

ORDER FOR CONDUIT LOCATION

In the City Council for the City of Salem, Massachusetts.

ORDERED:

That permission be and hereby is granted to Comcast Cable Communications Management LCC., to lay and maintain underground conduits and manholes, with the wires and cables to be placed therein, under the surface of the following public way or ways as requested in petition of said Company dated June 11, 2018

Bridge Street: Proposing to place a 17" x 30" vault and excavate and place (1) 3" PVC conduit 7'± in the sidewalk to service number 160 Bridge Street. As shown on the attached construction plans.

Substantially as shown on plan, filed with said petition.

Also that permission be and hereby is granted said Comcast to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

The foregoing permission is subject to the following conditions:

1. The conduits and manholes shall be of such materials and construction and all work done in such manner as to be satisfactory to the City Council or to such officers as it may appoint to the supervision of the work.
2. Said Company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
3. In addition said Company shall, before a public way is disturbed for the laying of its wire or conduits, execute its bond in a penal sum of One Hundred Thousand Dollars (\$100,000) (reference being had to the bond already on file with said City) conditioned for the faithful performance of its duties under this permit.
4. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and wires, so far as the same are not inconsistent with the laws of the Commonwealth.

I hereby certify that the foregoing order was adopted at a meeting of the City Council for the City of Salem, Massachusetts, held on the \_\_\_\_\_ day of \_\_\_\_\_ 2018.

(over)

\_\_\_\_\_  
City Clerk

We hereby certify that on \_\_\_\_\_, 2018, at \_\_\_\_\_ o'clock M., at Salem, Massachusetts a public hearing was held on the petition of the Comcast for permission to lay and maintain underground conduits, manholes and connections, with the wires and cables to be placed therein, described in the order herewith recorded, that we mailed at least seven days before said hearing a written notice the time and place of said hearing to each of the owners of real estate determined by the last preceding assessment for taxation along the ways parts of ways upon which the Company is permitted to construct the lines said Company under said order. And that thereupon said order was duly adopted.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Salem City Council; Salem, Massachusetts

**CERTIFICATE**

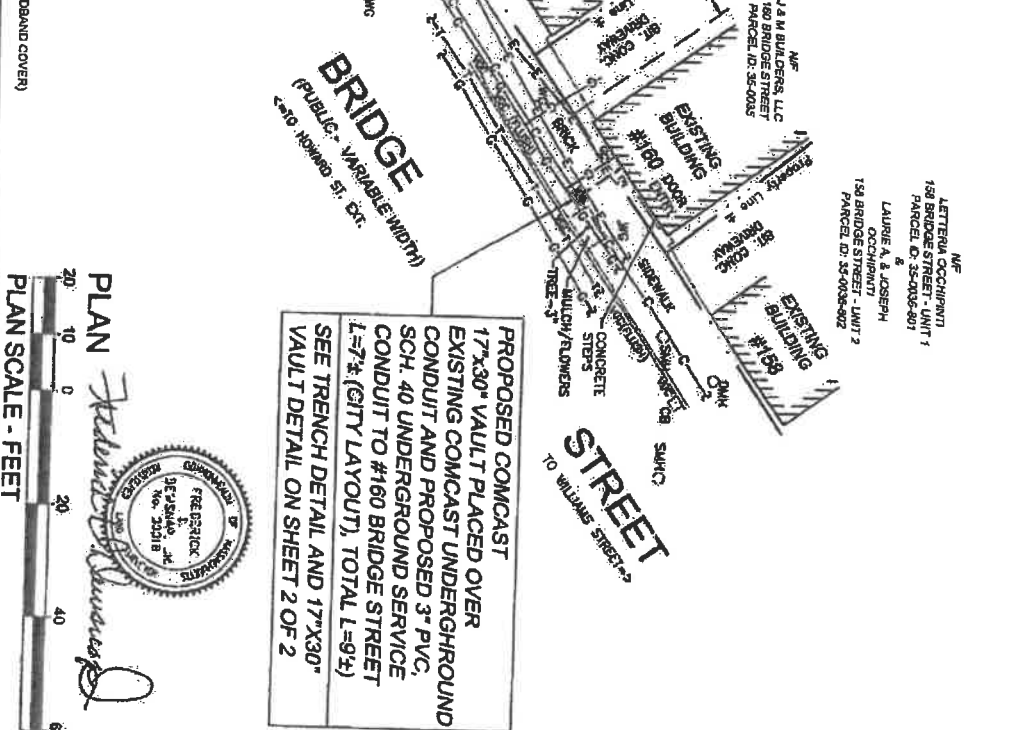
I hereby certify that the foregoing is a true copy of a location order, and certificate of hearing with the notice adopted by the City Council for the City of Salem, Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_ 2018, recorded with the records of location orders of said City, Book \_\_\_\_\_, Page \_\_\_\_\_. This certified copy is made under the provision of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

\_\_\_\_\_  
City Clerk



- LEGEND**
- VGC ——— VERTICAL GRANITE CURB
  - C ——— EXISTING COMCAST LINE
  - E ——— EXISTING ELECTRIC LINE
  - G ——— EXISTING GAS LINE
  - T ——— EXISTING TELEPHONE LINE
  - S ——— EXISTING SEWER LINE
  - — — PROPOSED COMCAST UNDERGROUND CONDUIT
  - — — SEWER MANHOLE
  - — — WATER MANHOLE
  - — — GAS GATE
  - — — WATER GATE
  - — — COMCAST MANHOLE (NOT BROADBAND COVER)



**PROPOSED COMCAST 17"x30" VAULT PLACED OVER EXISTING COMCAST UNDERGROUND CONDUIT AND PROPOSED 3" PVC, SCH. 40 UNDERGROUND SERVICE CONDUIT TO #160 BRIDGE STREET L=7'± (CITY LAYOUT), TOTAL L=9'±)**

**SEE TRENCH DETAIL AND 17"x30" VAULT DETAIL ON SHEET 2 OF 2**

**PLAN**

20 10 0 20 40 60

**PLAN SCALE - FEET**

*Robert J. Williams*

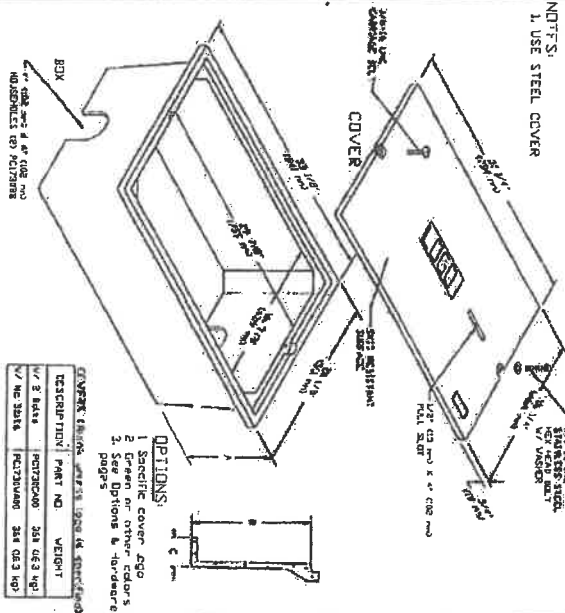
- NOTES:**
- This plan was prepared from record data on file at the City of Salem, the Essex South Region of Oneida, and a field location survey performed by this office.
  - The locations of underground utilities are shown as based on above ground structures and record drawings provided to the Surveyor. Locations of underground utilities/structures may vary from locations shown and are not warranted to be accurate and/or correct. Additional buried utilities/structures may be encountered. No excavations were performed during the progress of this survey to locate buried utilities/structures.
  - Per the City of Salem, the Contractor shall notify DIG-SAFE at least 72 hours in advance at 811 (Massdot Call Number) for verification of utilities and for flag locations.
  - It is the responsibility of the utility contractor installing the Comcast underground conduit to notify these utility companies not associated with the DIG-SAFE system to verify the locations of their respective utilities.
  - All work to be performed in the installation of a Comcast 17"x30" Vault over the existing Comcast conduit within the sidewalk area and install a 3" PVC, Sch. 40 conduit to service #160 Bridge Street.
  - All work shall conform to the City of Salem Engineering and DFR Standards.
  - The proposed Comcast conduit and structures shall be installed in the field per the Dig-Safe marks.
  - Upon completion of the trench work for the day, the contractor shall locate, compact the soil and replace all blocks removed using the same pattern. Area shall be broom swept clean.
  - Streeting/utility lines are not the result of a boundary survey and are considered to be approximate.

**CONSTRUCTION NOTES:**

- Following the Dig-Safe "mark out" and field verification of the existing underground utilities, the Proposed 3" PVC Comcast service conduit and the associated 17"x30" Vault shall be adjusted in the field by the utility contractor to avoid being located over any existing utilities.

<b>PROPOSED COMCAST UNDERGROUND</b>	
<b>ESSEX COUNTY</b>	
<b>160 BRIDGE STREET</b>	
<b>SALEM, MA</b>	
Prepared for:	Prepared By:
COMCAST 9 FORTRESS ROAD, SUITE 808 MIDDLEBORO, MA 01807	DEWENAP ENGINEERING ASSOC. LLP 178 LITTLEFIELD ST., SALEM, MA 01966 781.467.7311 / 253-0023
Date:	Scale:
JUNE 8, 2018	1"=20'
Checked By:	Revisions:
F.D.D. & P.A.D.	
Drawn By:	
P.A.D.	
Field By:	
P.A.D., A.C.D. & A.P.D.	
Sheet No. 1 of 2	FILE No.:

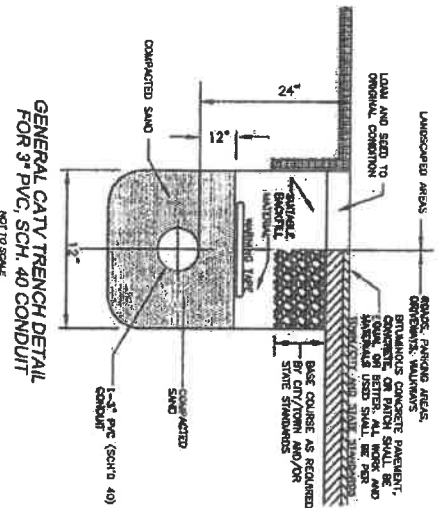
QUAZITE SERVICE BOX  
 SPECIFICATIONS/DATA  
 1. USE STEEL COVER



DESCRIPTION	QUANTITY	WEIGHT	UNIT
COVER	1	11.340	lbs
BOX	1	11.340	lbs
OPTION 1	1	11.340	lbs
OPTION 2	1	11.340	lbs
OPTION 3	1	11.340	lbs

**HANDHOLE DETAIL**

STRONGWELL  
 3601 Industrial Park Drive  
 Lenoir City, TN 37711



**GENERAL CATV TRENCH DETAIL FOR 3" PVC, SCH. 40 CONDUIT**

**NOTES:**

1. The details depicted are for general reference only. The final product used shall be the responsibility of the general contractor and shall be of equal or greater material than that depicted and shall conform to the Engineering DPW Standards for the state, city/town where the project is located.

**"D E T A I L S"**

**PROPOSED COMCAST UNDERGROUND  
 ESSEX COUNTY  
 160 BRIDGE STREET  
 SALEM, MA**

Prepared for:	COMCAST 9 ROGERS ROAD, SUITE 88 WOBURN, MA 01801	Prepared by:	DEMNHAP ENGINEERING ASSOC. LLP 1781 Main Street Salem, MA 01970 Tel: (978) 253-6885
Date:	JUNE 8, 2018	Scale:	AS SHOWN
Checked By:	F.D.D. & P.A.D.	Revised:	
Drawn By:	P.A.D.		
Filed by:	P.A.D., A.C.D., & A.P.D.		
Sheet No.	2 of 2	FILE No.	



## **Ilene Simons**

---

**From:** David Knowlton  
**Sent:** Monday, June 11, 2018 4:20 PM  
**To:** Ilene Simons; John Giardi  
**Subject:** RE: Comcast Petition - 160 Bridge St. - Conduit

Hi ilene, bridge street is city owned, no state highway permit needed  
Bridge st has been recently recnstructed, so I would ask for:

1. If construction is required in the sidewalk, entire sidewalk panels will be replaced at the completion of the work.
2. If construction is required in the roadway, the entire roadway surface, curb to curb, from 1 foot on either side of the proposed construcion, be ground out 2-inches and 2-inches on new pavement be installed (curb to curb pavement restoration).

Thanks  
david

**From:** Ilene Simons  
**Sent:** Monday, June 11, 2018 2:56 PM  
**To:** David Knowlton; John Giardi  
**Subject:** Comcast Petition - 160 Bridge St. - Conduit

The attached petition is for your review and comments

Dave, did you find out anything about needing to go through Council if it's a state highway. I never heard of that, but I wanted to check with you. They are still opening a street in Salem that may affect residents.

Ilene Simons  
City Clerk  
Justice of the Peace  
93 Washington St.  
Salem, MA 01970  
(978) 745-9595 ext. 41202

**From:** [cityclerkmfp@salem.com](mailto:cityclerkmfp@salem.com) <[cityclerkmfp@salem.com](mailto:cityclerkmfp@salem.com)>  
**Sent:** Monday, June 11, 2018 3:54 PM  
**To:** Ilene Simons <[ISimons@Salem.com](mailto:ISimons@Salem.com)>  
**Subject:** Message from KM\_C368

## Ilene Simons

---

**From:** David Knowlton  
**Sent:** Monday, June 11, 2018 4:22 PM  
**To:** Ilene Simons; John Giardi  
**Subject:** RE: Comcast Petition - 160 Bridge St. - Conduit

Hi ilene, the entire concrete sidewalk panels should be replaced, from the middle of #15 front st, through the driveway opening, to the existing comcast vault in the middle of #17-21 front st, after work is completed.

Thanks  
david

**From:** Ilene Simons  
**Sent:** Monday, June 11, 2018 2:56 PM  
**To:** David Knowlton; John Giardi  
**Subject:** Comcast Petition - 160 Bridge St. - Conduit

The attached petition is for your review and comments

Dave, did you find out anything about needing to go through Council if it's a state highway. I never heard of that, but I wanted to check with you. They are still opening a street in Salem that may affect residents.

Ilene Simons  
City Clerk  
Justice of the Peace  
93 Washington St.  
Salem, MA 01970  
(978) 745-9595 ext. 41202

**From:** [cityclerkmfp@salem.com](mailto:cityclerkmfp@salem.com) <[cityclerkmfp@salem.com](mailto:cityclerkmfp@salem.com)>  
**Sent:** Monday, June 11, 2018 3:54 PM  
**To:** Ilene Simons <[ISimons@Salem.com](mailto:ISimons@Salem.com)>  
**Subject:** Message from KM\_C368

ORDER FOR CONDUIT LOCATION

In the City Council for the City of Salem, Massachusetts.

ORDERED:

That permission be and hereby is granted to Comcast Cable Communications Management LCC., to lay and maintain underground conduits and manholes, with the wires and cables to be placed therein, under the surface of the following public way or ways as requested in petition of said Company dated April 12, 2018

Front Street: Proposing to excavate and place (1) 3" PVC conduit 35'± from the existing vault located in the sidewalk to service number 15 Front Street. As shown on the attached construction plans.

Substantially as shown on plan, filed with said petition.

Also that permission be and hereby is granted said Comcast to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

The foregoing permission is subject to the following conditions:

1. The conduits and manholes shall be of such materials and construction and all work done in such manner as to be satisfactory to the City Council or to such officers as it may appoint to the supervision of the work.
2. Said Company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
3. In addition said Company shall, before a public way is disturbed for the laying of its wire or conduits, execute its bond in a penal sum of One Hundred Thousand Dollars (\$100,000) (reference being had to the bond already on file with said City) conditioned for the faithful performance of its duties under this permit.
4. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and wires, so far as the same are not inconsistent with the laws of the Commonwealth.

I hereby certify that the foregoing order was adopted at a meeting of the City Council for the City of Salem, Massachusetts, held on the \_\_\_\_\_ day of \_\_\_\_\_ 2018.

(over)

\_\_\_\_\_  
City Clerk

We hereby certify that on \_\_\_\_\_, 2018, at \_\_\_\_\_ o'clock M., at Salem, Massachusetts a public hearing was held on the petition of the Comcast for permission to lay and maintain underground conduits, manholes and connections, with the wires and cables to be placed therein, described in the order herewith recorded, that we mailed at least seven days before said hearing a written notice the time and place of said hearing to each of the owners of real estate determined by the last preceding assessment for taxation along the ways parts of ways upon which the Company is permitted to construct the lines said Company under said order. And that thereupon said order was duly adopted.

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\_\_\_\_\_  
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Salem City Council; Salem, Massachusetts

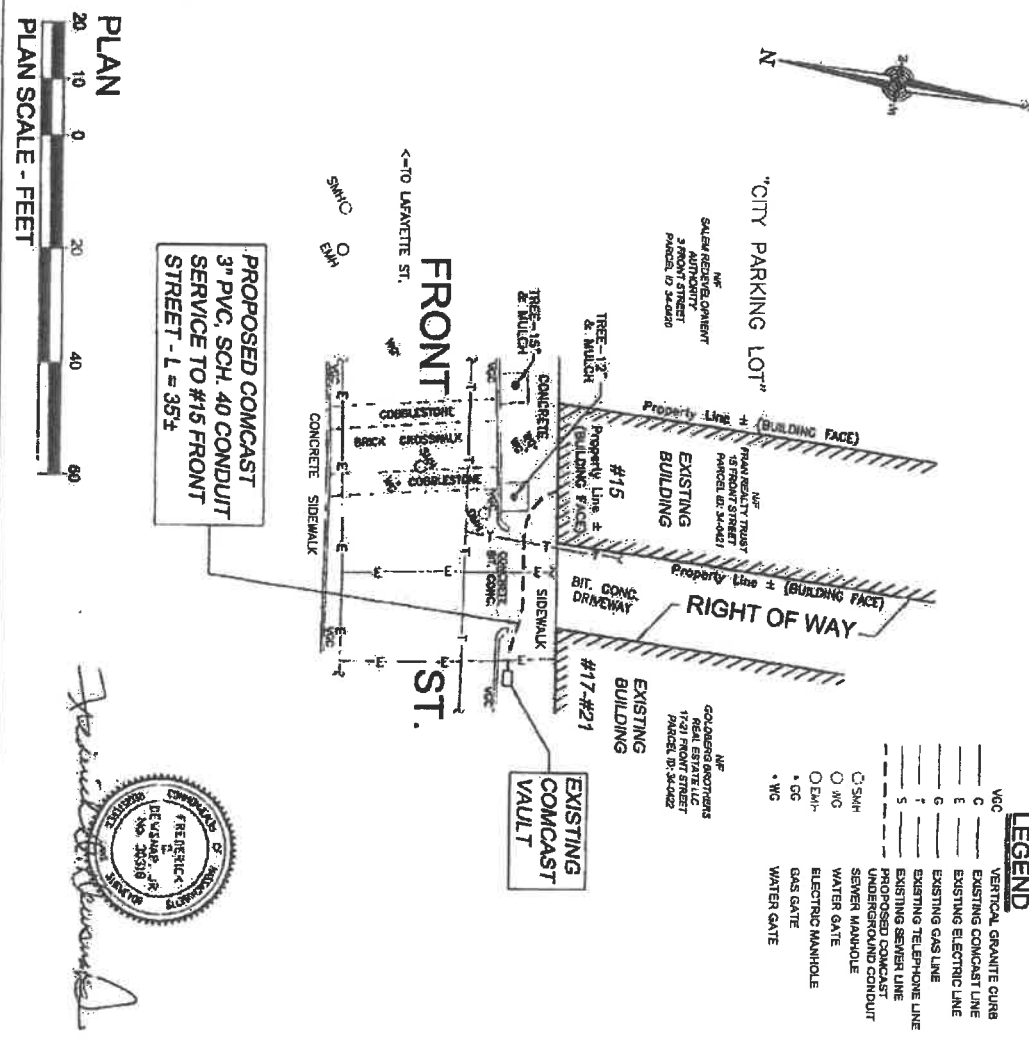
**CERTIFICATE**

I hereby certify that the foregoing is a true copy of a location order, and certificate of hearing with the notice adopted by the City Council for the City of Salem, Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_ 2018, recorded with the records of location orders of said City, Book \_\_\_\_\_, Page \_\_\_\_\_. This certified copy is made under the provision of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

\_\_\_\_\_  
City Clerk





**LEGEND**

- VERTICAL GRANITE CURB
- EXISTING COMCAST LINE
- EXISTING ELECTRIC LINE
- EXISTING GAS LINE
- EXISTING TELEPHONE LINE
- EXISTING COMCAST PROPOSED COMCAST PROPOSED CONDUIT
- CASH
- MC
- EMH
- GC
- WC
- WATER GATE

**NOTES:**

1. This plan was prepared from record data on file at the City of Salem, the Essex South Registry of Deeds, and a field location survey performed by this office.
2. The locations of underground utilities as shown are based on above ground structures and record drawings provided to the Surveyor. Locations of underground utilities/structures may vary from locations shown and are not warranted to be accurate and/or correct. Additional buried utilities/structures may be encountered. No excavations were performed during the progress of this survey to locate buried utilities/structures.
3. Prior to any construction, the Contractor shall notify DIG-SAFE at least 72 hours in advance at 811 (National Call Number) for verification of utilities and for field locations. It is the responsibility of the utility contractor installing the Comcast underground conduit to notify those utility companies not associated with the DIG-SAFE system to verify the locations of their respective utilities.
4. Trench is a gas line in Front Street with services to buildings.
5. All work to be performed as the installation of a Comcast 3" PVC, SCH. 40 conduit to service #15 Front Street.
6. All work shall conform to the City of Salem Engineering and DPW Standards.
7. The proposed Comcast conduits and structures shall be adjusted in the field per the Dig-Safe marks.
8. Upon completion of the trench work for the day, the contractor shall backfill, compact the soil and replace all concrete panels per city standards. Area shall be broom swept clean.
9. Street/Property lines are not the result of a boundary survey and are considered to be approximate.

