscal policies are of the highest standard and that the path we have set for ourselves is the correct one for our community.

I am grateful for our partnership in securing a healthy municipal fiscal environment and recommend adoption of the proposed residential factor which will enable us to finalize property tax rates for this fiscal year.

Very truly yours,
Kimberley Driscoll, Mayor, City of Salem

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MOTIONS, ORDERS, AND RESOLUTIONS

#718 - ADOPTION OF A RESIDENTIAL FACTOR FOR FY 2020

The following Order was adopted by a roll call vote of 9 yeas, 1 nay and 1 absent. Councillors Turiel, Sargent, Peterson, McCarthy, Madore, Gerard, Furey, Dominguez and Dibble were all recorded in the affirmative. Councillor Flynn was recorded in the negative and Councillor Milo was recorded as absent.

ORDERED: That the City of Salem adopt a RESIDENTIAL FACTOR OF 85.4197 % for Fiscal Year 2020.

A motion for Immediate Reconsideration in hopes it would not prevail was denied.

#719 - OPEN SPACE EXEMPTION

The following Order was adopted by a roll call vote of 10 yeas, 0 nay and 1 absent. Councillors Turiel, Sargent, Peterson, McCarthy, Madore, Gerard, Furey, Flynn, Dominguez and Dibble were all recorded in the affirmative. Councillor Milo was recorded as absent.

ORDERED: That the City NOT adopt an OPEN SPACE EXEMPTION for Fiscal Year 2020

A motion for Immediate Reconsideration in hopes it would not prevail was denied.

#720 - RESIDENTIAL EXEMPTION

The following Order was adopted by a roll call vote of 10 yeas, 0 nay and 1 absent. Councillors Turiel, Sargent, Peterson, McCarthy, Madore, Gerard, Furey, Flynn, Dominguez and Dibble were all recorded in the affirmative. Councillor Milo was recorded as absent.

ORDERED: That the City NOT adopt a RESIDENTIAL EXEMPTION for Fiscal Year 2020

A motion for Immediate Reconsideration in hopes it would not prevail was denied.

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#721 - SMALL COMMERCIAL EXEMPTION

The following Order was adopted by a roll call vote of 10 yeas, 0 nay and 1 absent. Councillors Turiel, Sargent, Peterson, McCarthy, Madore, Gerard, Furey, Flynn, Dominguez and Dibble were all recorded in the affirmative. Councillor Milo was recorded as absent.

ORDERED: That the City NOT adopt a SMALL COMMERCIAL EXEMPTION for Fiscal Year 2020

A motion for Immediate Reconsideration in hopes it would not prevail was denied.

#722 – RESOLUTION TO SAVE THE NORTH ATLANTIC RIGHT WHALE

The following Resolution introduced by Councillor Madore was adopted.

Resolution Supporting Efforts to Save the North Atlantic Right Whale

WHEREAS, the North Atlantic right whales have been hunted since the 11th century; and

WHEREAS, once numbering in the tens of thousands, the right whale population has dwindled to 410, with fewer than 100 reproductive-aged females left alive and no new births observed in 2018; and

WHEREAS, the carcasses of more than 20 whales have been found over the last two years; and

WHEREAS, the remaining population of right whales is immediately threatened by human activity; and

WHEREAS, without action, the North Atlantic right whale as a species will be extinct in our lifetime; and

WHEREAS, Federal legislation known as the Scientific Assistance for the Very Endangered (SAVE) Right Whales Act, sponsored by Congressman Seth Moulton and co-sponsored by 35 Members of Congress from Florida to New Hampshire, has been endorsed by the International Fund for Animal Welfare; and

WHEREAS, this act would provide the development and adoption of innovative solutions and technology to reduce the leading causes of right whale deaths: commercial fishing entanglements and collisions with shipping vessels; and

WHEREAS, the act would provide critical funding for whale-safe gear that would ensure an ocean that sustains both the right whale and a viable lobster industry for the hardworking men and women from Massachusetts who make a living on the water; and

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WHEREAS, the right whale migratory range passes by the Massachusetts coast; and

WHEREAS, the permanent loss of an entire species is a blow to the ocean's ecosystem that our coastal communities will witness firsthand; and

WHEREAS, as a coastal state, we have a responsibility as marine stewards to prevent this ecological tragedy; now

THEREFORE, be it resolved that the Salem City Council supports the efforts at the Federal level of the SAVE Right Whales Act.

