



CITY OF SALEM, MASSACHUSETTS

Dominick Pangallo
Office of the Mayor

April 11, 2024

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Dear City Councillors,

I re-appoint Steven R. Havey of 17 Dolloff Avenue Beverly, MA 01915 to serve as a Constable for a term to expire March 18, 2027.

Sincerely,

Dominick Pangallo
Mayor
City of Salem

Issued Through:

A.A. Dority Company, Inc.

CONTINUATION CERTIFICATE

The NGM Insurance Company, hereinafter called the Company, hereby continues in force its Constable Bond, Bond Number 563550

in the sum of Five Thousand dollars (\$5,000.00)

on behalf of

Steven R. Havey

located at

17 Dolloff Ave
Beverly, MA 01915

in favor of **Town of Salem, MA**

for the term beginning April 18, 2024 and ending on April 18, 2027, subject to all covenants and conditions of said bond.

This Continuation is executed upon the express condition that the Company's liability shall not be cumulative and shall be limited at all times by the amount of the penalty stated in the bond.

In witness whereof, the Company has caused this instrument to be signed by its duly authorized Attorney-in-Fact and its Corporate Seal to be hereto affixed this day, March 8, 2024

NGM Insurance Company

By: 

Katie E. Connor

Attorney-in-Fact

Producer:

A.A. Dority Company, Inc.
226 Lowell Street; Suite B-4
Wilmington, MA 01887

617-523-2935

Fax: 617-523-1707



City of Salem, Massachusetts
Police Department Headquarters

95 Margin Street

Salem, Massachusetts 01970

(978) 744-2204

CHIEF OF POLICE

LUCAS J. MILLER

28 March 2024

Mayor Dominck Pangallo
Salem City Hall
93 Washington Street
Salem, Massachusetts 01970

Re: CONSTABLE REAPPOINTMENT APPLICATION (HAVEY)

Dear Mayor Driscoll,

Mr. Steven R. Havey, a resident of Beverly, Massachusetts, has submitted an application for reappointment as a constable with the City of Salem.

The required criminal indices checks on Mr. Havey have been completed and no derogatory information which would preclude him from reappointment has surfaced. He was interviewed by me on 28 March 2024, during which he reaffirmed his responsibilities to comply with the requirements of the Salem City Ordinance, Chapter 32, Section 19 (as amended May 15th, 2017).

Mr. Havey was last appointed a constable in May 2021 (term expiring on 18 April 2024).

Based on the information provided by Mr. Havey on his application, the results of the background check and my interview with him, Mr. Havey meets the requirements for reappointment as a constable. Mr. Havey's application is hereby forwarded to you for review, consideration and presentation to the City Council should you elect to reappoint him.

Sincerely,

Lucas J. Miller
Chief of Police

Enclosure: Constable Reappointment Application

cc: Constable File



CITY OF SALEM, MASSACHUSETTS

Dominick Pangallo
Office of the Mayor

April 11, 2024


Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Dear City Councillors,

Enclosed is a request to accept a donation from Biff Michaud in the amount of Nineteen Thousand Five Hundred Dollars (\$19,500) These funds will be deposited into the Police Donation Fund (24111-4830) to purchase drones.

In order to accept the donation, approval must be given by both the Mayor and City Council. I ask that the members of the City Council join with me in accepting these funds.

Sincerely,


Dominick Pangallo
Mayor
City of Salem



CITY OF SALEM

In City Council,

Ordered:

April 11, 2024

To accept the donation from Biff Michaud in the amount of Nineteen Thousand Five Hundred Dollars (\$19,500) to the Salem Police Department to purchase drones. These funds will be deposited into the Police Donation Fund 24111-4830 in accordance with the recommendation of His Honor the Mayor.



City of Salem, Massachusetts
Police Department Headquarters

95 Margin Street

Salem, Massachusetts 01970

(978) 744-2204

CHIEF OF POLICE

LUCAS J MILLER

22 March 2024

Mayor Dominick Pangallo
Salem City Hall
93 Washington Street
Salem, Massachusetts 01970

RE: Request For Donation Approval (Salem Witch Museum; \$19,500.00)

Dear Mayor Pangallo,

As you are aware, police departments throughout the United States have begun to incorporate small, unmanned aircraft systems (UAS, also known as “drones”) into their operations. Drones enhance the ability of law enforcement to save lives, protect property, document crime scenes, and assist in keeping officers – and the public – safe.