**CONSTRUCTION NOTES:**

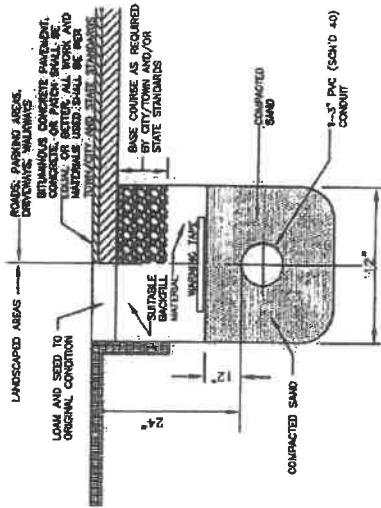
1. Following the Dig-Safe "mark out" and field verification of the existing underground utilities, the Proposed 3" PVC Comcast service conduit shall be adjusted in the field by the utility contractor to avoid being located over any existing utilities.

<b>PROPOSED COMCAST UNDERGROUND</b>	
<b>ESSEX COUNTY</b>	
<b>15 FRONT STREET</b>	
<b>SALEM, MA</b>	
Prepared for:	COMCAST 9 ROSS RD., STE 30 WILMINGTON, MA 01897
Prepared by:	DEWSNAP ENGINEERING ASSOC. LLP 178 LEXINGTON AVENUE - SUITE 1400 NEW YORK, NY 10017 Tel: (212) 233-0835
Date:	JUNE 8, 2018
Checked by:	F.D.D. & P.A.D.
Drawn by:	P.A.D.
Field by:	P.A.D., A.C.D. & A.P.D.
Scale:	1"=20'
Revisions:	
Sheet No. 1 of 2	FILE NO.:



**NOTES:**

- The details depicted are for general reference only. The final product used shall be the responsibility of the general contractor and shall be of equal or greater material than that depicted and shall conform to the Engineering/DPIW Standards for the state, city/town where the project is located.



GENERAL CATV TRENCH DETAIL  
FOR 3" PVC, SCH. 40 CONDUIT  
NOT TO SCALE

**"D E T A I L S"**

PROPOSED COMCAST UNDERGROUND

ESSEX COUNTY

15 FRONT STREET  
SALEM, MA

Prepared for:	COMCAST 8 FORBES ROAD, SUITE 88 WOBURN, MA 01801	Prepared by:	DEVI/SNAP ENGINEERING ASSOC. LLP 178 LACONN AVENUE - SALEM, MA 01936 TEL: (978) 233-0595
Date:	JUNE 8, 2016	Scale:	AS SHOWN
Checked By:	F.D.D. & P.A.D.	Revisions:	
Drawn By:	P.A.D.		
Field By:	P.A.D., A.C.D. & A.P.D.		
	Sheet No. 2 of 2		FILE No:



*Frederick D. Devinsnap*

ORDER FOR CONDUIT LOCATION

In the City Council for the City of Salem, Massachusetts.

ORDERED:

That permission be and hereby is granted to Comcast Cable Communications Management LCC., to lay and maintain underground conduits and manholes, with the wires and cables to be placed therein, under the surface of the following public way or ways as requested in petition of said Company dated June 22, 2018

Highland Avenue: Proposing to excavate and place (1) 2" PVC conduit 15'± from the existing utility pole number 63 to number 267 Highland Avenue. As shown on the attached construction plans.

Substantially as shown on plan, filed with said petition.

Also that permission be and hereby is granted said Comcast to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

The foregoing permission is subject to the following conditions:

1. The conduits and manholes shall be of such materials and construction and all work done in such manner as to be satisfactory to the City Council or to such officers as it may appoint to the supervision of the work.
2. Said Company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
3. In addition said Company shall, before a public way is disturbed for the laying of its wire or conduits, execute its bond in a penal sum of One Hundred Thousand Dollars (\$100,000) (reference being had to the bond already on file with said City) conditioned for the faithful performance of its duties under this permit.
4. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and wires, so far as the same are not inconsistent with the laws of the Commonwealth.

I hereby certify that the foregoing order was adopted at a meeting of the City Council for the City of Salem, Massachusetts, held on the \_\_\_\_\_ day of \_\_\_\_\_ 2018.

(over)

\_\_\_\_\_  
City Clerk

We hereby certify that on \_\_\_\_\_, 2018, at \_\_\_\_\_ o'clock M., at Salem, Massachusetts a public hearing was held on the petition of the Comcast for permission to lay and maintain underground conduits, manholes and connections, with the wires and cables to be placed therein, described in the order herewith recorded, that we mailed at least seven days before said hearing a written notice the time and place of said hearing to each of the owners of real estate determined by the last preceding assessment for taxation along the ways parts of ways upon which the Company is permitted to construct the lines said Company under said order. And that thereupon said order was duly adopted.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Salem City Council; Salem, Massachusetts

**CERTIFICATE**

I hereby certify that the foregoing is a true copy of a location order, and certificate of hearing with the notice adopted by the City Council for the City of Salem, Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_ 2018, recorded with the records of location orders of said City, Book \_\_\_\_\_, Page \_\_\_\_\_. This certified copy is made under the provision of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

\_\_\_\_\_  
City Clerk





## Ilene Simons

---

**From:** John Giardi  
**Sent:** Tuesday, July 03, 2018 1:18 PM  
**To:** Ilene Simons  
**Subject:** RE: Petition from Comcast for 267 Highland Ave.

O.K. from the Electrical department. Thank you Ilene, have a good fourth of July, John G.

**From:** Ilene Simons  
**Sent:** Tuesday, July 03, 2018 9:08 AM  
**To:** John Giardi; David Knowlton  
**Subject:** Petition from Comcast for 267 Highland Ave.

Please review for comments

Ilene Simons  
City Clerk  
Justice of the Peace  
93 Washington St.  
Salem, MA 01970  
(978) 745-9595 ext. 41202

**From:** [cityclerkmfp@salem.com](mailto:cityclerkmfp@salem.com) <[cityclerkmfp@salem.com](mailto:cityclerkmfp@salem.com)>  
**Sent:** Tuesday, July 03, 2018 10:10 AM  
**To:** Ilene Simons <[ISimons@Salem.com](mailto:ISimons@Salem.com)>  
**Subject:** Message from KM\_C368



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

June 28, 2018

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am pleased to appoint Mark Pattison of 2 Beaver Street to a vacant seat on the Salem Historical Commission for a three-year term to expire June 28, 2021.

A resident of Salem for over thirty years, Mr. Pattison has become a well-known and highly regarded restoration carpenter. He has done work on behalf of the National Park Service at the Salem Maritime National Historic Site on both the Derby House and the West India Goods Store. His work on the central staircase at 55 Perkins Street will be featured on HGTV this month and he is currently restoring a historically significant gate and fence on Chestnut Street. In addition to his professional work, Mr. Pattison is engaged in historic preservation efforts elsewhere, serving as a member of the Danvers Historic District Commission.

I recommend confirmation of Mr. Pattison's appointment to the Historical Commission. We are fortunate that he is willing to serve our community in this important role and lend his dedication and commitment to the commission and its work.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kim Driscoll", is written over a light blue horizontal line.

Kimberley Driscoll  
Mayor  
City of Salem





2018 JUN 26 PM 2: 26

CITY CLERK  
SALEM, MASS.

**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

June 28, 2018

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am very pleased to appoint Chris Nagle, of 11 Warren Street #2, to the Salem Disabilities Commission to complete the remainder of a three-year term to expire December 3, 2018, previously held by Stephen Dwyer. I hope you will join me in thanking Mr. Dwyer for his service on the Commission.

Mr. Nagle is a software engineer by profession, but as a blind person living in Salem, as well as the parent of two children with visual impairment, he more importantly brings a personal perspective on the Commission's important work. Mr. Nagle routinely attends Commission meetings as a member of the public and contributes the group's discussions already. As a person living with a disability himself, I believe Mr. Nagle would be a dedicated and effective member of the Commission. He would bring a passion for advocating for equal access and, through his professional work, an attention to detail and problem solving.

I strongly recommend confirmation of Mr. Nagle to the Disabilities Commission. We are fortunate that he is willing to serve our community in this important role and lend his expertise and dedication to this board and its work.

Very truly yours,

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

Kimberley Driscoll  
Mayor  
City of Salem



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

July 19, 2018

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am very pleased to appoint Patrick Shea, of 31 Highland Street, to the Salem Zoning Board of Appeals to complete the remainder of the term previously held by Rebecca Curran, expiring May 1, 2019. Ms. Curran has stepped down from the board due to work obligations. I hope you will join me in thanking Ms. Curran for her five years of dedicated volunteer service on the ZBA, including time as the board's Chair.

Mr. Shea currently owns and operates Professional Roofing Contractors, Inc., his own business that he started in 2009. He is also a real estate and private equity investor, supporting small businesses and projects throughout the region. A graduate of Salem High School, Mr. Shea received a Bachelor's degree in economics from Assumption College and a Master's degree in finance and banking from Suffolk University. Mr. Shea served on the City's Imagine Salem working group as a volunteer member and contributed greatly to the initiative's efforts.

I strongly recommend confirmation of Mr. Shea to the Zoning Board of Appeals. We are fortunate that he is willing to serve our community in this important role and lend his expertise and dedication to this board and its work.

Very truly yours,

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

Kimberley Driscoll  
Mayor  
City of Salem



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

July 19, 2018

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. Donald Bates, of 31 Settlers Way, to the Board of Registrars of Voters for a term of three years to expire July 19, 2021.

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

Very truly yours,

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

Kimberley Driscoll  
Mayor  
City of Salem



# CITY OF SALEM

In City Council,

Ordered:

July 19, 2018

That the sum of Two Hundred and Eight Thousand Four Hundred and Forty-Five Dollars and Twelve Cents (\$208,445.12) in the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2019 contractual buybacks listed below in accordance with the recommendation of Her Honor the Mayor.

Name	Department	Amount
Robert Strom	School	15,960.00
Sandra Roach	School	15,579.60
Perla Peguero	School	35,771.20
Kathleen Marchetti	School	12,219.30
Nancy Lincoln	School	16,958.00
Barbara Grab	School	33,835.20
Jan Fellows	School	16,514.40
Marc Darisse	School	17,152.00
Pamela Scharffenberg	School	35,560.25
Joanne Griffin	School	8,895.17
		<b>208,445.12</b>



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

July 19, 2018

To the City Council  
City Hall  
Salem, Massachusetts

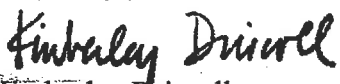
Ladies and Gentlemen of the Council:

Enclosed herewith is a request for an appropriation of Two Hundred and Eight Thousand Four Hundred and Forty-Five dollars and twelve Cents (\$208,445.12) appropriated in the "Retirement Stabilization Fund-Vacation Sick/leave buyback account (83113-5146) to fund the retirement buyback costs to be expended for FY 2019 contractual buybacks.

Name	Department	Amount
Robert Strom	School	15,960.00
Sandra Roach	School	15,579.60
Perla Peguero	School	35,771.20
Kathleen Marchetti	School	12,219.30
Nancy Lincoln	School	16,958.00
Barbara Grab	School	33,835.20
Jan Fellows	School	16,514.40
Marc Darisse	School	17,152.00
Pamela Scharffenberg	School	35,560.25
Joanne Griffin	School	8,895.17
	Total:	<u>208,455.12</u>

I recommend passage of the accompanying Order.

Very truly yours,

  
Kimberley Driscoll  
Mayor



# 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, Director of Finance  
**DATE:** July 12, 2018  
**RE:** Retirement Stabilization Fund

\*\*\*\*\*

Attached you will find a retirement buy back for a former employee of the Salem Public Schools.

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

### Robert Strom

40 sick days @ \$399.00 per day	\$15,960.00
<b>Total:</b>	<b>\$15,960.00</b>

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



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KIMBERLEY DRISCOLL
MAYOR

LISA B. CAMMARATA
DIRECTOR OF HUMAN RESOURCES

MEMORANDUM

TO: Laurie Giardella, Director of Finance
DATE: July 12, 2018
RE: Retirement Stabilization Fund

\*\*\*\*\*

Attached you will find a retirement buy back for a former employee of the Salem Public Schools.

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

Sandra Roach

40 sick days @ \$389.49 per day \$15,579.60
Total: \$15,579.60

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.

Handwritten signature of Lisa B. Cammarata

Handwritten signature of Laurie Giardella
Finance Director



CITY OF SALEM, MASSACHUSETTS

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KIMBERLEY DRISCOLL
MAYOR

LISA B. CAMMARATA
DIRECTOR OF HUMAN RESOURCES

MEMORANDUM

TO: Laurie Giardella, Director of Finance
DATE: July 12, 2018
RE: Retirement Stabilization Fund

\*\*\*\*\*

Attached you will find a retirement buy back for a former employee of the Salem Public Schools.

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

Perla Peguero

80 sick days @ \$447.14 per day \$35,771.20

Total: \$35,771.20

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.

LBC

Finance Director





CITY OF SALEM, MASSACHUSETTS

HUMAN RESOURCES
120 WASHINGTON STREET
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FAX (978) 745-7298

KIMBERLEY DRISCOLL
MAYOR

LISA B. CAMMARATA
DIRECTOR OF HUMAN RESOURCES

MEMORANDUM

TO: Laurie Giardella, Director of Finance
DATE: July 12, 2018
RE: Retirement Stabilization Fund

\*\*\*\*\*

Attached you will find a retirement buy back for a former employee of the Salem Public Schools.

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

Kathleen Marchetti

30 sick days @ \$407.31 per day \$12,219.30
Total: \$12,219.30

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.

LBC [Handwritten signature]

[Handwritten signature]
Finance Director



# CITY OF SALEM, MASSACHUSETTS

HUMAN RESOURCES  
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KIMBERLEY DRISCOLL  
MAYOR

LISA B. CAMMARATA  
DIRECTOR OF HUMAN RESOURCES

## MEMORANDUM

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

\*\*\*\*\*

Attached you will find a retirement buy back for a former employee of the Salem Public Schools.

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

**Nancy Lincoln**

40 sick days @ \$423.95 per day	\$16,958.00
<b>Total:</b>	<b>\$16,958.00</b>

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



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KIMBERLEY DRISCOLL  
MAYOR

LISA B. CAMMARATA  
DIRECTOR OF HUMAN RESOURCES

MEMORANDUM

TO: Laurie Giardella, Director of Finance  
DATE: July 12, 2018  
RE: Retirement Stabilization Fund

\*\*\*\*\*

Attached you will find a retirement buy back for a former employee of the Salem Public Schools.

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

**Barbara Grab**

80 sick days @ \$422.94 per day	\$33,835.20
<b>Total:</b>	<b>\$33,835.20</b>

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



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KIMBERLEY DRISCOLL  
MAYOR

LISA B. CAMMARATA  
DIRECTOR OF HUMAN RESOURCES

MEMORANDUM

TO: Laurie Giardella, Director of Finance  
DATE: July 12, 2018  
RE: Retirement Stabilization Fund

\*\*\*\*\*

Attached you will find a retirement buy back for a former employee of the Salem Public Schools.

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

Jan Fellows

40 sick days @ \$412.86 per day	\$16,514.40
<b>Total:</b>	<b>\$16,514.40</b>

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, 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, Director of Finance  
**DATE:** July 12, 2018  
**RE:** Retirement Stabilization Fund

\*\*\*\*\*

Attached you will find a retirement buy back for a former employee of the Salem Public Schools.

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

**Marc Darisse**

40 sick days @ \$428.80 per day	\$17,152.00
<b>Total:</b>	<b>\$17,152.00</b>

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.

LBC

Finance Director 7/12/18



# 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: July 12, 2018  
RE: Retirement Stabilization Fund

\*\*\*\*\*

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

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

<b>Pamela Scharffenberg</b>	
47.5 vacation days @ \$258.62 per day	\$12,284.45
90 sick days @ \$258.62 per day	\$ 23,275.80
<b>TOTAL DUE:</b>	<b>Total: \$35,560.25</b>

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.

LBC,

Finance Director 7/12/18



# CITY OF SALEM, MASSACHUSETTS

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FAX (978) 745-7298

KIMBERLEY DRISCOLL  
MAYOR

LISA B. CAMMARATA  
DIRECTOR OF HUMAN RESOURCES

## MEMORANDUM

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

\*\*\*\*\*

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

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

**Joanne Griffin**

5.75 vacation days @ \$92.90 per day \$534.17

90 sick days @ \$92.90 per day \$ 8,361.00

**TOTAL DUE: Total: \$8,895.17**

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.

LBC

Finance Director



# CITY OF SALEM

In City Council, July 19, 2018

## Ordered:

That the sum of Ninety-Five Thousand, Five Hundred and Sixty-One Dollars and Sixty-Eight Cents (\$95,561.68) is hereby appropriated from General Fund Balance Reserved for Free Cash (1-3245) to the following special revenue funds. This transfer is requested in accordance with the recommendation of Her Honor the Mayor.

Fund Name/Description	Amount
Capital Improvement Fund 2000	<u>\$ 95,561.68</u>





**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll

Mayor

July 19, 2018

To the City Council  
City Hall  
Salem, Massachusetts

Ladies and Gentlemen of the Council:

Enclosed herewith is a request to appropriate Ninety-Five Thousand, Five Hundred and Sixty-One Dollars and Sixty-Eight Cents (\$95,561.68) from General Fund Balance Reserved for Free Cash (1-3245) to the following special fund.

<u>Fund Name/Description</u>	<u>Amount</u>
Capital Improvement Fund 2000	\$95,561.68

At this time in the fiscal year, unutilized free cash is moved to stabilization funds as a routine financial practice. Appropriating these funds to our capital outlay account will enable the City to make use of them for unforeseen capital needs as they arise.

I recommend passage of this accompanying Order.

Sincerely,

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

Kimberley Driscoll  
Mayor



## City of Salem, Massachusetts

Finance Department  
93 Washington Street  
Salem, MA 01970  
[www.salem.com](http://www.salem.com)

**Kimberley L. Driscoll, Mayor**

**Laurie A. Giardella, Finance Director**

---

July 16, 2018

Honorable Salem Mayor Kimberley Driscoll  
Salem City Hall  
Salem, Massachusetts

Dear Honorable Mayor Driscoll:

I am respectfully requesting the amount of ninety-five thousand, five hundred sixty-one dollars and sixty-eight cents (\$95,561.68) be transferred from general fund free cash to the short-term capital fund to cover costs associated with short term capital as identified needs arise.

Please let me know if you need any further information.