#723 – THE BRAVE ACT

The following Order introduced by Councillor Flynn was adopted as amended by a roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Turiel, Sargent, Peterson, McCarthy, Madore, Gerard, Furey, Flynn, Dominguez and Dibble were all recorded in the affirmative. Councillor Milo was recorded as absent. (See below, after amended, for full text of letter from the Veteran's Council)

Original Order:

ORDERED: That the Committee on Administration and Finance co-posted with the Committee of the Whole meet to discuss the letter submitted from the Salem Veterans Council regarding the adoption of a Property Tax Exemption for Gold Star Parents ("The Brave Act")

Amended Order:

ORDERED: That the Mayor and City Council hereby accepts the provisions of MGL Ch. 59 sec. 5 Clauses 22H and 22G, which provides for a property tax exemption for Gold Star Families.

 From: Salem Veterans Council
 To: Salem City Council
 VIA: Salem Veterans Services Officer
 Councilman Tim Flynn, City Council Representative to Salem Veterans Council

SUBJ: Endorsement for Salem to Adopt Property Tax Exemption for Gold Star Parents

Dear Salem City Council,

The Salem Veterans Council fully endorses the granting of the local option under ***Clauses 22H and 22G***, available to our Gold Star Families.

Under the provisions of M.G.L. c. 59, § 5, Clause **22H** (inserted by Chapter 218 of the Acts of 2018 known as an Act Relative to Veterans' Benefits, Rights, Appreciation, Validation, and Enforcement ("**BRAVE Act**")), signed into law August 28, 2018, ***which provides for a***

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property tax exemption for real estate to the full amount of the taxable valuation of the real property of the surviving parents or guardians of soldiers and sailors, members of the National Guard and Veterans who: (i) during active duty service, suffered an injury or illness documented by the United States Department of Veteran Affairs or a branch of the Armed Forces that was a proximate cause of their death; or (ii) are missing in action with a presumptive finding of death as a result of active duty service as members of the Armed Forces of the United States; provided, however, that the real estate shall be occupied by the surviving parents or guardians as the surviving parents' or guardians' domicile; and provided further, that the surviving parents or guardians shall have been domiciled in the Commonwealth for the 5 consecutive years immediately before the date of filing for an exemption pursuant to this clause or the soldier or sailor, member of the National Guard or veteran was domiciled in the Commonwealth for not less than 6 months before entering service.

Surviving parents or guardians eligible for an exemption pursuant to this clause shall be eligible regardless of when the soldier, sailor, member of the National Guard or veteran died or became missing in action with a presumptive finding of death; provided, however, that the exemption shall only apply to tax years beginning on or after January 1, 2019.

In addition, under the provisions of M.G.L. c. 59, § 5, Clause **22G** (inserted by Chapter 218 of the Acts of 2018 known as an Act Relative to Veterans' Benefits, Rights, Appreciation, Validation, and Enforcement ("BRAVE Act")), signed into law August 28, 2018, ***provides for a property tax exemption for any real estate that is the domicile of a person but is owned by a trustee, conservator or other fiduciary for the person's benefit if the real estate would be eligible for exemption*** under clause Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E, or Twenty-second F if the person were the owner of the real estate, or act on anything relating thereto.

The full BRAVE Act can be viewed at:

<https://malegislature.gov/Laws/SessionLaws/Acts/2018/Chapter218> and relevant excerpts are provided above.

The intended purposes of these provisions are to grant a full exemption for property tax to Gold Star parents or guardians of soldiers and sailors, members of the National Guard and Veterans who have paid the ultimate sacrifice in service to our country.

It is requested that this endorsement be given favorable consideration by the City Council.

for the Commander,



J. M. Cole, Adjutant, Salem Veterans Council

DECEMBER 5, 2019**REGULAR MEETING****#724 – (#692-698) – GRANTING CERTAIN LICENSES**

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses and Legal Affairs. It was voted to accept the report and adopt the recommendation.

