



CITY OF SALEM, MASSACHUSETTS

Dominick Pangallo
Mayor

January 25, 2024

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Dear City Councillors:

I am pleased to appoint Hannah Osthoff of 15 Roslyn Street Salem, MA to serve on the Zoning Board of Appeals for a three-year term to expire on May 1, 2026, previously held by Rosa Ordaz who is stepping down for personal reasons.

Hannah is a versatile designer who has gained a broad range of experience during her more than nine years in the architecture field. She is passionate about bringing beautiful designs to as many people as possible, which has led her to focus primarily on institutional & commercial projects. During her time at Roger Williams University, Hannah completed a thesis focused on different methods of adaptive reuse and received the AIA Henry Adams Medal.

I strongly recommend confirmation of Ms. Osthoff to the Zoning Board of Appeals. We are fortunate that she is willing to serve our community in this important role and lend her perspective, dedication and time to the ZBA and its work.

Sincerely,

Dominick Pangallo
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Dominick Pangallo
Mayor

Office of the Mayor

January 25, 2024

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Dear City Councillors:

I am pleased to appoint Ellen Simpson, of 1 Geneva Street, Unit 1, to the Zoning Board of Appeals as an alternate member to complete a two-year term previously vacated by Hannah Osthoff, to expire on September 15, 2024. Ms. Osthoff's seat is vacant as she is being appointed as a full member of the Zoning Board of Appeals.

Ms. Simpson is an Executive Assistant and has been a high school English teacher in the past. She has been a member of the League of Women Voters in Salem, and in particular, has found serving on their Affordable Housing Working Group to be very meaningful. Over the past several years, she has developed a personal interest and passion about affordable housing, development and zoning in Salem and looks forward to the opportunity to put that knowledge to work for the community.

I strongly recommend confirmation of Ms. Simpson's appointment to the Zoning Board of Appeals as an alternate member. We are fortunate that she is willing to volunteer in this important role and lend his time, interests and dedication to this important board and its work.

Sincerely,

Dominick Pangallo
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Dominick Pangallo
Mayor

Office of the Mayor

January 25, 2024

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Dear City Councillors:

I am pleased to appoint Paul Carson, of 4 Parker Court, to the Bicycling and Shared Path Committee to complete a three-year term vacated by Josh Gillis, which will expire February 14, 2025.

Mr. Carson holds a degree in Mechanical Engineering from Pennsylvania State University, and currently serves as the Senior Makerspace Manager at Northeastern University. He has a background in education, having served as a high school math teacher in the past. For several years, he owned and operated Paul Carson Bicycles out of Somerville, Massachusetts. He is an engaged Salem resident, and he is raising his family in the city where he regularly commutes, as well as moves his family around the city, both by bicycle. He sees this role as one in which he will have the opportunity to help improve Salem's bike infrastructure, and to help Salem remain bike-friendly.

I strongly recommend confirmation of Mr. Carson's appointment to the Bicycling and Shared Path Committee. We are fortunate that he is willing to volunteer in this important role and lend his time, expertise and dedication to this important board and its work.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dominick Pangallo".

Dominick Pangallo
Mayor
City of Salem

cc: Tom Devine, City of Salem
Paul Carson



CITY OF SALEM, MASSACHUSETTS

Dominick Pangallo

Mayor

January 25, 2024

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Dear City Councillors:

I am pleased to reappoint the following City employees to the positions and terms specified below. I recommend confirmation of these reappointments and hope that you will join me in thanking each of these dedicated staff members for their commitment to public service and to our community.

| NAME | TITLE | TERM | EXPIRES |
|--------------------|--|---------|-----------|
| David Gilbert | Winter Island Manager | 2 years | 1/31/2026 |
| Greg Salamida | Assistant Building Inspector | 2 years | 3/13/2025 |
| Anna Freedman | Finance Director/Auditor | 3 years | 1/31/2027 |
| Ray Jodoin | Director of Public Services | 2 years | 1/31/2026 |
| Teresa Gove Arnold | Council on Aging Director | 2 years | 1/31/2026 |
| Anthony Delaney | Purchasing Agent | 2 years | 1/31/2026 |
| Stephen Cortes | Director of Assessing | 1 year | 1/31/2025 |
| Justin MacCutcheon | Deputy Auditor | 2 years | 1/31/2026 |
| Lisa Cammarata | Director of Human Resources | 2 years | 1/31/2026 |
| Bonnie Celi | City Collector | 3 years | 1/31/2027 |
| John Giardi | City Electrician | 2 years | 1/31/2026 |
| Thomas Daniel | Director of Planning & Community Development | 2 years | 1/31/2026 |
| Deborah Duhamel | City Engineer | 2 years | 1/31/2026 |
| Voula Orfanos | Director of Inspectional Services | 2 years | 1/31/2026 |
| Amanda Chiancola | Assistant Planning Director | 2 years | 1/31/2026 |
| David Kucharsky | Director of Traffic & Parking | 2 years | 1/31/2026 |

