



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to City Council confirmation, Ms. Lisa Lyons, of 1 Broad Street #6, to the Beautification Committee for a term of 3 years to expire 1/10/2022.

I recommend confirmation of her reappointment to the board and ask that you join me in thanking Ms. Lyons for her continued dedicated service and commitment to our community.

Very truly yours,

A handwritten signature in cursive script that reads "Kim Driscoll".

Kimberley Driscoll  
Mayor  
City of Salem



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to City Council confirmation, Mr. Laurence Spang, of 125 Columbus Avenue, to the Historical Commission for a term of 3 years to expire 1/10/2022.

I recommend confirmation of his reappointment to the board and ask that you join me in thanking Mr. Spang for his continued dedicated service and commitment to our community.

Very truly yours,

A handwritten signature in cursive script that reads "Kim Driscoll".

Kimberley Driscoll  
Mayor  
City of Salem



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Kimberley Driscoll  
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January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to City Council confirmation, Mr. Kurt Ankey-Beauchamp, of 19 Harbor Street #5, to the Public Art Commission for a term of 2 years to expire 1/11/2021.

I recommend confirmation of his reappointment to the board and ask that you join me in thanking Mr. Ankey-Beauchamp for his continued dedicated service and commitment to our community.

Very truly yours,

A handwritten signature in cursive script that reads "Kim Driscoll".

Kimberley Driscoll  
Mayor  
City of Salem



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Kimberley Driscoll  
Mayor

January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to City Council confirmation, Mr. William Legault, of 2 Orne Street, to the Disabilities Commission for a term of 3 years to expire 1/14/2022.

I recommend confirmation of his reappointment to the board and ask that you join me in thanking Mr. Legault for his continued dedicated service and commitment to our community.

Very truly yours,

A handwritten signature in black ink that reads "Kim Driscoll".

Kimberley Driscoll  
Mayor  
City of Salem



**CITY OF SALEM, MASSACHUSETTS**

**Kimberley Driscoll  
Mayor**

January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to City Council confirmation, Ms. Kylie Sullivan, of 50 Barr Street #2, to the  
Bicycling Advisory Committee for a term of 3 years to expire 1/14/2022.

I recommend confirmation of her reappointment to the board and ask that you join me in  
thanking Ms. Sullivan for her continued dedicated service and commitment to our community.

Very truly yours,

A handwritten signature in cursive script that reads "Kim Driscoll".

Kimberley Driscoll  
Mayor  
City of Salem



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to City Council confirmation, Mr. Eric Papetti, of 11 Symonds Street #1, to the Bicycling Advisory Committee for a term of 3 years to expire 1/14/2022.

I recommend confirmation of his reappointment to the board and ask that you join me in thanking Mr. Papetti for his continued dedicated service and commitment to our community.

Very truly yours,

A handwritten signature in cursive script that reads "Kim Driscoll".

Kimberley Driscoll  
Mayor  
City of Salem



**CITY OF SALEM, MASSACHUSETTS**  
Kimberley Driscoll  
Mayor

January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed herewith is a request to accept the following two donations from Susan Schiro and Peter Manus Foundation in the amount of Five Thousand Dollars (\$5,000) and Hartford Foundation for Public Giving in the amount of Twenty Thousand Dollars (\$20,000.00) to be deposited into the North Shore Workforce Investment Board – Org/Object 46031-4830. Total of Twenty-Five Thousand dollars.

In order to accept these two donations 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 to be used towards the North Shore Workforce Investment Board.

Very truly yours,

A handwritten signature in cursive script that reads "Kim Driscoll".

Kimberley Driscoll  
Mayor



# CITY OF SALEM

In City Council,

Ordered:

January 10, 2019

To accept the donation(s) listed below totaling Twenty Five Thousand Dollars (\$25,000.00). These funds will be deposited into the account listed below in accordance with the recommendation of Her Honor the Mayor.

<b>From:</b>	<b>Fund Name</b>	<b>Org/Obj</b>	<b>Amount</b>
Susan Schiro & Peter Manus Foundation	NS Workforce Board	46031-4830	\$ 5,000.00
Hartford Foundation for Public Giving	NS Workforce Board	46031-4830	\$ 20,000.00
<b>Total</b>			<b>\$ 25,000.00</b>





# NORTH SHORE WORKFORCE BOARD

70 Washington Street, Suite 314  
Salem, MA 01970  
978.741.3805  
Fax 978.741.3809

January 3, 2019

Ms. Kim Driscoll, Mayor  
City of Salem, MA  
93 Washington Street  
Salem, MA

Dear Mayor Driscoll,

Please accept donations totaling Twenty Five Thousand Dollars (\$25,000.00) by the Mass Hire North Shore Workforce Board to provide employment retention services.

