

ORDERED:

Notice having been given and public hearing held, as provided by law, that the Massachusetts Electric Company d/b/a National Grid be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 16<sup>th</sup> day of October, 2023.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Flint St - Salem - Massachusetts. Plan # 30646074.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Flint St - National Grid to install 1 JO Pole on Flint St beginning at a point approximately 60 feet northwest of the centerline of the intersection of Oak St and Flint St. Install new Pole # 666-50 at approximately 42.521664, -70.906436.

I hereby certify that the foregoing order was adopted at a meeting of the .....  
.....  
....., held on the ..... day of ....., 20 .....  
....., 20 .....

Received and entered in the records of location orders of the City/Town of  
Book ..... Page .....

Attest:  
.....

..... hereby certify that on .....20....., at ..... o'clock, ....M  
at ....., a public hearing was held on the petition of  
Massachusetts Electric Company d/b/a National Grid for permission to construct the underground  
electric conduits described in the order herewith recorded, and that I mailed at least seven days  
before said hearing a written notice of the time and place of said hearing to each of the owners of  
real estate (as determined by the last preceding assessment for taxation) along the ways or parts of  
ways upon which the Company is permitted to construct the underground electric conduits under  
said order. And that thereupon said order was duly adopted.

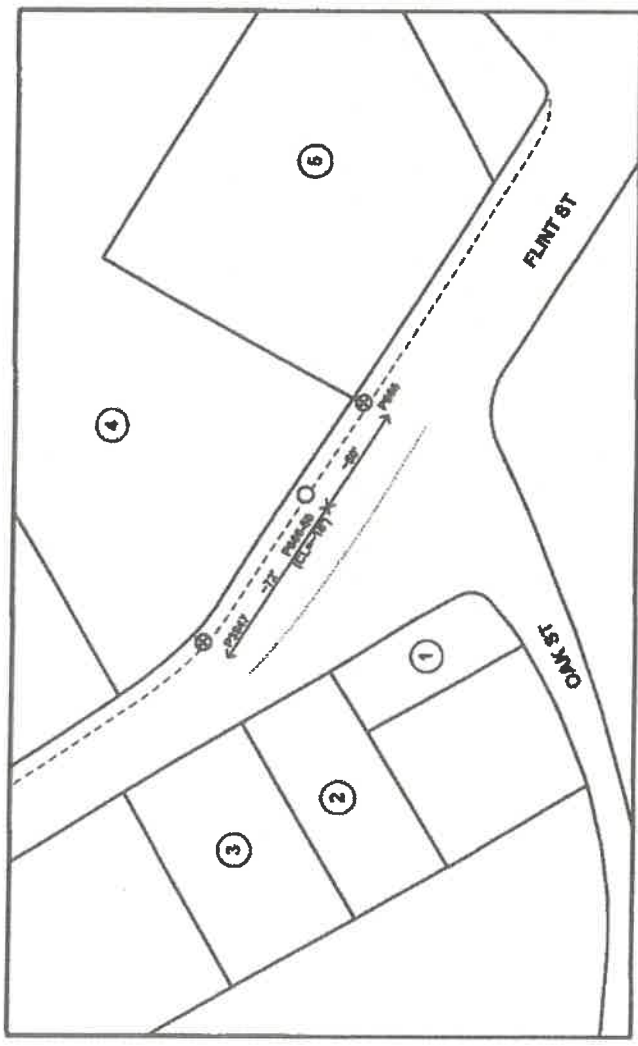
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**PETITION SKETCH  
TOWN OF SALEM  
ESSEX COUNTY**

**Legend**

	Proposed JO Pole
	Existing JO Pole
	Center Line
	Property Line
	Sidewalk



- ① 73 Flint St  
Parcel ID: 28-0003-801  
Lands of Kristy Pardow
- ② 76 Flint St  
Parcel ID: 28-0004-0  
Lands of Daniel Nassau
- ③ 78 Flint St  
Parcel ID: 28-0005-802  
Lands of Eileen Doherty
- ④ 72 Flint St  
Parcel ID: 28-0091-0  
Lands of DSF Salem Flint St LLC
- ⑤ 70 Flint St  
Parcel ID: 28-0023-0  
Lands of City of Salem

**nationalgrid**

**ControlPoint**  
TECHNOLOGIES  
Designer: Rob Proude  
ControlPoint Technologies, Inc.  
200 Ludgwood Place, Rockland, MA 02370  
781-433-3083

Not To Scale Distances are Approximate	Drawn By: RMP	Sketch # 1	DATE 8/13/2013
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The exact location of said facilities to be established by and upon the installation and erection of the facilities thereof.

ID	Site Address	Owner Name	Owner Address	Owner City	Owner State	Owner Zip
11-35	338 -342 RANTOUL ST		907 WESTERN AVE	LYNN	MA	01902
11-36	123 PARK ST		123 PARK ST	BEVERLY	MA	01915
11-40-101	346 RANTOUL ST		P O BOX 817	NEEDHAM	MA	02494
11-40-201	348 RANTOUL ST		348 RANTOUL ST U201	BEVERLY	MA	01915
11-40-202	348 RANTOUL ST		348 RANTOUL ST U202	BEVERLY	MA	01915
11-40-203	348 RANTOUL ST		8 HAWTHORNE BLVD	SALEM	MA	01970
11-40-204	348 RANTOUL ST		348 RANTOUL ST U204	BEVERLY	MA	01915
11-40-205	348 RANTOUL ST		348 RANTOUL ST U205	BEVERLY	MA	01915
11-40-206	348 RANTOUL ST		348 RANTOUL ST UNIT 206	BEVERLY	MA	01915
11-40-207	348 RANTOUL ST		348 RANTOUL ST UNIT 207	BEVERLY	MA	01915
11-40-208	348 RANTOUL ST		348 RANTOUL ST U208	BEVERLY	MA	01915
11-40-301	348 RANTOUL ST		348 RANTOUL ST U301	BEVERLY	MA	01915
11-40-302	348 RANTOUL ST		348 RANTOUL ST UNIT 302	BEVERLY	MA	01915
11-40-303	348 RANTOUL ST		348 RANTOUL ST U303	BEVERLY	MA	01915
11-40-304	348 RANTOUL ST		348 RANTOUL ST UNIT 304	BEVERLY	MA	01915
11-40-305	348 RANTOUL ST		348 RANTOUL ST U305	BEVERLY	MA	01915
11-40-306	348 RANTOUL ST		348 RANTOUL ST U306	BEVERLY	MA	01915
11-40-307	348 RANTOUL ST		160 OCEAN AVE	SALEM	MA	01970
11-40-308	348 RANTOUL ST		348 RANTOUL ST U308	BEVERLY	MA	01915

Current Owner  
907 WESTERN AVE  
LYNN, MA 01902

Current Owner  
123 PARK ST  
BEVERLY, MA 01915

Current Owner  
P O BOX 817  
NEEDHAM, MA 02494

Current Owner  
348 RANTOUL ST U201  
BEVERLY, MA 01915

Current Owner  
348 RANTOUL ST U202  
BEVERLY, MA 01915

Current Owner  
8 HAWTHORNE BLVD  
SALEM, MA 01970

Current Owner  
348 RANTOUL ST U204  
BEVERLY, MA 01915

Current Owner  
348 RANTOUL ST U205  
BEVERLY, MA 01915

Current Owner  
348 RANTOUL ST UNIT 206  
BEVERLY, MA 01915

Current Owner  
348 RANTOUL ST UNIT 207  
BEVERLY, MA 01915

Current Owner  
348 RANTOUL ST U208  
BEVERLY, MA 01915

Current Owner  
348 RANTOUL ST U301  
BEVERLY, MA 01915

Current Owner  
348 RANTOUL ST UNIT 302  
BEVERLY, MA 01915

Current Owner  
348 RANTOUL ST U303  
BEVERLY, MA 01915

Current Owner  
348 RANTOUL ST UNIT 304  
BEVERLY, MA 01915

Current Owner  
348 RANTOUL ST U305  
BEVERLY, MA 01915

Current Owner  
348 RANTOUL ST U306  
BEVERLY, MA 01915

Current Owner  
160 OCEAN AVE  
SALEM, MA 01970

Current Owner  
348 RANTOUL ST U308  
BEVERLY, MA 01915

**ORDER FOR POLE AND WIRE LOCATIONS**

In the City of Salem, Massachusetts

Notice having been given and public hearing held, as provided by law,  
IT IS HEREBY ORDERED:

that Massachusetts Electric Company d/b/a National Grid and be and it is hereby granted a location for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 10th day of November, 2023.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Bridge St - Salem - Massachusetts.

No. 30646076 Dated: November 10, 2023. Filed with this order.

There may be attached to said poles such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Bridge St - Massachusetts Electric Company d/b/a National Grid to install 1 SO Pole on Bridge Street beginning at a point approximately 163 ft southwest of the centerline of the intersection of Bridge St and Flint St. Install new Pole 597-2 at approximately 42° 31' 15.0" N70° 54' 21.6W.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City/Town of \_\_\_\_\_, Massachusetts held on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_.

\_\_\_\_\_  
Massachusetts City/Town Clerk.  
20 \_\_\_\_\_

Received and entered in the records of location orders of the City/Town of \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_

Attest:  
City/Town Clerk

I hereby certify that on \_\_\_\_\_ 20 \_\_\_\_\_, at \_\_\_\_\_ o'clock, M  
at \_\_\_\_\_ a public hearing was held on the petition of \_\_\_\_\_

Massachusetts Electric Company d/b/a National Grid

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....  
.....  
.....  
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the \_\_\_\_\_ of the City of Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and recorded with the records of location orders of the said City, Book \_\_\_\_\_, Page \_\_\_\_\_. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

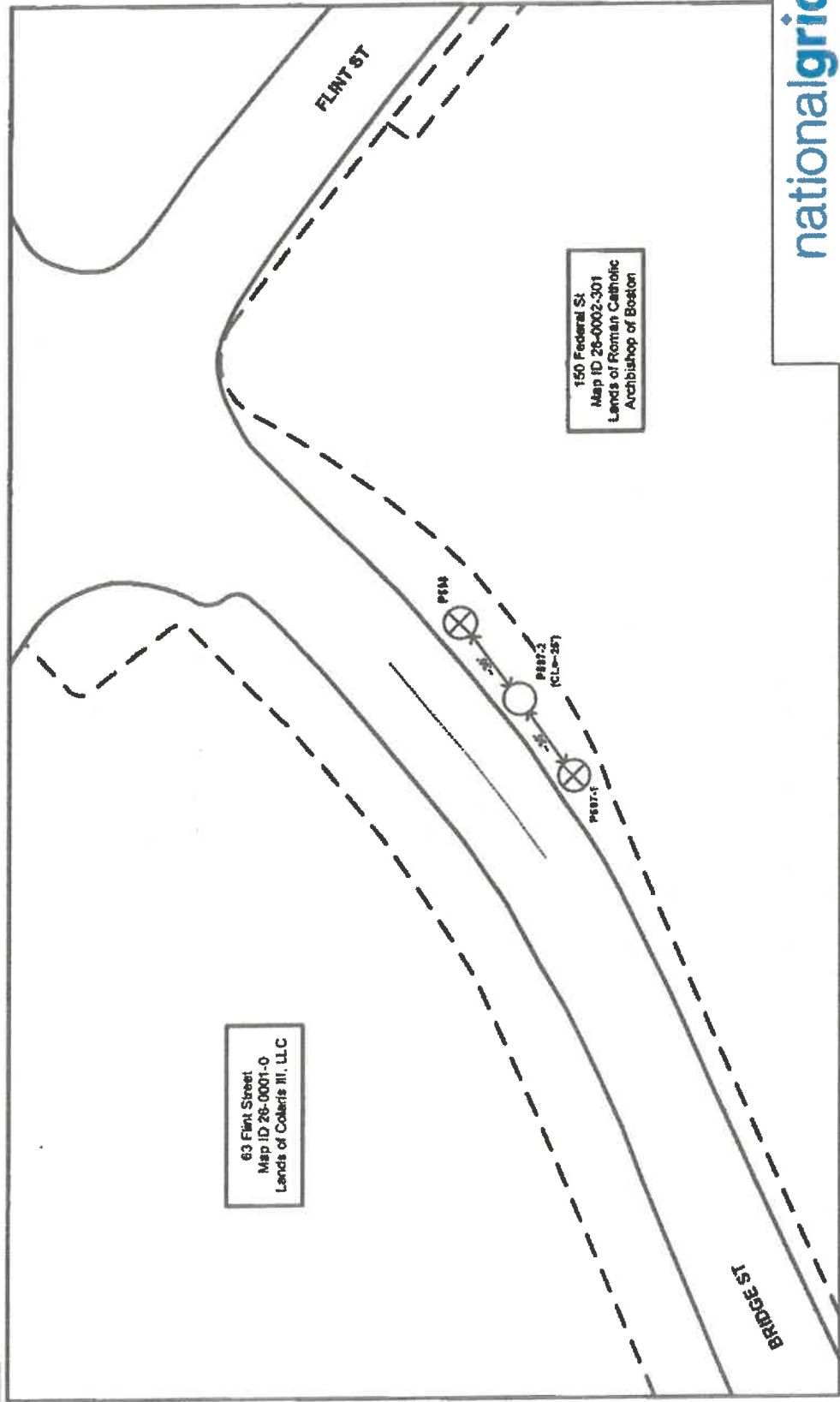
Attest:  
City/Town Clerk



PETITION SKETCH  
TOWN OF SALEM  
ESSEX COUNTY

**Legend**

-  Proposed SO Pole
-  Existing SO Pole
-  Property Line
-  Road
-  Centerline



**nationalgrid**



Designer: Rob Proude  
ControlPoint Technologies, Inc  
200 Lodgewood Place, Rockland, MA 02370  
781-423-3082

Petition Sketch for Poles 597-2  
Bridge Street  
Salem, MA  
WR#306-46076

Not To Scale  
Distances are  
Approximate

Drawn By:  
RHP

Sketch #  
1

DATE  
10/24/2023

The exact location of said facilities to be established by and upon the installation and erection of the facilities thereof.