Very truly yours,

Dominick Pangallo
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Dominick Pangallo
Office of the Mayor

January 25, 2024

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Dear City Councillors:

The Salem Redevelopment Authority is the appointing body for the Design Review Board, and recently welcomed two new members. Elizabeth Murray was appointed on December 10, 2023, to serve out J. Micheal Sullivan's remaining term, which will expire on June 11, 2025. Leeann Leftwich was appointed on January 13, 2024, to serve out Glenn Kennedy's remaining term, which will expire on March 1, 2024. The SRA also voted to preemptively reappoint Leann for a full 3-year term which will then expire on March 1, 2027. This letter is being sent for informational purposes as no City Council confirmation is required.

Ms. Murray is currently the Senior Project Manager for Shawmut Design and Construction. She holds an undergraduate degree in Interior Design from the Art Institute of California, San Diego. She is an accomplished Project Management Leader experienced in the design and execution of complex, multi-million-dollar construction projects and possesses an innovative design approach that brings design visions to life within the constraints of practical construction. Ms. Murray is passionate about using her knowledge and experience in her field to serve the City of Salem.

Ms. Leftwich is a Freelance Design Specialist and holds an undergraduate degree in Graphic Design from the University of Memphis. She is currently working with the Peabody Essex Museum and develops methods and materials that communicate the museum's goals and mission to stakeholders and designs and leads production on materials use in their fundraising efforts. She is also working with the Wadsworth Atheneum Museum of Arts in Hartford, Connecticut on several projects. Ms. Leftwich understands design as a tool for communication and is excited about the opportunity to work alongside people that care and value the benefits that thoughtful design can bring to a community, all while serving the City of Salem.

I hope you will join me in welcoming Ms. Murray and Ms. Leftwich to the Design Review Board. We are fortunate that they are willing to serve our community in this important role and lend their insights and expertise to the Council and its work.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dominick Pangallo", is written over a circular official stamp.

Dominick Pangallo
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Dominick Pangallo
Mayor

January 25, 2024

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Dear Councillors:

Enclosed is a request to accept a donation from Yano's Bistro in the amount of One Thousand Dollars. These funds will be deposited into the Salem Education Fund 8305 (83051-4830).

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

Sincerely,

Dominick Pangallo
Mayor
City of Salem



CITY OF SALEM

In City Council,

Ordered:

January 25, 2024

To accept the donation totaling One Thousand Dollars (\$1,000.00) from Yano's Bistro. The donation is to be deposited into the Salem Education Fund 8305 (83051-4830) in accordance with the recommendation of His Honor the Mayor.



CITY OF SALEM, MASSACHUSETTS

Dominick Pangallo
Mayor

Office of the Mayor

January 25, 2024

Salem City Council
93 Washington Street
Salem, MA 01970

Dear Councillors,

The enclosed resolution has been prepared jointly by me and Councillor Patti Morsillo. It is intended to express our shared support for pending state legislation that would allow Salem to implement automated traffic violation enforcement, both through our own existing home rule petition – HD.4600 – and through other legislation that would be effective statewide – H.3393.

We are hopeful that the legislature will advance both of these measures through the committee process so that they can come before the full legislature this session. I recommend adoption of the enclosed resolution.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dominick Pangallo".