These funds will be deposited into the account listed below:

<u>Donation From</u>	<u>Fund Org./Obj</u>	<u>Amount</u>
Susan Schiro & Peter Manus Foundation	46031-4830	\$5,000.00
Hartford Foundation for Public Giving	46031-4830	20,000.00
<b>Total</b>		<b>\$25,000.00</b>

Sincerely,

Mary Sarris  
Executive Director  
Mass Hire North Shore Workforce Board  
70 Washington Street  
Suite 314  
Salem, MA 01970



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

January 10, 2018

To the City Council  
City Hall  
Salem, Massachusetts

Ladies and Gentlemen of the Council:

Enclosed herewith is a request for an appropriation of Eight Thousand, and Fifty-Four dollars and Forty cents (\$8,054.40) appropriated in the "Retirement Stabilization Fund-Vacation Sick/leave buyback account (83113-5146) to fund the retirement buyback cost to be expended for FY 2019 contractual buyback.

Name	Department	Amount
John Murray	DPS	\$8,054.40

I recommend passage of the accompanying Order.

Very truly yours,

Handwritten signature of Kimberley Driscoll in black ink.

Kimberley Driscoll  
Mayor



# CITY OF SALEM

In City Council,

Ordered:

January 10, 2019

That the sum of Eight Thousand and Fifty-Four Dollars and Forty Cents (\$8,054.40) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2019 contractual buyback(s) listed below in accordance with the recommendation of Her Honor the Mayor.

Name	Department	Amount
John Murray	DPS	8,054.40
		<b>8,054.40</b>



KIMBERLEY DRISCOLL  
MAYOR

LISA B. CAMMARATA  
DIRECTOR OF HUMAN RESOURCES

# CITY OF SALEM, MASSACHUSETTS

HUMAN RESOURCES  
120 WASHINGTON STREET  
TEL. (978) 745-9595 EXT. 5630  
FAX (978) 745-7298

## MEMORANDUM

**TO:** Laurie Giardella, Finance Director  
**DATE:** December 12, 2018  
**RE:** Retirement Stabilization Fund

\*\*\*\*\*  
Attached is a PAF for a former employee of the Department of Public Services.

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

**John Murray**

320 sick hours @ \$25.17 per hour \$8,054.40

**Total: \$8,054.40**

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.

Finance Director

**CITY OF SALEM  
APPROVAL-SICK DAYS/VACATION BUY-BACK**

From: Department Department of Public Services Date 12/12/18

Authorized Signature: [Signature]  
 Department Head/City or Business Manager/School

NAME: John Murray

CALCULATION

VACATION HOURS # \_\_\_\_\_ @ \$ \_\_\_\_\_ = \$ \_\_\_\_\_

SICK HOURS ~~320~~ # 320 @ \$ 25.17 = \$ 8,054.40

PRO-RATED STIPENDS # \_\_\_\_\_ @ \$ \_\_\_\_\_ = \$ \_\_\_\_\_

OTHER # \_\_\_\_\_ @ \$ \_\_\_\_\_ = \$ \_\_\_\_\_

Total Amount Due: \$ 8054.40

Please attach corresponding PAF or other backup to this sheet.

Reason: Retired - 11/30/18

**For Human Resources's Use Only:**

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

Org and Object: 83113 - 5146

Recommendation: [Signature]  
 Approved  
 HR Director/City or Superintendent/Schools

*Handwritten notes:*  
 ST [unclear]  
 Hallett  
 b/c Holiday  
 12/12/18



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

January 10, 2019

To the City Council  
City Hall  
Salem, Massachusetts

Ladies and Gentlemen of the Council:

Enclosed herewith is a request for an appropriation of Fifteen Thousand Four Hundred and Fifty-One Dollars and Forty-Four Cents (\$15,451.44) appropriated in the "Retirement Stabilization Fund-Vacation Sick/leave buyback account (83113-5146) to fund the retirement buyback cost to be expended for FY 2019 contractual buyback.

Name	Department	Amount
Vittoria DellaMonica	Library	\$15,451.44

I recommend passage of the accompanying Order.

Very truly yours,

A handwritten signature in cursive script that reads "Kim Driscoll".

Kimberley Driscoll  
Mayor



# CITY OF SALEM

In City Council,

Ordered:

January 10, 2019

That the sum of Fifteen Thousand Four Hundred and Fifty-One Dollars and Forty-Four Cents (\$15,451.44) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2019 contractual buyback(s) listed below in accordance with the recommendation of Her Honor the Mayor.

Name	Department	Amount
Vittoria DellaMonica	Library	15,451.44
		<b>15,451.44</b>



CITY OF SALEM, MASSACHUSETTS

HUMAN RESOURCES  
120 WASHINGTON STREET  
TEL. (978) 745-9595 EXT. 5630  
FAX (978) 745-7298

KIMBERLEY DRISCOLL  
MAYOR

LISA B. CAMMARATA  
DIRECTOR OF HUMAN RESOURCES

MEMORANDUM

TO: Laurie Giardella, Finance Director  
DATE: December 20, 2018  
RE: Retirement Stabilization Fund

\*\*\*\*\*

Attached is a PAF for a former employee of the Salem Public Library.

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

Vittoria DellaMonica

630 sick hours @ \$24.51 per hour \$15,441.30

.4136 vacation hours @ \$24.51 per hour 10.14

Total: \$15,451.44

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.