The Committee on Ordinances, Licenses and Legal Affairs to whom was referred granting certain licenses has considered said matter and would recommend granting the following licenses:

JUNK DEALER: 15 Robinson Rd., LLC 15 Robinson Rd

SECOND HAND VALUABLES: Tobies Jewelry 140 Washington St
 RJ Coins and Jewelry 68 Wharf St.
 Glass and Etc. 180 Essex St.
 Olde Naumkeag Antiques 1 Hawthorne Blvd
 Game Zone 270 Essex St.

SEAWORMS: Jose Machado 5 Marion Ave., Beverly

#725 – CARRY MATTERS INTO 2020

Councillor McCarthy offered the following report for the Committee on Ordinances, Licenses and Legal Affairs. It was voted to accept the report and adopt the recommendation.

The Committee on Ordinances, Licenses and Legal Affairs to whom was referred the matter of carrying matters forward has considered said matter and would recommend that Rule 31B be suspended and that the specified matters be carried into 2020.

726 - CARRY MATTERS INTO 2020

Councillor Peterson offered the following report for the Committee on Administration and Finance. It was voted to accept the report and adopt the recommendation.

The Committee on Administration and Finance to whom was referred the matter of carrying matters forward has considered said matter and would recommend that Rule 31B be suspended and that the specified matters be carried into 2020.

DECEMBER 5, 2019**REGULAR MEETING****# 727 - CARRY MATTERS INTO 2020**

Councillor Flynn offered the following report for the Committee on Government Services. It was voted to accept the report and adopt the recommendation.

The Committee on Government Services to whom was referred the matter of carrying matters forward has considered said matter and would recommend that Rule 31B be suspended and that the specified matters be carried into 2020.

#728 – ROAD RACE – WICKED RUNNING CLUB – FROSTY FOUR

The request from the Wicked Running Club to hold a road race Wicked Frosty Four and use of city streets on January 1, 2020 was granted.

#729 – PETITION FROM ANNE STERLING RELATIVE TO 20 FRANKLIN STREET

The petition from Anne Sterling to present historical and public record documents regarding the ownership of the disputed lot (20 Franklin Street) in connection with proposed potential development was received and filed and also referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole and that rule 31B be suspended to carry the matter into 2020.

#730 – PUBLIC GUIDES

The Following License Applications were granted.

PUBLIC GUIDES:

Giovanni Alabiso 2 Buxton St. #2, Peabody
Jeffery Lilley 265 Lafayette St., Salem
Amey Butler 14 Hunt St., Danvers
James St. Vincent 14 Mablin Ave., Andover
Patrick Curran 9 Rockland Rd., Danvers
Nicholas Pierce 16 Garland St., Lynn
Robert Kieran 14 Tremont St., Salem
Adam Lynch 451 Broadway, Lynn

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#731 - #732 – LICENSE APPLICATIONS

The Following License Applications were referred to the Committee on Ordinances, Licenses and Legal Affairs and these matters be carried into 2020.

SECOND HAND
CLOTHING

Boston St Resale 134 ½ Boston St.
Re-Find, LLC 72 Washington St.

#733 – DRAINLAYER/ CONTRACT OPERATOR

The Following Drainlayer/Contract Operator License Applications were granted.

EKB Equipment LLC 141 Pine St., Danvers
Unlimited Removal & Demolition 51 Munroe St, Lynn
Phoenix Communications 25 Bowditch Dr., Shrewsbury
Raffaele Construction 233 Burrill St., Swampscott

#734 - CLAIMS

The Following Claim was referred to the Committee on Ordinances, Licenses and Legal Affairs and these matters be carried into 2020.

William Kai Hoysradt 35 Warren St., Salem

(#669) – BOND ORDER – UNEXPENDED FUNDS

The matter of the following Bond Order was adopted for second and final passage by roll call vote of 10 yeas, 0 nays and 1 absent. Councillors Turiel, Sargent, Peterson, McCarthy, Madore, Gerard, Furey, Flynn, Dominguez and Dibble were all recorded in the affirmative. Councillor Milo was recorded as absent.