Mr. B.P. Biff Michaud, Chief Executive Officer of the Salem Witch Museum, has very generously donated \$19,500.00 to the City of Salem for the purchase of UAS equipment for use by the Salem Police Department and training of police officers as UAS operators.

I respectfully request that you present this donation to the City Council, and if approved, request that the funds be authorized for deposit into the police department’s donation account (24111-4830). Additionally, I request that the Council formally recognize Mr. Michaud for his very generous donation and continued support of the Salem Police Department.

I am available to discuss this request at your convenience.

Sincerely,

Lucas J. Miller
Chief of Police



CITY OF SALEM, MASSACHUSETTS

Dominick Pangallo
Office of the Mayor

April 11, 2024

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970


Dear Councillors:

Enclosed herewith is a request for an appropriation of Fifty-One Thousand Five Hundred Fifty-Two Dollars and Eighty-Seven Cents (\$51,552.87), be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146). This appropriation is necessary to fund the retirement buybacks of the following employees:

Name	Department	Amount
Bernard Szczechowicz	Fire Department	\$51,552.87

I recommend passage of the enclosed Order and invite you to contact Human Resources Director Lisa Cammarata with any questions that you may have regarding it.

Sincerely,


Dominick Pangallo
Mayor
City of Salem



CITY OF SALEM

In City Council,
April 11, 2024

Ordered:

That the sum of Fifty-One Thousand Five Hundred Fifty-Two Dollars and Eighty-Seven Cents (\$51,552.87) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the contractual buyback(s) listed below in accordance with the recommendation of His Honor the Mayor.

Name	Department	Amount
Bernard Szczechowicz	Fire Department	\$51,552.87
		\$51,552.87



DOMINICK S. PANGALLO
MAYOR

LISA B. CAMMARATA
DIRECTOR OF HUMAN RESOURCES

CITY OF SALEM MASSACHUSETTS
HUMAN RESOURCES
98 WASHINGTON STREET, 3RD FLOOR
SALEM, MASSACHUSETTS 01970
TEL. 978-619-5630

MEMORANDUM

TO: Anna Freedman, Director of Finance
DATE: April 2, 2024
RE: Retirement Stabilization Fund

Attached you will find a retirement buyback for a former employee of the Salem Fire Department.

This former employee is entitled to the following amount of sick leave and vacation buyback.

Bernard Szczechowicz

24 vacation tours @ \$368.61 per tour (2024)	\$8,846.64
13 vacation tours @ \$368.61 per tour (2023)	\$ 4,791.93
90 sick tours @ \$421.27 per tour	\$37,914.30
Total:	\$51,552.87

In accordance with the July 2008 Policy, I am requesting you verify the availability of the funds from the Retirement Stabilization Fund, prepare the Council Order, and continue the process in order that my staff can input the information in MUNIS and issue payments to this former employee upon Council approval.

Thank you for your cooperation, and if you should have any questions, please do not hesitate to contact me.

APPROVAL-SICK DAYS/VACATION BUY-BACK

From: Department FIRE

Date 3/21/2024

Authorized Signature: _____

Department Head/City or Business Manager School

NAME: Bernard Szczechowicz

CALCULATION

VACATION ^{Tours} HOURS ✓	# <u>24</u>	@ \$ <u>368.61</u>	= \$ <u>8,846.64</u> ✓	
SICK ^{Tours} HOURS ✓	# <u>90</u>	@ \$ <u>421.27</u>	= \$ <u>37,914.30</u> ✓	
PRO-RATED STIPENDS ^{SMV}	# <u>80</u>	@ \$ <u>13.29</u>	= \$ <u>1,063.20</u> ✓	8,846.64 +
OTHER 2023 ^{Tours} vaca ✓	# <u>13</u>	@ \$ <u>368.61</u>	= \$ <u>4,791.93</u> ✓	37,914.30 +
				1,063.20 +
				4,791.93 +
				52,515.07 *

Total Amount Due: \$ 52,616.07 ✓

Please attach corresponding PAF or other backup to this sheet

Reason: FF Szczechowicz retired from SFD 3/20/24 @
0800

For Human Resources's Use Only:

- VACATION HOURS
- SICK HOURS
- PER ACCRUAL REPORT
- OTHER

Org and Object: 83113 - 5146

Recommendation:

Approved

HR Director/City or Superintendent/Schools



CITY OF SALEM, MASSACHUSETTS

Dominick Pangallo
Office of the Mayor

April 11, 2024

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Dear Councillors:

I reappoint, subject to City Council confirmation, the following Salem residents to these boards and commissions, for the terms set forth below.