  
Finance Director



**CITY OF SALEM**  
**APPROVAL-SICK DAYS/VACATION BUY-BACK**

From: Department Library Date 12/12/18

Authorized Signature: \_\_\_\_\_  
Department Head/City or Business Manager/School

NAME: Vittoria Della Monica

CALCULATION

VACATION HOURS # 4136 @ \$ 24.51 = \$ 10.14

SICK HOURS # 630 @ \$ 24.51 = \$ 15,441.30

PRO-RATED STIPENDS # \_\_\_\_\_ @ \$ \_\_\_\_\_ = \$ \_\_\_\_\_

OTHER # \_\_\_\_\_ @ \$ \_\_\_\_\_ = \$ \_\_\_\_\_

**Total Amount Due:** \$ 15,451.44

Please attach corresponding PAF or other backup to this sheet.

**Reason:** Retired - 12/5/18


**For Human Resources's Use Only:**

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

**Org and Object:** 8.3113 - 5146

**Recommendation:**

Approved

  
\_\_\_\_\_  
H R Director/City or Superintendent/Schools



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

January 10, 2018

To the City Council  
City Hall  
Salem, Massachusetts

Ladies and Gentlemen of the Council:

Enclosed herewith is a request for an appropriation of Three Thousand Six Hundred and Sixty-Four Dollars and Thirty-Eight Cents (\$3,664.38) appropriated in the "Retirement Stabilization Fund-Vacation Sick/leave buyback account (83113-5146) to fund the retirement buyback cost to be expended for FY 2019 contractual buyback.

Name	Department	Amount
Mark Bates	Parking Garage	\$3,664.38

I recommend passage of the accompanying Order.

Very truly yours,

A handwritten signature in cursive script that reads "Kim Driscoll".

Kimberley Driscoll  
Mayor



# CITY OF SALEM

In City Council,

Ordered:

January 10, 2019

That the sum of Three Thousand Six Hundred and Sixty-Four Dollars and Thirty-Eight Cents (\$3,664.38) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2019 contractual buyback(s) listed below in accordance with the recommendation of Her Honor the Mayor.

Name	Department	Amount
Mark Bates	Parking Garage	3,664.38
		<b>3,664.38</b>



KIMBERLEY DRISCOLL  
MAYOR

LISA B. CAMMARATA  
DIRECTOR OF HUMAN RESOURCES

# CITY OF SALEM, MASSACHUSETTS

HUMAN RESOURCES  
120 WASHINGTON STREET  
TEL. (978) 745-9595 EXT. 5630  
FAX (978) 745-7298

## MEMORANDUM

**TO:** Laurie Giardella, Finance Director  
**DATE:** December 4, 2018  
**RE:** Retirement Stabilization Fund

\*\*\*\*\*  
Attached is a PAF for a former employee of the Parking Garage.

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

**Mark Bates**

23.00 sick hours @ \$23.0950 per hour	\$531.19
135.6651 vacation hours @\$23.0950 per hour	\$3,133.19

**Total: \$3,664.38**

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.

  
Finance Director

**CITY OF SALEM**  
**APPROVAL-SICK DAYS/VACATION BUY-BACK**

From: Department Parking Garage Date 11/28/18

Authorized Signature: Alan Sullivan  
Department Head/City or Business Manager/School

NAME: Mark Bates

CALCULATION

VACATION HOURS # 135.6451 @ \$ 23.0950 = \$ 3,133.19

SICK HOURS # 23.00 @ \$ 23.0950 = \$ 531.19

PRO-RATED STIPENDS # \_\_\_\_\_ @ \$ \_\_\_\_\_ = \$ \_\_\_\_\_

OTHER # \_\_\_\_\_ @ \$ \_\_\_\_\_ = \$ \_\_\_\_\_

Total Amount Due: \$ 3,644.38

Please attach corresponding PAF or other backup to this sheet.

Reason: Retired - November 27, 2018

**For Human Resources's Use Only:**

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

Org and Object: 83/13 - 5/46

**Recommendation:**

Approved

[Signature]  
H R Director/City or Superintendent/Schools



**CITY OF SALEM, MASSACHUSETTS**

**Kimberley Driscoll**

**Mayor**

January 10, 2019

To the City Council  
City Hall  
Salem, Massachusetts

Ladies and Gentlemen of the Council:

Enclosed herewith is an order for Fifteen Thousand Dollars (\$15,000.00) from the "Fund Balance Reserved for Appropriation – Free Cash" account (1-3245) to the "HR Legal Services/Arbitration" Account – (11522-5303).

This request is necessary to cover current and unanticipated Arbitration fees.

I recommend passage of the accompanying Order.

Very truly yours,

A handwritten signature in black ink that reads "Kim Driscoll".

Kimberley Driscoll  
Mayor



# CITY OF SALEM

In City Council,

January 10, 2019

**Ordered:**

That the sum of Fifteen Thousand Dollars (\$15,000.00) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account (1-3245) to the "HR Legal Services/Arbitration" Account (11522-5303) in accordance with the recommendation of Her Honor the Mayor.