## CITY OF SALEM, MASSACHUSETTS

Dominick Pangallo  
Mayor

Office of the Mayor

November 16, 2023

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Dear Councillors:

I am pleased to appoint Rebecca Fisher, of 6 Orne Square, to the Public Art Commission. Ms Fisher will be completing a term for the seat that was recently vacated by Janine Liberty due to increased demands at work. This term will expire on November 15, 2024.

Ms. Fisher is a Senior Art Advisor at TurningArt in Boston, where she works with thousands of local artists to provide collections of art – by curating, commissioning, procuring, leasing, framing, shipping and installing - to her corporate clients. Her background includes work at the American Museum of Natural History, Smithy Center for the Arts, and the Glimmerglass Opera. She holds a Master's Degree in Museum Studies from Columbia University in addition to a Bachelor's Degree in Philosophy from Colgate University. She is enthusiastic to use her skills and experience to support public modern art in Salem.

I strongly recommend confirmation of Ms. Fisher's appointment to the Public Art Commission. We are fortunate that she is willing to volunteer in this important role and lend her time 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

November 16, 2023

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Dear Councillors:

I am pleased to appoint Erin Turowski, DVM, of 63 Palmer Street, #3, to the Traffic & Parking Commission for a three-year term to expire November 16, 2026.

Ms. Turowski is the Founder of Salem's Safe Walking Advocacy Group (SWAG) which she created as an avenue for Salem residents to organize and discuss traffic safety issues. She has lived downtown for seven years, and has experienced heavy road congestion during that time, both as a driver and as a pedestrian. She is an avid reader of the works of well-known urban planning experts, and she is eager to work toward improving traffic flow, reducing congestion, optimizing parking requirements and locations, and protecting the safety of pedestrians and other vulnerable road users. In addition to her doctoral work as a Veterinarian, Erin has earned an engineering degree, and has training in agricultural facility design. She is an engaged Salem resident, and passionate about addressing the issues facing our community around traffic, parking and transit, with a particular focus on improving safety for all in our community.

I strongly recommend confirmation of Ms. Turowski's appointment to the Traffic & Parking Commission. We are fortunate that she is willing to volunteer in this important role and lend her time 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

December 7, 2023

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Dear City Councillors:

I am pleased to appoint Jeremy Mele, of 4 Ropes Street, Apt. 3, to the Community Preservation Committee for a three-year term to expire December 7, 2026.

Mr. Mele is a Librarian, currently serving as the Circulation Supervisor at the Abbot Public Library in Marblehead. He holds an undergraduate degree in English, Philosophy and History from Salem State University, and a master's degree in philosophy from Brandeis University. He has a deep passion for and expertise in the history of Salem, having served for six years as a Tour Guide and Historical Interpreter at the "Witch House"/Jonathan Corwin House. He brings the important perspective of a renter, and cares especially about Salem's need for more affordable housing. He is an engaged Salem resident, and sees this role as one in which he will have the opportunity to engage with preserving the community's history as well as helping to work toward more affordable housing in Salem.

I strongly recommend confirmation of Mr. Mele's appointment to the Community Preservation 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,

Dominick Pangallo  
Mayor  
City of Salem



**CITY OF SALEM, MASSACHUSETTS**

Dominick Pangallo  
Mayor

December 7, 2023

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

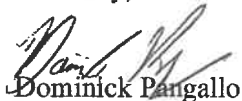
Dear City Councillors:

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

<b>Name</b>	<b>Board</b>	<b>Term Length</b>	<b>Term Expiration</b>
Mary Ellen Halliwell	Beautification Committee	3 Years	March 1, 2026
Colleen Downie	Bicycling & Shared Path Committee	3 Years	February 27, 2026
Robert Millerick	Board of Assessors	3 Years	March 1, 2026
Paul Kirby	Board of Health	3 Years	March 1, 2026
Sara Moore	Board of Health	3 Years	March 26, 2026
Darren Black	Commission on Disabilities	3 Years	April 23, 2026
Rebecca Christie	Commission on Disabilities	3 Years	April 13, 2026
Debra Lobsitz	Commission on Disabilities	3 Years	March 1, 2026
Eliud Alcalá	Council on Aging Board	3 Years	March 1, 2026
Abigail Butt	Council on Aging Board	3 Years	March 1, 2026
Kristin Macek	Council on Aging Board	3 Years	February 27, 2026
Kathy Winn	Salem Harbor Port Authority	3 Years	January 12, 2026
Vijay Joyce	Historical Commission	3 Years	March 12, 2026
Rosa Ordaz	Zoning Board of Appeals	3 Years	May 1, 2026

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

Sincerely,



Dominick Pangallo

Mayor  
City of Salem



# CITY OF SALEM

In City Council,

December 7, 2023

**Ordered:**

That the sum of Four Million, Nine Hundred Ninety-Eight Thousand, Seven Hundred Sixty-Five Dollars and Fifteen Cents (\$4,998,765.15) is hereby appropriated from General Fund Balance Reserved for Free Cash to the following special revenue funds. The amount of free cash to be transferred is per the City's Financial Policies and in accordance with the recommendation of His Honor the Mayor.

Description	Amount
Stabilization Fund (8301) 10%	1,110,836.70
Capital Improvement Fund (2000) 30%	3,332,510.10
Other Post Employ Benefits (OPEB) (8313) 5%	555,418.35
<b>Total</b>	<b>4,998,765.15</b>



**CITY OF SALEM, MASSACHUSETTS**

Dominick Pangallo  
Mayor

Office of the Mayor

December 7, 2023

Salem City Council  
93 Washington Street  
Salem, MA 01970

Dear Councillors:

I am writing to inform you that the Department of Revenue has certified Free Cash for the City of Salem for the previous fiscal year. Free Cash is derived from unexpended budget dollars and/or higher than anticipated revenues from prior fiscal years. Certified Free Cash for FY2023 is \$11,108,376.

Over the years, the City has successfully built up our reserve accounts and is in a strong financial position due, in large part, to responsible budgeting practices and professional fiscal policies. I am grateful for the Council's partnership in ensuring we continue to adhere to these practices. Our fiscal policies call for allocations from Free Cash to be directed to stabilization funds each year, which the enclosed Order does.

Prior to the recommended allocations here, our reserve accounts currently total \$30.1 million. These include our Stabilization Fund, our Capital Improvement Fund, and our OPEB Trust Fund. It is as critical as ever for the City to save wisely and plan appropriately for upcoming challenges. In addition to building up our rainy-day fund balance, we have continued to implement routine regular financial forecasting and improved our operational and capital budget procedures.

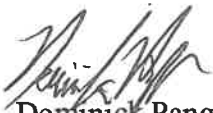
Evidence of our success in these efforts can be found in the recognition we have received annually over the last 18 years in a row through the Government Finance Officials Association "Certificate of Excellence" for Salem's Comprehensive Annual Financial Report and receipt of the organization's "Distinguished Budget Presentation Award." Salem is one of only a handful of communities in the Commonwealth to be recognized annually for both distinctions. It is also apparent from Standard & Poor's recent affirmation of our current AA bond rating, the highest credit rating on record in the City's history. In explaining what prompted the rating, the agency cited our strong financial management practices and conservative budgeting. The hard work of our

finance team has been supported by the City Council's foresight and adoption of sound fiscal policies, in particular the goals we set for growing our stabilization, capital, and OPEB accounts specifically.

Therefore, consistent with our fiscal policies, I am submitting the enclosed Order to appropriate \$5 million of free cash to our City's reserve funds: \$1,110,836.70 to the Stabilization Fund, \$3,332,510.10 to the Capital Improvement Fund, and \$555,418.35 to the OPEB Fund. In all, these appropriations increase the total amount in these funds by 17% and bring them collectively to a very healthy \$35.1 million in all, the most our City has ever had in our stabilization and reserve funds, positioning the City strongly for the future.

Thank you for your consideration of these important requests and for your continued commitment to supporting sound fiscal policies for our City. I respectfully request your adoption of the accompanying Order, which will continue our positive work together in this regard. If you have any questions, please feel free to contact Finance Director Anna Freedman.

Sincerely,



Dominick Pangallo  
Mayor  
City of Salem



## City of Salem, Massachusetts

Finance Department  
93 Washington Street  
Salem, MA 01970  
www.salem.com

**Dominick Pangallo, Mayor**

**Anna Freedman, Finance Director**

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November 30, 2023

Honorable Salem Mayor Dominick Pangallo  
Salem City Hall  
Salem, Massachusetts

Dear Honorable Mayor Pangallo:

Enclosed herewith is a request to transfer \$4,998,765.15 from certified Free Cash pursuant to Salem's Free Cash Policy. Of this total amount, \$1,110,836.70 (10%) will be transferred to the Stabilization Fund, \$3,332,510.10 (30%) to the Capital Improvement Fund (2000), and \$555,418.35 (5%) to the Other Post-Employment Benefits (OPEB) Fund (8313).

The Massachusetts Department of Revenue – Division of Local Services certified the city of Salem's FY2023 Free Cash at \$11,108,367.00. After the requested transfers enclosed herewith, the balance remaining would be \$6,109,601.85. Please note, this level of certified Free Cash is more consistent with pre-pandemic levels and Salem is unlikely to see the unusually high levels of certified Free Cash going forward, as previously experienced with FY2022 and FY2021 Free Cash, which substantially benefitted from revenues recovering from COVID-19. The balance of the city's Stabilization Fund as a result of the requested transfers would be a record \$17,314,919.59 (approximately 10% of the current year operating budget, which is best practice), the balance of the OPEB Fund would be a new high of \$7,102,872.33 and the cash balance (which includes currently unspent balances of existing appropriations) of the Capital Improvement Fund would be \$10,744,273.92.

The above transfer requests are consistent with the previously revised Free Cash Policy, which increased the amount to be transferred to the Capital Improvement Fund from 20% to 30% and reduced the amount to be transferred to the General Stabilization Fund from 20% to 10%. This change was done in response to the success that Salem's Free Cash Policy has had to date in building up the Stabilization Fund. As the current funding level in the "rainy-day fund" is consistent with best practice, the policy has been adjusted to now bolster the Capital Improvement Fund. This will allow the city to utilize more "pay-as-you-go" funding for capital improvements and reduce the amount needed for future debt service (a savings to taxpayers due to higher interest rates) while still maintaining regular investments into the "rainy-day" fund.

Please let me know if you would like to discuss further.

Sincerely,

Anna Freedman  
Finance Director



# CITY OF SALEM

In City Council,

**Ordered:**

December 7, 2023

That the sum of Three Million, One Hundred Eighty-Nine Thousand, Ten Dollars (\$3,189,010.00) shall be Raised and Appropriated from the City of Salem General Fund for the purpose of supporting the fiscal year 2024 Trash Enterprise Fund Expense Subsidy, which represents the amount to be raised less operational expenses, in accordance with the recommendation of His Honor the Mayor.





**CITY OF SALEM, MASSACHUSETTS**

Dominick Pangallo  
Mayor

Office of the Mayor

December 7, 2023

Salem City Council  
93 Washington Street  
Salem, MA 01970

Dear Councillors:

The enclosed Order appropriates \$3,189,010 from the General Fund for the Trash Enterprise Fund Expense Subsidy. This is a housekeeping measure required by the Massachusetts Department of Revenue (DOR) and is not an addition or change to the FY2024 City budget. As a General Fund subsidy of an Enterprise Fund expense, a separate recorded vote of the City Council is required by DOR. This vote must be taken before the tax rate is voted.

I recommend adoption of the enclosed measure and invite you to contact Finance Director Anna Freedman should you have any questions.

Sincerely,

Dominick Pangallo  
Mayor  
City of Salem



## City of Salem, Massachusetts

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

**Dominick Pangallo, Mayor**

**Anna Freedman, Finance Director**

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November 30, 2023

Honorable Salem Mayor Dominick Pangallo  
Salem City Hall  
Salem, Massachusetts

Dear Honorable Mayor Pangallo:

Enclosed herewith is a request to raise and appropriate three million one hundred eighty-nine thousand, ten dollars (\$3,189,010.00) from the City of Salem General Fund for the purpose of supporting the Trash Enterprise Fund Expense Subsidy. This is an increase in the subsidy of \$106,491 over the prior year.

This vote has been requested by the Department of Revenue as of 2021, which is a change from previous acceptable practices. Since that time, this appropriation vote has thus occurred at the same meeting as the tax rate setting.

Please let me know if you'd like to discuss further.