Name	Board/Commission	Term Length	Term Expiration
Joy Livramento-Bryant	Community Preservation Committee	3 years	5/10/2027
Brendan Casey	Traffic & Parking Commission	3 years	5/11/2027
Aaron Paternoster	Salem Housing Authority	5 years	3/28/2029

I recommend confirmation of these reappointments and ask that you join me in thanking them for their continued dedicated service and commitment to our community.

Sincerely,

Dominick Pangallo
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Dominick Pangallo
Mayor

Office of the Mayor

April 11, 2024

Salem City Council
93 Washington Street
Salem, MA 01970

Dear Councillors,

Enclosed please find an Ordinance amending the section of our code relative to water meter readings. Specifically, the proposed language replaces, in its entirety, the paragraph of Section 46-35 regarding estimating the use of water for meter reading purposes.

This Ordinance is intended to clarify and provide more consistent guidelines for how estimated water usage is determined, based on historical averages of actual reads. Estimated readings are sometimes necessary when an actual reading is not possible. The proposed Ordinance here is intended to bring more fairness, accuracy, and transparency to the City's billing practices when estimated readings are needed.

I recommend adoption of the enclosed Ordinance and invite you to contact the Engineering Department's Business Manager/Water Registrar, Sam Mustafa, should you have any questions regarding it.

Sincerely,

Dominick Pangallo
Mayor
City of Salem



City of Salem

In the year Two Thousand and Twenty-four

An Ordinance to amend an Ordinance relative to Water and Sewers

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

SECTION I: Chapter 46. Sec. 46-35. Meters is hereby amended by deleting paragraph (d) *Estimates of use of water* in its entirety and replacing it with the following paragraph:

“(d) Water Usage Estimates: In instances when an actual read is not being received due to reasons such as meter or MIU malfunction, but not excluding other causes, the water taker shall be billed based on the historical average. For commercial or industrial water takers, the water registrar will estimate the daily volume for billing purposes. In cases where actual readings are not available for the main meter but a deduct meter is getting actual reads, the estimate will be calculated based on the actual reads of the deduct meter and historical variances between the two meters.”

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



CITY OF SALEM, MASSACHUSETTS

Dominick Pangallo
Mayor

Office of the Mayor

April 11, 2024

Salem City Council
93 Washington Street
Salem, MA 01970

Dear Councillors,

This letter is being submitted to you for informational purposes to request the Council convene a meeting of the Committee of the Whole in early May for the purposes of hearing a presentation from the Department of Planning and Community Development regarding Smart Growth Zoning Overlay Districts (M.G.L. Chapter 40R) and the Housing Development Incentive Program.

Both of these tools exist to help create additional housing and we anticipate one or more projects in Salem intend to pursue them in this calendar year. Therefore, we are requesting the opportunity to provide briefing to Councillors and the public, and answer questions that you may have regarding these programs. The purpose of this meeting is to educate Councillors and the public about these programs generally and will not touch on specific projects.

Additional information about both programs can be found online at <https://www.mass.gov/info-details/chapter-40r> and <https://www.mass.gov/info-details/housing-development-incentive-program-hdip>.

We look forward to the opportunity to speak with Councillors about these two programs and how we might be able to leverage them to help us meet our community's housing needs.

Sincerely,

Dominick Pangallo
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Dominick Pangallo
Mayor

April 11, 2024

Salem City Council
93 Washington Street
Salem, MA 01970

Dear Councillors,

Enclosed is an Order authorizing submission of the City's *Application for Federal Assistance* to the U. S. Department of Housing & Urban Development (HUD) for Community Development Block Grant (CDBG) funds for the period of July 1, 2024 through June 30, 2025.