Regards,

  
Laurie A. Giardella  
Finance Director

**CITY OF SALEM**  
**Stabilization & CIP Annual Free Cash Appropriation**

Date 7/13/18

---

Transfer To: 83011-4970 Desc: Stabilization Fund

Amount: \$

Transfer To: 20001-4970 Desc: Capital Improvement Fund

Amount: \$

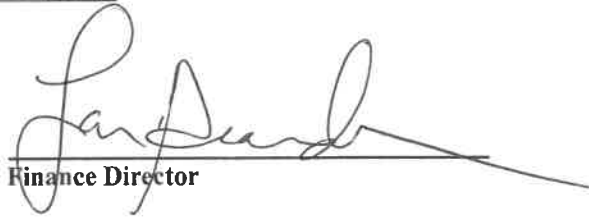
Reason: EOY Free Cash Transfer

---

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

Free Cash Balance: 95,561.68

**Recommendation:**  
 Approved       Denied

  
Finance Director

---

Processed:      Date: \_\_\_\_\_      By: \_\_\_\_\_

CO # \_\_\_\_\_      JE#: \_\_\_\_\_      Transfer #: \_\_\_\_\_

CITY OF SALEM, MASSACHUSETTS  
FY 2018 FREE CASH SUMMARY

7/13/2018  
10:02 AM

Description	Date To Council	Pending Free Cash	Date Approved	C.O. #	Approved Free Cash	Reason
-------------	-----------------	-------------------	---------------	--------	--------------------	--------

CERTIFIED FREE CASH

4,922,937.00

20% To Stabilization	11/16/17		11/16/17	649	(984,587.40)	Free Cash transfer per Finance Policies
20% to CIP	11/16/17		11/16/17	649	(984,587.40)	Free Cash transfer per Finance Policies
5% to OPEB	11/16/17		11/16/17	649	(246,146.85)	Free Cash transfer per Finance Policies
Board of Health - Overtime	11/16/17		11/16/17	655	(2,000.00)	Unanticipated additional weekend hours for pop-up events
COA-Printing & Binding	11/16/17		11/16/17	652	(20,000.00)	Expenses for Salem for All Ages
Electrical - Street Lighting	12/07/17		12/07/17	698	(12,000.00)	To hire contractor to cover inspections for employee out on medical leave
Offset Tax Rate	12/07/17		12/07/17	692	(1,694,429.00)	Free cash to offset tax rate
Planning Contracted Services	12/07/17		12/07/17	699	(2,000.00)	Research, data input and analysis for green communities initiatives
Planning Overtime	01/11/18		01/11/18	11	(5,200.00)	Unanticipated OT needed for document handling for City Hall Annex move
HR Overtime	01/11/18		01/11/18	11	(1,800.00)	Unanticipated OT needed for document handling for City Hall Annex move
Building Insp Overtime	01/11/18		01/11/18	11	(1,200.00)	Unanticipated OT needed for document handling for City Hall Annex move
Health Overtime	01/11/18		01/11/18	11	(1,800.00)	Unanticipated OT needed for document handling for City Hall Annex move
Veterans In-State Travel	01/25/18		01/25/18	64	(1,500.00)	Unanticipated training for Veterans Administrations Claims
City Council Advertising	01/25/18		01/25/18	62	(28,000.00)	Additional funds needed due to increased volume of advertising needed for council.
Planning Contracted Services	01/25/18		01/25/18	63	(2,500.00)	City share of North Shore Mobility Study
Police Medical	01/25/18		01/25/18	60	(45,000.00)	Additional funds needed for police medical expenses
DPS Equipment Lease	01/25/18		02/08/18	66	(106,696.00)	Funds needed for DPS Equipment Lease
DPS Equipment Repairs	01/25/18		02/08/18	68	(18,500.00)	Additional Funds needed for DPS equipment repairs
Electrical Street Lighting	02/08/18		02/08/18	102	(12,000.00)	Additional Funds needed to cover for employee out on medical leave
DPS Spray/Tree Removal	03/08/18		03/08/18	175	(48,000.00)	Tree maintenance, removals and plantings city-wide.
Retirement Stabilization	03/08/18		03/08/18	177	(18,000.00)	Additional funds needed for contractual buybacks
Retirement Stabilization	03/22/18		03/22/18	203	(250,000.00)	Additional funds needed for retirement buybacks for remainder of 2018
DPS Contracted Services	04/12/18		04/12/18	223	(30,000.00)	Additional Funds needed for spring 2018 mowing of parks and bikepaths
Collector's FT Salaries	04/12/18		04/12/18	225	(12,000.00)	Additional funds to cover pay for temp while 2 employees out on maternity leave
Mayor Contracted Services	05/10/18	(10,000.00)				Funds needed for assessment center for new Fire Chief
City Council Advertising	05/24/18		05/24/18	328	(20,000.00)	Additional funds needed due to increased volume of advertising needed for council.
City Council Printing and Binding	05/24/18		05/24/18	328	(10,000.00)	Additional funds needed due to pay Muni code for additional ordinances
Police Medical	05/24/18		05/24/18	329	(17,640.00)	Additional funds needed for police medical expenses
Fire Medical	05/24/18		05/24/18	327	(52,397.67)	Additional funds needed for Fire medical expenses
School - Bentley Roof	05/24/18		06/14/18	340	(73,706.00)	Additional funds needed for Bentley Roof replacement
Purchasing Telephone	06/14/18		06/14/18	385	(8,000.00)	Additional funds needed for telephones for remainder of year
Planning Contracted Services	06/14/18		06/14/18	384	(10,000.00)	Funds needed for REI for Winter Island Hanger
Treasurer Credit Card Fees	06/28/18	(33,000.00)				Funds needed for credit card fees for parking meters and kiosks
Recreation-Willows Pier	06/28/18		06/28/18	440	(64,685.00)	Additional funds needed for repair of Salem Willows pier
CIP	06/19/19	(95,561.68)				EOY Balance of Free Cash to CIP fund

(4,784,375.32)  
138,561.68

(138,561.68)  
(0.00)

TOTAL FREE CASH USED  
BALANCE



# CITY OF SALEM

In City Council,

July 19, 2018

**Ordered:**

That the sum of Forty Thousand Dollars (\$40,000.00) is hereby appropriated from the "Retained Earnings – Trash Fund" account (6200-3120) to the "Engineering – Solid Waste Collection" Account (620032-5291) in accordance with the recommendation of Her Honor the Mayor.



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

July 19, 2018

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Order appropriates \$40,000 from retained earnings in our trash enterprise fund to cover unanticipated additional costs that arose partially through FY2018 and are reflected on the City's final invoice for that fiscal year from Waste Management. These additional costs came from two primary causes.

The first cause was a market-wide change in the value of recyclable materials. In March, China imposed a new standard on contamination in recycled materials, as well as a ban on 24 categories of scrap and recyclables. The impact on recycling costs has been felt across the United States and Salem is no exception. Where previously we had been paying \$20 per ton for recycling processing, in the last invoice from Waste Management for the previous fiscal year that rate rose to \$51 per ton. For comparison, we currently pay \$72 per ton for disposing of trash.

The second cause of the increase in cost was due to a change in City policy to allow residents to place up to two bulk items for disposal curbside every other week, up from the original policy that limited the number to one bulk item per week. When this policy was changed the number of bulk items collected per month on average increased by 45%. While other communities charge their residents for bulk item collection, we continue to provide this service free to residents and subsidize it through the City's payment to Waste Management itself.

I recommend adoption of the enclosed Order so that the final FY2018 invoice from Waste Management can be processed and paid as per our contract with the company.

Very truly yours,

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

Kimberley Driscoll  
Mayor  
City of Salem




**CITY OF SALEM**  
SALEM, MASSACHUSETTS  
ENGINEERING DEPARTMENT  
120 WASHINGTON STREET, 4TH FLOOR  
SALEM, MA 01970  
Phone: (978) 745-619-5673

**Kimberley Driscoll**  
Mayor

DAVID H. KNOWLTON, P.E.  
CITY ENGINEER/DPS DIRECTOR

MEMORANDUM

July 12, 2018

To: Dominick Pangallo, Chief of Staff  
From: David H. Knowlton, P.E., City Engineer/DPS Director   
RE: Request to Appropriate \$40,000 from Trash Enterprise Retained Earnings

---

This memo has been prepared to request a transfer of \$40,000 from the Trash Enterprise Retained Earnings to fund the final FY 2018 Waste Management invoice.

The FY 2018 budget line was insufficient for two main reasons:

- The recycling processing line was budgeted at \$20 per ton, it has risen to \$51 per ton
- The bulk item line was budgeted at 550 items per month, we have actually collected an average of 800 items per month due to increasing the allowance from one to two items per recycling week in June 2017

The funds should be transferred to the Trash Encumbrance Line to process this final invoice.

If you have any questions, or require additional information, please call. The Engineering Departments will be available to meet with the City Council to discuss this request.

Cc: Laurie Giardella, Finance Director

# CITY OF SALEM – Finance Department

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

**From:** Engineering  
Department

  
Department Head Authorizing Signature

July 12, 2018  
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: 6200.32-5291 Desc: Solid Waste Collection Budget Amt: \$40,000  
Balance: \$0  
**Retained Earnings (Trash)** (Org/Object)

**Raise & Appropriate**  
Please circle one

**Amount Requested:** \$ 40,000

**Reason (Be Specific)** The Solid waste line included an assumption of \$20 per ton for recycling processing, currently the processing fee is over \$50 per ton due to market conditions. The budget also assumed 550 bulk items per month-we have actually 800 per month because of the June 2017 increase from 1 to 2 items per recycling week.

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

\_\_\_\_\_ Budget Transfer \_\_\_\_\_ Mayor Approval \_\_\_\_\_ City Council Approval

\_\_\_\_\_ Free Cash Appropriation – City Council Approval – Gen Fund \$ \_\_\_\_\_  
Free Cash Balance

\_\_\_\_\_ R/E Appropriation –Water \$ \_\_\_\_\_ R/E Appropriation Sewer \$ \_\_\_\_\_  
R/E Balance R/E Balance

\_\_\_\_\_ Receipts Reserve – City Council Approval \$ \_\_\_\_\_  
R/Res Fund Balance

\_\_\_\_\_ Raise & Appropriate \_\_\_\_\_ Other \_\_\_\_\_  
  
Finance Director

**Recommendation:** \_\_\_\_\_ Approved \_\_\_\_\_ Denied

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





# CITY OF SALEM

In City Council,

July 19, 2018

**Ordered:**

That the sum of Two Thousand Dollars (\$2,000.00) is hereby appropriated in the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the negotiated sick leave buyback provision as needed in accordance with the recommendation of Her Honor the Mayor.



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

July 19, 2018

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Order appropriates \$2,000 from the retirement stabilization/sick leave buy-back account (83113-5146) for the purposes of funding negotiated sick leave buy-backs from active employees, not retirees, in conformance with the contractual language negotiated that allows members to buy back unused sick leave time on either a one-time basis or an annual basis, depending on the collective bargaining agreement.

I recommend adoption of the enclosed Order.

Very truly yours,

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

Kimberley Driscoll  
Mayor  
City of Salem



**KIMBERLEY L. DRISCOLL**  
MAYOR

**LISA B. CAMMARATA**  
DIRECTOR OF HUMAN  
RESOURCES

## CITY OF SALEM MASSACHUSETTS

HUMAN RESOURCES  
98 WASHINGTON STREET, 3RD<sup>FL</sup> FLOOR  
TEL. 978-619-5630

July 17, 2018

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

**RE: Retirement Stabilization**

Dear Mayor Driscoll:

I am respectfully requesting the amount of two thousand dollars (\$2,000.00) be appropriated in the Retirement Stabilization Fund for sick leave buybacks requests submitted in accordance with collective bargaining agreements with our various unions.


Sick leave buy-backs to be filled under this particular appropriation request are for these active employees, not retirees, who wish to take advantage of contractual language allowing members to buyback sick leave on either a one-time basis, or an annual basis, depending upon their respective collective bargaining agreements. A lump sum request for this purpose will allow us to process those requests in an efficient and timely manner.

Thank you for your attention and cooperation with this request, and if you have any questions, please do not hesitate to contact me.

Very truly yours,

  
Lisa B. Cammarata

cc: File

  
Finance Director



# CITY OF SALEM

In City Council, July 19, 2018

## Ordered:

The City Council hereby waives City Ordinance Sec. 24-18. *Circuses and carnivals prohibited within Riley Plaza* for the period of October 9, 2018 through November 2, 2018 to enable Fiesta Shows to hold a carnival at Riley Plaza.



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

July 19, 2018

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed please find an Order waiving Section 24-18 of the Code of Ordinances for the period of October 9 through November 2, 2018. This Section of our Code prohibits carnivals and similar activities from Riley Plaza.

As you know, with 289 Derby Street under construction for a new waterfront public park, the parcel historically utilized for the October carnival is no longer available starting this October. Working with Fiesta Shows, we have studied multiple potential locations in and around downtown Salem, in an effort to identify a site that will be of sufficient size, access, and distance from residences. There are also technical requirements for a carnival site, including clearance from utilities and so forth. After nearly a year of study, we have identified the northern portion of Riley Plaza, roughly 40% of the lot, as the most suitable location.

This plan has been reviewed by Salem Police and Fire, as well as the Traffic and Parking Department, special events coordinator, and other City staff. It is being simultaneously filed with the Traffic and Parking Commission for their review. As proposed, the carnival would occupy a total of 44 of the 112 spaces in the lot, leaving 68 spaces still available to the public.

The plan as designed will take one handicapped parking space, which will be replaced by a new handicapped space in the southern portion of the parking lot for the duration of the carnival. Of the remaining 43 spaces being taken up, 32 are Zone 1 monthly pass spaces and 11 are metered spaces. Of the 68 spaces not effected by the proposal, we will retain all 39 spaces for the Norman Street condominium residents, as well as 26 Zone 1 monthly pass spaces, about enough to cover the 30 Zone 1 monthly passes sold to date.

The total potential revenue loss from those 44 spaces, for the 25 day duration of the carnival's time, would be a little over \$2,000. To put that into context, last year the carnival generated about \$30,000 in revenues for the City, more than off-setting this loss of parking revenues. I would like to emphasize that, while the carnival is a fun and family-friendly component of our October

festivities, it also serves an important public safety purpose, by providing a productive activity for youth. Furthermore, the revenues it brings in are a vital component of the October public safety and public works balance sheet; without those funds, we will be less able to afford the necessary first responder, emergency preparedness, or public works services that are critical to a safe October in Salem.

I recommend adoption of the enclosed Order and welcome the opportunity to discuss it with you, representatives of Fiesta Shows, and City and Police staff who have been working on this plan for the last several months. Our hope is to have this finalized in September, in advance of the October 9<sup>th</sup> start date for this year's carnival.

Very truly yours,



Kimberley Driscoll  
Mayor  
City of Salem

CC: Traffic and Parking Commission





# CITY OF SALEM

In City Council, July 19, 2018

## Ordered:

The Mayor is hereby authorized to execute, on behalf of the City of Salem, a five-year extension of a lease between the City of Salem and American Tower Asset Sub II, LLC to enable the City to attach equipment to American Tower's pole for the City's two-way radio system.





**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

July 19, 2018

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Order authorizes the City to enter into a five-year extension of an existing lease with American Tower. The lease enables the City to utilize American Tower's infrastructure for placing equipment necessary for the City's radio system.

I recommend adoption of the enclosed Order.

Very truly yours,

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

Kimberley Driscoll  
Mayor  
City of Salem



KIMBERLEY DRISCOLL  
MAYOR

DAVID H. KNOWLTON, P.E.  
CITY ENGINEER

## CITY OF SALEM, MASSACHUSETTS

ENGINEERING DEPARTMENT  
98 WASHINGTON STREET 2<sup>ND</sup> FLOOR  
TEL.(978) 619-5673

July 16, 2018

Honorable Mayor Kimberley Driscoll  
93 Washington Street  
Salem, MA 01970

RE: American Tower Lease

Dear Mayor Driscoll:

I am requesting that you submit an Order to the council pursuant to Sec. 2-1688, Contracts beyond three years, which provides that "No officer or board shall make any contract in behalf of the city, the execution of which will necessarily extend beyond three years from the date thereof, unless special permission to do so has been given by vote of the city council or by the commonwealth statutes" so the City may extend its current lease with American Tower for an additional five years.

This lease extension is at no cost to the City and will enable us to maintain a pole attachment for two-way radio equipment used by the City.

Sincerely,

David Knowlton  
City Engineer/DPS Director



# CITY OF SALEM

In City Council, July 19, 2018

**Ordered:** The Salem City Council hereby declares that Lot 2, comprising 3,903+/- S.F. of land shown on a Plan entitled "Plan of Land in Salem, 289 Derby Street, Property of City of Salem; 285 Derby Street, Property of South Harbor Holdings, LLC, Scale 1"=20', March 15, 2018, North Shore Survey Corp., 14 Brown Street, Salem, MA," hereinafter "Lot 2", is surplus property.

Be it further Ordered that the Salem City Council, in accordance with City Ordinance Chapter 2, Section 2-277, hereby authorizes the Mayor to execute a deed on behalf of the City of Salem conveying Lot 2 to the Salem Redevelopment Authority for consideration of Ten Dollars. Such a conveyance is consistent with the public procurement law, Chapter 30B, as agreements between agencies, boards, commissions, authorities, departments or public instrumentalities of one city or town are exempt from public bidding laws. The City Solicitor shall ensure that the deed to the Salem Redevelopment Authority contains restrictions consistent with the Order of Taking dated December 8, 2016.



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

July 19, 2018

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Order authorizes the City to transfer a portion of the eastern edge of the new open space currently under construction at 289 Derby Street to the Salem Redevelopment Authority. A copy of the plan, as well as additional background about the SRA, are also enclosed for your information. If approved by the Council, the lot will require a subdivision by the Planning Board. The SRA will then be able to undertake a negotiation with adjacent private property owners that would make it possible for them to utilize the area in conjunction with their plans to renovate 285 Derby Street.

Their intention is to convert their building so it has west-facing retail and restaurant spaces; having the ability to enter into an agreement with the SRA would enable for outdoor seating and similar configurations for café style offerings that will help enliven the new park once it is complete. Our goal is to leverage the commercial activity of these new small businesses to help enrich the public space, provide an added measure of public safety by generating productive activity in the vicinity, and create an amenity for the community similar to what we have seen at Lappin Park.

I am excited about the many possibilities that the new park at 289 Derby Street presents and I strongly recommend adoption of the enclosed Order.

Very truly yours,

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

Kimberley Driscoll  
Mayor  
City of Salem



## **Salem Redevelopment Authority**

The opportunity for cities and towns in Massachusetts to establish redevelopment authorities was created through legislation in the early 1960s. Massachusetts General Laws Chapter 121B is the law pursuant to which the Salem Redevelopment Authority (SRA) was organized and authorized in 1963. Redevelopment Authorities were created to assist in the redevelopment of blighted or economically underutilized areas in a city or town.

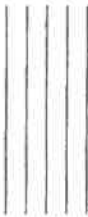
With the above referenced statute, the SRA has numerous capabilities and tools to undertake its charge. The SRA has the ability to purchase real estate, via a negotiated sale or eminent domain taking and to license, lease or sell property to interested and amenable purchasers. In addition, the SRA has the right of review of all construction and reconstruction projects, exterior improvements, and site work within the boundaries of the City's urban renewal areas, to ascertain their conformance with the use and design guidelines established by the SRA's renewal plans. The SRA can also receive public property from the City or other public entities. To receive property from the City, the City Council must vote to so transfer it to the SRA.

Based on the standards set forth in M.G.L. Chapter 121B, the SRA is required to follow a designated process when it licenses, leases or disposes of real property including obtaining appraisals and issuing formal public notices. There are many benefits to conveying the property to the SRA. The SRA has an ability to negotiate with licensees, lessees or purchasers that the City, due to M.G. L. Chapter 30B, does not. The SRA has the ability to choose its partners and what projects might spur local economic benefits and community enhancements. Through Chapter 30B, this objective is far more difficult to accomplish. Finally, the SRA can ensure that all of the requirements set forth in the City's urban renewal plans and design standards are achieved.



LOCUS MAP  
SCALE 1" = 800'

PLANNED BOARD APPROVAL UNDER  
THE SUBDIVISION CONTROL LAW NOT REQUIRED  
**SALEM PLANNING BOARD**



THE ABOVE ENCLOSURE IS NOT A DETERMINATION  
OF CONFORMANCE WITH ZONING REGULATIONS

NOTES:

1. LOT 1 & 2 ARE CURRENTLY THE PROPERTY OF THE CITY OF SALEM. LOT 1 IS TO BE CONVEYED WITH ADJACENT LAND OF SOUTH HARBOR HOLDINGS LLC. LOT 2 IS NOT A SALEABLE LOT.
2. ZONING DISTRICT - GENERAL DEVELOPMENT.

PLAN OF LAND  
IN  
SALEM



235 DERRY STREET  
CITY OF SALEM  
235 DERRY STREET

PROPERTY OF  
**SOUTH HARBOR HOLDINGS, LLC**  
SCALE 1" = 20' MARCH 11, 2019  
NORTH BRIDGE SURVEY CORPORATION  
14 BRIDGE STREET, SALEM, MA  
978-744-1800

I CERTIFY THAT THIS PLAN CONFORMS TO THE  
RULES AND REGULATIONS OF THE REGISTRARS OF DEEDS.