KIMBERLEY DRISCOLL  
MAYOR

LISA B. CAMMARATA  
DIRECTOR OF HUMAN RESOURCES

## CITY OF SALEM, MASSACHUSETTS

HUMAN RESOURCES  
120 WASHINGTON STREET  
TEL. (978) 745-9595 EXT. 5630  
FAX (978) 745-7298

January 7, 2019

Kimberley Driscoll, Mayor  
Salem City Hall  
93 Washington Street  
Salem, Massachusetts 01970

Dear Mayor Driscoll:

I am respectfully requesting the amount of \$15,000.00 to be transferred from Free Cash to the Legal Services/Arbitration line (11522-5303) in the Human Resources Budget.

This amount reflects an estimated amount required to fund current and anticipated arbitrator fees. Fortunately, we recently prevailed on a three-day arbitration and we have another session for a similar arbitration scheduled in March that may span two days.

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

Very truly yours,

  
Lisa B. Cammarata

cc: Finance Department  
File



**CITY OF SALEM – Finance Department**  
**Free Cash, W & S R/E, R/Res & Budget Transfer Request Form**

From: HOL Department [Signature] Department Head Authorizing Signature 1/7/19 Date

**Budget or R/Res** Budget Amt: \_\_\_\_\_  
**Transfers** To: \_\_\_\_\_ Desc: \_\_\_\_\_ Balance: \_\_\_\_\_  
(Org/Object)  
 From: \_\_\_\_\_ Desc: \_\_\_\_\_ Balance: \_\_\_\_\_  
 (\*Note - Please include letter to Mayor for Transfers from different Personnel & Non-personnel lines)  
 Current Balance in Receipts Reserved Fund Above (if applicable) - \$ \_\_\_\_\_ Date: \_\_\_\_\_

Free Cash or To: 11522-5303 Desc: Legal Services/ Arbitration Budget Amt: \$1,200.00  
Retained Earnings (W/S) (Org/Object) Balance: \$61.00  
Raise & Appropriate  
 Please circle one

**Amount Requested:** \$ 15,000.00  
**Reason (Be Specific)** Current and Unforeseen Arbitration Costs.

**For Finance Department and Mayor's Use Only:**

\_\_\_\_\_ Budget Transfer \_\_\_\_\_ Mayor Approval \_\_\_\_\_ City Council Approval  
 Free Cash Appropriation – City Council Approval – Gen Fund \$ 1,023,214.00  
Free Cash Balance [Signature]  
 \_\_\_\_\_ R/E Appropriation – Water \$ \_\_\_\_\_ R/E Balance \_\_\_\_\_ R/E Appropriation Sewer \$ \_\_\_\_\_ R/E Balance \_\_\_\_\_  
 \_\_\_\_\_ Receipts Reserve – City Council Approval \$ \_\_\_\_\_ R/Res Fund Balance \_\_\_\_\_  
 \_\_\_\_\_ Raise & Appropriate \_\_\_\_\_ Other \_\_\_\_\_  
**Recommendation:** \_\_\_\_\_ Approved \_\_\_\_\_ Denied  
[Signature]  
 Finance Director

Completed: Date: \_\_\_\_\_ By: \_\_\_\_\_ CO # \_\_\_\_\_ JE#: \_\_\_\_\_ Transfer #: \_\_\_\_\_



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

As you may recall, late in 2018 testing conducted in preparation for planned improvements at Salem's Gallows Hill park found elevated arsenic levels in soil samples taken from below the surface on a portion the athletics field.

In compliance with MassDEP requirements, the field and adjacent playground area and basketball court were closed as result. To date, the elevated arsenic levels were only detected in soils beneath a portion of the field soil and not in the playground area; however, out of an abundance of caution the playground area was temporarily closed, as well. To date, no elevated levels of arsenic or other contaminants have been detected in the baseball field or skate park areas, which were also assessed during subsurface investigations completed.

The enclosed Order appropriates \$52,000 from free cash in order to carry out the required additional testing, the design of remediation work, and other soft costs associated with the mitigation of this contamination. The implementation of the mitigation work itself will be incorporated into the construction phase of the planned park improvements.

I recommend adoption of this Order so this important work can proceed and the park upgrades may continue on or close to our original schedule.

Sincerely,

A handwritten signature in black ink that reads "Kim Driscoll".

Kimberley Driscoll  
Mayor  
City of Salem



# CITY OF SALEM

In City Council,

January 10, 2019

**Ordered:**

That the sum of Fifty-Two Thousand Dollars (\$52,000.00) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account (1-3245) to the "Planning Contracted Services" Account (11822-5320) in accordance with the recommendation of Her Honor the Mayor.