For HUD program year 2024 (FY25), Salem's estimated CDBG entitlement is \$1,050,00.00. In 2020, the City completed our most recent 5-Year Consolidated Plan, outlining Salem's housing, economic and community development needs and funding priorities. To receive Federal funds, the City is required to develop Annual Action Plans which put into action the goals and strategies established in the Consolidated Plan.

The process for the FY25 Action Plan began with a virtual public hearing held on January 18, 2024 and an in-person public hearing on March 21, 2024. In addition to these were the issuance of a request for funding proposals from agencies to provide housing, economic development, and public service programs, and from municipal departments for infrastructure and public facilities improvements. The Draft FY25 Action Plan describes the proposed activities to be undertaken during the upcoming fiscal year. A link to the plan was emailed to Councillors on April 1, 2024. As part of the formal public review process, a 30-day public comment period commenced on April 3, 2024 and a public hearing is scheduled at 6pm April 18, 2024 at the City Hall Annex.

I recommend approval of the application so that it can be transmitted to HUD in a timely manner. If you have any questions about this matter, please reach out to Tom Daniel and Amanda Chiancola in the Department of Planning and Community Development.

Sincerely,

Dominick Pangallo
Mayor
City of Salem

Application for Federal Assistance SF-424		
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s): <input type="text"/> * Other (Specify): <input type="text"/>
* 3. Date Received: <input type="text"/>	4. Applicant Identifier: <input type="text" value="04-6001413"/>	
5a. Federal Entity Identifier: <input type="text"/>	5b. Federal Award Identifier: <input type="text"/>	
State Use Only:		
6. Date Received by State: <input type="text"/>	7. State Application Identifier: <input type="text"/>	
8. APPLICANT INFORMATION:		
* a. Legal Name: <input type="text" value="City of Salem"/>		
* b. Employer/Taxpayer Identification Number (EIN/TIN): <input type="text" value="04-6001413"/>	* c. UEI: <input type="text" value="EK46K38N6GH6"/>	
d. Address:		
* Street1: <input type="text" value="98 Washington Street"/>	<input type="text"/>	
Street2: <input type="text"/>	<input type="text"/>	
* City: <input type="text" value="Salem"/>	<input type="text"/>	
County/Parish: <input type="text"/>	<input type="text"/>	
* State: <input type="text" value="MA: Massachusetts"/>	<input type="text"/>	
Province: <input type="text"/>	<input type="text"/>	
* Country: <input type="text" value="USA: UNITED STATES"/>	<input type="text"/>	
* Zip / Postal Code: <input type="text" value="01970/3526"/>	<input type="text"/>	
e. Organizational Unit:		
Department Name: <input type="text" value="Planning & Community Developme"/>	Division Name: <input type="text"/>	
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: <input type="text" value="Mr."/>	* First Name: <input type="text" value="Tom"/>	
Middle Name: <input type="text"/>	<input type="text"/>	
* Last Name: <input type="text" value="Daniel"/>	<input type="text"/>	
Suffix: <input type="text"/>	<input type="text"/>	
Title: <input type="text" value="Director"/>		
Organizational Affiliation: <input type="text" value="City of Salem, Dept. of Planning & Community Development"/>		
* Telephone Number: <input type="text" value="978-619-5685"/>	Fax Number: <input type="text"/>	
* Email: <input type="text" value="tdaniel@salem.com"/>		

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

U.S. Department of Housing & Urban Development

11. Catalog of Federal Domestic Assistance Number:

14-218

CFDA Title:

Community Development Block Grant

*** 12. Funding Opportunity Number:**

14-218

* Title:

CDBG Program

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Community Development Block Grant Program

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="1,050,000.00"/>
* b. Applicant	<input type="text" value=""/>
* c. State	<input type="text" value=""/>
* d. Local	<input type="text" value=""/>
* e. Other	<input type="text" value=""/>
* f. Program Income	<input type="text" value="80,000.00"/>
* g. TOTAL	<input type="text" value="1,130,000.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

Yes No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)**

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:
Middle Name:
* Last Name:
Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative:

* Date Signed:



CITY OF SALEM

In City Council, April 11, 2024

Ordered

That the City Council hereby approves the submittal of the City of Salem's Application for Federal Assistance to the United States Department of Housing and Urban Development (HUD) for Community Development Block Grant (CDBG) funds for the period of July 1, 2024 through June 30, 2025 in the amount determined by HUD's formula entitlement allocation estimated at (\$1,050,00.00).