Regards,

Anna Freedman  
Finance Director

Enclosures



# CITY OF SALEM

In City Council,

Ordered:

December 7, 2023

That the sum of One Million, Nine Hundred Ninety-Five Thousand, Six Hundred Eleven Dollars (\$1,995,611.00) is hereby appropriated from the following "Receipts Reserved for Appropriation" accounts to reduce the tax rate amount to be raised by taxation when the Fiscal Year 2024 tax rate is set in accordance with the recommendation of His Honor the Mayor.

Description	Amount
Receipts Reserved – Witch House	700,000.00
Receipts Reserved – Golf Course	803,611.00
Receipts Reserved – Harbormaster	230,000.00
Receipts Reserved – Charter Street	250,000.00
Receipts Reserved – Forest River	12,000.00
<b>Total</b>	<b>1,995,611.00</b>



**CITY OF SALEM, MASSACHUSETTS**

Dominick Pangallo  
Mayor

Office of the Mayor

December 7, 2023

Salem City Council  
93 Washington Street  
Salem, MA 01970

Dear Councillors:

As you are aware, at the beginning of the fiscal year we approve budgets for the Witch House, Golf Course, Harbormaster, Charter Street Welcome Center, and Forest River Park pool that ensure these facilities are fully funded. Each of these departments collect revenues, which we then utilize when setting the tax rate. We typically “sweep” our receipts reserved accounts and apply those revenues to help keep the tax increase as low as possible.

Enclosed herewith are requests to transfer the sum of \$1,995,611 from receipts reserved to be applied to reduce the gross amount to be raised by taxation for Fiscal Year 2024. \$700,000 is derived from Witch House revenues, \$803,611 from the golf course, \$230,000 from Harbormaster receipts, \$250,000 from the Charter Street Welcome Center, and \$12,000 from the Forest River Park pool. These receipts are among our strongest ever, representing an 18.6% increase over last fiscal year’s levels, or an additional \$313,475.

These appropriations will help reduce the amount raised by taxation, pending adoption of the recommended tax rate by the City Council. I recommend passage of the accompanying Order so we can continue to work to keep taxes as manageable as possible for our residents. Please contact Finance Director Anna Freedman should you have any questions regarding this Order.

I recommend adoption of the enclosed Order.

Sincerely,

Dominick Pangallo  
Mayor  
City of Salem



## City of Salem, Massachusetts

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

**Dominick Pangallo, Mayor**

**Anna Freedman, Finance Director**

---

November 30, 2023

Honorable Salem Mayor Dominick Pangallo  
Salem City Hall  
Salem, Massachusetts

Dear Honorable Mayor Pangallo:

Enclosed herewith is a request to transfer One Million, Nine Hundred Ninety-Five Thousand, Six Hundred Eleven Dollars (\$1,995,611.00) from Receipts Reserved for Appropriation accounts to reduce the amount to be raised by taxation when setting the Fiscal Year 2024 tax rate. This is an increase of 18.64% over FY2023 and will reduce the burden on taxpayers by offsetting costs in the city's budget. The total transfer is comprised of the following:

- \$700,000 from R/Res Witch House (current fund balance: \$1,635,250.14)
- \$803,611 from R/Res Golf Course (current fund balance: \$1,356,402.14)
- \$230,000 from R/Res Harbormaster (current fund balance \$434,757.73)
- \$250,000 from R/Res Charter Street (current fund balance \$293,193.92)
- \$12,000 from R/Res Forest River Pool (current fund balance \$26,960.45)

Please let me know if you'd like to discuss further.

Regards,

Anna Freedman  
Finance Director

Enclosures



# CITY OF SALEM

In City Council,

Ordered:

December 7, 2023

That the sum of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000.00) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account to reduce the tax rate amount to be raised by taxation when the Fiscal Year 2024 tax rate is set in accordance with the recommendation of His Honor the Mayor.



**CITY OF SALEM, MASSACHUSETTS**

Dominick Pangallo  
Mayor

Office of the Mayor

December 7, 2023

Salem City Council  
93 Washington Street  
Salem, MA 01970

Dear Councillors:

As you are aware, each Fall the state Department of Revenue certifies the amount of “free cash” available to the City. Free cash results from unanticipated new growth and revenues. While some is deposited per our City’s finance policies into reserve accounts or held for emergencies, we also return funds to taxpayers by using a portion of our free cash to reduce the amount raised by taxation. Enclosed herewith is a request to transfer the sum of \$1,250,000 from free cash to reduce the gross amount to be raised by taxation for FY2024.

This free cash appropriation will save Salem property taxpayers additional money this coming year, pending adoption of the tax rate by the City Council. I recommend passage of the accompanying Order to help reduce the burden on Salem taxpayers and invite you to contact Finance Director Anna Freedman with any questions that you may have.

Sincerely,

Dominick Pangallo  
Mayor  
City of Salem



## City of Salem, Massachusetts

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

**Dominick Pangallo, Mayor**

**Anna Freedman, Finance Director**

---

November 30, 2023

Honorable Salem Mayor Dominick Pangallo  
Salem City Hall  
Salem, Massachusetts

Dear Honorable Mayor Pangallo:

I am respectfully requesting the amount of one million two hundred fifty thousand dollars (\$1,250,000.00) be transferred from the General Fund Balance Reserved from Free Cash to reduce the tax rate amount to be raised by taxation when the tax rate is set for FY2024.

Please let me know if you need any further information.

Regards,

Anna Freedman  
Finance Director





# CITY OF SALEM

In City Council,

December 7, 2023

Ordered:

That the sum of Four Hundred Thousand Dollars (\$400,000.00) is hereby transferred from the General Fund Balance Reserved for Free Cash and appropriated to the following account in the Capital Improvement Fund (2000) below for the costs associated with the redesign of Fort Avenue at Winter Island Road, Columbus Avenue, and Columbus Square in accordance with the recommendation of His Honor the Mayor.

Description	Amount
20002418-5846L	\$400,000.00
<b>Total</b>	<b>\$400,000.00</b>



**CITY OF SALEM, MASSACHUSETTS**

Dominick Pangallo  
Mayor

Office of the Mayor

December 7, 2023

Salem City Council  
93 Washington Street  
Salem, MA 01970

Dear Councillors:

The enclosed Order appropriates \$400,000 from our short term capital improvement fund to support the completion of the improvement project underway for the Fort Avenue/Winter Island Road intersection.

The project will construct two raised crosswalks with pedestrian-activated signals and make other modifications, including additional sidewalks, to improve the safety of this key intersection for all users. The City has secured a \$500,000 Complete Street grant from the Massachusetts Department of Transportation to help fund a portion of this project.

I recommend adoption of the enclosed Order and invite you to contact David Kucharsky, Director of Traffic and Parking, should you have any questions regarding this request.

Sincerely,

Dominick Pangallo  
Mayor  
City of Salem



## City of Salem, Massachusetts

Traffic & Parking Department  
98 Washington Street, 2<sup>nd</sup> Floor  
Salem, MA 01970  
[www.salem.com](http://www.salem.com)

**Dominick Pangallo, Mayor**

**David Kucharsky, Traffic & Parking Director**

November 30, 2023

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

RE: Request for Funding: Fort Avenue @ Columbus Avenue

Dear Honorable Mayor Pangallo:

This request is for a Council Order to provide \$400,000 from free cash to help fund the redesign of Fort Avenue at Winter Island Road, Columbus Avenue and Columbus Square. Funds had previously been approved by Council in the FY24 CIP but the costs came in higher than initially budgeted after the RFP process was complete. This intersection provides access to significant outdoor and recreational uses, including Salem Willows and Winter Island Park, as well as the nearby residential neighborhood and Plummer Youth Promise. The project will introduce much needed traffic calming elements including two raised crosswalks with pedestrian activated signals, an enhanced and extended bi-directional multi-use path and additional sidewalks to further improve the pedestrian network. The planned connectivity and safety enhancements support the city's traffic calming and complete streets goals as well as ongoing efforts to implement the City's Bicycle Master Plan. Additional funding includes a \$500,000 MassDOT Complete Streets Grant. Please let me know if you have any questions or need any additional information.

Sincerely,

A handwritten signature in cursive script that reads "David Kucharsky".

David Kucharsky  
Traffic and Parking Director



# CITY OF SALEM

In City Council,  
December 7, 2023

**Ordered:**

That the sum of Three Hundred Thousand Dollars (\$300,000.00) is hereby appropriated from the "Retained Earnings – Water/Sewer Fund" account (6000-3120) to the following account for the FY2024 capital project as listed below in accordance with the recommendation of His Honor the Mayor.

FY2024 Capital Project-Funded from Water/Sewer Fund Retained Earnings		
Sewer – 600132-5881	Willow Ave Beach Sewer Pipe Improvements	\$ 300,000.00
Total:		\$ 300,000.00



**CITY OF SALEM, MASSACHUSETTS**

Dominick Pangallo  
Mayor

Office of the Mayor

December 7, 2023

Salem City Council  
93 Washington Street  
Salem, MA 01970

Dear Councillors:

The enclosed Order appropriates \$300,000 from our water/sewer retained earnings to carry out construction work necessary to rapidly deploy an emergency bypass system in the event of a break or failure of the exposed off-shore sewer pipe near Willow Avenue. The work consists of the installation of a bypass maintenance hole, sluice gate system, and pumping, as well as related engineering and investigation costs to make the project possible.

A portion of this funding, \$30,000, will also be directed to preparing the City's response to FEMA regarding our Hazardous Mitigation Assistance grant application. The FEMA funding is an important component of our effort to carry out the full project to relocate the exposed pipe.

I recommend adoption of the enclosed Order and invite you to contact City Engineer Deborah Duhamel should you have any questions regarding this request.

Sincerely,

Dominick Pangallo  
Mayor  
City of Salem



**Dominick Pangallo**  
Mayor

Deborah L. Duhamel, P.E.  
City Engineer

# CITY OF SALEM

## Engineering Department

98 Washington Street, 2<sup>nd</sup> floor

Salem, MA 01970

Phone: (978) 619-5673

November 29, 2023

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

RE: Retained Earnings – Sewer Improvements (Willow Ave.)

Dear Mayor Pangallo,

I respectfully request a supplemental appropriation from Water/Sewer Retained Earnings in the amount of \$300,000 to “Citywide Drain & Sewer” (3058300-581059). This appropriation is necessary to fund improvements to the City’s sewer collection system in the vicinity of Willow Avenue where the sewer pipe is exposed along the beach. These improvements are being proposed to provide better control of the collection system in the event of a break in the exposed pipe. Additionally, this funding will support the efforts to obtain grant funding for the relocation of the exposed pipe along a route that is inland and underground.

These improvements were not anticipated when the budget was developed for FY24. I have attached an estimate from New England Civil Engineer Corp.

Sincerely,

Deborah L. Duhamel, P.E.  
City Engineer

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

From: Engineering Department      Albert J. Quesada Department Head Authorizing Signature      11/29/23 Date

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

<b>Free Cash or Retained Earnings (W/S)</b> (Org/Object)	To: <u>3058300-581059</u>	Desc: <u>Citywide Driant Sewer</u>	Budget Amt: <u>400,000</u>	Balance: <u>181,510.67</u>
<b>Raise &amp; Appropriate</b>	Please circle one			

<b>Amount Requested:</b> \$ <u>300,000</u>
<b>Reason (Be Specific)</b> <u>Improvements to provide control in the event of a break + to support grant application for pipe relocation</u>

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

<input type="checkbox"/> Budget Transfer	<input type="checkbox"/> Mayor Approval	<input type="checkbox"/> City Council Approval
<input type="checkbox"/> Free Cash Appropriation – City Council Approval – Gen Fund	\$ _____	Free Cash Balance
<input type="checkbox"/> R/E Appropriation –Water	\$ _____	R/E Balance
<input type="checkbox"/> R/E Appropriation Sewer	\$ _____	R/E Balance
<input type="checkbox"/> Receipts Reserve – City Council Approval	\$ _____	R/Res Fund Balance
<input type="checkbox"/> Raise & Appropriate	<input type="checkbox"/> Other	_____

**Recommendation:**  **Approved**  **Denied** \_\_\_\_\_  
Finance Director

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



# CITY OF SALEM

In City Council,

December 7, 2023

**Ordered:**

That the sum of Seventy-Nine Thousand Five Hundred Thirty-Four Dollars and Fifty-Nine Cents (\$79,534.59) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the contractual buyback(s) listed below in accordance with the recommendation of His Honor the Mayor.

Name	Department	Amount
Antonio Marfongelli	Fire Department	\$70,661.82
Ellen Dubinsky	Engineering Department	\$ 8,872.77
		<b>\$79,534.59</b>





**CITY OF SALEM, MASSACHUSETTS**

Dominick Pangallo  
Office of the Mayor

December 7, 2023

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Dear Councillors:

Enclosed herewith is a request for an appropriation of Seventy Nine Thousand Five Hundred Thirty-Four Dollars and Fifty-Nine Cents (\$79,534.59), be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146). This appropriation is necessary to fund the retirement buybacks of the following employees:

<b>Name</b>	<b>Department</b>	<b>Amount</b>
Antonio Marfongelli	Fire Department	\$70,661.82
Ellen Dubinsky	Engineering Department	\$8,872.77

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

Sincerely,

Dominick Pangallo  
Mayor  
City of Salem

*Sent to Finance  
11/14/23*



**DOMINICK S. PANGALLO**  
MAYOR

LISA B. CAMMARATA  
DIRECTOR OF HUMAN RESOURCES

**CITY OF SALEM MASSACHUSETTS**

**HUMAN RESOURCES**  
98 WASHINGTON STREET, 3<sup>RD</sup> FLOOR  
SALEM, MASSACHUSETTS 01970  
TEL. 978-619-5630

**MEMORANDUM**

**TO:** Anna Freedman, Director of Finance  
**DATE:** November 14, 2023  
**RE:** Retirement Stabilization Fund

\*\*\*\*\*

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

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

**Antonio Marfongelli**

10 vacation tours @ \$567.48 per tour (2023)	\$5,674.80
12 vacation tours @ \$551.16 per tour (2022)	\$6,613.92
90 sick tours @ \$648.59 per tour	\$58,373.10

**Total: \$70,661.82**

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.