BOND ORDER: That, because the transformer replacement project at Salem High School for which \$60,000.00 was appropriated pursuant to an order of the City Council passed June 26, 2014 and approved by the Mayor on July 1, 2014, which amount was raised pursuant to such order by issuing bond anticipation notes dated December 3, 2014 and permanently financed by issuing bonds dated December 2, 2015, was funded from other sources and has been completed, the remaining balance of \$60,000.00 borrowed therefore is hereby appropriated to pay costs of remodeling, reconstructing and making extraordinary repairs to the Salem High School Library, including all costs incidental and related thereto, pursuant to Section 20 of Chapter 44 of the Massachusetts General Laws.

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(#674) - SECOND PASSAGE ORDINANCE – TRAFFIC HANDICAP PARKING – REPEAL CHANDLER ROAD

The matter of second passage of an ordinance amending traffic Ch. 42, Section 50B, Handicap Parking Limited Time, Repeal Chandler Road was then taken up. It was adopted for second and final passage.

In the Year Two Thousand and Nineteen

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 repealing the following:

Chandler Road – **REPEAL** the Handicapped Parking Space in front of #26 Chandler Road

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

(#675) - SECOND PASSAGE ORDINANCE – TRAFFIC RESIDENT STICKER – REPEAL HIGHLAND AVENUE

The matter of second passage of an ordinance amending traffic Ch. 42, Section 75, “Parking prohibitions towing zone (resident sticker)”, Repeal Highland Ave. was then taken up. It was adopted for second and final passage.

In the year Two Thousand and Nineteen

An Ordinance to amend an Ordinance relative to Traffic

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

Section 1. Amending Chapter 42, Section 75 – “Parking prohibitions towing zone (resident sticker)” by repealing the following:

Highland Avenue – **REPEAL** - ZONE D-COLOR YELLOW-westerly side, beginning at the intersection of Proctor Street and continuing in a southerly direction for a distance of three hundred (300) feet. Resident Sticker Parking only. (12/14/92)

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

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(#676) - SECOND PASSAGE ORDINANCE – TRAFFIC RESIDENT STICKER – HERITAGE DRIVE

The matter of second passage of an ordinance amending traffic Ch. 42, Section 75, “Parking prohibitions towing zone (resident sticker)”, Heritage Drive was then taken up. It was adopted for second and final passage.

In the year Two Thousand and Nineteen

An Ordinance to amend an Ordinance relative to Traffic

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

Section 1. Amending Chapter 42, Section 75 – “Parking prohibitions towing zone (resident sticker)” by adding the following:

Heritage Drive – ZONE D-COLOR YELLOW- both sides, from the intersection with Highland Avenue, proceeding in a northwesterly direction for a distance of one hundred (100) feet. No visitor passes shall be issued for qualifying addresses on this street.

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

(#685) - SECOND PASSAGE ORDINANCE – OBSTRUCTING SIDEWALKS – TAP BOARDS

The matter of second passage of an ordinance amending an Ordinance relative to Ch. 38, Sec. 8 - Obstructing Sidewalks – Tap Boards was then taken up. It was adopted for second and final passage.

In the year Two Thousand and Nineteen

An Ordinance to amend an ordinance relative to obstructions in sidewalks.

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

Section 1. Section 38-8 Obstructing sidewalks with articles within Chapter 38 Streets and Sidewalks is hereby amending by adding a new paragraph at the end of this section as follows: “The Director of Inspectional Services/Building Inspector shall ensure that when public or private work may potentially impact pedestrian mobility on a public sidewalk, there shall be established rules and/or permitting to ensure safe, unobstructed pedestrian passage. Such rules and permitting shall require, at a minimum, the installation of a continuous non-malleable opaque surface running at ground level along temporary structures including scaffolding and construction fences. The non-malleable opaque surface, hereinafter referred to as a “tapboard,” must be placed along the inside of the pedestrian walkway. Any portion of a temporary structure with hand rails or other barriers blocking pedestrian passage must have a tapboard at ground level. The tapboard shall be no less

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than 14 inches in height, one inch in depth and placed no more than one inch above ground unless otherwise approved by the Director of Inspectional Services/Building Inspector or designee.”

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

On the motion of Councillor Dominguez the meeting adjourned at 10:05 P.M.

ATTEST:

ILENE SIMONS
CITY CLERK