CITY OF SALEM, MASSACHUSETTS  
DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT

KIMBERLEY DRISCOLL  
MAYOR

TOM DANIEL, AICP  
DIRECTOR

98 WASHINGTON STREET ♦ SALEM, MASSACHUSETTS 01970  
TELE: 978-619-5685

January 7, 2019

Mayor Kimberley Driscoll  
Salem City Hall  
93 Washington Street  
Salem, MA 01970

**Re: Free Cash Request for Contracted Services**

Dear Mayor Driscoll:

We are requesting an allocation of \$52,000 in free cash for contracted services in order to pay for the City's cost to address contaminated soil at Gallows Hill Park. These funds will cover testing, remedial design, and MassDEP's required documentation to incorporate soil remediation into the park renovation project. In addition, this request includes the cost of temporary fencing for the City to secure the area until a contractor assumes site control later this year.

**Total request: \$52,000**

Thank you for your consideration. Please let me know if you would like additional information.

Sincerely,

Tom Daniel, AICP  
Director

# CITY OF SALEM - Finance Department

## Free Cash, W & S R/E, R/Res & Budget Transfer Request Form

From: DPCD Department [Signature] Department Head Authorizing Signature 1/7/19 Date

**Budget or R/Res**  
**Transfers** To: \_\_\_\_\_ Desc: \_\_\_\_\_ Budget Amt: \_\_\_\_\_  
 (Org/Object) Balance: \_\_\_\_\_  
 From: \_\_\_\_\_ Desc: \_\_\_\_\_ Budget Amt: \_\_\_\_\_  
 Balance: \_\_\_\_\_  
 (\*Note - Please include letter to Mayor for Transfers from different Personnel & Non-personnel lines)  
 Current Balance in Receipts Reserved Fund Above (if applicable) - \$ \_\_\_\_\_ Date: \_\_\_\_\_

**Free Cash or** To: 11822-5320 Desc: Contracted Services Budget Amt: 53,382  
 Retained Earnings (W/S) (Org/Object) Balance: 31,782  
**Raise & Appropriate**  
 Please circle one

**Amount Requested:** \$ 52,000

**Reason (Be Specific)** Testing, remedial design, and MassDEP documentation to incorporate soil remediation into Gallows Hill Park renovation

**For Finance Department and Mayor's Use Only:**

Budget Transfer  Mayor Approval  City Council Approval  
 Free Cash Appropriation - City Council Approval - Gen Fund \$ 1,023,214.00  
 Free Cash Balance WR  
 R/E Appropriation - Water \$ \_\_\_\_\_ R/E Balance \_\_\_\_\_  
 R/E Appropriation Sewer \$ \_\_\_\_\_ R/E Balance \_\_\_\_\_  
 Receipts Reserve - City Council Approval \$ \_\_\_\_\_ R/Res Fund Balance \_\_\_\_\_  
 Raise & Appropriate  Other \_\_\_\_\_

**Recommendation:**  Approved  Denied

[Signature]  
 Finance Director

Completed: Date: \_\_\_\_\_ By: \_\_\_\_\_ CO # \_\_\_\_\_ JE# \_\_\_\_\_ Transfer #: \_\_\_\_\_



## **CITY OF SALEM, MASSACHUSETTS**

**Kimberley Driscoll  
Mayor**

January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Order updates the City's Designer Selection Procedures to reflect changes made to applicable sections of state law in 2018. A copy of the updated procedures is included herewith for your reference.

These procedures relate to how the City selects designers for building projects. Salem's procedures were originally adopted in 1990, but now no longer fully reflect existing state law. The updated procedures reflect the state statutes and remove or update outdated references. The new procedures are based on the model procedures developed by the Inspector General of the Commonwealth and are also reflective of the applicable sections of our own City Charter and Ordinances.

In order to hire designers, the City must have procedures in place according to state law. As we are undertaking a procurement for on-call architectural services this winter, I hope you will approve this housekeeping measure at your earliest convenience. If you have any questions, I invite you to reach out to Jenna Ide, Tom Watkins, and/or Beth Rennard for more information.

Sincerely,

A handwritten signature in cursive script that reads "Kim Driscoll".

Kimberley Driscoll  
Mayor  
City of Salem



# CITY OF SALEM

In City Council, January 10, 2019

Ordered:

The City of Salem Designer Selection Procedures adopted by the City Council on December 13, 1990 are hereby replaced in their entirety with new, revised City of Salem Designer Selection Procedures attached hereto. These procedures govern the selection of designers for City building projects that are subject to the Commonwealth of Massachusetts designer selection law, M.G.L. c. 7C, §§ 44-58.

**Proposed Designer Selection Procedures**  
**City of Salem ("Awarding Authority")**  
**Adopted [date]**

New Proposed Procedures based on Commonwealth's model procedures (<https://www.mass.gov/service-details/model-designer-selection-procedures-for-municipalities-and-other-local-public>) updated and adapted for City of Salem.