*[Signature]*  
REGISTERED PROFESSIONAL LAND SURVEYOR

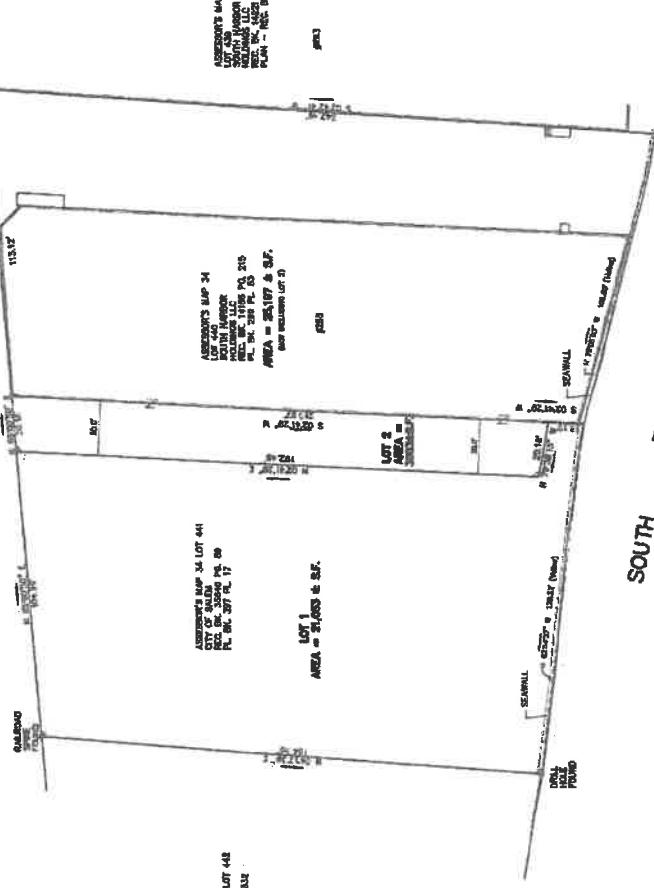


DERBY STREET

PERMITS - VARIABLE WIDTH

DERBY STREET

SOUTH RIVER



ASSUMERS MAP 34 LOT 448  
CITY OF SALEM  
RECORDING DATE: 02/24/00 PLS. 332  
PLAN 856/7/004

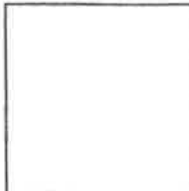
ASSUMERS MAP 34 LOT 441  
CITY OF SALEM  
RECORDING DATE: 02/27/00 PLS. 337  
PLAN 856/7/004

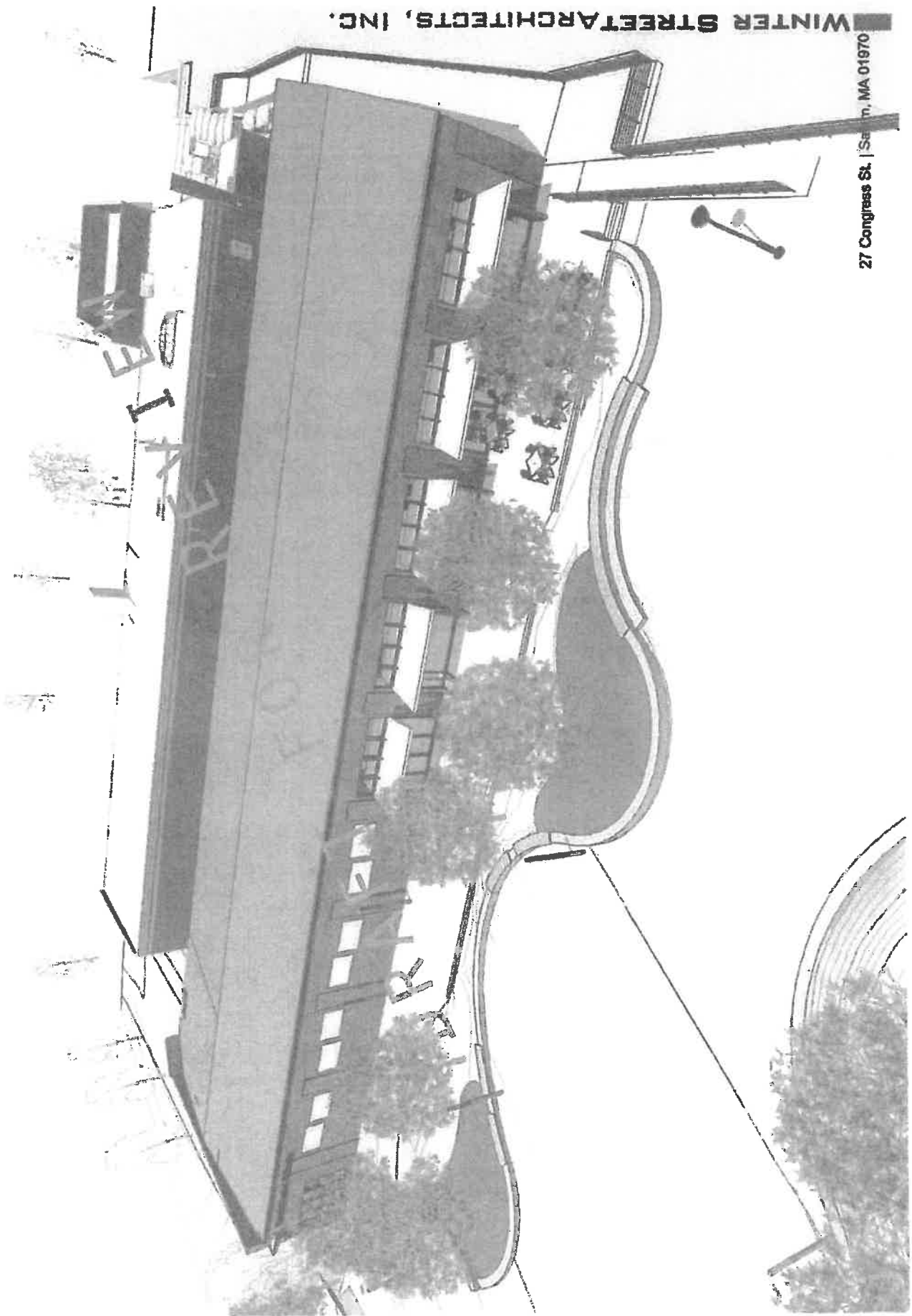
ASSUMERS MAP 34  
CITY OF SALEM  
RECORDING DATE: 02/27/00 PLS. 337  
PLAN 856/7/004

ASSUMERS MAP 34  
CITY OF SALEM  
RECORDING DATE: 02/27/00 PLS. 337  
PLAN 856/7/004

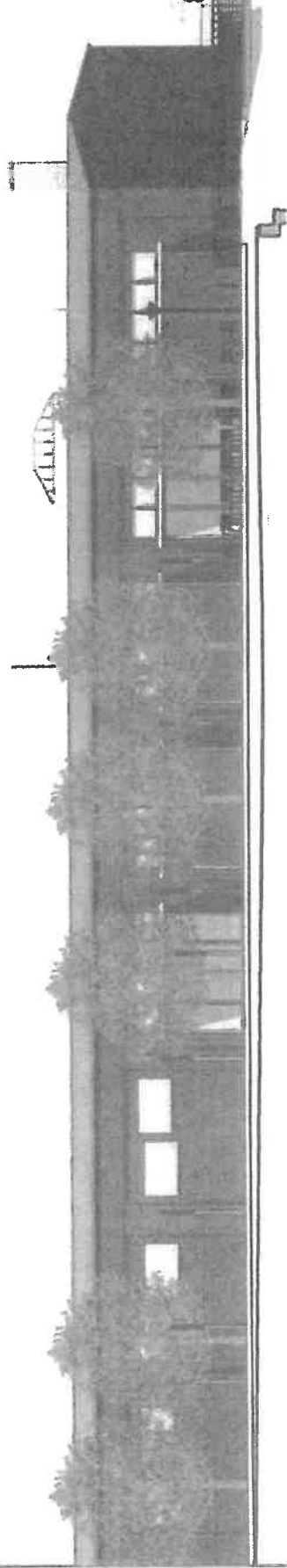


FOR REVISION USE ONLY





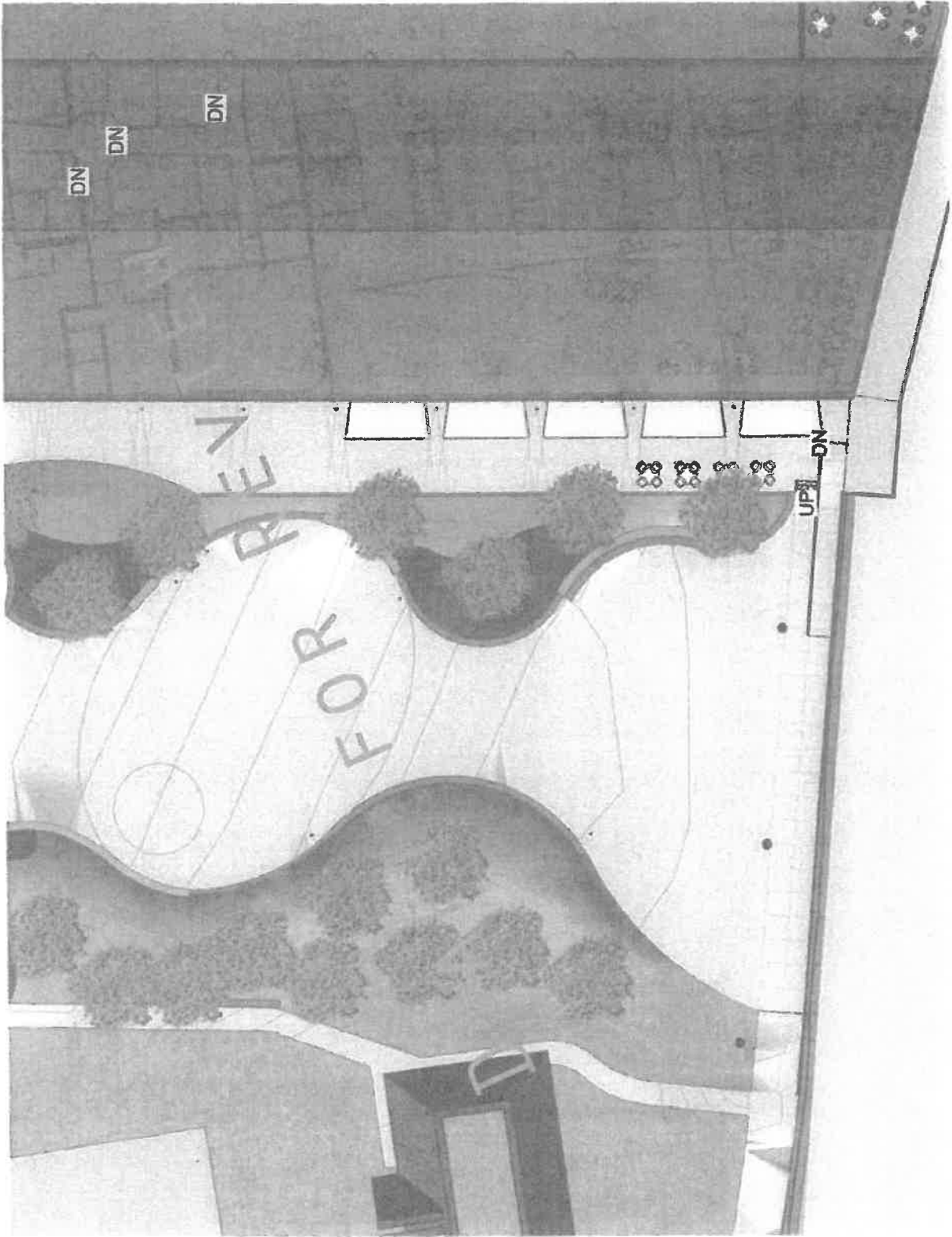
DRAFT FOR REVIEW



WINTER STREET ARCHITECTS, INC.

27 Congress St. | Salem, MA 01970





WINTER STREET ARCHITECTS, INC.

27 Congress St. | Salem, MA 01970



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

July 19, 2018

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed please find three Ordinances regarding short-term rentals in Salem; for the purposes of these measures we define a short-term rental as a residential unit used for occupancy by a person or persons for a period of fewer than 30 consecutive days for a fee. These documents are the culmination of several months of research, review, and public input. I believe they reflect an appropriate path forward to regulate these growing use, allowing it to continue within reasonable limits and on an even playing field with our established lodging operators.

One of the most important ways we can level that playing field is through the extension of the room excise tax to all lodging operators – hotels, motels, inns, bed and breakfasts, and short-term rentals; I am glad that we have sent the legislature a home rule petition to extend this excise to short-term rentals and I hope they will act on this issue before the conclusion of this legislative session.

The new requirements proposed here are in addition to our requirement adopted last year that all short-term rentals undergo an annual certificate of fitness inspection, which is the same inspection required of all other residential rentals. In addition, all existing building and occupancy codes, sanitary codes, noise, nuisance, parking, and trash ordinances continue to apply to these uses, as they do to all properties.

With these proposed measures we are seeking a balanced approach that recognizes many Salem homeowners use short-term rentals as a means to supplement their income. According to Airbnb, the average Salem host took in \$8,900 in 2017, which can be a great help to our residents, especially those on fixed incomes and to retirees, who may rely on this income to be able to remain in their home. These uses also help support our tourism economy, as visitors who are able to stay in Salem – as opposed to an out-of-town hotel – tend to spend more locally. However, while Airbnb data reports that around 10,600 guests stayed in Airbnb units in Salem in 2017, we also know that somewhere around 1 million visitors came to Salem last year, indicating that,

while Airbnb guests are part of the tourism economy, they are only a small part of it. We also know that high-turnover of these rentals can create disruption in neighborhoods, with parking and noise impacts. The proposed ordinance will help to ensure that hosts provide guests with information about the neighborhood they are staying in, what our standards and requirements are, and that the City has a local point of contact in the event of problems or emergencies. Moreover, the proposed ordinance prohibits 'problem properties', where there have been negative interactions with city public safety or inspectional services staff, including code violations and/or calls for police service, from participating as a short-term rental.

We also recognize the potential impact on the availability of housing for long-term rentals, though the extent of that, for now, appears to be minimal: Airbnb reported that they had 150 hosts in Salem in 2017, though there are certainly some hosts with multiple listings. Because the enclosed measures will provide the City with data on the number and location of short-term rentals, we will monitor the proportion of short-term rentals to the overall number of rental units and residential units. In the event in the future the City identifies that short-term rentals are increasing as a share of our housing stock, we would recommend additional regulations to discourage the use and encourage traditional residential rental use instead.

Hopefully you had a chance to review the proposed draft Ordinance that we circulated on June 5<sup>th</sup>. You will find that there are a few changes between that draft and the version that we formally filed with you today. You will notice that we have incorporated public comment expressing a belief that the limit on the number of days for all types of owner occupied short-term rentals be lifted. We maintained, however, the draft's original prohibition on renting out of individual rooms excepting those units where the owner lives and is present at the time of rental and we have eliminated investor-owned short-term rental units.

All other elements of the draft Ordinance from June remain: ineligible (problem properties, properties with Ordinance violations, etc.) and exempt units (institutional properties, etc.), registration requirements, the local contact and Community Information Card requirement, a requirement that a duplicate copy of the short-term listing submitted to the platform also be submitted to the City, and the procedures for complaints, enforcement, and fines. Fines are set by an additionally enclosed Ordinance at \$50 for a first offense, \$150 for a second, and \$300 for a third. Three violations of the Ordinance within a six-month period renders the unit ineligible for use as a short-term rental for a period of six months. We require the listing companies, like Airbnb, who post listings in Salem to provide data on a quarterly basis to the City. Finally, we maintain the proposal for a "featured" short-term rental listing of hosts who excel at compliance and are models of how to be part of the neighborhood in a productive, non-disruptive manner.

The most significant change from the draft Ordinance, however, is that it prohibits non-owner occupied/investor owned properties from being used as short-term rentals unless they were in existence prior to the date of this filing (July 17, 2018). The accompanying Zoning Ordinance amendments provide that currently operating investor-owned short-term rentals as of this date, July 17 2018, are provided with a potential path to continued operation via a special permit from the Zoning Board of Appeals. The property must be in a zone where either bed and breakfast use, lodging house use or inn use is already allowable (bed and breakfasts: R2, B1, and B2; inns: R3, B2, B4, and B5; lodging houses R2, B1, B2) and meet the ZBA's determination that it is

not substantially more detrimental to the neighborhood, the standard basis for granting special permits. Non-owner-occupied short-term rentals so permitted must pay the non-owner-occupied rental trash fee and will be considered commercial properties for tax classification purposes.

I believe that these measures provide a reasonable step forward in regulating this new industry. The proposals put safeguards on guests, seek to preserve the character of our neighborhoods, levels the playing field with existing lodging establishments, provides a path for compliance for existing hosts, and allows owner occupied homeowners who engage in this use to supplement their income to continue to do so. We require information be provided to the City so we can ensure hosts are in compliance with the law, the City has a local contact for each short-term rental, and hosts are providing their guests with the information they need to be good neighbors during their visit to our community.

There are some who have called for this use to be banned outright; likewise, others have decried any attempt at regulation. The most appropriate way to proceed, I believe, is to strike a balance between these two extremes. I feel this set of Ordinances accomplishes that and I very much look forward to continuing this conversation with you and with all those in our community who have an interest in this issue.

Very truly yours,

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

Kimberley Driscoll  
Mayor  
City of Salem

# City of Salem

---

*In the year Two Thousand and Eighteen*

**An Ordinance** to allow short-term rentals in the City of Salem.

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

AN ORDINANCE ALLOWING SHORT-TERM RESIDENTIAL RENTALS IN THE CITY OF SALEM

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

**SECTION 1.** A new section of the City of Salem Code, Ordinances, PART III, CHAPTER 15 SHORT-TERM RENTALS is hereby enacted as follows:

**“Chapter 15 Short-Term Residential Rentals.**

***15-1 Purpose.***

The purpose of this section is to provide a process through which certain dwelling units may be registered with the City of Salem for use as short-term rental units under the stipulations laid out within the ordinance.

***15-2 Definitions.***

*Booking Agent.* Any person or entity that facilitates reservations or collects payment for a Short-Term Rental on behalf of or for an Operator.

*Director.* Director of the Inspectional Services Department or a designee.

*ISD.* City of Salem Inspectional Services Department.

*Operator.* A natural person who is either the owner or the lawful tenant of the Residential Unit that he or she seeks to offer as a Short-Term Rental. Only one owner or one tenant may be registered as an Operator for a residential Unit, and it shall be unlawful for any other person, even if that person is an owner or a lawful tenant and meets the qualifications of Primary Resident, to offer a Residential Unit for Short-Term Residential Rental.

*Home Share Unit.* An entire Residential Unit offered as a Short-Term Rental that is the Operator's Primary Residence.

*Limited Share Unit.* A Residential Unit that is the Operator's Primary Residence, a portion of which is offered as a Short-Term Rental while the Operator is present. Occupancy shall be limited to three bedrooms including the bedroom of the Operator in a Limited Share Unit.

*Non-Owner Occupied Unit.* An entire Residential Unit where the Operator or owner does not live in either the unit or the building and it is not the Operator's primary residence.

*Owner-Adjacent Unit.* An entire Residential Unit offered as a Short-Term Rental that is not the Owner's Primary Residence but that is located within the same dwelling or is otherwise within the same property as the Primary Residence of, and is owned by, said Owner.

*Primary Residence.* The Residential Unit in which the Operator resides for at least six months out of a twelve-month period. Primary residence is demonstrated by showing that as of the date of registration of the Residential Unit, the Operator has resided in the Residential Unit for six of the past twelve months or that the Operator intends to reside in the Residential Unit for six of the next twelve months, as demonstrated by at least two of the following: utility bill, voter registration, motor vehicle registration, deed, lease, driver's license, other state-issued identification, or proof of residential exemption.

*Residential Unit.* A Residential Unit is a dwelling unit as defined in the zoning ordinance but excludes the following: a congregate living complex; elderly housing; a group residence; a homeless shelter; temporary dwelling structure; and transitional housing.

*Short-Term Rental(s).* The use of a Residential Unit for residential occupancy by a person or persons for a period of fewer than thirty (30) consecutive calendar days for a fee. A Short-Term Rental may or may not be facilitated through a Booking Agent.

### ***15-3 Short-Term Residential Rentals in the City of Salem.***

No Residential Unit shall be offered as a Short-Term Rental except in compliance with the provisions of this section and any regulations that may be promulgated by the Building Inspector to carry out the provisions of this section.

### ***15-4 Ineligible Residential Units.***

a. The following Residential Units are not eligible to be offered as Short-Term Rentals:

(i) Residential Units where the Operator or owner does not live in either the unit, the building, or within the property and it is not the Operator's primary residence, unless it qualifies under the exception for existing Non-Owner Occupied Unit, provided in section 15-6 d., below.

(ii) Residential Units that are located within properties designated as a "Problem Property" pursuant to Section 2-705 (a) (4) of this Code.