# CITY OF SALEM

PART A

THIS FORM CANNOT BE PROCESSED UNLESS ALL SHADED AREAS AND PERTINENT INFORMATION IS SUPPLIED  
PERSONNEL ACTION / DATA FORM

DATE 11/8/23

NAME (LAST, FIRST, MIDDLE) <b>Marfongelli, Antonio</b>		EMPLOYEE NO. <b>100572</b>	CHECK ALL THAT APPLY <input type="checkbox"/> 1. EMPLOYMENT <input type="checkbox"/> 2. WAGE SALARY ADJUSTMENT <input type="checkbox"/> 3. TRANSFER <input type="checkbox"/> 4. LEAVE OF ABSENCE <input type="checkbox"/> 5. ADDRESS/NAME CHANGE <input checked="" type="checkbox"/> 6. TERMINATION <input type="checkbox"/> 7. OTHER
JOB TITLE <b>Deputy Chief</b>		JOB CODE	
DEPARTMENT <b>Fire</b>	DIVISION	DEPT. NO. <b>1100</b>	

ADDRESS-STREET	CITY	STATE	ZIP CODE	SOCIAL SECURITY NO.	NEW HIRE <input type="radio"/>	REHIRE <input type="radio"/>	RECALL <input type="radio"/>	Salaried <input type="radio"/>				
PERMANENT <input type="radio"/>	20 HRS. + Part Time <input type="radio"/>	3. Part Time <input type="radio"/>	4. TEMP <input type="checkbox"/>	CIVIL SERVICE YES <input type="checkbox"/> NO <input type="checkbox"/>	DATE APPROVED	VETERAN YES <input type="checkbox"/> NO <input type="checkbox"/>	SHIFT	PAY RATE PER	SHIFT PREM.	Grade	Step	
TELEPHONE NO.	DATE OF BIRTH	M	SEX <input type="radio"/> <input type="radio"/>	F	ETHNIC CODE	SCHEDULED HOURS	HOURLY RATE	# DEPENDENTS	MARITAL STATUS <input type="radio"/> <input type="radio"/> <input type="radio"/> OTHER			
REQUIRED LICENSE: TYPE(S)		CLASS		EXPIRATION DATE								

2. WAGE / SALARY ADJUSTMENT (GIVE EXPLANATION IN SEC. 8)							
ANNIVERSARY DATE	DATE OF LAST INCREASE	PRESENT RATE PER	PROPOSED RATE PER	NEW HOURLY RATE	GRADE	STEP	EFFECTIVE DATE

3. TRANSFER, JOB, SHIFT, DEPT. (GIVE EXPLANATION IN SEC. 8)							
NEW DEPT. & NO.	NEW JOB TITLE	NEW JOB CODE	RATE CHANGE: YES <input type="radio"/> NO <input type="radio"/>				
NEW GRADE	NEW STEP	NEW PAY RATE PER	EFFECTIVE DATE	SHIFT CHANGE: FROM	TO		

4. LEAVE OF ABSENCE (GIVE EXPLANATION IN SEC. 8)							
FROM	TO	DATE RETURNED					

5. ADDRESS / NAME CHANGE							
NEW ADDRESS	STREET	CITY	STATE	ZIP CODE	NEW TELEPHONE NO.	CORRECT NAME TO	

6. TERMINATION (GIVE EXPLANATION IN SEC. 8)							
LAST DAY WORKED <b>9/30/23</b>	DATE HIRED <b>5/1/93</b>	RECOMMENDED FOR REEMPLOYMENT YES <input type="radio"/> NO <input type="radio"/>					

REASON				QUALITY OF WORK				ATTENDANCE				ATTITUDE				JOB KNOWLEDGE			
RE-SIGNED <input type="radio"/>	LAI OFF <input type="radio"/>	END OF RE-TEMP <input type="radio"/>	DIS-CHARGED <input type="radio"/>	EXCEL <input type="radio"/>	GOOD <input type="radio"/>	FAIR <input type="radio"/>	POOR <input type="radio"/>	EXCEL <input type="radio"/>	GOOD <input type="radio"/>	FAIR <input type="radio"/>	POOR <input type="radio"/>	EXCEL <input type="radio"/>	GOOD <input type="radio"/>	FAIR <input type="radio"/>	POOR <input type="radio"/>	EXCEL <input type="radio"/>	GOOD <input type="radio"/>	FAIR <input type="radio"/>	POOR <input type="radio"/>

7. EMERGENCY CONTACT							
NAME:	TELEPHONE NO.			RELATIONSHIP			

DC Marfongelli retired from SFD 10/1/23 @ 0800 Final paycheck date: 10/19/23 Buyback as follows: 2023 Vaca Tours: 10 x 567.48 = 5674.80 2022 Vaca Tours: 12 x 551.16 = 6613.92 Sick Tours: 90 x 648.59 = 58,373.10 SMV Stipend: 273 x 13.28 = 3625.44 Total: \$74,287.26  <b>City Hall and Annex Access Control:</b>  #0 - ID Badge/No Access, Access only when building is open				<b>Employee's Supervisor</b>  Alan E. Dionne  FINANCE DEPARTMENT _____ DATE _____  DEPARTMENT HEAD / APPOINTING AUTHORITY _____ DATE _____ Alan E. Dionne 11/14/23 PERSONNEL DEPARTMENT _____ DATE _____			
--	--	--	--	--	--	--	--



**DOMINICK S. PANGALLO**  
MAYOR

LISA B. CAMMARATA  
DIRECTOR OF HUMAN RESOURCES

Set 1 4/11/23

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

**MEMORANDUM**

**TO:** Anna Freedman, Director of Finance  
**DATE:** November 14, 2023  
**RE:** Retirement Stabilization Fund

\*\*\*\*\*

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

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

**Ellen Dubinsky**

215.83 vacation hours @ \$41.10 per hour	\$8,872.77
<b>Total:</b>	<b>\$8,872.77</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

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

From: Department Engineering Date 11/1/23

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

NAME: Ellen Dubinsky

CALCULATION

VACATION HOURS # 215.8300 @ \$ 41.1094 = \$ 8,872.77

SICK HOURS # \_\_\_\_\_ @ \$ \_\_\_\_\_ = \$ \_\_\_\_\_

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

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

Total Amount Due: \$ 8,872.77  
Please attach corresponding PAF or other backup to this sheet.

Reason: retired - 10/31/23

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

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

Org and Object: 83113 - 5146

**Recommendation:**

Approved

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



# CITY OF SALEM

In City Council,

December 7, 2023

**Ordered:**

To accept the donation of One Thousand Two Hundred Dollars (\$1,200.00) from Zachary Stern. The donation is to be deposited into the Parks and Recreation Donation Fund 2406 (24061-4830) for a standard bench in accordance with the recommendation of His Honor the Mayor.



**CITY OF SALEM, MASSACHUSETTS**

Dominick Pangallo

Mayor

December 7, 2023

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Dear Councillors:

Enclosed is a request to accept a donation from Zachary Stern in the amount of One Thousand Two Hundred Dollars. These funds will be deposited into the parks and Recreation Donation Fund 24-06 (24061-4830) for a standard bench.

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, MASSACHUSETTS

PARK, RECREATION & COMMUNITY SERVICES

401 Bridge Street, Salem MA 01970

(978) 744-0924

Fax (978) 219-1665

Dominick Pangallo  
MAYOR

Trish O'Brien  
SUPERINTENDENT

November 27, 2023

Dear Mayor Pangallo,

I am writing to request the acceptance of a \$1,200.00 check written to the City of Salem for a bench donation of \$1,200.00 from Zachary Stern for a Park and Recreation Donation. The amount to be deposited into the Park and Recreation Donation account 24061-4830.

Thank You

Sincerely,

*Trish O'Brien*

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





# CITY OF SALEM

In City Council, December 7, 2023

## Ordered:

That the Mayor and the City Council accept the provisions of Section 4, Chapter 73 of the Acts of 1986 for Fiscal Year 2024, and that such additional exemptions granted be 100% of the statutory exemption amounts, provided all other qualifications specified in said Section 4, Chapter 73 of the Acts of 1986 are met.



**CITY OF SALEM, MASSACHUSETTS**

Dominick Pangallo  
Mayor

Office of the Mayor

December 7, 2023

Salem City Council  
93 Washington Street  
Salem, MA 01970

Dear Councillors:

Enclosed is an Order to accept the provisions of Section 4, Chapter 73, of the Acts of 1986 for Fiscal Year 2024.

The section of state law allows for additional tax exemptions to be granted to widows, elderly, veterans, and blind property owners. In accordance with this section of the special acts, acceptance by the local appropriation authority is required each year to maintain these exemptions for the qualifying groups of residents.

Salem has accepted these exemptions every year since FY2009 and in that time we have enabled several thousand such exemptions to be claimed by veterans, widows, and certain elderly and disabled residents. Those exemptions have resulted in the neediest of our population saving millions on their tax bills.

I strongly recommend adoption of the attached Order so that we may continue to provide the maximum benefit allowable under state law for our residents who are most in need.

Sincerely,

Dominick Pangallo  
Mayor  
City of Salem



# CITY OF SALEM

In City Council, December 7, 2023

## **RESOLUTION: FILE AND ACCEPT GRANTS WITH AND FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS FOR THE PARC PROGRAM FOR PHASE II IMPROVEMENTS TO SALEM WILLOWS**

Whereas: Salem Willows is a community wide asset and the preservation and improvements to this park are a City priority as evidenced in the most recent Open Space and Recreation Plan; and

Whereas: Salem Willows Phase II renovation will greatly enhance this park by upgrading the pedestrian pathways to meet ADA standards, reducing pavement, and adding greenspace for recreation, trees, and bioretention basins, etc.;

Whereas: This overall cost and fiscal budget constraints prevented the City from proceeding forward with implementation of the project; and

Whereas: The project was instead viewed as feasible only when fiscal resources were available, with the intention of securing grant funding, when and if available, to assist in this effort; and

Whereas: The Executive Office of Energy and Environmental Affairs (EEA) is offering reimbursable grants to cities and towns to support the preservation and restoration of parks through the Parkland Acquisitions and Renovations for Communities (PARC) Grant Program; and

Whereas: The project will cost a total of \$809,826.94

NOW, THEREFORE, BE IT

1. That the Mayor be and is hereby authorized to file and accept grants from the Executive Office of Energy and Environmental Affairs; and
2. That the Council hereby allocates \$809,826.94 to implement the project, to be reimbursed up to a maximum amount of \$500,000.00 by the Executive Office of Energy and Environmental Affairs; and
3. That the Mayor be and is hereby authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of this grant to be administered by the Department of Planning and Community Development; and
4. That Salem Willows is dedicated to park purposes under M.G.L. chapter 45, section 3; and
5. That this resolution shall take effect upon the EEA's announcement of the awarding of said PARC Grant and be null and void in the event no grant is awarded.



**CITY OF SALEM, MASSACHUSETTS**

Dominick Pangallo

Mayor

December 7, 2023

Salem City Council  
Salem City Hall  
93 Washington Street  
Salem, MA 01970

Members of the Council:

Enclosed please find a Resolution that is required for adoption in order for the City to receive a state grant award for the second phase of a major signature park project.

Recently the Commonwealth announced that it was awarding a \$500,000 Parkland Acquisitions and Renovations for Communities (PARC) grant to the City for Phase II of the Willows project. The total grant awards of \$500,000 will be matched by other grant funds, CPA allocation, and City capital dollars totaling an additional \$309,826.94.

At the Willows, Phase II will involve resurfacing of pedestrian pathways to make them ADA compliant, planting of new trees, removal of overhead wires, addition of green space, and modifications to the upland area in preparation for the new Willows Pier.

I recommend adoption of the enclosed Resolution and invite you to contact my Chief of Staff, Lisa Peterson, Planning Director Tom Daniel, or Signature Parks Manager Michael Crouse should you have any questions.

Sincerely,

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

Dominick Pangallo  
Mayor



**CITY OF SALEM, MASSACHUSETTS**

Dominick Pangallo  
Mayor

Office of the Mayor

December 7, 2023

Salem City Council  
93 Washington Street  
Salem, MA 01970

Dear Councillors:

Each year the City Council must vote to set the residential tax factor and thereby set the tax rate for the fiscal year. In Massachusetts, Proposition 2 ½ caps new property taxes at no more than 2.5% of the previous year's levy plus new growth. This year, the tax rate – \$11.62 for residential, a reduction in the residential tax rate by 7.1%, and \$23.69 for commercial, a reduction in the commercial tax rate by 6.2% – is once again under the City's allowable levy limit and represents only a 2.6% increase in the overall levy. Excess levy capacity stands at \$8,316,157, a 17.5% increase over last year's amount and the largest dollar figure for our levy capacity ever, which is a strong validation of our City's responsible approach to budgeting and managing public finances. We continue to maintain a generally low tax bill increase over time, as well, with the average increase over the last five years for the average single-family taxpayer in Salem coming in at a reasonable 2.9% per year.