CITY OF SALEM, MASSACHUSETTS

Dominick Pangallo
Mayor

Office of the Mayor

April 11, 2024

Salem City Council
93 Washington Street
Salem, MA 01970

Dear Councillors,

Over the course of the last several months the City has taken steps to improve the safety and security of City Hall and City Hall Annex. As part of our ongoing efforts to ensure the well-being and safety of our employees and the members of the public who enter our municipal buildings, we are now planning to continue that work at the Mayor Jean Levesque Community Life Center and the Salem Public Library.

The enclosed Order appropriates \$60,000 from Free Cash to carry out safety improvements at the CLC and Library buildings. Consistent with our work in other municipal buildings, these efforts include access control systems, safety cameras, motion detection systems, and alert buttons for staff.

I recommend adoption of the enclosed Order and invite you to contact Building Commissioner Voula Orfanos should you have any questions.

Sincerely,

Dominick Pangallo
Mayor
City of Salem



CITY OF SALEM

In City Council, April 11, 2024

Ordered:

That the sum of Sixty Thousand Dollars (\$60,000.00) is hereby transferred from the General Fund Balance Reserved for Free Cash and appropriated to the following account in the Capital Improvement Fund (2000) below for enhanced security at Salem Public Library and CLC in accordance with the recommendation of His Honor the Mayor.

Description	Amount
20002422-5846HO	\$60,000.00
Total	\$60,000.00



DOMINICK PANGALLO
MAYOR

CITY OF SALEM, MASSACHUSETTS

BUILDING DEPARTMENT
98 WASHINGTON STREET, 2ND FLOOR
TEL. (978) 745-9595

STAVROULA ORFANOS, ACTING
BUILDING COMMISSIONER/ DIRECTOR OF PUBLIC PROPERTY/
ZONING OFFICER

March 28, 2024

Mayor Dominick Pangallo
City of Salem
93 Washington Street
Salem, MA 01970

Re: Request for Capital Outlay for Enhanced Security at Salem Public Library and Community Life Center

Dear Mayor Pangallo:

The Building Department solicited bids from several security installation firms last year for enhanced security at the Library and CLC. Based on the quotes received we anticipate that these two projects will need at least \$60,000 to complete.

Attached is a completed ST Capital Outlay Expenditure Request Form. Please let us know if you have any questions or need additional information.

Thank you for considering this request.

Sincerely,

A handwritten signature in black ink that reads "Stavroula Orfanos".

Stavroula Orfanos
Building Commissioner

Enclosure

CITY OF SALEM
ST Capital Outlay Expenditure Request Form – FY 2024

From Department: Building Dept. **Date:** March 28, 2024

Department Head Name: Stavroula Orfanos, Building Commissioner

Authorization Signature: *Vanla Orfanos*

Amount:

Description:

Funds requested for the installation of security enhancements at Salem Public Library and Community Life Center to include pass card access system, interior and exterior cameras, panic buttons and motion detection.

For Finance Department Use Only:

City Council Approval Needed (Y/N)

CIP Balance: \$ _____

Recommendation:
 Approved Denied _____
Finance Director

Processed: **Date:** _____ **By:** _____

CO # _____ **JE#** _____ **Trans #** _____

Org: _____ **Obj:** _____



CITY OF SALEM, MASSACHUSETTS

Dominick Pangallo
Office of the Mayor

April 11, 2024

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Dear Councillors,

Enclosed herewith is a request for an appropriation of Fifteen Thousand Four Hundred Sixty-Two Dollars and Zero Cents (\$15,462.00) from the "Receipts Reserved for Appropriation" account to be transferred to the Park and Rec – Golf Course "Contracted Services" account 16512-5320.

This will enable the golf course to continue to provide cart service to golfers until National Grid completes their portion of the electric charging station project.

I recommend adoption of the enclosed Order and invite you to contact Park, Recreation and Community Services Director Patricia O'Brien should you have any questions regarding it.