(iii) Residential Units that are the subject of three or more findings of violations of this section within a six (6) month period, or three or more violations of any municipal ordinance or state law or code relating to excessive noise, improper disposal of trash, disorderly conduct, or other similar conduct within a six (6) month period. Units found ineligible pursuant to this subsection shall remain ineligible for a six (6) month period immediately following the third violation.

(iv) Residential Units located within a property subject to any outstanding building, sanitary, zoning, or fire code violations, orders of abatement, stop work orders, unpaid taxes, water/sewer or tax liens, or other existing judgments or penalties imposed by the City so long as the matter remains unresolved. If a violation or other order is issued after the Residential Unit has been registered, ISD shall suspend the Residential Unit's registration until the violation has been cured or otherwise resolved.

#### ***15-5 Residential Units Not Subject to Certain Provisions of this Chapter.***

a. ***Currently Licensed Lodging Houses.*** A Residential Unit offered as a Short-Term Rental that is located in a dwelling holding a current and valid Certificate of Occupancy as a lodging house from ISD and a lodging house license from the Salem Licensing Board as of the effective date of this section shall be subject to the registration and room occupancy excise tax requirements contained herein but shall not be subject to any limitation with respect to the number of days per year that a unit or units may be rented out as a Short-Term Rental.

b. ***Existing Bed and Breakfasts.*** A Residential Unit offered as a Short-Term Rental that holds a current and valid Certificate of Occupancy as a bed and breakfast from ISD as of the effective date of this section shall be subject to the registration and room occupancy excise tax requirements contained herein but shall not be subject to any limitation with respect to the number of days per year that a unit or units may be rented out as a Short-Term Rental.

c. ***Residential Units Contracted for Hospital Stays.*** The use of a dwelling unit or portion thereof for which a contract exists between the owner of the dwelling unit and a healthcare facility or government entity or non-profit organization registered as a charitable organization with the Secretary of the Commonwealth of Massachusetts or classified by the Internal Revenue Service as a public charity or private foundation that provides for the temporary housing in such unit of individuals who are being treated for trauma, injury, or disease, or their family members, shall not be considered a Short-Term Rental.

d. ***Residential Units Used for Furnished Institutional or Business Stays.*** The use of a Residential Unit for which a contract or an agreement exists between the building owner, a corporate housing operator and an institution or business for the temporary housing of employees or individuals affiliated with such institutions or business, where the minimum stay is at least ten days, shall not be considered a Short-Term Rental.

#### ***15-6 Requirements for Short-Term Rentals.***

An Operator may only offer a Short-Term Rental subject to the following provisions:

a. **Registration** pursuant to Section 2-705. Consistent with Section 2-705, every new owner and/or Operator is required to complete a new registration form and obtain a new certificate of fitness prior to making the unit available as a Short-Term Rental.

b. **Short-Term Rental of a Home Share Unit.** An Operator may use his or her entire Home Share Unit as a Short-Term Rental without a limitation as to the number of days per year. Individual rooms within Home Share Units may not be offered as separate Short-Term Rentals.

c. **Short-Term Rental of a Limited Share Unit.** An Operator may use his or her Limited Share Unit as a Short-Term Rental without limitation as to the number of - days per year.

d. **Short-Term Rental of a Non-Owner Occupied Unit.** An Operator may use his or her Non-Owner Occupied Unit as a Short-Term Rental only if the Operator was engaged in the Short-Term Rental of the property as of the date this Ordinance was filed with the Council and provided that the Operator obtains a Special Permit from the Zoning Board of Appeals. Qualifying Operators must petition for a Special Permit within 60 days of the date of passage of this Ordinance in order to be eligible for this exception. Rentals of Non-Owner-Occupied Units must be for the entire unit; individual rooms within Non-Owner-Occupied Units may not be offered as separate Short-Term Rentals. Non-Owner-Occupied Units used for Short-Term Rental under this subsection shall be subject to section 36-6 of the ordinance and required to pay a trash fee, but shall not be eligible for a vacancy waiver pursuant to section 36-6 d.

e. **Short-Term Rental of an Owner-Adjacent Unit.** An Operator may use his or her Owner-Adjacent Unit as a Short-Term Rental without limitation as to the number of - days per year. Rentals of Owner-Adjacent Units must be for the entire unit; individual rooms within Owner-Adjacent Units may not be offered as separate Short-Term Rentals.

f. **Permission of Owner.** An Operator must certify at the time of registration that he or she has the following permissions to offer his or her Residential Unit as a Short-Term Rental:

(i) Operator is the owner of the Residential Unit offered as a Short-Term Rental or is a tenant who uses the Residential Unit as his or her Primary Residence and has the permission of the Owner; and

(ii) that offering the Residential Unit as a Short-Term Rental complies with applicable condominium documents, bylaws, leases, or other governing documents.

g. **Local Contact.** When registering, an Operator must provide his or her name and contact information, and, in the event the Operator is not present during the Short-Term Rental, the name and contact information of an individual who is able to respond in person to any issues or emergencies that arise during the Short-Term Rental within two (2) hours of being notified. Contact information must include a telephone number that is active twenty-four (24) hours per day to tenants, Short-Term Rental occupants, and public safety agencies. This



phone number shall be included in the registration of the Short-Term Rental unit at the time of registration.

**h. *Compliance and Interaction with Other Laws.*** The Operator shall comply with all applicable federal, state, and local laws and codes, including but not limited to the Fair Housing Act, G.L. c. 151B and Sec. 2-2055 of this Code, and all other regulations applicable to residential dwellings. The Residential Unit offered as a Short-Term Rental shall continue to be subject to the requirements of Sec. 2-705 of this Code to obtain a certificate of fitness and the applicable requirements of the State Sanitary Code. Occupancy limits contained in the Zoning Ordinance and the State Building and Sanitary Codes shall apply. A Residential Unit offered as a Short-Term Rental may also be subject to annual fire prevention inspection.

**i. *Retention of Records.*** The Operator shall retain and make available to ISD, upon written request, records to demonstrate compliance with this section, including but not limited to: records demonstrating number of months that Operator has resided or will reside in the Residential Unit and records showing that Operator is the owner or valid leaseholder of the Residential Unit offered as a Short-Term Rental. The Operator shall retain such records for a period of three years from the date the Residential Unit is last registered for a certificate of fitness inspection.

**j. *Notifications.***

(i) The Operator shall furnish each guest with a Community Information Card containing, at a minimum, (a) emergency telephone numbers for the Salem Police Department and Salem Fire Department, (b) a description of the regulations, if any, relative to on-street parking at the address and fines for parking violations, (c) a description of the City's trash and recycling requirements, including the date of trash and recycling collection at the address, and (d) a copy of the City's noise ordinance. A current copy of the unit's Community Information Card should be furnished to the City at the time of registration or inspection. The Operator shall also post a sign on the inside of the Residential Unit providing information on the location of all fire extinguishers in the unit, and, if applicable, the location of all fire exits and pull fire alarms in the dwelling.

(ii) The Operator, upon listing a Short-Term Rental with a Booking Agent, or modifying an existing listing shall file with the City an exact duplicate of the listing, including property address. Listings must specify the quantity of off-street parking, if any, and whether or not the address is located in a resident-parking zone, including the October resident-parking zone. The City shall maintain a list of the address and unit type of all short-term rentals on file with the City that are currently being offered.

(iii) The Operator must have on file with the City the name and contact information for the Operator if local or, if not local, the name and telephone number of an individual who can respond in person to any issues or emergencies at the property within two hours of being notified.

(iv) A Booking Agent with any listings in the City shall provide to the City on a quarterly basis an electronic report, in a format to be determined by the City. The report shall include a breakdown of where the listings are located, whether the listing is for a room or a whole unit, the number of nights each unit was reported as occupied during the applicable reporting period, and the Operator's name and full contact information

#### ***15-7 Room Occupancy Excise.***

Any Short-Term Rental Units to which the Commonwealth extends any excise or surcharge, and the City extends a local option of such, shall comply with the provisions of said statutes. However, where allowable operators may use a Booking Agent and the Booking Agent may enter into an agreement with the City for the collection and remittance of such tax. If the Operator does not use a Booking Agent to do so, the Operator is solely responsible for collecting and remitting the applicable tax.

#### ***15-8 Complaint Process; Violations.***

Complaints shall be made to the Inspectional Services Department and investigation shall commence within 30 days. Violations may, at the Building Inspector's discretion, result in a warning or an Ordinance ticket and the maximum appropriate fine. Three (3) or more such tickets within a six (6) month period will result in the unit no longer being eligible to that Operator for use as a short-term rental for a period of six (6) months following the most recent violation.

Violations may include any failure to abide by this ordinance including, but not limited to, offering an ineligible unit, failure to furnish copy of Booking Agent listing or include required parking information in such listing, failure to furnish a Community Information Card to guests or furnishing one without the required minimum information, or failure to remit any required excise tax or surcharge as required by law. Unpaid taxes or surcharges shall also be liened against the property.

#### ***15-9 Enforcement.***

a. ***Enforcement by City.*** The provisions of this section may be enforced in accordance with the noncriminal disposition process of M.G.L. c. 40, § 21D, and, if applicable, by seeking to restrain a violation by injunction. A violation of this section shall be sufficient cause for revocation of the right to operate the Short-Term Rental 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. Any person aggrieved by the revocation of the right to operate a Short-Term Rental or the imposition of a penalty may file an appeal as provided by the general laws.

b. ***Enforcement by Booking Agent.*** The City shall enter into agreements with Booking Agents for assistance in enforcing the provisions of this section, including but not limited to an agreement, whereby the Booking Agent agrees to remove a listing from its platform that is deemed ineligible for use as a Short-Term Rental under the provisions of this Ordinance and whereby the Booking Agent agrees to prohibit a host

from listing any Short-Term Rental without proof of registration.

Any Booking Agent that fails to enter into such agreements to actively prevent, remove or de-list any ineligible listings shall be prohibited from conducting business in the City.

*c. Featured Short-Term Rental Status.* An Operator who is able to certify that there are no health, building, zoning, or other violations (including police citations) in the prior twelve (12) months associated with the property, is current on all excise and property taxes, and who has filed the Booking Agent listing and a copy of the Community Information Card with the City for the past twelve (12) months, shall be eligible for listing as a 'Featured Short-Term Rental.'

**15-10 Severability.**

If any provision of this section is invalidated by subsequent legislation or regulation, or held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect”

**SECTION 2.**

This ordinance shall take effect as provided by City Charter.

# City of Salem

---

*In the year Two Thousand and Eighteen*

**An Ordinance** to amend the ordinance to set fines for violation of short-term rentals ordinance in the City of Salem.

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

**AN ORDINANCE TO AMEND THE ORDINANCE TO INCLUDE FINES FOR VIOLATIONS OF THE SHORT-TERM RESIDENTIAL RENTAL ORDINANCE IN THE CITY OF SALEM**

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

**SECTION 1.** An amendment to the City of Salem Code, Ordinances, PART II, CHAPTER 1, Sec. 1-10 (c). - *Noncriminal disposition of ordinance violations* is hereby enacted as follows:

**“CHAPTER 15 SHORT-TERM RESIDENTIAL RENTALS:**

Sections 15-1 through 15-9, Violations of Short-Term Rental Ordinance.

Penalty:

First offense ..... \$50.00

Second offense ..... \$150.00

Third offense ..... \$300.00

Enforcing persons: Building inspector(s), board of health personnel, and police department personnel.”

## **SECTION 2.**

This ordinance shall take effect as provided by City Charter.

# City of Salem

---

*In the year two thousand and eighteen*

**An Ordinance** to amend an Ordinance relative to Zoning  
*Be it ordained by the City Council of the City of Salem, as follows:*

### **Section 3.0 Table of Principal and Accessory Uses**

Amend *Section 3.0 Table of Principal and Accessory Uses* to include the following new uses:

The following uses shall be permitted as set forth in the Table of Principal and Accessory Use Regulations.

	<b>RC</b>	<b>R1</b>	<b>R2</b>	<b>R3</b>	<b>B1</b>	<b>B2</b>	<b>B4</b>	<b>B5</b>	<b>I</b>	<b>BPD</b>
Non-Owner Occupied Short-Term Rentals	<b>N</b>	<b>N</b>	<b>BA</b>	<b>BA</b>	<b>BA</b>	<b>BA</b>	<b>BA</b>	<b>BA</b>	<b>N</b>	<b>N</b>

### **Section 10.0 Definitions**

Amend *Section 10.0 Definitions* to include the following new definitions:

**Non-Owner Occupied Short-Term Rental:** A dwelling unit where the owner does not live in either the unit, the building, or otherwise on the property and which was being used as a Short-Term Rental prior to the date the general ordinance, Chapter 15 Short-Term Rentals, was filed with the City Clerk for consideration by the City Council.

**Short-Term Rental:** A Short-Term Rental is the use of a dwelling unit for residential occupancy for a period of fewer than thirty (30) consecutive calendar days for a fee. A Short-Term Rental may or may not be facilitated through an online booking agent.



# CITY OF SALEM

In City Council, July 19, 2018

**Ordered:**

The Mayor is hereby authorized to execute, on behalf of the City of Salem, an Easement Grant to Quezada Painting & Carpentry LLC, acting through its Managers Tulio Quezada and Eduardo Quezada, as set forth in the attached Easement Grant and as shown on the attached plan entitled "Salem, Massachusetts Easement Sketch Over Land of the City of Salem East Collins Street, Salem, Massachusetts," prepared by Reid Land Surveyors, Lynn, MA dated April 4, 2018.

**ELIZABETH M. RENNARD**  
CITY SOLICITOR  
93 WASHINGTON STREET  
SALEM, MA 01970  
TEL: 978.619.5633  
FAX: 978.744.1279  
EMAIL: BRENNARD@SALEM.COM



**CITY OF SALEM**  
KIMBERLEY L. DRISCOLL, MAYOR

LEGAL DEPARTMENT  
93 WASHINGTON STREET  
SALEM, MASSACHUSETTS 01970

**VICTORIA B. CALDWELL**  
ASSISTANT CITY SOLICITOR  
93 WASHINGTON STREET  
SALEM, MA 01970  
TEL: 978.619.5634  
FAX: 978.744.1279  
EMAIL: VCALDWELL@SALEM.COM

July 19, 2018

To the City Council  
City Hall  
Salem, Massachusetts

Ladies and Gentlemen of the Council:

Enclosed herewith is an Order authorizing the Mayor to execute a Grant of Easement to Quezada Painting & Carpentry LLC, acting through its Managers Tulio Quezada and Eduardo Quezada, over a portion of City owned land.

The property owners, through their attorney Leonard Joseph, Esq., have requested this easement over a strip of City land shown on the attached plan and described in the draft Grant of Easement. The proposed easement has been approved by the Mayor, City Engineer and Building Commissioner. This property is not needed for any purpose by the City and will enable the grantees to access the rear of their property. As you will see from the attached photo, a curb cut already exists over the City property.

The City Assessor has determined that the value of this easement is \$1,000.00 and this consideration for the easement has been incorporated into the easement document. If you have any questions, please feel free to contact me. The owner's attorney plans to attend the Council meeting on July 19, 2018. Thank you.

Sincerely,

Elizabeth Rennard

15 Barton Street, Salem

### EASEMENT AGREEMENT

Agreement made this — day of \_\_\_\_\_, 2018 by and between Quezada Painting & Carpentry LLC, a Massachusetts limited liability company having an address at 25-27 Highrock Street, Lynn, MA 01902 ("Quezada "), acting through its Managers Tulio Quezada and Eduardo Quezada and the City of Salem, Massachusetts ("City of Salem "), acting through its Mayor Kimberley Driscoll.

WHEREAS, Quezada owns real property situated at and known as 15 Barton Street, Salem, Essex County, Massachusetts as more particularly described in a Deed dated November 16, 2017 recorded with Essex South District Registry of Deeds in Book 36335, Page 37 ("15 Barton Street"); and

WHEREAS, The City of Salem owns real property situated on East Collins Street and adjacent to 15, Barton Street, 17 Barton Street and 16 Beacon Street; and

WHEREAS, Quezada desires to use the portion of 15 Barton Street adjacent to East Collins Street for a driveway; and

WHEREAS, Quezada desires to use the "EASEMENT AREA" as shown on a Plan of Land prepared by Reid Land Surveyors dated April 4, 2018 ("Plan"), a copy of which is attached hereto as Exhibit A

WHEREAS, the EASEMENT AREA is 311 square feet, according to said plan;

WHEREAS, the City of Salem is willing to grant an easement to Quezada permitting the use of the EASEMENT AREA as a driveway for 15 Barton Street;

NOW THEREFORE, in consideration of One Thousand Dollars (\$1,000.00) and other good and valuable consideration paid by each of the parties hereto to the other, the receipt and sufficiency of which is hereby acknowledged,

IT IS AGREED AS FOLLOWS:

The City of Salem grants an easement to Quezada permitting the use of the EASEMENT AREA as a driveway for 15 Barton Street, as shown on the Plan, subject to the limitations below.



The City of Salem and Quezada agree by the acceptance and recording of this Easement Agreement, that any repair and maintenance work shall be performed at the sole cost and expense of Quezada and said repairs and maintenance shall be performed in a good, safe, expeditious and workmanlike manner and in compliance with all laws, statutes, ordinances, orders and regulations.

Quezada agrees to hold the City of Salem, its officers and employees, harmless from and against any and all liability for injury or damage to persons or property arising from or alleged to have arisen from the exercise of rights granted hereunder.

Quezada shall not install or maintain utilities or structures in the easement area.

All rights and privileges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors, assigns and legal representatives.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement under seal on the day and year first above written.

WITNESS my hand and seal this      day of \_\_\_\_\_, 2018

Quezada Painting & Carpentry LLC  
By:

Quezada Painting & Carpentry LLC  
By:

\_\_\_\_\_  
Tulio Quezada, Manager

\_\_\_\_\_  
Eduardo Quezada, Manager

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this      day of \_\_\_\_\_, 2018, before me, the undersigned notary public, personally appeared Tulio Quezada and Eduardo Quezada, Managers as aforesaid, proved to me through satisfactory evidence of identification, being a  Massachusetts driver's license or other state or federal governmental document bearing a photographic image,  oath or affirmation of a credible witness known to me who knows the above signatory, or my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing to be signed by him voluntarily for its stated purpose as Manager.

\_\_\_\_\_  
Notary Public: Leonard A. Joseph  
My Commission Expires: January 18, 2019

WITNESS our hand and seal this — day of June, 2018

City of Salem

By:

\_\_\_\_\_  
Kimberley Driscoll, Mayor

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this — day of \_\_\_\_\_, 2018, before me, the undersigned notary public, personally appeared Kimberley Driscoll as aforesaid, proved to me through satisfactory evidence of identification, being a  Massachusetts driver's license or other state or federal governmental document bearing a photographic image,  oath or affirmation of a credible witness known to me who knows the above signatory, or my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing to be signed by him voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public:

My Commission Expires:

*James L. Reine*

Building Commissioner  
Zoning Officer

6/28/18

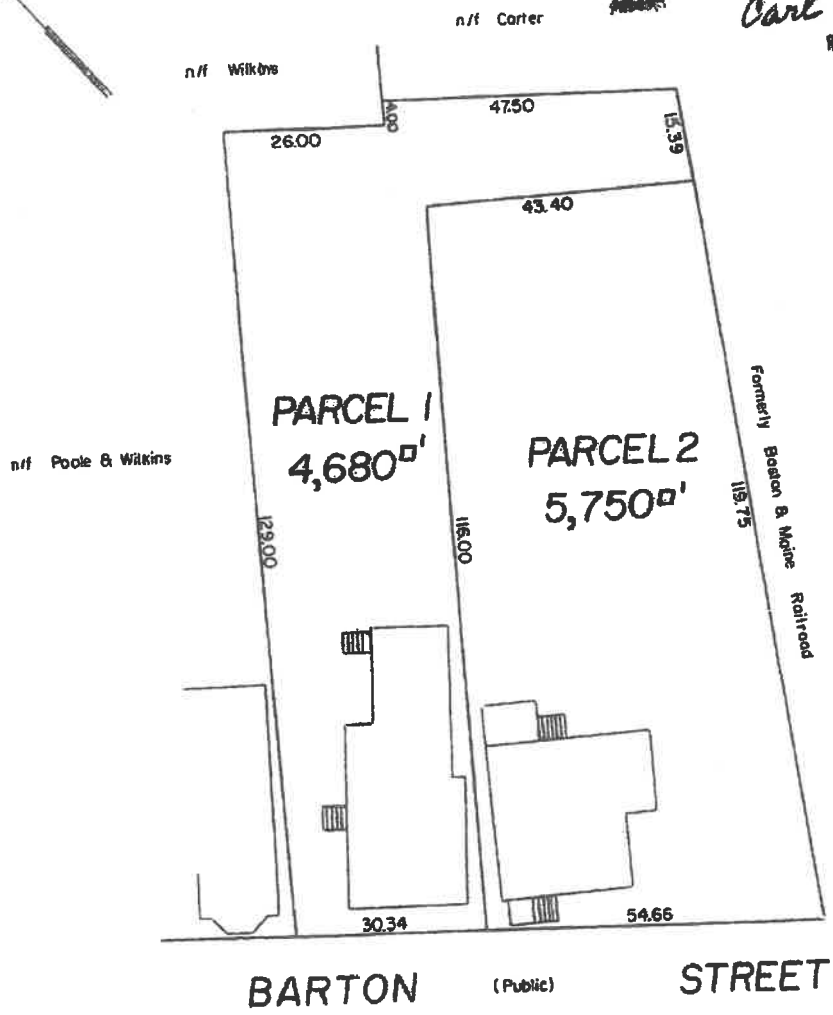
*David Kralter*

City Engineer & OPS Director

6/28/18

215  
1958

ESSEX COUNTY OF DEEDS, 3d. DIST. SALEM, MASS.  
Received 20 May 1958 with Deed:  
Paul H. & Isabel Haggard et al to  
Edward L. Bonnell et al  
Rec. # 4456 p. 309 Filed on No. 215 1958  
Witness: Carl O. Emery  
Register of Deeds



SALEM, MASS.  
PARCELS 1&2  
LAND OF  
PAUL H. & ISABEL HAGGARD  
SCALE 1"=20' APRIL 23, 1958  
W. T. FOSS CO-ENGINEERS

**RENEY, MORAN, & TIVNAN**

REGISTERED LAND SURVEYORS  
75 HAMMOND STREET - FLOOR 2  
WORCESTER, MA 01610-1723  
PHONE: 508-752-8885  
FAX: 508-752-8895  
RMT@HSTGROUP.NET

A Division of H. S. & T. Group, Inc.