1. These procedures govern the selection of designers for any municipal building project subject to the state designer selection law, M.G.L. c. 7C, §§ 44-58. Any other local law governing the procurement of services will be inapplicable to these procurements.
2. The Mayor, hereinafter the "Approving Body," has the authority to conduct the designer selection process for the Awarding Authority. The Approving Body may delegate any duties described herein to the extent such delegation is permissible by law.
3. The Approving Body shall designate the individual or group of individuals, hereinafter referred to as "the Designer Selection Committee" and as authorized by the Salem City Charter, Section 36A, which will conduct the designer selection process. No member of the Committee shall participate in the selection of a designer for any project if the member, or any of the member's immediate family:
  - a. has a direct or indirect financial interest in the award of the design contract to any applicant;
  - b. is currently employed by, or is a consultant to or under contract to, any applicant;
  - c. is negotiating or has an arrangement concerning future employment or contracting with any applicant; or
  - d. has an ownership interest in, or is an officer or director of, any applicant.
4. A Request for Qualifications (RFQ) for each contract subject to these procedures shall be advertised in accordance with M.G.L. Chapter 7C Sections 44-58.
5. The advertisement shall contain the following information:
  - a. a description of the project, including the specific designer services sought, the time period within which the project is to be completed, and, if available, the estimated construction cost;
  - b. if there is a program for the building project, a statement of when and where the program will be available for inspection by applicants;
  - c. when and where a briefing session (if any) will be held;
  - d. the qualifications required of applicants;
  - e. the categories of designers' consultants, if any, for which applicants must list names of consultants they may use;
  - f. whether the fee has been set or will be negotiated; if the fee has been set, the amount of the fee must be listed in the advertisement;
  - g. when and where the RFQ can be obtained and the applications must be delivered.



6. The RFQ shall include the most current "Standard Designer Application Form for Municipalities and Public Agencies not within DSB Jurisdiction," which is available for download from the Massachusetts Designer Selection Board. The Application Form may be amended to include additional information on a project-specific basis.
7. The Committee shall evaluate applicants based on the following criteria:
  - a. prior similar experience;
  - b. past performance on public and private projects;
  - c. financial stability;
  - d. identity and qualifications of the consultants who will work with the applicants on the project;
  - e. Capacity to undertake the project,
  - f. Affirmative Action goals as set by the Appointing Body, the Commonwealth or Federal Government, and
  - g. any other criteria that the Committee considers relevant to the project.
8. Design services such as the preparation of programs and feasibility studies, construction management, and construction scheduling must be performed by licensed, registered, and experienced designers as applicable and required by law. The RFQ must require licensed, registered, and experienced designers.
9. The Committee shall select at least three finalists. Finalists may be required to appear for an interview or provide additional information to the Committee, provided that all finalists are afforded an equal opportunity to do so.
10. No proposal shall be accepted from or for any person who has broken a contract with the City during the three (3) years preceding.
11. The Committee shall rank the finalists in order of qualification and transmit the list of ranked finalists to the Approving Body. No person or firm, including applicants' listed consultants, debarred pursuant to M.G.L. c. 149, § 44C, shall be included as a finalist on the list. The list must be accompanied by a written explanation of the reasons for selection including the recorded vote, if any. The written explanation and recorded vote, if any, shall be public records and shall be maintained in the contract file.
12. If the fee was set prior to the selection process, the Approving Body shall select a designer from the list of finalists. If the Approving Body selects a designer other than the one ranked first by the Committee, the Approving Body shall file a written justification for the selection with the Committee and maintain a copy in the contract file.
13. If the fee is to be negotiated, the Approving Body shall review the list of finalists and may exclude any designer from the list if a written explanation of the exclusion is filed with the Committee and maintained in the contract file. The Approving Body shall request a fee proposal from the first ranked designer remaining on the list and begin contract negotiations. If the Approving Body is unable to negotiate a satisfactory fee with

the first ranked designer, negotiations shall be terminated and undertaken with the remaining designers, one at a time, in the order in which they were ranked by the Committee until agreement is reached. In no event may a fee be negotiated which is higher than the maximum fee set by the Approving Body prior to selection of finalists.

14. If the Approving Body is unable to negotiate a satisfactory fee with any of the finalists, the Approving Body shall recommend that the Committee select additional finalists.
15. The Approving Authority may allow a designer who conducted a feasibility study to continue with the design of a project. However, the Approving Authority may commission, at its discretion, an independent review, by a knowledgeable and competent individual or business doing such work, of the feasibility of the designer's work to insure its reasonableness and its adequacy before allowing the designer to continue on the project, *provided* the Approving Authority otherwise complies with the statutory requirements for selecting a designer under Chapter 7C of the General Laws, including those set forth in M.G.L. c. 7C, § 54(a)(i).
16. Every contract for design services shall include the following:
  - a. certification that the designer or construction manager has not given, offered, or agreed to give any person, corporation, or other entity any gift, contribution, or offer of employment as an inducement for, or in connection with, the award of the contract for design services;
  - b. certification that no consultant to, or subcontractor for, the designer or construction manager has given, offered, or agreed to give any gift, contribution, or offer of employment to the designer or construction manager, or to any other person, corporation, or entity as an inducement for, or in connection with, the award to the consultant or subcontractor of a contract by the designer or construction manager;
  - c. certification that no person, corporation, or other entity, other than a bona-fide full-time employee of the designer or construction manager, has been retained or hired by the designer or construction manager to solicit for or in any way assist the designer or construction manager in obtaining the contract for design services upon an agreement or understanding that such person, corporation, or other entity be paid a fee or other consideration contingent upon the award of the contract to the designer;
  - d. certification that the designer has internal accounting controls as required by M.G.L. c. 30, § 39R(c), and that the designer has filed and will continue to file an audited financial statement as required by M.G.L. c. 30, § 39R(d);
  - e. A requirement to provide energy system life-cycle cost estimates (which should be prepared during the preliminary design) as stipulated in MG.L. C.149, ss44M);
  - f. All fees shall be stated in design contracts, and in any subsequent amendments thereto, as a total dollar amount. Contracts may provide for equitable adjustments in the event of changes in scope or services; and,
  - g. The design contract shall state the fee as a total dollar amount. In no case may the designer's fee be determined as a percentage of construction cost.