Based on the rates above, the change in the average single-family tax bill will be \$285 (4.4%), the average condominium unit change will be \$169 (3.5%), the average two-family change will be \$235 (3.3%) or \$117.50 per unit, and the average three-family change will be \$294 (3.5%) or \$98 per unit. The average apartment building tax bill will decrease \$1,165 (-4.6%). The average commercial property tax bill change will decrease \$600 (-2.9%). The discrepancy between commercial and residential rate impacts is due in large measure to the rapid growth of residential values in Salem, which is occurring at a much faster pace than commercial value growth, especially with single-family homes.

In comparison to other communities Salem's tax bill change this year is highly competitive:

<b>Municipality</b>	<b>Average Single-Family Tax Bill Increase</b>
Marblehead*	\$473 (66% more than Salem)



**CITY OF SALEM, MASSACHUSETTS**

Dominick Pangallo  
Mayor

Office of the Mayor

December 7, 2023

Salem City Council  
93 Washington Street  
Salem, MA 01970

Dear Councillors:

Each year the City Council must vote to set the residential tax factor and thereby set the tax rate for the fiscal year. In Massachusetts, Proposition 2 ½ caps new property taxes at no more than 2.5% of the previous year's levy plus new growth. This year, the tax rate – \$11.62 for residential, a reduction in the residential tax rate by 7.1%, and \$23.69 for commercial, a reduction in the commercial tax rate by 6.2% – is once again under the City's allowable levy limit and represents only a 2.6% increase in the overall levy. Excess levy capacity stands at \$8,316,157, a 17.5% increase over last year's amount and the largest dollar figure for our levy capacity ever, which is a strong validation of our City's responsible approach to budgeting and managing public finances. We continue to maintain a generally low tax bill increase over time, as well, with the average increase over the last five years for the average single-family taxpayer in Salem coming in at a reasonable 2.9% per year.

Based on the rates above, the change in the average single-family tax bill will be \$285 (4.4%), the average condominium unit change will be \$169 (3.5%), the average two-family change will be \$235 (3.3%) or \$117.50 per unit, and the average three-family change will be \$294 (3.5%) or \$98 per unit. The average apartment building tax bill will decrease \$1,165 (-4.6%). The average commercial property tax bill change will decrease \$600 (-2.9%). The discrepancy between commercial and residential rate impacts is due in large measure to the rapid growth of residential values in Salem, which is occurring at a much faster pace than commercial value growth, especially with single-family homes.

In comparison to other communities Salem's tax bill change this year is highly competitive:

<b>Municipality</b>	<b>Average Single-Family Tax Bill Increase</b>
Marblehead*	\$473 (66% more than Salem)

Gloucester	\$470 (65% more than Salem)
Salisbury	\$419 (47% more than Salem)
Beverly	\$399 (40% more than Salem)
North Andover	\$368 (29% more than Salem)
Danvers	\$325 (14% more than Salem)
Ipswich*	\$304 (7% more than Salem)
North Reading	\$298 (5% more than Salem)
Burlington	\$291 (2% more than Salem)
Salem*	\$285
Saugus*	\$218 (23% less than Salem)
Revere*	\$205 (28% less than Salem)
Lynnfield	\$187 (34% less than Salem)
Lynn*	\$165 (42% less than Salem)

\*Proposed, not voted on yet.

Appropriation orders submitted separately apply \$1.25 million in free cash and \$2 million in receipts reserved to help hold down the increase in property taxes. The total receipts reserved being applied to the tax rate is \$313,475 (18.6%) more than the amount applied last year. Together, these measures reduce the total amount raised by taxation and will save Salem property owners an additional \$3.25 million.

One of the biggest challenges we continue to face is pressure from increases in fixed costs. Fixed costs for FY2024, such as state charges, health insurance costs, Medicare, worker’s compensation, debt payments, and municipal insurance, increased by nearly \$2.2 million over last year. For every \$3 of spending in our budget, \$1 of that goes to fixed costs. The next largest driver of our property tax increases this year is the \$1.6 million increase in police and fire personnel costs this fiscal year, due to the settlement of contracts with those collective bargaining units. For comparison, the percentage increase in police and fire salaries this fiscal year increased by twice as much (7.8%) as the total budget increased (3.9%). Taken together, fixed costs and public safety salary increases accounted for more than half of the increase in the FY2024 budget.

Despite these increases in costs and the increases in home values, we have managed to keep tax increases relatively low compared to other municipalities. This is a clear demonstration of why growth matters. As we grow our tax base, we distribute the burden of funding critical local services to more taxpayers, alleviating the burden on existing property owners. This is why – in addition to the housing need and the desire to create good, local jobs – it is so important we consider new growth opportunities with an open mind and a strategic approach. We cannot cut our way to stabilized taxes or better services; we can, however, broaden the size of the base that funds our local government, thereby stabilizing taxes and improving services.

We always strive to manage the overall tax burden on our City’s property owners. We look for efficiency in operations and opportunities for regionalization or streamlining services. Technology and performance improvement strategies help us reduce the cost of doing business. We shift the cost of government off property taxpayers by pursuing grant opportunities and by looking to revenue options that shift those costs to visitors, whenever possible.

The most powerful tool at our disposal, however, is responsible, sensible development that adds to our tax base. The appropriate redevelopment of sites such as the former courthouses, the power plant property, and other under-utilized and vacant former industrial parcels makes this growth possible. I am extremely pleased that certified new growth this fiscal year is a very strong \$1,181,552, exceeding our anticipated new growth amount by \$181,552. Even more notable this year, 10% of our new growth value is commercial property, exceeding the 7% share of commercial property in our total citywide value. This is an indicator of solid growth in our commercial tax base, which is critical for our local economy, for good jobs, and for evening out our tax burden on homeowners, many of whom are on fixed incomes as seniors and retirees.

As we set our tax rate for the current fiscal year, the recommendation is to adjust the CIP split to 1.75, making the residential factor 0.858484.

I hope you share our collective vision for a vibrant, thriving City that delivers quality public services in as efficient and affordable a manner as possible. Previous Councils and the previous administration worked collaboratively over the years to eliminate prior deficits, improve city finances, and balance our books with an eye on both the needs of today and our aspirations for the future. It was not always easy, but whatever the cause of our challenges, we weathered them and are today still resiliently positioned for success, with strong growth, a declining unemployment rate, record bond ratings, and award-winning balanced budgets. This legacy is validation that Salem's fiscal policies are of the highest standard and that the path we have set for ourselves is the correct one for our community.

I am grateful for our partnership in securing a healthy fiscal foundation and recommend adoption of the proposed residential factor, which will enable us to finalize property tax rates for this fiscal year. I look forward to discussing this recommendation with you at the December 7<sup>th</sup> tax classification hearing.

Sincerely,



Dominick Pangallo

Mayor

City of Salem





# CITY OF SALEM

In City Council,

**Ordered:**

December 7, 2023

That the City of Salem adopt a Residential Factor of 85.8484% for fiscal year 2024.



# CITY OF SALEM

In City Council,

**Ordered:**

December 7, 2023

That the City of Salem NOT adopt An Open Space Exemption for fiscal year 2024.



# CITY OF SALEM

In City Council,

**Ordered:**

December 7, 2023

That the City of Salem NOT adopt a Residential Exemption for fiscal year 2024.



# CITY OF SALEM

In City Council,

**Ordered:**

December 7, 2023

That the City of Salem NOT adopt a Small Commercial Exemption for fiscal year 2024.

## City of Salem

*In the year Two Thousand and Twenty-Three*

**An Ordinance Relative to Traffic**

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

**Section 1.** Section 49 of Article IV be amended by inserting the following:

Harbor Street – Obedience to Isolated Stop Signs – westerly bound traffic on Harbor Street at Washington Street.

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



City of Salem, Massachusetts
Office of the City Council
City Hall



REQUEST FOR TRAFFIC ORDINANCE RECOMMENDATION

MEMO TO: Lt. David Tucker Police Traffic Division
FROM: Councilor Cohen DATE: December 4, 2023

In accordance with the Council Rule 32A, I hereby request your recommendation for the following Traffic Ordinance:

NAME OF STREET Harbor Street

TYPE OF STREET CHANGE Obedience to Isolated Stop Signs

DESCRIPTION OF AREA WHERE CHANGE IS REQUESTED Harbor Street at Washington Street.

COUNCILLOR'S COMMENTS/EXPLANATION Traffic volume comparison between Harbor Street and Washington Street show that this intersection meets the criteria for a stop sign to control the west-bound traffic on Harbor Street where it intersects with Washington Street.

POLICE TRAFFIC DIVISION RECOMMENDATION

The Police Traffic Division hereby submits the following recommendation for the above request:

XX APPROVAL

DENIAL

TRIAL PERIOD

CHAPTER: 42 SECTION: 49 TITLE: Obedience to Isolated Stop Signs

DESCRIPTION: Harbor Street - Obedience to Isolated Stop Signs - westerly bound traffic on Harbor Street at Washington Street.

COMMENTS (IF ANY):

Signature of Lt. David Tucker

POLICE TRAFFIC DIVISION

RETURN THIS FORM TO THE CITY CLERK'S OFFICE

City of Salem Clerk's Office, 93 Washington St. Salem Massachusetts 01970

(978) 745-9595 ext 41202 www.salem.com

## Ilene Simons

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**From:** David Kucharsky  
**Sent:** Tuesday, November 14, 2023 4:28 PM  
**To:** Ilene Simons  
**Cc:** Dominick Pangallo; David M. Tucker; Lisa Peterson; Christina Hodge; Jeff Cohen  
**Subject:** Harbor @ Washington Stop Sign Amendment  
**Attachments:** Harbor St at Washington St Stop Sign Ordinance.docx

Ilene,

Attached please find an ordinance amendment which seeks to introduce a stop sign at the Harbor St (minor street) approach to Wahington St. Earlier this year we collected traffic data as part of our analysis to determine whether a stop sign was warranted per the Manual on Uniform Traffic Control Devices (MUTCD). Below is the MUTCD guidance we followed where two out of the three criteria were met.

### Section 2B.06 STOP Sign Applications

Guidance:

1. At intersections where a full stop is not necessary at all times, consideration should first be given to using less restrictive measures such as YIELD signs (see Sections 2B.08 and 2B.09).
2. The use of STOP signs on the minor-street approaches should be considered if engineering judgment indicates that a stop is always required because of one or more of the following conditions:
  - a. The vehicular traffic volumes on the through street or highway exceed 6,000 vehicles per day (vpd);  
Collected daily volumes on Washington Street were 6,152 vpd.
  - b. A restricted view exists that requires road users to stop in order to adequately observe conflicting traffic on the through street or highway; and/or

A vehicle may have difficulty looking to their left to adequately observe conflicting traffic on Washington Street due to the roadway configuration, parked vehicles, and the street trees.



c. Crash records indicate that three or more crashes that are susceptible to correction by the installation of a STOP sign have been reported within a 12-month period, or that five or more such crashes have been reported within a 2-year period. Such crashes include right-angle collisions involving road users on the minor-street approach failing to yield the right-of-way to traffic on the through street or highway.

Does not meet this criteria.

David Kucharsky  
Director of Traffic & Parking  
98 Washington Street, 2<sup>nd</sup> Floor  
Salem, MA 01970  
978-619-5697



# City of Salem

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*In the year* . . . . . **Twenty-three**

**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.** Section 50B Handicapped Zones limited time by adding the following:

Beaver Street – in front of #36 Beaver Street, running northwest for twenty (20) feet.

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



**City of Salem, Massachusetts**  
Office of the City Council  
City Hall



**REQUEST FOR TRAFFIC ORDINANCE RECOMMENDATION**

MEMO TO: Lt. David Tucker Police Traffic Division  
 FROM: Councilor Stott DATE: December 4, 2023

In accordance with the Council Rule 32A, I hereby request your recommendation for the following Traffic Ordinance:

**NAME OF STREET** Beaver Street

**TYPE OF STREET CHANGE** Handicapped Zones, Limited Time

**DESCRIPTION OF AREA WHERE CHANGE IS REQUESTED** 36 Beaver Street.

**COUNCILLOR'S COMMENTS/EXPLANATION** A resident of 36 Beaver Street is disabled and their caregiver has requested an accessible parking space on their behalf. The off-street parking is too distant for them to use without difficulty. An accessible space in front of their home will ease their hardship.

**POLICE TRAFFIC DIVISION RECOMMENDATION**

The Police Traffic Division hereby submits the following recommendation for the above request:

XX APPROVAL  
 \_\_\_\_\_ DENIAL  
 \_\_\_\_\_ TRIAL PERIOD

CHAPTER: 42 SECTION: 50B TITLE: Handicapped Zones, Limited Time

DESCRIPTION: Beaver Street – in front of 36 Beaver Street, running northwest for twenty (20) feet.