**REGISTRY ESSEX SOUTH**

BASED UPON DOCUMENTATION PROVIDED, REQUIRED MEASUREMENTS WERE MADE OF THE FRONTAGE AND BUILDING(S) SHOWN ON THIS MORTGAGE INSPECTION PLAN. IN OUR JUDGEMENT ALL VISIBLE EASEMENTS ARE SHOWN AND THERE ARE NO VIOLATIONS OF ZONING REQUIREMENTS REGARDING STRUCTURES TO PROPERTY LINE OFFSETS (UNLESS OTHERWISE NOTED IN DRAWING BELOW).

NOTE: NOT DEFINED ARE ABOVEGROUND POOLS, DRIVEWAYS, OR SHEDS WITH NO FOUNDATIONS. THIS IS A MORTGAGE INSPECTION PLAN; NOT AN INSTRUMENT SURVEY. DO NOT USE TO ERECT FENCES, OTHER BOUNDARY STRUCTURES, OR TO PLANT SHRUBS.

LOCATION OF THE STRUCTURE(S) SHOWN HEREON IS EITHER IN COMPLIANCE WITH LOCAL ZONING FOR PROPERTY LINE OFFSET REQUIREMENTS, OR IS EXEMPT FROM VIOLATION ENFORCEMENT ACTION UNDER MASS. G.L. TITLE VII, CHAP. 40A, SEC. 7, UNLESS OTHERWISE NOTED. THIS CERTIFICATION IS NON-TRANSFERABLE. THE ABOVE CERTIFICATIONS ARE MADE WITH THE PROVISION THAT THE INFORMATION PROVIDED IS ACCURATE AND THAT THE MEASUREMENTS USED ARE ACCURATELY LOCATED IN RELATION TO THE PROPERTY LINES.

**MORTGAGE INSPECTION PLAN**

NAME TULIO QUEZADA

LOCATION 15 BARTON STREET

SALEM, MA

SCALE 1" = 30'

DATE 10/26/2017

DEED BOOK/PAGE 28110/288

PLAN BOOK/PLAN 215 OF 1958

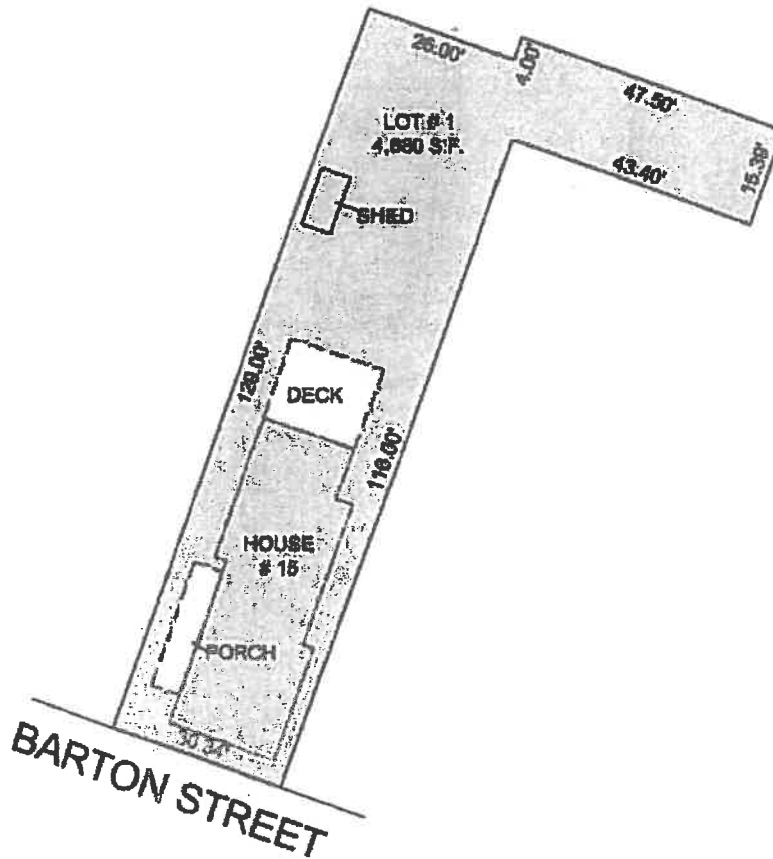
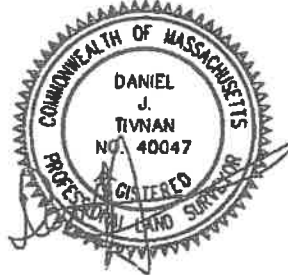
WE CERTIFY THAT THE BUILDING(S) ARE  WITHIN THE SPECIAL FLOOD HAZARD AREA. SEE HUD MAP:

419G DTD 07-16-14

FLOOD HAZARD ZONE HAS BEEN DETERMINED BY SCALE AND IS NOT NECESSARILY ACCURATE UNTIL DEFINITIVE PLANS ARE ISSUED BY HUD AND/OR A VERTICAL CONTROL SURVEY IS PERFORMED. PRECISE ELEVATIONS CANNOT BE DETERMINED

**NOTE.**

THIS PROPERTY IS LOCATED WITHIN A FEMA DESIGNATED FLOOD ZONE.  
FLOOD ZONE  
AE



REQUESTING OFFICE: GAKIS & ASSOCIATES, SIMPLE TITLE & ESCROW  
REQUESTED BY:

DRAWN BY: JV  
CHECKED BY:

JOB # 10-1012-17

N/F  
WALTER J. KEENAN  
PARCEL ID 36-0352-0  
14 BEACON STREET

N/F  
MARK D. &  
DAWNA L. MATKEVICIUS  
PARCEL ID 36-0351-0  
16 BEACON STREET

CITY OF  
SALEM  
PARCEL ID  
36-0305-0

N/F  
TZORTZIS REALTY TRUST  
PARCEL ID 36-0353-0  
12 BEACON STREET

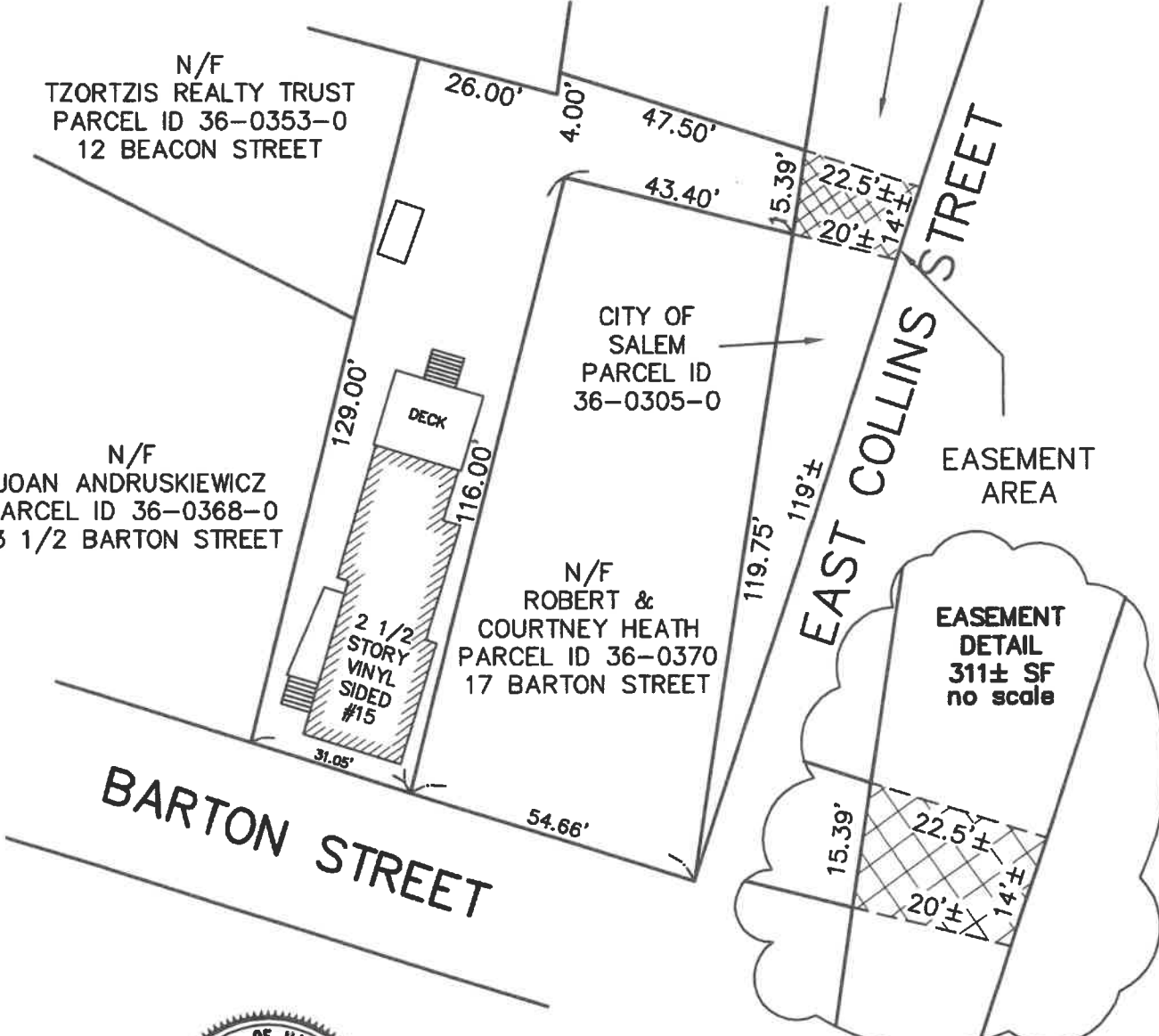
N/F  
JOAN ANDRUSKIEWICZ  
PARCEL ID 36-0368-0  
13 1/2 BARTON STREET

CITY OF  
SALEM  
PARCEL ID  
36-0305-0

N/F  
ROBERT &  
COURTNEY HEATH  
PARCEL ID 36-0370  
17 BARTON STREET

EASEMENT  
AREA

EASEMENT  
DETAIL  
311± SF  
no scale



### SALEM, MASSACHUSETTS EASEMENT SKETCH

OVER LAND OF

### THE CITY OF SALEM EAST COLLINS STREET

PARCEL ID 36-0305

REID LAND SURVEYORS

365 CHATHAM STREET LYNN, MA 01902

APRIL 4, 2018 SCALE 1" = 30'

DEED REFERENCE:  
BOOK 3645 PAGE 407

R18-018  
RWR

Google Maps 33 E Collins St

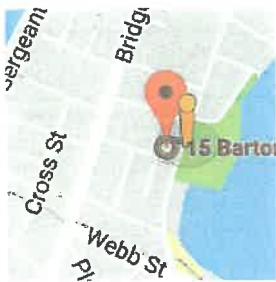


Image capture: Nov 2017 © 2018 Google

Salem, Massachusetts



Street View - Nov 2017



**ELIZABETH M. RENNARD**  
CITY SOLICITOR  
93 WASHINGTON STREET  
SALEM, MA 01970  
TEL: 978.619.5633  
FAX: 978.744.1279  
EMAIL: BRENNARD@SALEM.COM



**CITY OF SALEM**  
KIMBERLEY L. DRISCOLL, MAYOR

LEGAL DEPARTMENT  
93 WASHINGTON STREET  
SALEM, MASSACHUSETTS 01970

**VICTORIA B. CALDWELL**  
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FAX: 978.744.1279  
EMAIL: VCALDWELL@SALEM.COM

July 16, 2018

To the City Council  
City Hall  
Salem, Massachusetts

Re: Withdrawal of Proposed Order/Filing New Order - § 20(b) Exemption Mayor Driscoll

Ladies and Gentlemen of the Council:

I am writing to withdraw the request I filed with the City Council on January 11, 2018 for the adoption of a City Council Order, pursuant to Massachusetts Conflict of Interest Law, General Law c. 268A, § 20(b), approving a § 20(b) exemption for Mayor Kimberley Driscoll to serve as the Commonwealth of Massachusetts Department of Housing and Community Development's (DHCD) appointee to the Salem Housing Authority. The reason for this withdrawal is that the Certificate of Appointment for the Mayor to serve on the Housing Authority, which was submitted with the exemption request, has expired.

DHCD is still very interested in having the Mayor represent the Baker Administration as a member of the Housing Authority. They are also aware of a concern raised by some councilors that the provisions of 760 CMR 4.03(2)(a) may preclude the Mayor from serving on the Housing Authority because she is an elected official. To address this, DCHC sent the Mayor a new appointment letter (attached) granting a waiver of Section 4.03(2)(a) conditional upon her receiving a § 20(b) Conflict of Interest Law exemption from the City Council. As a result, I have enclosed herewith a new request for a § 20(b) Conflict of Interest Law exemption consistent with the new appointment and waiver from DHCD.

Thank you for your consideration of this request.

Sincerely,

Elizabeth Rennard



# CITY OF SALEM

In City Council, July 19, 2018

WHEREAS, the Commonwealth of Massachusetts Department of Housing and Community Development's (DHCD) has provided a conditional waiver of the provisions of 760 CMR 4.03(2)(a) which precludes elected officials from serving on Housing Authorities so that Mayor Kimberley Driscoll may represent DHCD on Salem's Housing Authority;

WHEREAS, this conditional waiver is subject to Mayor Driscoll also receiving a § 20(b) Conflict of Interest Law exemption from the City Council; and

WHEREAS, the Mayor is eligible to receive this exemption because the City does not regulate the activities of the Housing Authority, the service to the Housing Authority will be provided outside her normal working hours as City official, the services to the Housing Authority are not required as part of her regular duties, and she will not be compensated for more than 500 hours during a calendar year; NOW, THEREFORE,

It is hereby ORDERED that, pursuant to Massachusetts Conflict of Interest Law, General Law c. 268A, § 20(b), the City Council hereby approves a § 20(b) exemption for Mayor Kimberley Driscoll to serve as the Commonwealth of Massachusetts Department of Housing and Community Development's appointee to the Salem Housing Authority.





Commonwealth of Massachusetts  
**DEPARTMENT OF HOUSING &  
COMMUNITY DEVELOPMENT**

Charles D. Baker, Governor ♦ Karyn E. Polito, Lt. Governor ♦ Janelle Chan, Undersecretary

July 16, 2018

The Honorable Kimberly Driscoll  
Mayor  
City Hall  
93 Washington Street  
Salem, Massachusetts 01970

Dear Mayor Driscoll:

I am pleased to appoint you as the state member of the Salem Housing Authority pursuant to G.L. c. 121B, §5 and 760 CMR 4.03(3), subject to the conditions set forth below.

In becoming a board member, you will take on a position of significant importance. I appreciate your willingness to accept this additional responsibility, and assure you that this office will help you and the Salem Housing Authority in any way it can to assure that the Salem Housing Authority's housing portfolio continues to be a viable housing resource for the long term.

The Board as a whole is responsible for establishing and monitoring the achievement of goals, establishing policy, ensuring the integrity of the authority, maintaining good community relations, supporting tenant participation, advocating for low-income housing and preserving Salem's public housing. As the state's appointee, you have been selected to represent the Administration's interests and policy to the fullest extent possible.

In making this appointment, the Department of Housing and Community Development ("Department") has determined that there is good cause in this case to waive the provisions of 760 CMR 4.03(2)(a), which provide that elected municipal officials are ineligible to serve as members of Local Housing Authorities. Access to affordable housing is one of the most important issues facing the Commonwealth in general, and Salem in specific. With the existing housing shortage, rents continue to rise, while working families and seniors on fixed incomes struggle to stay in the communities where they have worked and lived for years.

Your personal experience and background make you particularly well-suited to represent the policies of the Baker/Polito Administration as a member of the Salem Housing Authority. As an attorney in private practice, you worked on real estate and community development projects which gives you very practical insight into the private development community's perspective as a partner of projects to develop affordable housing. Your experience will contribute to your ability to formulate workable development

plans that take full advantage of the tools and resources available to housing authorities. In addition, your background in the public sector as Assistant Planner for Salem and Community Development Director in Beverly gives you a unique insight into how to build proposals that are consistent with and supportive of overall strategic municipal policies. As Mayor, the time and resources you have dedicated to increasing the stock of affordable housing and preserving public housing in Salem, and championship of increased housing production across the cost spectrum will translate directly into the responsibilities you will carry as a member of the Board.

Under the provisions of 760 CMR 4.03(3), the Department has the discretion to waive the restriction in 760 CMR 4.03(2)(a) that renders elected municipal officials ineligible and I have determined that good cause exists to do so. Such discretion, however, may only be exercised if your appointment is not otherwise prohibited. I understand that you have appropriately sought advice from the State Ethics Commission and that certain measures must be in place in order to comply with the state conflict of interest law, G.L. c. 268A (the "Conflict of Interest Law").

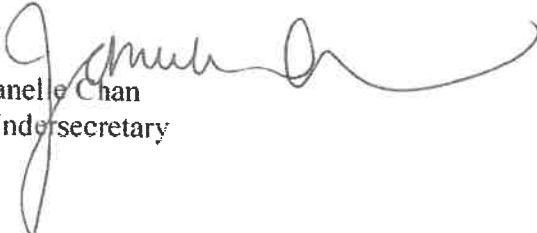
Accordingly, the Department's waiver is conditional on your compliance with the requirements for exemption from the provisions of the Conflict of Interest Law that prohibit a mayor from serving as a member of a Local Housing Authority and municipal officials from holding multiple positions generally. G.L. c. 268A, §20. In order to qualify for such an exemption, you must make certain disclosures and obtain the approval of the Salem City Council. Therefore, this appointment will only become effective upon compliance with the provisions of Section 20 and presentation of documentation of such compliance to the Department.

At such time, DHCD will provide you with a Certificate of Appointment and instructions regarding completion of the formalities associated with assuming the responsibilities of your new office, including qualification of office and subscription of the oath of office. DHCD will also provide you with its Training Manual for Local Housing Authority Board Members. The manual explains your role and responsibilities as a board member and will serve as a reference point for understanding actions that the board needs to take to fulfill its responsibilities. It gives an overview of how public housing is funded, regulated and operates and provides a brief history of public housing.

DHCD has a team of staff dedicated to working in your community. If you have questions, please feel free to contact Bob Pelletier, DHCD's Housing Management Specialist for the Salem Housing Authority at 617-573-1231 at any time.

We look forward to receiving confirmation of the completion of the requirements of the Conflict of Interest Law.