17. The Awarding Authority shall not enter into a contract for design services unless the Awarding Authority or the designer has obtained professional liability insurance covering negligent errors, omissions, and acts of the designer or of any person or business entity for whose performance the designer is legally liable arising out of the performance of the contract. The total amount of such insurance shall at a minimum equal the lesser of one million dollars or ten percent of the project's estimated cost of construction, or such larger amounts as the Awarding Authority may require, for the applicable period of limitations. A designer required by the Awarding Authority to obtain all or a portion of such insurance coverage at its own expense shall furnish a certificate or certificates of insurance coverage to the Awarding Authority prior to the award of the contract.
18. Every contract for design services shall include a provision that the designer or its consultants shall not be compensated for any services involved in preparing changes that are required for additional work that should have been anticipated by the designer in the preparation of the bid documents, as reasonably determined by the individual responsible for administering the design contract.
19. In the event of an emergency that precludes the normal use of these designer selection procedures, the Approving Body may elect to authorize expedited procedures to address the emergency (see Section 30 below). The Approving Body shall document in writing the reasons for the emergency declaration, the proposed scope of work, the estimated cost of construction, the established fee for the needed design services, and any other relevant information.
20. The Awarding Authority shall publish the name of any designer awarded a contract in the *Central Register*.
21. The following records shall be kept by the Awarding Authority:
  - a. all information supplied by or obtained about each applicant;
  - b. all actions taken relating to the project; and
  - c. any other records related to designer selection.All records shall be available for inspection by the state Designer Selection Board and other authorized agencies.
22. The Awarding Authority shall evaluate designers' performance on contracts using the Designer Selection Board evaluation form(s) in accordance with M.G.L. c. 7C, § 48(h), and file completed evaluations with the Board and any other agency named in M.G.L. c. 7C, § 48(h).
23. Nothing in these Procedures shall be interpreted to require the establishment of a board or waive or reduce the requirements of any other applicable law or regulation.
24. For any municipal design or construction project that includes funding provided by the Commonwealth, in whole or in part (such as reimbursements, grants and the like), the City must incorporate minority-owned business enterprise and women-owned business

enterprise participation goals. If applicable, the Awarding Authority shall take steps to assure that it complies with all Massachusetts Supplier Diversity Office requirements.

25. No officer or board shall make any contract on behalf of the City, the execution of which will necessarily extend beyond three (3) years from the date thereof unless special permission to do so has been given by vote of the City Council or by the statutes of the Commonwealth. (Salem Code of Ordinances, Chapter 2, Sec. 2-1688)
26. Officials and employees are prohibited from making or sharing in municipal contracts. (Salem City Charter, Section 27)
27. Any person contracting with a municipality must certify in writing that he or she has complied with State tax laws. (M.G.L. c. 62C, s49A)
28. The contract shall specifically list the names and time commitments of the key personnel included in the designer's proposal. Any change to the list of consultants in the contract must be approved in writing by the Approving Body or their delegate.
29. The contract shall have a provision giving ownership of any completed or partially completed design documents to the awarding authority even if the contract is terminated.
30. All contracts made by any department, board or commission where the amount involved is \$5,000.00 dollars or more (or as might further be amended by City Council) shall be in writing. (Salem Code of Ordinances, Chapter 2, Section 2-1694)
31. Emergency Procedures
  - a. The Approving Body may declare an emergency under the following circumstances:

Whenever the health or safety of any persons will be endangered because of the time required for the selection of a designer, interior designer, programmer or construction manager by the procedures prescribed by M.G.L. Chapter 7C, sections 44 to 58, inclusive, or whenever a deadline for action is set on a project by any court or federal agency which cannot be met if those selection procedures are followed.
  - b. The Approving Body may select a designer from
    1. a pre-approved standing list of designers, or
    2. as the approving body determines is in the best interest of the City.
  - c. After the designer has been selected and awarded a contract, the Approving Body must file a memorandum with the Purchasing Agent, stating the reasons for the emergency declaration, listing proposed scope of work, estimated cost of construction, the established fee for designers' services, the reference to the standing contract or the list of designers solicited and any quotes received, and any other relevant information.
32. All meetings of a government body shall be subject to the Massachusetts' Open Meeting Law. (M.G.L. c. 30A, §§18-25)