COMMENTS (IF ANY): \_\_\_\_\_

Lt. David Tucker

**POLICE TRAFFIC DIVISION**

**RETURN THIS FORM TO THE CITY CLERK'S OFFICE**

*City of Salem Clerk's Office, 93 Washington St. Salem Massachusetts 01970*

*(978) 745-9595 ext 41202 www.salem.com*

# CITY OF SALEM



In City Council, December 7, 2023

**ORDERED:** That the City Council adopt the Specialized Energy Code<sup>1</sup> for the purpose of regulating the design and construction of buildings for the effective use of energy and reduction of greenhouse gas emissions, pursuant to the entirety of 225 CMR 22 and 23 including Appendices RC and CC, including future editions, amendments or modifications thereto, with an effective date of July 1, 2024;

That the Building Inspector and Sustainability & Resiliency Director be requested to work with the City Solicitor to ensure the adoption of the code meets state requirements, and work with all relevant departments to ensure that all residents, organizations, and relevant entities are aware of the Specialized Code as soon as possible.



# CITY OF SALEM PLANNING BOARD

CITY CLERK, SALEM MASS.  
2023 DEC 5 AM 10:03

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## Report of the Planning Board to City Council Re: Inclusionary Housing Ordinance

December 5, 2023

At its meeting on December 4, 2023, the Planning Board discussed the proposed Inclusionary Housing ordinance which would amend Section 5.4 of the City of Salem Zoning Ordinance as described in the related legal advertisement.

This item was referred to the Planning Board for its recommendation from the November 20, 2023, joint public hearing with the City Council.

The Planning Board voted eight (8) (Chair Bill Griset, Kirt Rieder, Zach Caunter, Sarah Tarbet, Helen Sides, Tom Furey, Jonathan Berk, and Josh Turiel) in favor, and zero (0) opposed to recommend that the City Council adopt the ordinance with the following recommendation:

- For purposes of determining the half-mile distance from a commuter rail station, the recommendation of the Planning Board is the measurement that yields the most expansive inclusionary envelope.

If you have questions regarding this matter, please contact Tom Daniel, AICP, Director of Planning & Community Development, at 978-619-5685.

William Griset, Chair of the Planning Board  
CC: Ilene Simons, City Clerk



# City of Salem

*In the year Two Thousand and Twenty-Three*

**An Ordinance** to amend the zoning ordinance by adding, “Inclusionary Housing”.

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

**Section 1.** Section 5- Regulations of the Zoning Ordinance is hereby amended by adding the following new section:

## **5.4 - INCLUSIONARY HOUSING**

**5.4.1 Purpose and Intent.** The purpose of this section is to expand the City of Salem’s housing stock, especially its Affordable Housing Units; to leverage market-rate housing production towards the production of Affordable Housing Units; to provide for housing choices for households of all incomes, ages, and sizes; to increase the production of Affordable Housing Units to meet employment needs; and to establish standards and guidelines in order to implement the foregoing.

At a minimum, Affordable Housing produced through this regulation shall be in compliance with the requirements set forth in G.L. c. 40B sect. 20-24 and other Affordable Housing programs developed by state, county, and local governments. It is intended that the Affordable Housing Units that result from this section be considered as Local Action Units, in compliance with the requirements specified by the Massachusetts Local Initiative Program. Definitions pertaining to this section can be found in Section §10.0 of this ordinance.

### **5.4.2 Applicability.**

1. This Section §5.4 applies to any subdivision or development, whether new construction, conversion, adaptive reuse or expansion of an existing structure, involving the creation of six (6) or more dwelling units. Section §5.4 applies to all residential dwelling types as defined by the Salem zoning ordinance with the exception of assisted living residences, nursing or convalescent homes, and other similar uses.
  - a. A subdivision or division of land shall mean any subdivision as defined in the Subdivision Control Law, G.L. c.41, §81K-81GG, or any division of land under G.L. c.41, §81P, into lots for residential use.
  - b. Developments shall not be segmented or phased to avoid compliance with this Section. “Segmentation” shall mean any development or any division of land that would cumulatively result in an increase of six or more residential lots or dwelling units above the number existing on a parcel of land or contiguous parcels in common ownership up to twenty-four months prior to the application. Where such segmentation occurs, it shall be subject to this Section.

2. This Section §5.4 does not apply to the rehabilitation, repair or reconstruction of any building or structure, all of or substantially all of which is destroyed or damaged by fire or other casualty or a natural disaster; provided, however, no rehabilitation, repair or reconstruction shall result in a net increase of six (6) units beyond what previously existed prior to the damage or destruction thereof except in conformance with this Section.
3. No special permit or site plan review for a development requiring a special permit or site plan review, and no building permit for a use permitted as of right, shall be issued for a development subject to this Section §5.4 unless the applicant provides the percentage of the total dwelling units in the development as Affordable Housing Units as described herein.
4. For projects in the Central Business (B5) District, this Section §5.4 shall be applicable upon approval of an Economic Feasibility Analysis by the Executive Office of Housing and Livable Communities.

#### **5.4.3 Mandatory Provision of Affordable Units.**

1. Affordable Housing requirement. As a condition of development, the applicant shall contribute to the local stock of Affordable Housing Units in accordance with the following requirements:
  - a. In any development subject to this Section §5.4:
    - i. For developments up to twenty (20) units in size, at least eight (8) percent of the dwelling units shall be Affordable Housing Units.
    - ii. For developments twenty-one (21) units or larger in size, at least ten (10) percent of the dwelling units shall be Affordable Housing Units.
  - b. Affordable Housing Units required by this Section §5.4 shall be made available to eligible households with incomes at or below 60% of Area Median Income (AMI) at purchase prices or rents that adhere to the income limits determined by the U.S. Department of Housing and Urban Development (HUD) applicable to the City of Salem, and shall comply with the Massachusetts Local Initiative Program regulations.
  - c. Nothing in this Section shall preclude the applicant from providing additional Affordable units, or greater affordability, or both, than the minimum requirements.
2. Special Permit for Tiered Affordability
  - a. Purpose. Adaptive reuse of abandoned, underutilized or functionally obsolete properties as housing enables growth in established locations while preserving or restoring the architectural fabric of Salem. In the event that an adaptive reuse project in the Central Business (B5) zoning district would not be feasible with the Affordable unit requirements of Section 5.4.3, the Affordability unit requirements

of Section 5.4.3 may be met by a special permit from the Planning Board that would allow tiered affordability levels of the required Affordable units up to 80 percent of the area median income if all the criteria of Section 5.4.3(2) are met.

b. Eligibility.

- i. The project must be located in the Central Business (B5) zoning district.
- ii. The incentives of Section 5.4.4 are not permitted if the Affordable unit requirements of Section 5.4.3 are met by a special permit.
- iii. The applicant shall obtain a letter from the Salem Historical Commission that determines:
  1. The building is located on the State Register of Historic Places or that the building is significant in the history, archaeology, architecture or culture of Salem.
  2. The building is a minimum of 50 years old.
  3. The exterior work comply with the Secretary of the Interior Standards.
- iv. The applicant shall obtain a positive recommendation letter from the Affordable Housing Trust Fund Board concerning the proposed affordability tiers.

c. Criteria for a Tiered Affordability Special Permit.

- i. Increasing the affordability level of any of the required Affordable units above 60 percent of the area median income is discouraged. The applicant shall demonstrate to the Affordable Housing Trust Fund Board that all other resources have been exhausted.
- ii. The applicant shall provide financial pro-forma to the Affordable Housing Trust Fund Board that demonstrates the affordable unit provisions in Section 5.4.3(1) would prevent the adaptive reuse project from being financially feasible. The pro-forma shall use EOHLC's Chapter 40B Guidelines for determining whether the project is "uneconomic" and related terms such as "return on total cost" and "net operating income" or other guidelines that are recognized by real estate and affordable housing industry standards that are determined to be acceptable by the Affordable Housing Trust Fund Board.
- iii. The pro-forma will be peer reviewed by a third-party accountant chosen by the Affordable Housing Trust Fund Board and paid for by the applicant. The Affordable Housing Trust Fund Board shall include consideration of the criteria in Section 5.4.3(2)(c) i and ii in their recommendation letter to the Planning Board.

- iv. A permanent preservation restriction mutually agreed upon between the applicant and the City of Salem Historical Commission shall be provided to the City of Salem to protect the historically significant features of the exterior of the building.
3. On-site requirement. All Affordable Housing Units shall be provided on-site.
  4. Fractions. When the requirement for Affordable Housing Units results in a fraction of a unit, the applicant shall have the choice to round up to the next whole number or convert the fraction of a unit to a cash payment to the Salem Affordable Housing Trust Fund. For example, a 24-unit project would require 2.4 Affordable Housing Units (10% of 24); the last 0.4 unit may be satisfied by providing an additional Affordable Housing Unit (for a total of 3 Affordable Housing Units) or through a cash payment equivalent to 0.4 unit.

The payment shall be based on the total development cost limit for urban areas outside Metro Boston as articulated in the most current Massachusetts Qualified Allocation Plan for the Low Income Housing Tax Credit Program, issued by the Department of Housing and Community Development (DHCD), the Executive Office of Housing and Livable Communities (EOHLC), or its successor agency.

For projects using historic tax credits or other historic preservation incentives, the cost of the historic credit or incentive may be subtracted from the total development cost limit.

**5.4.4 Housing Bonus and Parking Reduction.** Developments subject to this Section 5.4, with the exception of those obtaining a special permit pursuant to Section 5.4.3.2, may incorporate either or both of the following:

1. Housing Bonus. Developments in compliance with the requirements of this Section §5.4 are permitted an increase of up to 25% of the total number of dwelling units allowable in the applicable zoning district. The requirements of Section 5.4.3.1 shall be calculated based on the total number of new units, including units created through the housing bonus.
  - a. The minimum lot area per dwelling unit required in the applicable zoning district shall be reduced by the amount necessary to permit the additional units. This reduction of the minimum lot area per dwelling unit shall be by right for developments in compliance with the requirements of this Section §5.4.
  - b. The number of stories allowable in the applicable zoning district may be increased by one story provided it does not exceed the maximum height, and all yard and setback requirements normally required in the applicable zoning district may be reduced by up to 50%, with a Special Permit granted by the Planning Board. In granting a Special Permit, the Planning Board will consider the Special Permit criteria established in Section 9.4.2 and whether the permit is necessary to provide for the additional units permitted by the density bonus.
2. Parking Reduction. Developments in compliance with this Section §5.4 are permitted to reduce the number of required parking spaces as follows:



- a. For developments located within a half mile of a commuter rail station, the development is permitted to reduce the number of parking spaces to one parking space per dwelling unit. This parking reduction shall be by right for developments in compliance with the requirements of this Section §5.4.
- b. For developments located further than a half mile from a commuter rail station, the development is permitted to reduce the number of parking spaces to one parking space per dwelling unit with a Special Permit granted by the Planning Board, if Transportation Demand Management (TDM) practices are incorporated, as evidenced by a Transportation Demand Management Plan to reduce demand for parking, and approved by the Planning Board as a condition of project approval. The Planning Board will assess the need for TDM measures based on site location. TDM methods to reduce parking demand on site may include but are not limited to:
  - i) **Shared Parking:** To implement shared on-site parking, the applicant shall demonstrate that proposed uses are non-competing. In mixed-use developments, applicants may propose a reduction in parking requirements based on an analysis of peak demand for non-competing uses;
  - ii) Use off-site parking to satisfy parking requirements;
  - iii) Pay a stipend to residents without cars;
  - iv) Provide a guaranteed emergency ride home;
  - v) Provide transit pass subsidies;
  - vi) Provide covered bicycle parking and storage;
  - vii) Provide bicycle or car sharing on site;
  - viii) Other means acceptable to the Planning Board.
- c. For historical renovation projects located within the Central Business (B5) district, the development is permitted to reduce the number of parking spaces to zero parking spaces per dwelling unit.

#### **5.4.5 Provisions Applicable to Affordable Housing Units.**

1. Location. All Affordable Housing Units must be dispersed evenly throughout the development.
2. Exterior design. The exterior of Affordable Housing Units must be indistinguishable from the market-rate units in terms of design, appearance, materials, and quality of construction.
3. Interior size and finishes. The size and interior finishes of the Affordable Housing Units may differ from the market-rate units within the parameters described below:
  - a. The Affordable Housing units must be supplied with the same base appliances and fixtures as the market rate units; for example, if market-rate units include a dishwasher, Affordable units must include one as well. However, the product

specifications for the fixtures, appliances, and interior finishes in Affordable units may differ from those in the market-rate units, provided that such finishes and features are durable, of good quality, consistent with contemporary standards for new housing, and in compliance with the standards set forth by Local Initiative Program design and construction standards.

- b. Affordable Housing Units must be supplied with the same mechanical systems and energy efficiency features as market-rate units, including windows, insulation, plumbing, and heating and cooling systems.
  - c. The bedroom mix in the Affordable Housing Units shall be proportionate to the bedroom mix of the market-rate units.
  - d. Residents of Affordable Housing Units shall have similar access to all building and site common areas and amenities as residents of market-rate units, including but not limited to outdoor spaces, amenity spaces, storage, parking, bicycle parking facilities, and resident services.
  - e. Compliance with Section 5.4.5 shall be determined by Salem Department of Planning and Community Development staff.
4. Timing of construction of Affordable units and payment made. Affordable Housing Units must be constructed at a proportion of one (1) affordable unit for every five (5) Market Rate Units. The payment for fractional units, if applicable, shall be made before issuance of the Certificate of Occupancy.