Sincerely,

Dominick Pangallo
Mayor
City of Salem



CITY OF SALEM

In City Council,

Ordered:

April 11, 2024

That the sum of Fifteen Thousand Four Hundred Sixty-Two Dollars and Zero Cents (\$15,462.00) be hereby appropriated from the following "Receipts Reserved for Appropriation" account, to be transferred to the Park & Rec – Golf Course "Contracted Services" account 16512-5320 for costs associated with a temporary golf cart lease in accordance with the recommendation of His Honor the Mayor.

Description	Amount
Receipts Reserved – Golf Course	\$ 15,462.00
Total	\$ 15,462.00



CITY OF SALEM, MASSACHUSETTS

JEAN A. LEVESQUE COMMUNITY LIFE CENTER
PARK, RECREATION & COMMUNITY SERVICE
401 Bridge Street, Salem MA 01970
Tel. (978) 744-0180/(978) 744-0924

Dominick Pangallo
MAYOR

Trish O'Brien
Superintendent

April 8, 2024

The Honorable Dominick Pangallo
Mayor, City of Salem
93 Washington Street
Salem, MA 01970

Dear Honorable Mayor Pangallo:

The Department of Parks, Recreation and Community services requests money from the Olde Salem Greens golf course receipts reserve account in the amount of \$15,462 for a 2 month lease on gas golf carts (which includes securing/encumbering a \$3,000 damage deposit). To be deposited into contracted services line (Account #16512-5320)

This will enable the golf course to continue to do business as usual and provide cart service to golfers until National Grid completes their portion of the electric charging station project.

Thank you for your consideration on this matter.

Sincerely,

Patricia O'Brien
Superintendent, City of Salem
Jean A. Levesque Community Life Center
Park, Recreation and Community Services



CITY OF SALEM, MASSACHUSETTS

Dominick Pangallo
Mayor

Office of the Mayor

April 11, 2024

Salem City Council
93 Washington Street
Salem, MA 01970

Dear Councillors,

Enclosed please find an Ordinance amending the section of our code relative to public guides.

The proposed Ordinance removes language regarding an examination for licensure and adds a tiered licensed structure based on the maximum number of participants allowed on the guide's tour. In conjunction with that modification, the Ordinance establishes annual license fees based on the tier of the license, with a discount provided if the guide does not use amplification. It additionally adds language specifying that the guide badge will display the information about the approved tier of the license. In the section of prohibitions, language is proposed to prohibit public guides from stopping within 25 feet of another stopped tour and codifying the long-standing cap of 40 participants per group, which had previously been set per Section 40-30(7) by the Chief of Police. License applicants are also required to attend a safety and compliance training course to receive their license.

Finally, it increases the fines for violations, adds that for third or subsequent violations the license is subject to revocation by the City Council and the guide is ineligible for a license in the next calendar year, and edits language regarding authorized enforcement personnel to make it consistent between two different sections of the Code. In conjunction with this Ordinance change, we plan to operationally increase enforcement of public guide activities starting this year. The number of licensed guides has increased from 28 when the Ordinance was first adopted in 2006 to 175 this year, prompting a need to increase enforcement to keep pace.

I recommend adoption of the enclosed Ordinance and invite you to contact the City Solicitor Beth Rennard should you have any questions regarding it.

Sincerely,

Dominick Pangallo
Mayor
City of Salem

City of Salem

In the year Two Thousand and Twenty-four

An Ordinance to amend an ordinance relative public guides

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

Section 1. Chapter 40, Section 40-27 *Application requirements; exemptions* is hereby amended by deleting this section in its entirety and replacing it with the following:

“Sec. 40-27. Application requirements; exemption.

- (a) Each applicant who applies for a public guide license shall be at least 18 years of age and submit to and clear a criminal background investigation through the Massachusetts Criminal Offender Record Information (CORI) process.
- (b) Any person while acting as teacher employed by a public or private school may function as a public guide for students enrolled in such school without first applying for a public guide license.
- (c) For licenses effective January 1, 2025 and thereafter, applicants may apply for one of three license types, tours of up to 10 participants, tours of up to 29 participants or a tours with a maximum of 40 participants, not including the guide, for a fee set forth in Sec.14-38 of this Code.
- (d) Public guides not utilizing any form of amplification after January , 2025 shall be eligible for a fee discount as provided in section 14-38 of this Code.”