Sincerely,

  
Janelle Chan  
Undersecretary

**DISCLOSURE BY MUNICIPAL EMPLOYEE  
OF FINANCIAL INTEREST IN A MUNICIPAL CONTRACT  
AS REQUIRED BY G. L. c. 268A, § 20(b)**

<b>MUNICIPAL EMPLOYEE INFORMATION</b>	
Name of municipal employee:	Kimberley Driscoll
Title/ Position	Mayor
Fill in this box if it applies to you.	If you are a municipal employee because a municipal agency has contracted with your company or organization, please provide the name and address of the company or organization.
Agency/ Department	Mayor's office, City of Salem
Agency Address	Salem City Hall 93 Washington St. Salem, MA 01970
Office phone:	978-619-5600
Office e-mail:	<a href="mailto:kdriscoll@salem.com">kdriscoll@salem.com</a>
	Check one: <input checked="" type="checkbox"/> Elected                    or <input type="checkbox"/> Non-elected
Starting date as a municipal employee.	January, 2006
<b>BOX # 1</b>	<b>ELECTED MUNICIPAL EMPLOYEE</b>
<b>Select either STATEMENT #1 or STATEMENT #2.</b>	I am an <b>elected municipal employee</b> .
<b>Write an X beside your financial interest.</b>	<p><input type="checkbox"/> <b>STATEMENT #1:</b> I had one of the following financial interests in a contract made by a municipal agency before I was elected to my municipal employee position. I will continue to have this financial interest in a municipal contract. <b>OR</b></p> <p><input checked="" type="checkbox"/> <b>STATEMENT #2:</b> I will have a new financial interest in a contract made by a municipal agency.</p> <p><b>My financial interest in a municipal contract is:</b></p> <p><input checked="" type="checkbox"/> I have a non-elected, compensated municipal employee position (with Housing Authority).</p> <p><input type="checkbox"/> A municipal agency has a contract with me.</p> <p><input type="checkbox"/> I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization.</p> <p><input type="checkbox"/> I work for a company or organization that has a contract with a municipal agency, and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the city or town has contracted for my services in particular.</p>
<b>BOX # 2</b>	<b>NON-ELECTED, COMPENSATED MUNICIPAL EMPLOYEE</b>
<b>Select either STATEMENT #1 or</b>	I am a <b>non-elected municipal employee</b> .
	<input type="checkbox"/> <b>STATEMENT # 1:</b> I had one of the following financial interests in a contract made by a municipal agency before I took a position as a non-elected municipal employee. I will continue to have this financial interest in a municipal contract.

<p><b>STATEMENT #2.</b></p> <p>Write an X beside your financial interest.</p>	<p><b>My financial interest in a municipal contract is:</b></p> <p><input type="checkbox"/> A municipal agency has a contract with me, but not an employment contract.</p> <p><input type="checkbox"/> I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization.</p> <p>-- OR --</p> <p><input type="checkbox"/> <b>STATEMENT # 2:</b> I will have a new financial interest in a contract made by a municipal agency.</p> <p><b>My financial interest in a municipal contract is:</b></p> <p><input type="checkbox"/> I have a non-elected, compensated municipal employee position.</p> <p><input type="checkbox"/> A municipal agency has a contract with me.</p> <p><input type="checkbox"/> I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization.</p> <p><input type="checkbox"/> I work for a company or organization that has a contract with a municipal agency, and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the city or town has contracted for my services in particular.</p>
<p><b>FINANCIAL INTEREST IN A MUNICIPAL CONTRACT</b></p>	
<p>Name and address of municipal agency that made the contract</p>	<p>Salem Housing Authority, 27 Charter St., Salem MA 01970</p>
<p>Please put in an X to confirm these facts.</p>	<p>"My Municipal Agency" is the municipal agency that I serve as a municipal employee.</p> <p>The "contracting agency" is the municipal agency that made the contract.</p> <p><input checked="" type="checkbox"/> My Municipal Agency is not the contracting agency.</p> <p><input checked="" type="checkbox"/> My Municipal Agency does not regulate the activities of the contracting agency.</p> <p><input checked="" type="checkbox"/> In my work for my Municipal Agency, I do not participate in or have official responsibility for any of the activities of the contracting agency.</p> <p><input checked="" type="checkbox"/> The contract was made after public notice or through competitive bidding.</p>
<p><b>FILL IN THIS BOX OR THE BOX BELOW</b></p>	<p><b>ANSWER THE QUESTION IN THIS BOX IF THE CONTRACT IS BETWEEN THE CITY OR TOWN AND YOU.</b></p> <p>- Please explain what the contract is for.</p> <p>Mass. DHCD has requested that I serve as its appointee to the Housing Authority Board. The Governor's office informed me that they have made public notice about the availability of this appointed position.</p>
	<p><b>ANSWER THE QUESTIONS IN THIS BOX IF THE CONTRACT IS BETWEEN THE CITY OR TOWN AND ANOTHER PERSON OR ENTITY.</b></p> <p>- Please identify the person or entity that has the contract with the municipal agency.</p>

<b>FILL IN THIS BOX OR THE BOX ABOVE</b>	- What is your relationship to the person or entity? - What is the contract for?
What is your financial interest in the municipal contract?	- Please explain the financial interest and include the dollar amount if you know it.  A quarterly stipend is provided to Board members based on calculations set forth in MGL 121B, s. 7. The last quarterly payment to members was \$849.90.
Date when you acquired a financial interest	Not applicable.
What is the financial interest of your immediate family?	- Please explain the financial interest and include the dollar amount if you know it. Not applicable.
Date when your immediate family acquired a financial interest	Not applicable.
Write an X to confirm each statement.	<b>FOR A CONTRACT FOR PERSONAL SERVICES --</b>  <b>Answer the questions in this box ONLY if you will have a contract for personal services with a municipal agency (i.e., you will do work directly for the contracting agency).</b>  I will have a contract with a municipal agency to provide personal services.  <input checked="" type="checkbox"/> The services will be provided outside my normal working hours as a municipal employee. <input checked="" type="checkbox"/> The services are not required as part of my regular duties as a municipal employee. <input checked="" type="checkbox"/> For these services, I will be compensated for not more than 500 hours during a calendar year.
Employee signature:	
Date:	

Attach additional pages if necessary.

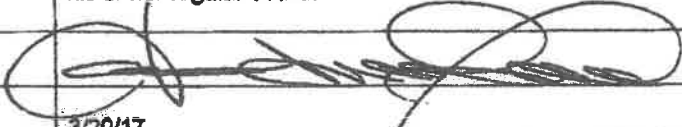
NOT A PERSONAL SERVICES CONTRACT -- File disclosure with the city or town clerk.

SEE CERTIFICATION AND APPROVAL REQUIRED FOR PERSONAL SERVICES CONTRACTS, BELOW.

**FOR CONTRACTS FOR PERSONAL SERVICES ONLY:**

If you are disclosing a financial interest in a contract for personal services with a municipal agency, you must file the Certification below signed by the head of the contracting agency, and you must get approval of the exemption from the city council, board of aldermen, board of selectmen or town council.

**CERTIFICATION BY HEAD OF CONTRACTING AGENCY**

<b>INFORMATION ABOUT HEAD OF CONTRACTING AGENCY</b>	
Name:	Carol MacGown
Title/ Position	Executive Director
Municipal Agency:	Salem Housing Authority
Agency Address:	27 Charter St. Salem, MA 01970
Office Phone:	978-744-4431
<b>CERTIFICATION</b>	
I have received a disclosure under G.L. c. 268A, § 20(b) from a municipal employee who seeks to provide personal services to my municipal agency, identified above. I certify that no employee of my agency is available to perform the services described above as part of his or her regular duties.	
Signature:	
Date:	3/20/17

**APPROVAL BY CITY COUNCIL, BOARD OF ALDERMEN,  
BOARD OF SELECTMEN OR TOWN COUNCIL**

<b>INFORMATION ABOUT APPROVING BODY</b>	
Name:	City of Salem City Council
Title/ Position	City Clerk
Agency Address:	93 Washington St., Salem
Office Phone:	978-745-9595
<b>APPROVAL</b>	
I have received a disclosure under G.L. c. 268A, § 20(b) from a municipal employee who seeks to provide personal services to a municipal agency, identified above. The exemption under § 20(b) is approved.	
Signature:	On behalf of the Council, I sign this approval.
Date:	

**ELIZABETH M. RENNARD**  
*CITY SOLICITOR*  
93 WASHINGTON STREET  
SALEM, MA 01970  
TEL: 978.619.5633  
FAX: 978.744.1279  
EMAIL: BRENNARD@SALEM.COM



**CITY OF SALEM**  
KIMBERLEY L. DRISCOLL, MAYOR

LEGAL DEPARTMENT  
93 WASHINGTON STREET  
SALEM, MASSACHUSETTS 01970

**VICTORIA B. CALDWELL**  
*ASSISTANT CITY SOLICITOR*  
93 WASHINGTON STREET  
SALEM, MA 01970  
TEL: 978.619.5634  
FAX: 978.744.1279  
EMAIL: VCALDWELL@SALEM.COM

July 16, 2018

To the City Council  
City Hall  
Salem, Massachusetts

Re: Withdrawal of Proposed Order/Filing New Order - § 20(b) Exemption Mayor Driscoll

Ladies and Gentlemen of the Council:

I am writing to withdraw the request I filed with the City Council on January 11, 2018 for the adoption of a City Council Order, pursuant to Massachusetts Conflict of Interest Law, General Law c. 268A, § 20(b), approving a § 20(b) exemption for Mayor Kimberley Driscoll to serve as the Commonwealth of Massachusetts Department of Housing and Community Development's (DHCD) appointee to the Salem Housing Authority. The reason for this withdrawal is that the Certificate of Appointment for the Mayor to serve on the Housing Authority, which was submitted with the exemption request, has expired.

DHCD is still very interested in having the Mayor represent the Baker Administration as a member of the Housing Authority. They are also aware of a concern raised by some councilors that the provisions of 760 CMR 4.03(2)(a) may preclude the Mayor from serving on the Housing Authority because she is an elected official. To address this, DCHC sent the Mayor a new appointment letter (attached) granting a waiver of Section 4.03(2)(a) conditional upon her receiving a § 20(b) Conflict of Interest Law exemption from the City Council. As a result, I have enclosed herewith a new request for a § 20(b) Conflict of Interest Law exemption consistent with the new appointment and waiver from DHCD.

Thank you for your consideration of this request.

Sincerely,

Elizabeth Rennard



# CITY OF SALEM

In City Council, July 19, 2018

**Ordered:** The Mayor is hereby authorized, on behalf of the City of Salem, to execute a perpetual easement to the Salem Redevelopment Authority to allow certain encroachments identified on two plans, "Ground Easement Plan" and "Air Rights Easement Plan," both dated July 16, 2018 and prepared by Allen & Major Associates, Inc., which plans are attached hereto. Final plans and easement shall be in a form approved the City Solicitor.





**Salem  
Redevelopment  
Authority**

July 17, 2018

Salem City Council  
Salem City Hall  
Salem, MA, 01970

RE: 65 Washington Street Easements and Air Rights

Dear City Councillors:

I am submitting a request for the City Council to authorize the granting of easements and air rights at 65 Washington Street to the SRA. It is the intent that the easements and air rights would be transferred with the deed when the property is ultimately sold to the developer of 65 Washington Street (65 Washington Street, LLC). This request is outlined in the attached memo from Attorney Joe Correnti on behalf of 65 Washington Street, LLC.

The easements include a portion of the existing foundation of the District Court building to be kept in the future redevelopment that encroaches the public way, as well as new landscaped areas to be maintained by the ownership of the redevelopment. In addition, the proposed redevelopment project includes balconies and other overhangs over public property that require the granting of air rights. Last month the SRA granted final design approval, and the project completed the Planning Board's planned unit development and site plan review special permit process in April.

The SRA has been working on the redevelopment of the District Court site since 2014 when legislation was adopted authorizing the disposition of the building to the SRA. In 2015, the SRA issued a Request for Proposals and selected the proposal submitted by Diamond Sinacori, which created a development team known as Washington Street, LLC. Since that time, the SRA has been working with the development team to bring the redevelopment of the property to realization.

Attorney Correnti has included a draft easement, approved by City Solicitor Elizabeth Rennard, and engineering and architectural plans outlining the request. He will be available to answer any questions.

Sincerely

Tom Daniel  
Executive Director, Salem Redevelopment Authority

SERAFINI, DARLING & CORRENTI, LLP

ATTORNEYS AT LAW

63 FEDERAL STREET

SALEM, MASSACHUSETTS 01970

JOHN R. SERAFINI, SR.  
JOHN E. DARLING  
JOSEPH C. CORRENTI  
KRISTIN E. KOLICK

TELEPHONE  
978-744-0212  
FACSIMILE  
978-741-4683

July 16, 2018

VIA HAND DELIVERY

Tom Daniel, AICP  
Executive Director  
Salem Redevelopment Authority  
98 Washington Street  
Salem, Massachusetts 01970

RECEIVED  
JUL 16 2018  
DEPT. OF PLANNING &  
COMMUNITY DEVELOPMENT

Re: Project at 65 Washington Street

Dear Mr. Daniel:

As you know, the designated developer for the property listed above has successfully navigated through the permitting process before the Planning Board, Design Review Board and Salem Redevelopment Authority ("SRA"), and is preparing to enter into a closing for the property from the SRA.

The final plan and elevations approved for the new mixed-use building to be constructed at the site includes some balconies and other proposed overhangs over public property, as well as landscaping and public art installations over public property along the Federal Street façade. Our surveyor also notes that the existing foundation of the District Court encroaches onto the public sidewalk by a few inches in a couple of locations. Thus, in order for the SRA to deliver good title to the property and the developer to construct the multi-use building as proposed and approved by the Planning Board and SRA, a Grant of Easements and Air Rights from the City of Salem is required.

Enclosed please find such a document with accompanying plans that demonstrate the areas of encroachment. While this matter may seem trivial in the overall scheme of the project, this step is important for the developer to have good, clear record and marketable title, which is necessary for its financing of the project.

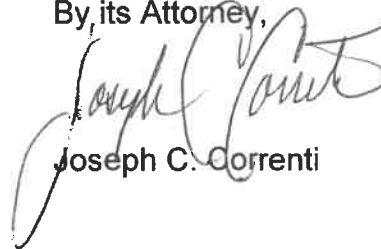
July 16, 2018  
Page Two

We look forward to continuing working with the SRA and the City in making this beautiful project a reality.

Please do not hesitate to reach out to me or the development team should you have any questions or require further information.

Sincerely,

65 Washington Street, LLC  
By its Attorney,

A handwritten signature in black ink, appearing to read "Joseph Correnti", written over the typed name below.

Joseph C. Correnti

JCC:dl

Enclosure

cc: client

**GRANT OF EASEMENT AND AIR RIGHTS**

THE CITY OF SALEM, MASSACHUSETTS (the "Grantor"), for consideration paid of One (\$1.00) Dollar, the receipt of which is hereby acknowledged, grants to the SALEM REDEVELOPMENT AUTHORITY, having its usual place of business at 98 Washington Street, Salem, Massachusetts, its successors and assigns (the "Grantee"), a perpetual easement to allow certain encroachments, as identified by the areas on the following two sketch plans: Plan entitled "Ground Easement Plan" dated July 16, 2018 and plan entitled "Air Rights Easement Plan" dated July 16, 2018, both prepared by Allen & Major Associates, Inc., which plans are attached hereto and incorporated herein by reference (the "Easement Plans").

The Grantee shall have the right to construct, repair, maintain, and replace, at its own expense and liability, the structures which encroach on or over land owned by the Grantor, as shown on the Easement Plans, but shall not expand or enlarge the degree of any encroachment without the Grantor's written consent.

The Grantee shall have the exclusive easement for the use of all the air rights of Grantor within that volume of space above the sidewalks or other land of the Grantor, as shown in the shaded areas on the Easement Plans.

The Grantee shall have the right and obligation to construct, repair, maintain, and replace the landscaping and other improvements, as identified on the Easement Plans, but shall not expand or enlarge the degree of any encroachment without the Grantor's written consent.

It is the parties' intention that the rights and easements conveyed herein shall run with the land.

For the authority for this grant see votes of the Salem City Council and related documents recorded herewith.

For Grantor's title, see \_\_\_\_\_ dated \_\_\_\_\_, recorded with said Registry of Deeds in Book \_\_\_\_, Page \_\_\_\_\_. For Grantee's title, see deed of the Division of Capital and Asset Management and Maintenance, recorded herewith.

**SIGNATURE AND ACKNOWLEDGEMENT ON FOLLOWING PAGE**

Signed as a sealed instrument this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

THE CITY OF SALEM

By: \_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this \_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_, proved to me through satisfactory evidence of identification, which were \_\_\_\_\_, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that (he)(she) signed it voluntarily for its stated purpose.

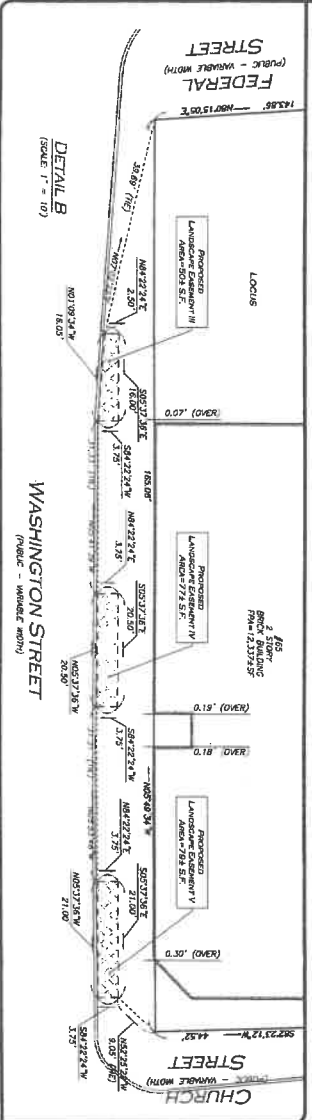
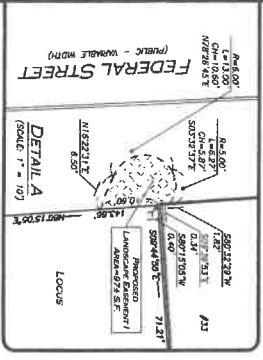
\_\_\_\_\_

Notary Public  
My Commission Expires:

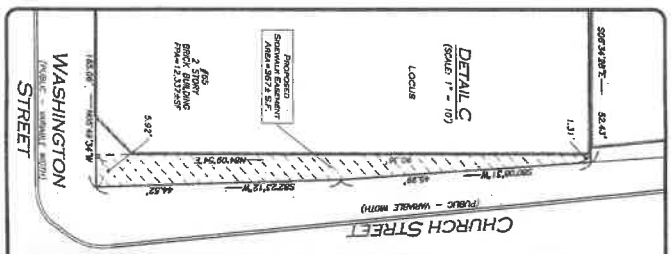
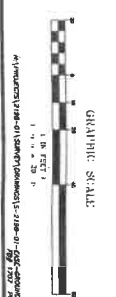


**LEGEND**

BUILDING LINE	---
PROPOSED BUILDING LINE	- - - -
PROPOSED DRIVE LINE	- · - · -
HOW ON ROAD/BLVD	N/Y
ROOM	RC
LAND COURT CASE	L.C.C.



- LOCUS REFERENCES**
- 2000 BOOK 0124 PAGE 548
  - 2000 BOOK 140 PAGE 78
  - 2000 BOOK 135 PAGE 6
  - 2000 BOOK 131 PAGE 48
  - 2000 BOOK 151 PAGE 25
  - L.C.C. 17128
- NOTES**
1. ROOM NUMBER IS SHOWN IN UNBOLD CAPITAL LETTERS
  2. ROOM/SPACE AND ROOM REFERENCES ARE THICK
  3. ROOM NUMBER IS SHOWN IN BOLD CAPITAL LETTERS
  4. PROPOSED ROOMS ARE THIN
  5. PROPOSED DRIVE AND DRIVE RESULT OF AN AS-BUILT SURVEY



**ISSUED FOR REVIEW**  
DATE: 07/18/18

PROFESSIONAL TOWN SUPERVISOR FOR ALLEN & MAJOR ASSOCIATES, INC.

REV	DATE	DESCRIPTION
01	07/18/18	ISSUED FOR REVIEW

PROJECT: 65 WASHINGTON STREET, SALEM, MA

CLIENT: ALLEN & MAJOR ASSOCIATES, INC.

**ALLEN & MAJOR ASSOCIATES, INC.**

110 CONSUMERS WAY  
Salem, MA 01970  
TEL: (978) 341-8888  
FAX: (978) 341-8889

PROJECT NO: 21801 DATE: 07/18/18  
SCALE: 1" = 20' PLOT SCALE: AS SHOWN  
DRAWN BY: CMI CHECKED BY: N.A.