#### **5.4.6 Resident Selection and Marketing Plan for Affordable Units.**

1. Applicants creating new Affordable Housing Units under this Section §5.4 are required to select qualified homebuyers or renters via lottery under an Affirmative Fair Housing Marketing Plan (AFHMP) prepared and submitted by the applicant and approved by the Salem Department of Planning and Community Development and the Executive Office of Housing and Livable Communities as part of the Local Initiative Program. The AFHMP must include a plan to address AFHMP requirements upon resale of ownership units. The marketing plan shall comply with federal and state fair housing laws and guidelines in effect on the date of filing of the special permit or other permit application with the City of Salem. No Certificate of Occupancy for a development subject to §5.4 shall be issued unless the Salem Department of Planning and Community Development has determined that the applicant's AFHMP complies with this requirement. The affirmative marketing costs for the Affordable Housing units shall be the responsibility of the applicant.
2. For ownership units, if the applicant agent is unable to find an eligible homebuyer within 180 days of marketing the unit, in accordance with the AFHMP, the applicant may sell the property to a household earning up to 80% of the area median income upon approval of the Affordable Housing Trust Fund Board.

**5.4.7 Preservation of Affordability.** Each Affordable Housing Unit created in accordance with this Section shall have limitations governing its resale through the use of an Affordable Housing Restriction. The purpose of these limitations is to preserve the long-term affordability of the unit and to ensure its continued availability for households at income levels required by this Section §5.4.

1. As a condition of development, all Affordable Housing Units provided under this Section §5.4 shall be subject to an Affordable Housing Restriction in a form consistent with the LIP guidelines or any other applicable guidelines issued by DHCD, EOHLC, or its successor agency acceptable to the Planning Board, that ensures Affordable units can be counted toward Salem's Subsidized Housing Inventory. The Affordable Housing restriction shall run with the land and be in force in perpetuity or for the maximum period allowed by law, and be enforceable under the provisions of MGL c. 184, § 26 or §§ 31 and 32. Affordability restrictions shall be contained in applicable Affordable Housing Restrictions, regulatory agreements, deed covenants, contractual agreements, land trust arrangements and/or other mechanisms to ensure compliance with the affordability requirements of this Section.

The applicant shall be responsible for preparing and complying with any documentation that may be required by DHCD, EOHLC, or its successor agency to qualify Affordable Housing Units for listing on the Chapter 40B Subsidized Housing Inventory as Local Action Units.

2. The Affordable Housing Restriction shall contain limitations on use, occupancy, resale and rents, and provide for periodic monitoring, by the City or its designee named in the deed rider as the monitoring agent, to verify compliance with and enforce said restriction. This monitoring is intended to verify that Affordable homeownership units remain owner-occupied and are resold at a price consistent with this Section §5.4, and that Affordable rental units are occupied by tenants earning incomes described in this Section §5.4 at rents they can afford. The applicant is responsible for providing ongoing monitoring through an organization qualified to serve as a monitoring agent on behalf of the City.
3. The restriction shall establish that Affordable units created under the provisions of §5.4 shall remain affordable to the designated income group in perpetuity, or for as long as legally permissible, per Affordable Housing restrictions that comply with Local Initiative Program requirements as they may be amended for inclusion in the Chapter 40B Subsidized Housing Inventory and is enforceable under G.L. c. 184, § 26 or §§ 31-32.
4. The restriction shall grant the City of Salem or its designee the right of first refusal to purchase the property in the event that a subsequent qualified homebuyer cannot be located. In any and all instances Section 5.4.7(3) shall remain in effect.
5. The Affordable Housing Restriction shall provide that initial sales and rentals of Affordable Housing units and subsequent re-sales and rentals shall comply with federal, state and local fair housing laws, regulations and policies, and Local Initiative Program

guidelines. For Affordable homeownership units, the procedure for resale and the responsibilities of the homeowner, the City and/or its monitoring agent, and EOHLC are described in detail in the Local Initiative Program regulations.

6. The Affordable Housing Restriction shall provide that, in the event that any Affordable rental unit is converted to a condominium unit, the condominium unit shall be restricted in perpetuity as Affordable to the income level required for Affordable ownership units in Section 5.4.3.1.
7. No Certificate of Occupancy shall be issued until the applicant executes an enforceable agreement with the City and provides evidence acceptable to the Salem Department of Planning and Community Development that the agreement has been recorded at the Essex County Registry of Deeds. It is the applicant's responsibility to prepare a complete regulatory agreement, to obtain the necessary signatures and to record a fully executed agreement at the Registry of Deeds prior to the issuance of any Certificate of Occupancy (or in the case of a subdivision, lot releases).
8. For an Affordable homeownership unit, no Certificate of Occupancy shall be issued until the applicant submits documentation acceptable to the Salem Department of Planning and Community Development that an Affordable Housing deed rider has been signed by the homebuyer and recorded at the Essex County Registry of Deeds.

**5.4.8 Conflict with Other Sections.** The provisions of this Section §5.4 shall be considered supplemental of existing sections of this zoning ordinance. To the extent that a conflict exists between this Section §5.4 and others, the provisions of this Section §5.4 shall apply.

**5.4.9 Severability.** If any portion of this Section is declared to be invalid, the remainder shall continue to be in full force and effect.

**Section 2.** The Salem Zoning Ordinance Section 10 Definitions is hereby amended by following definitions:

*Affordable Housing Restriction:* A deed restriction, contract, mortgage agreement, or other legal instrument, acceptable in form and substance to the City of Salem, that effectively restricts occupancy of an affordable housing unit to qualified purchaser or qualified renter, and which provides for administration, monitoring and enforcement of the restriction during the term of affordability. An affordable housing restriction shall run with the land in perpetuity or for the maximum period of time allowed by law, and be enforceable under the provisions of Chapter 184, Sections 26 or 31-32 of the Massachusetts General Laws.

*Affordable Housing Unit:* A dwelling unit that is affordable to and occupied by a low- or moderate-income household and meets the requirements of the Massachusetts Local Initiative Program, for inclusion on the Chapter 40B Subsidized Housing Inventory.

*Area Median Income:* The median income for households within the metropolitan area that includes the City of Salem, as defined in the annual schedule of low-income limits published by the U.S. Department of Housing and Urban Development, adjusted for household size.

*Commuter rail station:* Any Massachusetts Bay Transportation Authority (MBTA) commuter rail station with year-round, rather than intermittent, seasonal, or event-based, service.

*Eligible Household:* A household of one or more persons whose maximum income does not exceed the income limits established in Section 5.4.

*Eligible Buyer:* An individual or household certified by the Monitoring Agent to have met all of the eligibility requirements set forth in the Affordable Housing Restriction and applicable Program Guidelines to buy an Affordable unit, including limits on income and assets, suitability of financing, etc.

*Local Action Unit:* An Affordable Housing unit developed through a city's zoning or permit issuance process as part of the Local Initiative Program and eligible for inclusion on the Subsidized Housing Inventory.

*Local Initiative Program:* A program administered by the Executive Office of Housing and Livable Communities (EOHLC), formerly the Massachusetts Department of Housing and Community Development (DHCD), pursuant to 760 CMR 56.00 to develop and implement local housing initiatives that produce low- and moderate-income housing, with or without a comprehensive permit as defined in Chapter 40B.

*Low- or moderate-Income Household:* A household with income at or below 80% of area median income, adjusted for household size, for the metropolitan area that includes the City of Salem, as determined annually by the United States Department of Housing and Urban Development (HUD).

*Market Rate Unit:* All dwelling units in a development subject to Section 5.4 that are not Affordable Housing Units as defined therein.

*Maximum Affordable Purchase Price or Rent:* A selling price or monthly rent that does not exceed the maximum purchase price or rent guidelines of the program used to qualify Affordable Housing Units for inclusion on the Massachusetts Chapter 40B Subsidized Housing Inventory. For homeownership units, the maximum affordable purchase price shall account for the monthly cost of a mortgage payment, property taxes, insurance, and condominium fees where applicable. For rental units, the maximum affordable rent shall account for the monthly cost of rent and utilities. The household income used to compute the maximum affordable purchase price or rent shall be adjusted for household size, considering the household size for which a proposed affordable unit would be suitable under guidelines of the Local Initiative Program or any successor affordable housing program established by the state.

*Monitoring Agent:* The Monitoring Agent is a qualified individual or agency for the purposes of administration, monitoring and enforcement of the Affordability Requirement for a Project pursuant to the Affordability Monitoring Services Agreement.

*Salem Affordable Housing Trust Fund:* A fund established by the City of Salem pursuant to Massachusetts General Laws, Chapter 44, Section 55C, for the purpose of creating or preserving

Affordable Housing in the City of Salem for the benefit of low- and moderate-income households.

*Subsidized Housing Inventory (SHI):* The Executive Office of Housing and Livable Communities (formerly the Department of Housing and Community Development) Chapter 40B Subsidized Housing Inventory as provided in 760 CMR 31.04.

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

In City Council October 26, 2023

Referred to the Planning Board to schedule a Joint Public Hearing with the City Council by a roll call vote of 11 yeas, 0 nays and 0 absent

Advertised in the Salem News on November 6, 2023 and November 13, 2023

Joint Public Hearing held on November 20, 2023

Referred to the Planning Board for their review and recommendation by a roll call vote of 10 yeas; 0 nays and 1 absent

ATTEST:

ILENE SIMONS  
CITY CLERK

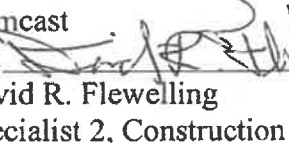
PETITION OF COMCAST FOR LOCACTION FOR CONDUITS, MANHOLES AND  
POLES

To the City Council for the City of Salem, Massachusetts:

Respectfully represents Comcast Cable Communications Management LLC., a company incorporated for the distribution of broadband services, that it desires to construct a line for such broadband under the public way or ways hereinafter specified.

**Federal Street:** Starting at the existing Comcast Vault located at the corner of North Street and Federal Street excavating to place (1) 3" PVC Conduit 405'+/\_ to a proposed 3'x3' manhole to provide the Comcast Service to number 36 Federal Street.

Wherefore, your petition prays that, after due notice and hearing as provided by law, the City Council may by Order grant your petitioner permission to construct, and a location for, such a line of conduits, manholes and poles with the necessary wires and cables therein, said conduits manholes and poles to be located, substantially as shown on the plan made by Axis Engineering dated November 8, 2023 and filed here with, under the following public way or ways of said City of Salem.

Comcast  
By:   
David R. Flewelling  
Specialist 2, Construction

Dated this November 15, 2023

City of Salem, Massachusetts

Received and filed \_\_\_\_\_, 2023

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**PROPOSED CONDUIT INSTALLATION**

**AT**

**36 FEDERAL ST**

**SALEM, MA**

**WARD 2 - PRECINCT 2**



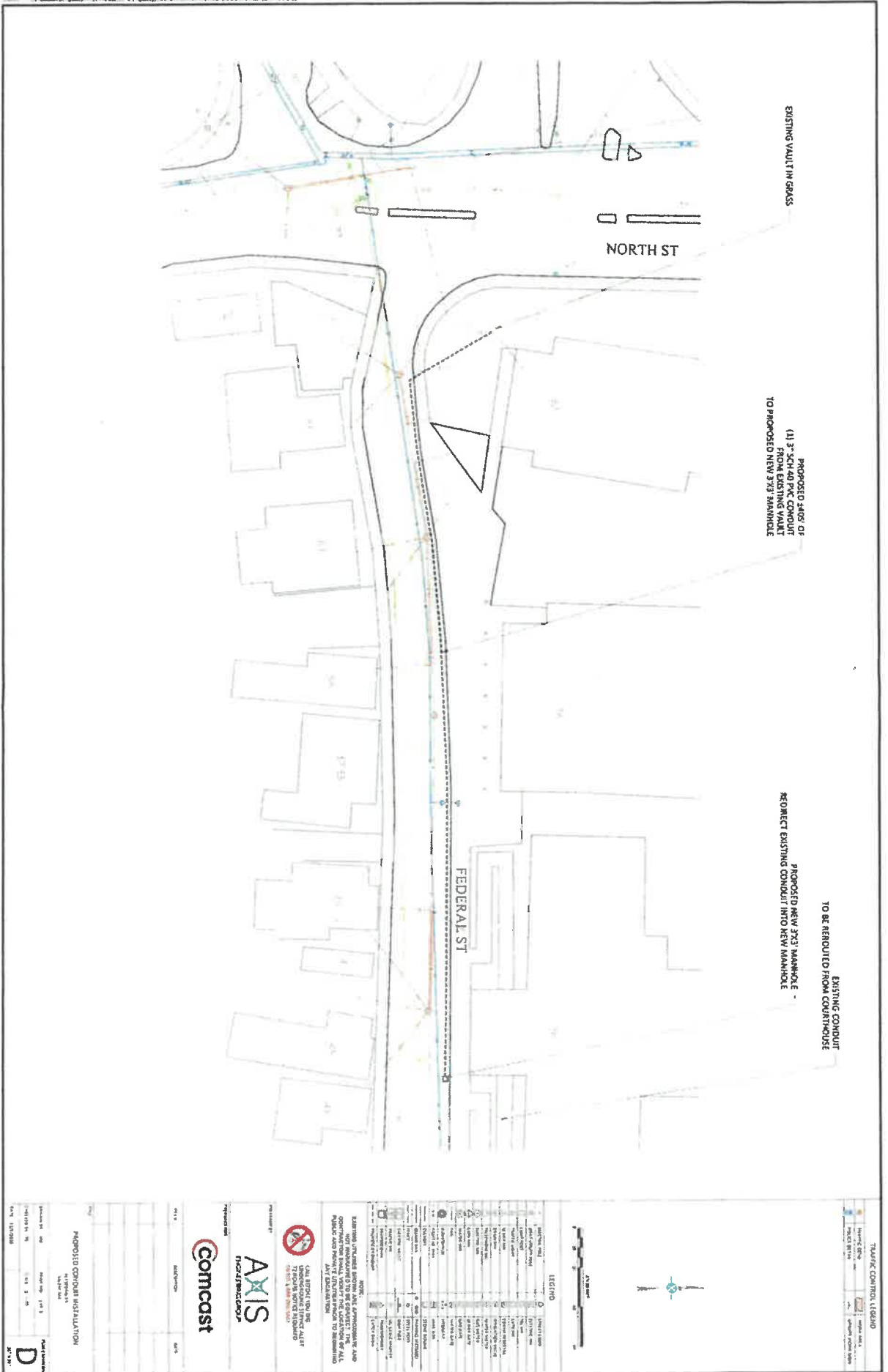
**LOCUS**  
N T S

**INDEX OF DRAWING**

SHEET NO.	DESCRIPTION
01	COVER SHEET
02	PROPOSED CONDUIT INSTALLATION GENERAL NOTES AND DETAILS

**AXIS**  
ENGINEERING GROUP  
201 Boston Park Rd West - Suite 100  
Marlborough, MA 01752  
(781) 552-2124 www.axisgroup.com