33. The Design Selection Committee and designers must comply with Massachusetts' Conflict of Interest Laws. (M.G.L. c. 268A).
34. The Designer Selection Committee and designers must comply with all Salem Ordinances including Chapter 2, Article XVI Non-discrimination, which provides that actions that may deny or tend to deny to an individual equal access or opportunity in matters of housing, employment, education, municipal services, contracts, purchasing or public accommodations on the basis of: age, ancestry, color, disability, family status, gender identity or expression, military status, marital status, national origin, race, religion, sex or sexual orientation, are hereby prohibited.
35. Using full-time municipal employees to perform design services which fall within the scope of their normal duties is permissible and may be permitted by the Approving Body, provided the employees are qualified. The Approving Body should review and evaluate the employee qualifications for a particular project using similar criteria as would be applied to outside firms. This review and evaluation shall be conducted by the person or persons so designated by the Approving Body. Where the employee is found to be qualified, an open competition need not be conducted.
36. These procedures have been adopted to satisfy the purpose and intent of M.G.L. Chapter 7C, sections 44-58. Where interpretive questions or ambiguities arise, refer to the recommendations "Designing and Constructing Public Facilities, November 2016" or any update, issued by the Office of the Inspector General. The Attorney General is the chief law officer and her or his opinion takes precedence over previous interpretations by State agencies.



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

As you are no doubt aware, one of the most common forms of litter in Salem and throughout the Commonwealth are nip bottles. While some communities are studying banning these types of containers altogether, I believe a more effective approach to reducing this form of litter would be to simply extend the existing bottle redemption law to include nips.

The enclosed Resolution asks the legislature and Governor to advance and approve such a measure in 2019. I recommend its adoption and hope you will join with me in asking for the state to give us this important tool to combat this growing nuisance in our communities.

Sincerely,

A handwritten signature in black ink that reads "Kim Driscoll". The signature is written in a cursive, flowing style.

Kimberley Driscoll  
Mayor  
City of Salem



## **CITY OF SALEM, MASSACHUSETTS**

**In City Council,**

**Resolved**

### **A RESOLUTION FOR STATE ACTION TO COMBAT NIP BOTTLE LITTER**

WHEREAS, the growing prevalence of “nip” bottles as loose litter on our streets and sidewalks and in our parks and other open spaces contributes to the flow of trash in our waterways, rivers, and ocean; and

WHEREAS, this form of litter additionally detracts from the public’s enjoyment and diminishes the quality of life in our communities; and

WHEREAS, the Commonwealth has seen tremendous success in the elimination of other forms of bottle and can littering through the adoption of M.G.L. c. 94 sections 321-327, also called the Bottle Bill;

THEREFORE, we, the City Council and Mayor of Salem, do request of the legislature and Governor of the Commonwealth that they take action in 2019 to amend M.G.L. c. 94 and all other regulations or laws thereunder regarding the redemption of empty bottles and containers in order to extend the law to include “nip” bottles or any other small bottle of spirit, liqueur, or other alcoholic beverage, typically of 50 ml, intended to comprise an individual serving.



## **CITY OF SALEM, MASSACHUSETTS**

**Kimberley Driscoll  
Mayor**

January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Ordinance extends the authority to issue tickets for violations of our plastic bag Ordinance to the City Engineer or his designees.

Currently this authority rests with police, licensing, and health staff. Because most complaints related to improper provision of plastic bags by retailers are being submitted to the Trash and Recycling Office in the Engineering Department, this change will allow those employees to take enforcement actions where necessary to ensure that our existing Ordinance requirements are upheld in as consistent and regular a manner as possible.

I recommend adoption of the enclosed Ordinance.

Sincerely,

A handwritten signature in black ink that reads "Kim Driscoll". The signature is written in a cursive, flowing style.

**Kimberley Driscoll  
Mayor  
City of Salem**



Sec. 14-503. - Penalties and enforcement.

The penalty for each violation that occurs after the issuance of the warning notice shall be in accordance with subsection 1-10(b) of this Code. The warning notice issued for the first offense shall provide at least 14 days to correct the violation. No fine for the second offense shall be issued until at least 14 days after the warning is issued. ~~This article may be enforced by any police officer, enforcement officer or agent of the board of health or licensing department.~~ This article may be enforced by any police officer, enforcement officer or agent of the board of health, licensing department, or the City Engineer or his or her designees.

(Ord. of 11-17-2016(1), § 1)

# City of Salem

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*In the year two thousand and nineteen*

**An Ordinance** amending an Ordinance relative to enforcement of Chapter 14, Article VII.  
Use of Disposable Plastic Bags at Retail Business Establishments

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

**Section 1.** Chapter 14 is hereby amended by striking the last sentence of Section 14-503 in its entirety and replacing it with the following:

“This article may be enforced by any police officer, enforcement officer or agent of the board of health, licensing department, or the City Engineer or his or her designees.”

**Section 11.** This Ordinance shall take effect as provided by City Charter.