Dominick Pangallo
Mayor
City of Salem



CITY OF SALEM

In City Council January 25, 2024

Resolution in Support of Roadway Safety Legislation

WHEREAS legislation pending in the Massachusetts House and Senate, H3393, would enable municipalities to utilize automated traffic enforcement, ensuring more consistent enforcement of traffic safety laws to protect the lives of children and other residents of the Commonwealth; and

WHEREAS the City of Salem City Council and Mayor unanimously approved the submission of a home rule petition to the state legislature on September 14, 2023 for a special act authorizing the automated enforcement of traffic violations and that legislation, HD4600, is currently pending at the State House; and

WHEREAS Salem Public School bus drivers have provided powerful qualitative input to the district and the City about the increasing prevalence of drivers passing stopped school buses with stop signs activated; and

WHEREAS a pilot program for automated enforcement of school bus stop signs found 850 violations took place in just five weeks, an average of more than three violations per bus per day; and

WHEREAS a study by the Insurance Institute for Highway Safety has found that automated enforcement reduces the number of fatal red-light running crashes by 21% and of all types of fatal crashes at signalized intersections by 14%; and

WHEREAS a majority of American states allow some form of automated enforcement, and the technology is currently in use in approximately 350 American communities already; and

NOW, THEREFORE BE IT RESOLVED that the City of Salem strongly urges the Massachusetts legislature to advance H3393 and HD4600 favorably out of committee and before the full legislature for approval this session, and that a copy of this resolution be transmitted by the City Clerk to the chairs and members of the state legislature's Joint Committee on Transportation, the Speaker of the Massachusetts House of Representatives, the President of the State Senate, State Senator Joan Lovely, State Representative Manny Cruz, and Governor Maura Healey.



CITY OF SALEM, MASSACHUSETTS

Dominick Pangallo
Mayor

Office of the Mayor

January 25, 2024

Salem City Council
93 Washington Street
Salem, MA 01970

Dear Councillors,

Enclosed please find a series of measures intended to improve our regulation of short-term rentals (STRs) and strengthen our enforcement of rules around this type of property use in Salem.

As you may recall, in 2018 the City of Salem adopted an ordinance regulating STRs, requiring registration with the City for this use, and also requiring a Certificate of Fitness. In the ensuing years, the number of STRs has increased in our community, prompting the need to make several changes to the ordinance and leading us to conclude that adopting a new standard for property code violations, MGL Chapter 40U. The enclosed measures make the following changes to our approach to STRs:

1. Currently, primary residence in the ordinance is defined as being a residential unit in which the operator resides for at least six months of a 12-month period and is provable with at least two of any of the following: utility bill, voter registration, motor vehicle registration, deed, lease, driver's license, other state-issued identification, or proof of residential exemption. The proposed change here would eliminate the ability to show a deed or utility bill. The reasoning for this is that these forms of documentation only prove ownership and not necessarily residential use by the operator.
2. In the original ordinance, an exemption was included for residential units contracted for hospital stays. The proposed update clarifies that that exemption only applies to the unit in question when it is being used for a hospital stay. This is intended to address some STR operators claiming the exemption for their unit, despite it only being utilized for a hospital stay briefly or infrequently.
3. Effective March 1, 2024, the proposed ordinance would limit the number of STRs in one building to two units. This is intended to prevent the conversion of larger multi-family buildings into "STR hotels." Currently there is only one such property in Salem, however

a modification will ensure that it does not become a future problem.

4. Another enclosed ordinance grants the Board of Health subpoena power to acquire records from STR platforms and companies necessary for the enforcement of our code.
5. Lastly, the enclosed order adopts MGL Chapter 40U, which modifies our method for enforcing sanitary, housing, and building/property codes by establishing an administrative hearing process, rather than through the courts, and authorizing the City to attach unpaid code tickets to the property taxes for the offending property. This measure is intended to improve responsiveness to violation tickets and encourage greater compliance with the code, especially – though not exclusively – regarding STRs.

According to the Massachusetts Department of Revenue, there are 372 STRs in the city currently, which is roughly 2% of our overall housing stock. As we have seen this type of activity grow, we are dedicated to updating our rules and code accordingly. We are also focused on enhancing our capacity to effectively enforce both our STR ordinance and the related regulations concerning Certificates of Fitness. To that end, concurrent with the passage of these changes we will be adjusting the local STR registration fee to enable the City to retain a full-time employee exclusively focused on monitoring STRs and enforcing our regulations regarding their operation.

I recommend adoption of the enclosed ordinances and order and welcome the opportunity to meet with you to discuss the proposed changes in greater depth. When the committee meeting for this matter is scheduled I recommend that you additionally invite our Health Agent, David Greenbaum, and our Solicitor and Assistant Solicitor, Beth Rennard and James Wellock.