EXISTING VAULT IN GRASS

NORTH ST

PROPOSED 360'S OF 3" SCH 40 PCC CONDUIT FROM EXISTING VAULT TO PROPOSED NEW 3'x3' MANHOLE

EXISTING CONDUIT TO BE RELOCATED FROM COURTHOUSE  
PROPOSED NEW 3'x3' MANHOLE - RECONNECT EXISTING CONDUIT INTO NEW MANHOLE

FEDERAL ST

**TITLE BLOCK**  
 Project No. 1012000  
 Date 05/04/2020  
 Scale 1" = 40'



**LEGEND**

Symbol	Description
(Line style)	PROPOSED 3" SCH 40 PCC CONDUIT
(Line style)	PROPOSED 3'x3' MANHOLE
(Line style)	EXISTING CONDUIT TO BE RELOCATED
(Line style)	EXISTING VAULT
(Line style)	PROPOSED NEW 3'x3' MANHOLE
(Line style)	RECONNECT EXISTING CONDUIT INTO NEW MANHOLE
(Line style)	EXISTING CONDUIT TO BE RELOCATED FROM COURTHOUSE
(Line style)	EXISTING VAULT IN GRASS

**WARNING: UNLAWFUL SIGNING AND CONSTRUCTION**  
 ANY WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF ALBUQUERQUE PUBLIC WORKS DEPARTMENT REGULATIONS AND ALL APPLICABLE CODES AND ORDINANCES.  
 CALL BEFORE YOU DIG  
 1-800-4-A-STATE

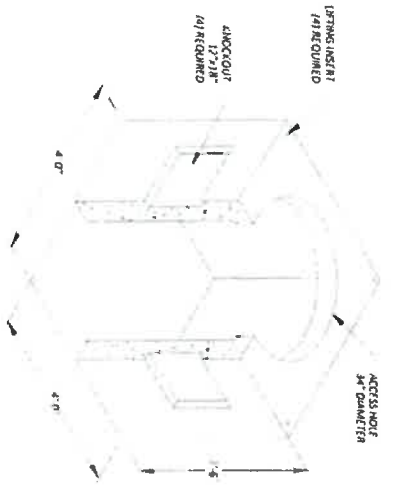


**PROPOSED CONDUIT INSTALLATION**

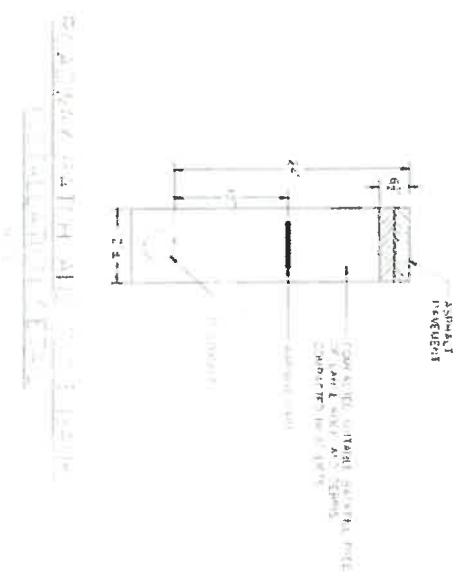
Project No.	1012000
Date	05/04/2020
Scale	1" = 40'
Sheet No.	1 of 3
Project Name	1012000

**GENERAL NOTES**

- 1 THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
- 2 WHERE AN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATION, ELEVATION AND SIZE OF THE UTILITY SHALL BE ACCURATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR AND THE INFORMATION FURNISHED TO THE ENGINEER FOR RESOLUTION OF THE CONFLICT.
- 3 THE CONTRACTOR SHOULD MAINTAIN A SEPARATION OF 18 INCHES MIN. WHEN CROSSING EXISTING WATER FACILITIES.
- 4 THE CONTRACTOR SHALL MAKE ALL ARRANGEMENTS FOR THE ALTERATION AND ADJUSTMENT OF GAS, ELECTRIC, TELEPHONE AND ANY OTHER PRIVATE UTILITIES BY THE UTILITY COMPANY.
- 5 THE CONTRACTOR SHALL NOT DISTURB PUBLIC TREES AND SHRUBS.
- 6 AREAS OUTSIDE THE LIMITS OF PROPOSED WORK DISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED BY THE CONTRACTOR TO THEIR ORIGINAL CONDITION AT NO EXPENSE TO THE OWNER.
- 7 THE CONTRACTOR SHALL BE RESPONSIBLE FOR PLACING AND MAINTAINING TEMPORARY RESURFACING AND/OR PLACING FOR ALL EXCAVATIONS IN PAVED STREETS AND SIDEWALKS UNTIL PERMANENT RESURFACING IS COMPLETE.
- 8 JOINTS BETWEEN NEW BITUMINOUS CONCRETE ROADWAY PAVEMENT AND SAW CUT EXISTING PAVEMENT SHALL BE SEALED WITH BITUMEN AND BACK SANDED.
- 9 THE CONTRACTOR SHALL PROTECT AND SUPPORT ALL EXISTING UTILITY LINES THAT BECOME EXPOSED DUE TO EXCAVATION REQUIRED TO INSTALL THE PROPOSED CONDUIT.
- 10 THE CONTRACTOR SHALL REPLACE ALL DISTURBED TRAFFIC SIGNAL LOOP DETECTORS TO GOOD WORKING CONDITION AS REQUIRED BY THE LATEST STANDARDS OF THE MUNICIPAL TRAFFIC DEPARTMENT.
- 11 ALL EXISTING STATE, COUNTY, CITY AND TOWN LOCATION LINES AND PRIVATE PROPERTY LINES HAVE BEEN ESTABLISHED FROM AVAILABLE INFORMATION AND THEIR EXACT LOCATION ARE NOT GUARANTEED.
- 12 THE CONTRACTOR SHALL REPLACE ALL PAVEMENT MARKINGS IN THEIR ENTIRETY THAT HAVE BEEN DAMAGED BY TRENCH EXCAVATION OR OPERATIONS OF THE CONTRACTOR WITH SIMILAR COLOR AND SIZE THERMOPLASTIC MARKINGS.



3'x3'x3' I.D. MANHOLE W/6" WALLS & ROOF  
 CHASE STANDARD - 3,900 LBS  
 MUST MEET OR EXCEED ALL STATE, LOCAL D.O.T  
 REGULATIONS FOR ROADWAY LOADINGS  
 N.T.S.



CHASE STANDARD - 3,900 LBS  
 MUST MEET OR EXCEED ALL STATE, LOCAL D.O.T  
 REGULATIONS FOR ROADWAY LOADINGS  
 N.T.S.

14.01 NO

NO.	DESCRIPTION	DATE	BY	APP'D.
1	ISSUED FOR PERMIT			
2	ISSUED FOR CONSTRUCTION			
3	ISSUED FOR AS-BUILT			
4	ISSUED FOR FINAL			
5	ISSUED FOR RECORD			
6	ISSUED FOR ARCHIVE			
7	ISSUED FOR DESTRUCTION			
8	ISSUED FOR REMOVAL			
9	ISSUED FOR REPAIR			
10	ISSUED FOR REPLACEMENT			
11	ISSUED FOR MODIFICATION			
12	ISSUED FOR ADDITION			
13	ISSUED FOR DELETION			
14	ISSUED FOR CANCELLATION			

EXISTING UTILITIES SHALL BE PRESERVED AND NOT DISTURBED UNLESS OTHERWISE INDICATED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

AXIS ENGINEERING

Comcast

GENERAL NOTES AND DETAILS

DATE: 11/15/2011

BY: [Signature]

APP'D.: [Signature]

SCALE: 1"=1'-0"

PROJECT: [Project Name]

LOCATION: [Location]

NO. 14.01 NO

# City of Salem

**In the year Two Thousand and Twenty-Three**

**An Ordinance** to amend an Ordinance relative to Sidewalk Permits.

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

**Section I.** Section 38-7 Obstructions of Chapter 38 Streets and Sidewalks is hereby amended by:

1. Adding the words “/Outdoor Seating” within the heading of Sec. 38-7.
2. Deleting paragraph (b) of Section 38-7 in its entirety and replace it with the following:

“(b) No person, other than one employed directly or indirectly by this city or by the commonwealth and while in the performance of necessary duties, shall at any time place or leave in any sidewalk, street or highway any article, material or merchandise or park a vehicle or cart in any sidewalk, street or highway for the purpose of displaying merchandise without a permit from the licensing board or other permit granting authority of the City. Further, no person, other than one employed directly or indirectly by this city or by the commonwealth and while in the performance of necessary duties, shall place or leave on any sidewalk, street or highway any outdoor seating, including benches, tables or chairs unless a permit issued by the redevelopment authority and/or city council for city ways, or by the department of public works for state highways, authorizing the use of the sidewalk, street or highway, has been granted and is in effect. An exception shall be made, as necessary, for the reasonable and expeditious loading or unloading of any such article, material, merchandise, cart or vehicle. At all times, any such property shall never be left so as to obstruct the free passage of pedestrians or vehicular travel and such permit maintains pedestrian access along an existing sidewalk not less than 48 inches wide 24 hours per day, seven days per week. A permit to regularly or permanently close an existing sidewalk may only be issued by the city council.

Persons applying for a permit for outdoor seating to support a restaurant shall be eligible for such permit so long as they meet the requirements set forth in the Order of the City Council establishing a City of Salem Outdoor Dining Policy, a copy of which shall be posted on the web page of the City Clerk effective January 1, 2024. A completed application, as set forth in the Order, shall be submitted to the redevelopment authority and/or city council for approval. Outdoor seating on a sidewalk within the city's urban renewal districts shall be the sole jurisdiction of the city's redevelopment authority. Applications for seating within a public street within the urban renewal districts, however, must receive both redevelopment authority and city council approval.”

3. Amending paragraph (c) by deleting the words “an officer” after the words “direction of” and inserting the words “a police officer, inspector of buildings or director of public services.”

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

In City Council November 16, 2023  
Adopted as amended for first passage

ATTEST:

ILENE SIMONS  
CITY CLERK



# CITY OF SALEM

In City Council,

Ordered:

October 26, 2023

BOND

ORDERED: That the City of Salem appropriate the amount of Two Million Dollars (\$2,000,000.00) for the purpose of paying costs associated with a feasibility study regarding a potential new school building at the existing Salem High School site located at 77 Willson Street, Salem, Massachusetts, including the payment of all costs incidental or related thereto, and for which the City may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the Salem High School Building Committee; that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, Section 7(7) and/or M.G.L. Chapter 70B, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; and the City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City; provided, however, that the amount of borrowing authorized pursuant to this order shall be reduced by the amount of any such grant set forth in a feasibility study agreement that may be executed between the City and the MSBA for the project.

In City Council October 26, 2023

Referred to the Committee on Administration and Finance under the rules by a roll call vote of 11 yeas, 0 nays and 0 absent

In City Council November 16, 2023

Adopted for first passage by roll call vote of 10 yeas, 0 nays and 1 absent

ATTEST:

ILENE SIMONS  
CITY CLERK

# City of Salem

*In the year Two Thousand and Twenty-Three*

## **An Ordinance Relative to Traffic**

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

**Section 1.** Section 75 of Article V-A be amended by repealing the following:

Lynn Street – Parking Prohibitions Towing Zone (Resident Sticker) Zone C-Color Green-easterly side, from Andover Street to Federal Street. (1/12/87)

And inserting:

Lynn Street – Parking Prohibitions Towing Zone (Resident Sticker) Zone C-Color Green – from River Street to Federal Street, both sides, except where parking is prohibited.

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

In City Council November 16, 2023  
Adopted for first passage

ATTEST:

ILENE SIMONS  
CITY CLERK