**GROUND FASBMENT PLAN**

SHEET NO. 1

WE HEREBY CERTIFY THAT:  
THIS PLAN IS THE RESULT OF AN ACTUAL ON-SITE SURVEY AND MEASUREMENT CONDUCTED BETWEEN FEBRUARY 12, 2018 AND FEBRUARY 23, 2018. WE HAVE PREPARED THIS PLAN IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE MASSACHUSETTS BOARD OF REGISTRY AND AS A RESULT OF OUR SURVEY AND MEASUREMENTS, WE HAVE DETERMINED THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DURING EXISTING CONDITIONS AND THAT THE PROPOSED BUILDING OR WORK SHOWN ARE THOSE OF PUBLIC OR PRIVATE RECORD AND THAT THE PROPOSED BUILDING OR WORK IS BEING SHOWN ON THIS PLAN IN ACCORDANCE WITH THE MASSACHUSETTS BOARD OF REGISTRY'S RULES AND REGULATIONS.

THE ABOVE CERTIFICATION IS INTENDED TO BE A STATEMENT OF FACT AND IS NOT A GUARANTEE OF THE ACCURACY OF THE SURVEY OR THE RECORDING OF PLANS AND IS NOT A GUARANTEE OF THE ACCURACY OF ANY INSTRUMENTS OR INFORMATION OF ANY KIND. ANY INSTRUMENTS OR INFORMATION OF ANY KIND USED IN THE SURVEY ARE LISTED ON THE LIST OF INSTRUMENTS AND INFORMATION OF ANY KIND.

ALLEN & MAJOR ASSOCIATES, INC.  
REGISTERED PROFESSIONAL ENGINEERS  
REGISTERED PROFESSIONAL LAND SURVEYORS  
100 STATE STREET, SUITE 200  
SALEM, MASSACHUSETTS 01970  
TEL: 978-465-3333  
WWW.ALLENMAJOR.COM

**ISSUED FOR REVIEW**  
DATE: JUNE 18, 2018

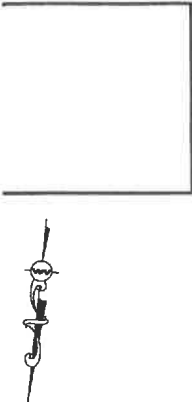
REV.	DATE	DESCRIPTION

PROJECT NO.: 18-001  
DATE: 07/18/18  
SCALE: 1" = 40'  
DRAWN BY: JACOB  
CHECKED BY: M  
PROJECT: 65 WASHINGTON STREET  
SALEM, MA

**ALLEN & MAJOR ASSOCIATES, INC.**  
REGISTERED PROFESSIONAL ENGINEERS  
REGISTERED PROFESSIONAL LAND SURVEYORS  
100 STATE STREET, SUITE 200  
SALEM, MASSACHUSETTS 01970  
TEL: 978-465-3333  
WWW.ALLENMAJOR.COM

THIS DRAWING WAS PREPARED BY ALLEN & MAJOR ASSOCIATES, INC. IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE MASSACHUSETTS BOARD OF REGISTRY AND AS A RESULT OF OUR SURVEY AND MEASUREMENTS. WE HAVE DETERMINED THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DURING EXISTING CONDITIONS AND THAT THE PROPOSED BUILDING OR WORK SHOWN ARE THOSE OF PUBLIC OR PRIVATE RECORD AND THAT THE PROPOSED BUILDING OR WORK IS BEING SHOWN ON THIS PLAN IN ACCORDANCE WITH THE MASSACHUSETTS BOARD OF REGISTRY'S RULES AND REGULATIONS.

DRAWING TITLE: AIR RIGHTS EASEMENT PLAN  
SHEET NO.: 1



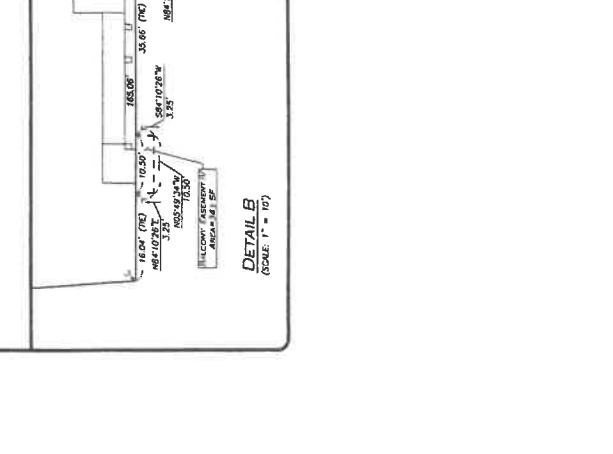
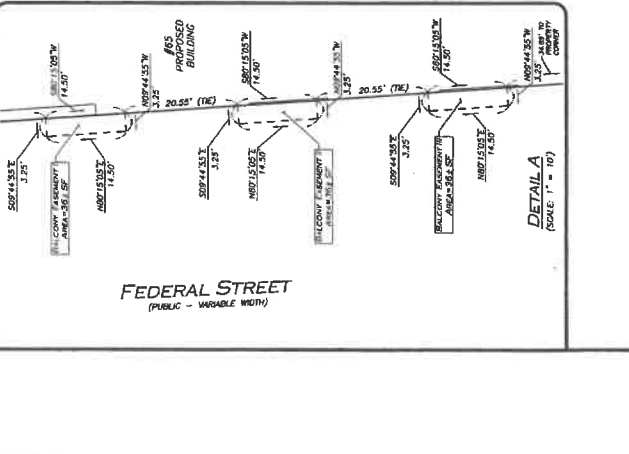
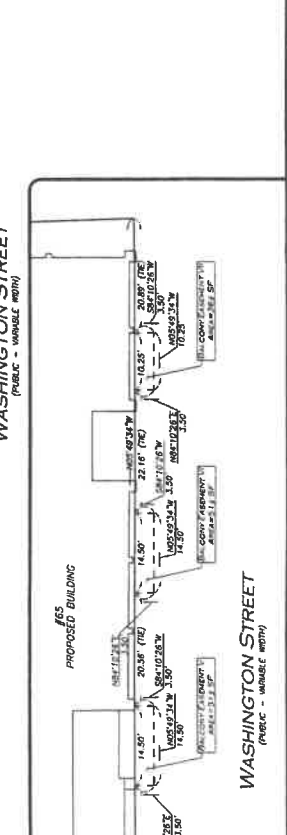
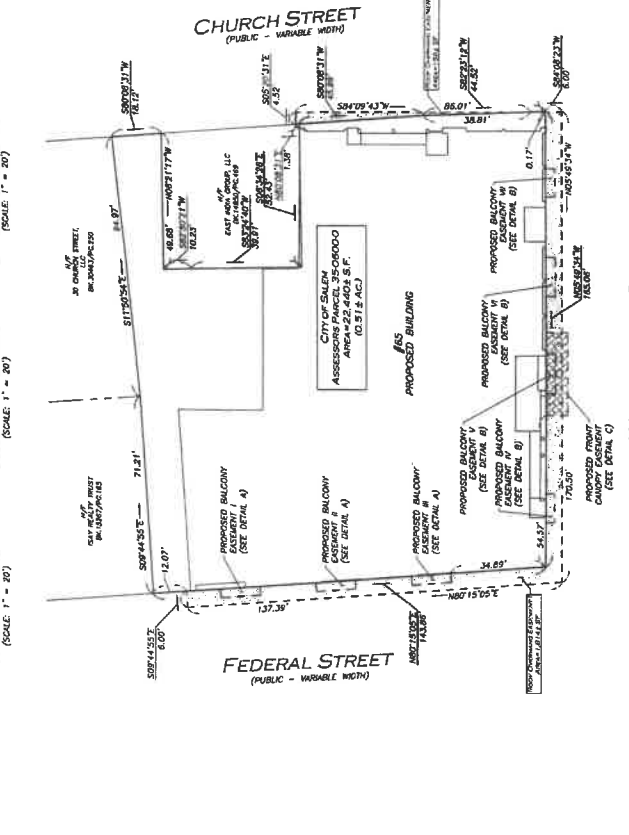
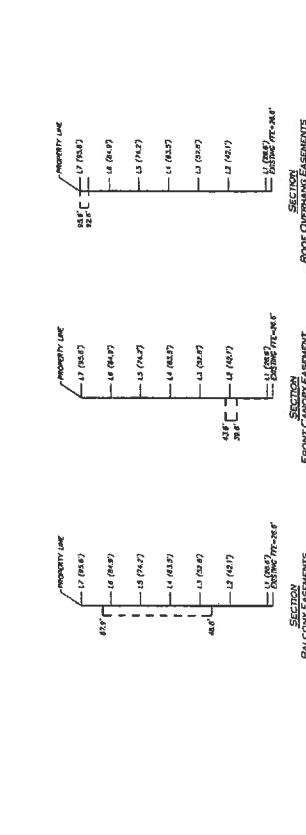
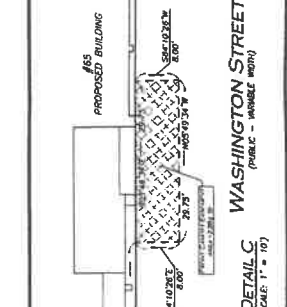
FOR REGISTRY USE ONLY

**LEGEND**

SOLID LINE	BUILDING
DASHED LINE	PROPERTY LINE
DOTTED LINE	PROPOSED EASEMENT LINE
SOLID LINE WITH SHORT DASHES	ADJ. OR FORMERLY
SOLID LINE WITH LONG DASHES	N/F
SOLID LINE WITH WIGGLY DASHES	BK
SOLID LINE WITH SHORT DASHES AND WIGGLY DASHES	PL
SOLID LINE WITH SHORT DASHES AND WIGGLY DASHES	PA
SOLID LINE WITH SHORT DASHES AND WIGGLY DASHES	L.C.C.

**LOCUS REFERENCES**  
CITY OF SALEM ASSESSOR'S PARCEL 35-0800-1  
-250 BOOK 143, PLAN 20  
-250 BOOK 143, PLAN 18  
**PLAN REFERENCES**  
-PLAN BOOK 115, PLAN 8  
-PLAN BOOK 115, PLAN 48  
-PLAN BOOK 51, PLAN 36  
-PLAN BOOK 51, PLAN 38  
-PLAN BOOK 51, PLAN 37  
-PLAN BOOK 51, PLAN 35  
-L.C.C. 171238

- NOTES**
- NOTES ARE BASED ON MASSACHUSETTS GRID COORDINATE SYSTEM.
  - BOUNDARY AND PLANNING DATA ARE TAKEN FROM ESSEX COUNTY (SOUTH) RECORDS OF DEEDS IN SALEM, MA.
  - EXISTING BUILDING FOOTPRINT AND BOUNDARIES ARE TAKEN FROM A SKETCH ENTITLED "PROPOSED OVERHAUL OF 65 WASHINGTON STREET" DATED JUNE 3, 2018 PREPARED BY THE ALLEN & MAJOR ASSOCIATES, INC.
  - SETBACKS AND EASEMENT DATA ARE BASED ON PROPOSED SETBACKS AND EASEMENTS SHOWN IN EASEMENT SETTING SHEETS.
  - EASEMENTS AND SETBACKS ARE NOT THE RESULT OF AN ADJUDICATED PROCESS.





The  
of the  
**House  
of the  
Seven Gables**

Education ♦ Preservation ♦ Community Service

July 16, 2018

Salem City Hall  
City Clerk's Office  
93 Washington Street  
Salem, MA 01970

Dear Ilene,

The House of the Seven Gables is hosting our annual fundraiser, **Taste of The Gables**, on Sunday September 16 from 3:50 – 8:00 pm. Over 20 chefs will be setting up on our oceanfront lawn at 1:00 pm.

We would like to request that the end of Turner St. be closed beginning at 12:00 PM to allow the chefs to unload their trucks. This area would be from The Gables' fence gate adjacent to our lawn to the end of Turner St. Please note: We own the red house on the opposite side at the end of Turner St. We would not block any driveways.

Since the beginning of this event in 2013, the City of Salem has been extremely generous in granting this request and providing a wooden horse that day. We hope that you will be able to give us permission to do this again on Sunday, September 16, 2018. As you may know, Taste 2018 is extra special as we celebrate the anniversary of the Turner Ingersoll Mansion, best known as The House of the Seven Gables (1668).

If you are interested in attending the event, please visit our website for more details. [www.7gables.org](http://www.7gables.org) **Taste of The Gables** will benefit the preservation of our six historic houses this year and colonial revival gardens.

Thank you for your consideration.

Best regards,

Pilar E. Garro

Director of Development



CITY OF SALEM



BLOCK PARTY

July 9, 2018  
(DATE)

TO THE CITY COUNCIL:

We, the undersigned residents, respectfully apply for a BLOCK PARTY license as follows:

LOCATION: Peabody Street (between Lafayette & Ward)  
DATE: 9.22.2018  
TIME: 8 AM. to 10 PM. (set up + break down)  
RAINDATE:

<u>Leonardo</u> (Print Name)	<u>Leonardo</u> (Signature of Applicant)	<u>19 Ward ST # 3-2</u> (Address)	<u>(978) 210-3542</u> (Tel. No.)
<u>Franky</u> (Print Name)	<u>Franky</u> (Signature of Applicant)	<u>Peabody</u> (Address)	<u>978-237-1985</u> (Tel. No.)
<u>A. Morisy</u> (Print Name)	<u>A. Morisy R.</u> (Signature of Applicant)	<u>Peabody St</u> (Address)	<u>↓</u> (Tel. No.)

In City Council JUL 19 2018  
LICENSE GRANTED

ATTEST:

\_\_\_\_\_  
CITY CLERK  
\* see attached  
letters submitted

June 27, 2018

City Council President, Elaine Milo  
CC: Cheryl LaPointe, City Clerk  
BCC: Councilor McCarthy, Ward 1  
93 Washington Street  
Salem, MA 01970

Dear Councilor Milo,

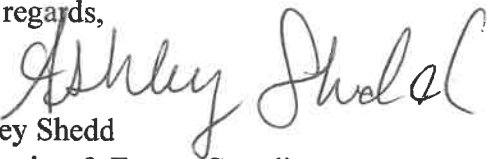
On September 22, 2018, North Shore CDC plans to celebrate the Punto Urban Art Museum, in collaboration with the Point Neighborhood Association, for recent achievements in Salem's Point Neighborhood. North Shore CDC has received a permit for the closure of Peabody Street from 8am-10pm on September 22<sup>nd</sup> for the community event, with help of the city council. We respectfully request the right to tow all remaining cars on Peabody Street on September 22nd in order to ensure a safe and spacious block party.

For this block party, we are shutting down Peabody Street just past Wendy's Peabody Street entrance to the end of the street. With this space, we plan on utilizing the City of Salem's Peabody Street Park to host games for children and set up booths for local organizations. If any cars are left on the street, not only will they not be able to get out due to the street closure, but they also risk the chance of being damaged as hundreds of Salem residents are expected to attend.

With this event we plan on celebrating the culture of our current residents, while also incorporating its rich Franco-American past in the Point Neighborhood. To complete this vision, we plan on bringing live music, food vendors, and hosting artists to create murals on one of our affordable housing buildings during the event. With that, we'll be renting a stage, lighting, and speakers for the music, asking local organizations to create a fun booth for visitors, and outlining specific areas for the muralists to paint. We will also be bringing portable restrooms, police details and security guards to ensure cleanliness and safety throughout the event.

Should you have any questions, please email me at [ashley@northshorecdc.org](mailto:ashley@northshorecdc.org) or call me at 978-825-4004.

Best regards,



Ashley Shedd  
Marketing & Events Coordinator  
North Shore Community Development Coalition  
96 Lafayette Street  
Salem, MA 01970  
Tel: 978-745-4004  
Fax: 978-594-5965

## North Shore CDC's Peabody Street Request

On September 22, 2018, from 8am to 10pm (setup and breakdown) North Shore CDC plans to celebrate recent accomplishments in Salem's Point Neighborhood. We respectfully request the use of Peabody Street Park not only for the playground and space for children's activities, but also to attract residents and visitor's from Salem's downtown area.

For this block party, we plan on shutting down Peabody Street just past Wendy's Peabody Street entrance through the end of the street. With this space, we plan on utilizing the City of Salem's Peabody Street Park to host games for children and set up booths for local organizations.

With this event we plan on celebrating the culture of our current residents, while also incorporating its rich Franco-American past in the Point Neighborhood. To complete this vision, we plan on bringing live music, food trucks, and hosting artists to create murals on a few of our affordable housing buildings during the event. With that, we'll be renting a stage, lighting, and speakers for the music, asking local organizations to create a fun booth for visitors, and outlining specific areas for the muralists to paint. We will also be bringing portable bathrooms and police details to ensure cleanliness and safety throughout the event.

Should you have any questions, please email me at [ashley@northshorecdc.org](mailto:ashley@northshorecdc.org) or call me at 978-825-4004.

# City of Salem

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*In the year Two Thousand and Eighteen*

*An Ordinance* to amend the Ordinance relative to the Commission on Disabilities

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

**Section 1.** Section 2-927. - Appointment and terms of members; filling vacancies. – is hereby amended by deleting the word “seven” and replacing it with the word “nine” as it appears in this first sentence of this section.

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

In City Council June 28, 2018  
Adopted for first passage

ATTEST:

ILENE SIMONS  
CITY CLERK

# *CITY OF SALEM*

*In the year two thousand and Eighteen*

*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.** Chapter 42, Section 45, "Heavy Commercial Vehicles Prohibited – Certain Streets"

First Street, from Trader's Way to Highland Avenue in its entirety.  
Heavy Vehicles Prohibited, deliveries only

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

In City Council June 28, 2018  
Adopted for first passage

ATTEST:

ILENE SIMONS  
CITY CLERK

# **CITY OF SALEM**

*In the year two thousand and Eighteen*

*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.** Chapter 42, Section 74, "General Prohibition Towing Zones"

Skerry Street, northerly side beginning at Bridge Street and continuing to the entrance of the Carlton School, no parking tow zone 7:30 AM to 8:30 AM and 2:00 PM to 3:00 PM, Monday through Friday school days only, No Parking Tow Zone.

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

In City Council June 14, 2018  
Adopted for first passage

ATTEST:

ILENE SIMONS  
CITY CLERK

# *CITY OF SALEM*

*In the year two thousand and Eighteen*

*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.** Chapter 42, Section 50B, "Handicapped Zones, Limited Time"

Repeal Briggs Street, beginning at the intersection of Webb Street and Briggs Street on the northwesterly side and proceeding twenty (20) feet in a southwesterly direction (in front of #35).

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

In City Council June 28, 2018  
Adopted for first passage

ATTEST:

ILENE SIMONS  
CITY CLERK

# City of Salem

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*In the year Two Thousand and Eighteen*

## **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.** Chapter 42, Article I, Section 1 – Definitions is hereby amended by adding a new definition as follows:

*“Skateboard. A vehicle propelled by human power and gravity consisting of material or portion of material formed in a thin firm sheet with wheels attached to the underside.”*

**Section 2.** Chapter 42 is hereby further amended by adding the following new section:

**“Section 43B – Use of Skateboards on Streets and Sidewalks.**

- A. Operation and Use.** Individuals using skateboards shall follow the same local ordinances and state laws that pertain to the operation of a bicycle on City streets and sidewalks. Individuals using skateboards shall be subject to all local ordinances and state laws regarding damage to or destruction of public or private property.
- B. Helmet Required.** Any person 16 years of age or younger operating a skateboard or riding as a passenger on any such skateboard on a public way, bicycle path or on any other public right-of-way shall wear a helmet. Such helmet shall fit the person's head and be secured by straps at all times while operating or riding upon a skateboard.
- C. Operation and Use Prohibited.** No person shall use, and no parent or guardian of a minor shall knowingly permit a minor to use any skateboard or other manually-propelled wheeled vehicle, collectively referred to as skateboards herein, on any public sidewalk or on any publicly or privately owned property on which signs have been posted prohibiting the use of such skateboards on such property
- D. Penalty.** Any person who violates the provisions of this section may be penalized by noncriminal disposition as provided under MGL c. 40, § 21D, as amended. This section shall be enforced by a police officer of the city of Salem. The penalty for a first violation shall be a written warning, and \$20 for a second and all subsequent violations.”

**Section 3.** This Ordinance shall take effect as provided by City Charter

In City Council June 14, 2018  
Adopted for first passage

ATTEST:

ILENE SIMONS  
CITY CLERK



# City of Salem

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*In the year Two Thousand and Eighteen*

## **An Ordinance to amend an Ordinance relative to Skateboarding**

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

**Section 1.** Chapter 24, Section 24-7 Skateboarding shall be repealed in its entirety.

**Section 2.** Chapter 1, Sec. 1-10. - Noncriminal Disposition of Ordinance Violations is hereby amended by inserting the following within the subsection entitled Chapter 42 Traffic:

"Penalty for Use of Skateboards on Streets and Sidewalks		
First offense:	Written Warning	
Second offense and subsequent offense:		\$20.00

Enforcing person: Police."

**Section 3.** This Ordinance shall take effect as provided by City Charter

In City June 28, 2018  
Adopted for first passage

ATTEST:

ILENE SIMONS  
CITY CLERK