Sincerely,



Dominick Pangallo
Mayor
City of Salem

General Laws Chapter 40U – Alternate Process for Collection of Certain Fines

While many municipalities utilize noncriminal disposition (G.L. c.40, §21D) and special hearings for violations of the Building and Fire Codes (G.L. c.148A), a less widely known procedure exists for collecting other local penalties. Specifically, G.L. c.40U, a local acceptance statute, allows municipalities to impose fines through an administrative hearing process for failure to remove snow and ice on sidewalks and broadens municipal officials' ability to collect fines for state housing and sanitary code violations and municipal snow and ice fines.

With respect to snow and ice fines, the statute permits a municipality to implement, through adoption of a by-law or ordinance, procedures for requiring property owners to remove snow and ice on sidewalks abutting their property. Such by-law or ordinance must establish the time and manner for snow and ice removal and set penalties for a property owner's failure to clear the sidewalks. Of note, Chapter 40U requires such by-laws and ordinances to "be specific as to the width of the area to be cleared and the standards for clearance." Under the statute, fines for the removal of snow and ice may not exceed \$200 for each violation (compare the maximum penalty of \$300 under the noncriminal disposition process).

The process for issuing citations under G.L. c.40U for housing or sanitary code violations or snow and ice removal violations is similar to the noncriminal disposition process. First, be aware that a municipality that accepts Chapter 40U must appoint a municipal hearing officer to hear appeals of fines for housing or sanitary code violations or snow and ice removal. The G.L. c.40U hearing officer may be the same person as the officer that hears appeals under G.L. c.148A. Citations must be pre-numbered and prepared in triplicate or be issued by an automated ticketing device. Citations must be placed on the building or be hand-delivered to a property management office. Each citation must include the date, time and place of violation as well as the specific violation charged, and the name, division and badge number of the officer or inspector who issued the violation. To avoid delinquency charges, the person charged must pay the fine in full no later than 21 days after the citation issued or request a hearing before the municipal hearing officer. Notice of late payment shall be sent to the violator and after an additional 30 days, fines and interest may be attached and assessed on an individual's tax bill or a lien may be placed on the property. The costs of filing and releasing such liens may also be assessed.

In summary, Chapter 40U broadens municipalities' ability to impose and collect fines for a variety of code and bylaw violations using a non-judicial, administrative process. Please contact Attorneys Brian W. Riley (briley@k-plaw.com) or Gregg J. Corbo (gcorbo@k-plaw.com) at 617.556.0007 with further questions on Chapter 40U.

Disclaimer: This information is provided as a service by KP Law, P.C. This information is general in nature and does not, and is not intended to, constitute legal advice. Neither the provision nor receipt of this information creates an attorney-client relationship with KP Law, P.C. Whether to take any action based upon the information contained herein should be determined only after consultation with legal counsel.



City of Salem

In the year Two Thousand and Twenty-Four

An Ordinance to amend an ordinance relative to short term rentals.

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

Section 1. Chapter 15 Short-Term Residential Rentals is hereby amended by

- a) deleting the words “utility bill” or “deed” as they appear in the Section 15.2 Definition of “primary residence”;
- b) replacing the word “units” in the title of section 15.5 with the word “uses “
- c) inserting the following new sentence at the end of Section 15.5(c) Residential units contracted for hospital stays: “This exemption shall only apply when a unit is occupied for the use specified in this section.”
- d) Amending Section 15-4 - Ineligible residential units by adding the following new section: “6) Effective March 1, 2024, more than two units in any one building.”

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



City of Salem

In the year Two Thousand and Twenty-Four

An Ordinance to amend an ordinance relative to certificates of fitness.

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

Section 1. Section 2-705. *Certificate of fitness of rented dwelling unit, apartment or tenement* of Chapter 2, Division 3. Board of Health is hereby amended by adding the following new paragraph:

“(m) *Subpoena Power for Investigative Purposes.* The Salem Board of Health is hereby authorized to issue subpoenas requiring the attendance of witnesses, or the production of records, documents, and other pertinent evidence, in relation to its investigations for potential non-compliance with the provisions set forth in this ordinance. Upon the failure of any person to comply with a subpoena issued pursuant to these regulations and not vacated or modified, the Commission may apply to the Superior Court for an order requiring compliance.”

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



CITY OF SALEM

In City Council January 25, 2024

Ordered:

The City of Salem hereby accepts Massachusetts General Law Chapter 40U, authorizing the City to impose and collect fines for a variety of code and ordinance violations using a non-judicial, administrative process.