Section 2. Chapter 40, Section 40-28. *Contents; badge of licensee* is hereby amended by adding the following new paragraph at the end of this section:

“Effective January 1, 2025, each public guide shall also display a badge, placard or decal issued by the city indicating the permitted tour size.”

Section 3. Chapter 40, Sec. 40-30. *Prohibitions* is hereby amended by adding the following new prohibitions:

- “(11) Stop a tour to point out or impart information if within twenty-five feet of another stopped tour;
- (12) Conduct a tour with more than forty participants; or

(13) Conduct a tour without having obtained a one-time safety and compliance briefing offered by the Salem Police Department.”

Section 4. Amend section 40-31 Revocation; penalty by adding a new sentence at the end of this section:

“Any public guide receiving three notices of violation during a licensed period shall be immediately referred to the City Council for a revocation of license hearing. Unless otherwise voted by the City Council, license revocations shall be effective for the current licensed period and one additional licensed period.

Section 5. This Ordinance shall take effect as provided by City Charter.

City of Salem

In the year Two Thousand and Twenty-four

An Ordinance to amend an ordinance relative to the fee schedule.

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

Section 1. Chapter 14, Section 14-38 Fee Schedule is hereby amended by deleting the following:

“Guide public 10.00” and

“Public guide examination fee:

One time examination passing30.00

First re-examination0.00

Second and subsequent re-examinations30.00”

And inserting the following new fees:

“Public guide fee, annual

2024

\$10.00 new applicant; \$20 late renewal

2025 and thereafter

Permitted group size 10 of less: 150

Permitted group size 11-29: 250

Permitted group size 30-40: 350

Wireless communication system discount: 50”

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

City of Salem

In the year Two Thousand and Twenty-four

An Ordinance to amend an ordinance relative to non-criminal disposition of ordinance violations

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

Section 1. Chapter 1-10 Non-criminal Disposition of Ordinance Violations is hereby amended by deleting penalties for violations of section 40-26, Public guide licenses in its entirety and replacing it with the following:

“ Section 40-26, Public guide licenses.

Penalty:

First offense\$100.00

Second offense \$200.00

Third and subsequent \$300.00

Subsequent offense may result in license suspension or revocation per Sec. 40-31

Enforcing persons: Police, licensing inspector, and fire, health and building inspectors.”

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

ARTICLE II. PUBLIC GUIDES¹

DIVISION 1. GENERALLY

Sec. 40-26. Required.

No person shall, upon any highway within the corporate limits, for hire or reward, act as a public guide whether on foot, vehicle for hire or electronic personal assistance mobility device, in pointing out to any person any historical object or impart information relative thereto or direct anyone how to arrive at such object without being licensed by the city council as a public guide. Every business owner requires a license issued by the city council while each employee of said business is required to obtain a public guide license held under the certified business name. A public guide who also acts as a business owner must be licensed as both a public guide and a certified business owner. A public guide who is an employee of a business owner must possess a badge that identifies the public guide as an employee of the licensed public guide and business owner, the contents of said badge conforming to the specifications outlined in section 40-28.

Sec. 40-27. Application requirements; exemption.

- (a) Each applicant who applies for a public guide license after the effective date of this article shall be at least 18 years of age; and submit to and clear a criminal background investigation by the Salem police department; ~~pass a professional background examination testing the knowledge of the applicant concerning the city's history and places or points of historic or public interest and requirements of this ordinance. A passing score for the examination shall be 75 percent.~~
- (b) ~~Applicants shall pay an examination fee as provided in section 14-38. An applicant who fails the examination may retake the examination once without paying an additional examination fee.~~
- (~~e~~b) Any person while acting as teacher employed by a public or private school may function as a public guide for students enrolled in such school without first applying for a public guide license.
- (c) For licenses effective January 1, 2025 and thereafter, applicants may apply for one of three license types, tours of up to 10 participants, 29 participants or a maximum of 40 participants, not including the guide, for a fee set forth in Sec.14-38 of this Code.
- (d) Public guides not utilizing any form of amplification after January 1, 2025 shall be eligible for a fee discount as provided in section 14-28 of this Code.
- (~~d~~) ~~Each person who applies for a renewal of a public guide license that is current on or before the effective date of this article shall be required to pass a professional examination, administered under the supervision of the city clerk or the city clerk's designee, prior to such renewal. Current applicants may, at their option, take the professional examination for the current licensed year.~~

Sec. 40-28. Contents; badge of licensee.

The city clerk shall issue a badge to every license holder which sets forth the name of the person licensed. The person so licensed shall, at all times while engaged in the business of guide, wear conspicuously in sight a

suitable badge with the words "licensed public guide" and the number of the license thereon. Each employee of a licensed public guide and business owner shall also display a suitable badge that indicates the name and valid license number of said business owner and public guide. Neglect to comply with this section shall be sufficient cause for revocation of such license.

[Effective January 1, 2025, each public guide shall also display a badge, placard or decal issued by the city indicating the tour size.](#)

Sec. 40-29. Fees; term.

The fee for each license and criminal background information shall be provided in section 14-38. All licenses shall expire on December 31 of each year.

Sec. 40-30. Prohibitions.

No licensed public guide shall

- (1) Conduct a tour that does not conclude prior to 10:00 p.m. daily; except prior to 11:00 p.m. on weekends (Friday and Saturday) and on October 31;
- (2) Conduct a tour in a public cemetery after dusk;
- (3) Conduct a tour that blocks the entrance of a business, obstructs pedestrian access on a sidewalk, or leads a tour across or into a street open to vehicular traffic on a route other than a designated crosswalk;
- (4) Conduct a tour on private property without permission of the owner;
- (5) Place a sales booth on public property unless such public guide or business owner owns or leases a storefront and the licensing board has authorized such a sales booth; ~~or~~
- (6) Violate chapter 22 of the city ordinance relative to noise.
- (7) Conduct a tour exceeding the tour participant limit and/or security/staff oversight requirements as such may be established for public safety purposes by the chief of police;
- (8) Utilize a voice amplification device on Brown Street, Howard Street, Brown Street Court, Kimball Court, Higginson Square or in the alley between 93 and 99 Washington Street.
- (9) Utilize candles or any other item with a flame on a tour; ~~or~~
- (10) Conduct a tour on the grounds of 33 Proctor Street;
- ~~(11) Stop a tour to point out or impart information if within twenty-five feet of another stopped tour; or~~
- ~~(12) Conduct a tour with more than forty participants; or~~
- ~~(13) Conduct a tour without having obtained a one-time safety and compliance briefing offered by the Salem Police Department.~~

Sec. 40-31. Revocation; penalty.

Every person licensed as a public guide shall conduct themselves in an orderly manner at all times when engaged in the business of guide. Any violation of this section shall be sufficient cause for revocation of such license and/or a penalty by a non-criminal disposition, as provided in M.G.L. c. 40, § 21D, in an amount set forth in section 1-10 of this Code. This article may be enforced by any police officer, enforcement officer or agent of the board of health, inspectional services, fire services and licensing department personnel. [Any public guide receiving three notices of violation during a licensed period shall be immediately referred to the City Council for a revocation of license hearing. Unless otherwise voted by the City Council, license revocations shall be effective for the current licensed period and one additional license period.](#)

Any person aggrieved by the revocation of a license or imposition of a penalty may file an appeal as provided by the general law.

Secs. 40-32—40-85. Reserved.

CHAPTER 1-10 NON-CRIMINAL DISPOSITION OF ORDINANCE VIOLATIONS

Chapter 40, Tourism and Public Market

Section 40-26, Public guide licenses.

Penalty:

First offense~~\$25.00~~ 100.00

Second offense~~50.00~~ 200.00

Third and subsequent~~100.00~~ 300.00

Enforcing persons: Police, licensing inspector, and fire, health and building officials-

CHAPTER 14-38 FEES

Public Guide ~~examination~~ fees, annual

2024:

\$10 new applicant; \$20 late renewal

2025 and thereafter:

Permitted group size 10 of less: \$150

Permitted group size 11-29: \$250

Permitted group size 30-40: \$350

Non-amplification discount: \$50

~~One-time examination passing~~~~30.00~~

~~First re-examination~~~~0.00~~

~~Second and subsequent re-examinations~~~~30.00~~

Public Guide criminal investigation fee:

One time fee25.00