



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

Office of the Mayor

October 24, 2019

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

Ladies and Gentlemen of the City Council:

I am very pleased to appoint Douglas Bowker of 41 Forrester Street #2 to serve as a member of the Salem Sustainability, Energy, and Resiliency Committee. Mr. Bowker is appointed to complete the remainder of a three-year term to expire July 20, 2020 and previously filled by Ms. Lisa Rosenthal. Please join me in thanking Ms. Rosenthal for her years of volunteer service to our community as a member of this committee.

Mr. Bowker holds a degree in industrial design from the Rhode Island School of Design and currently works in the field of 3D modeling and technical visualization. In addition to his relevant professional skills and expertise, as a resident of Forrester Street Mr. Bowker experienced first-hand and personally flooding incidents in 2011 that were exacerbated by climate change and prompted the construction of resiliency measures.

I believe Mr. Bowker will be a welcome addition to the work of the Sustainability, Energy, and Resiliency Committee. We are fortunate that he is willing to serve our community in this capacity and I strongly recommend confirmation of his appointment.

Very truly yours,

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

Kimberley Driscoll  
Mayor  
City of Salem



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

Office of the Mayor

January 23, 2020

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to City Council confirmation, Ben Anderson of 10 Adams Street to the Affordable Housing Trust Fund Board for a term of 2 years to expire February 8, 2022.

I recommend confirmation of his reappointment to the Affordable Housing Trust Fund Board and ask that you join me in thanking Mr. Anderson for his continued dedicated service and commitment to our community.

Very truly yours,

Kimberley Driscoll  
Mayor  
City of Salem



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Office of the Mayor

January 23, 2020

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to City Council confirmation, Mickey Northcutt of 9 Northey Street #1 to the Affordable Housing Trust Fund Board for a term of 2 years to expire January 25, 2022.

I recommend confirmation of his reappointment to the Affordable Housing Trust Fund Board and ask that you join me in thanking Mr. Northcutt for his continued dedicated service and commitment to our community.

Very truly yours,

Kimberley Driscoll  
Mayor  
City of Salem



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

Office of the Mayor

January 8, 2020

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to City Council confirmation, Norene Gachignard of 16 Buchanan Road to the Public Art Commission for a term of 2 years to expire January 11, 2022.

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

Very truly yours,

Kimberley Driscoll  
Mayor  
City of Salem



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

Office of the Mayor

January 13, 2020

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to City Council confirmation, Emily Larsen of 27 Turner Street #1 to the Public Art Commission for a term of 2 years to expire January 11, 2022.

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

Very truly yours,

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

Kimberley Driscoll  
Mayor  
City of Salem



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Kimberley Driscoll  
Mayor

Office of the Mayor

January 23, 2020

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to City Council confirmation, Raymond Swartz of 30 Ocean Avenue to the Bicycling Advisory Committee for a term of 3 years to expire February 9, 2023.

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

Very truly yours,

Kimberley Driscoll  
Mayor  
City of Salem



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Mayor

Office of the Mayor

January 23, 2020

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to City Council confirmation, Meaghan Leclerc of 10 Orchard Street #2 to the Salem Harbor Port Authority for a term of 3 years to expire January 12, 2023.

I recommend confirmation of her reappointment to the Salem Harbor Port Authority and ask that you join me in thanking Col. Leclerc for her continued dedicated service and commitment to our community.

Very truly yours,

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

Kimberley Driscoll  
Mayor  
City of Salem



**CITY OF SALEM, MASSACHUSETTS**

**Kimberley Driscoll**

**Mayor**

January 23, 2020

To the City Council  
City Hall  
Salem, Massachusetts

Ladies and Gentlemen of the Council:

I re-appoint Mark J. Snider of 103 Boardman Avenue, Melrose MA 02176 to serve as a Constable in the City of Salem for a term to expire December 2, 2021.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kim Driscoll", written in a cursive style.

**Kimberley Driscoll**  
**Mayor**





**CITY OF SALEM, MASSACHUSETTS**

**Kimberley Driscoll**

**Mayor**

January 23, 2020

To the City Council  
City Hall  
Salem, Massachusetts

Ladies and Gentlemen of the Council:

I re-appoint James F. Danforth of 16 Wentworth Drive Beverly, MA 01915 to serve as a Constable in the City of Salem for a term to expire February 1, 2023.

Very truly yours,

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

Kimberley Driscoll  
Mayor



**CITY OF SALEM, MASSACHUSETTS**

**Kimberley Driscoll**

**Mayor**

January 23, 2020

To the City Council  
City Hall  
Salem, Massachusetts

Ladies and Gentleman of the Council:

I appoint Fotis Plessas of 11 Hatzis Way Lynn, MA 01904 to serve as a Constable in the City of Salem for a term to expire December 28, 2021.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kim Driscoll", written over the typed name.

Kimberley Driscoll

Mayor



## CITY OF SALEM

In City Council, January 23, 2020

Ordered:

The City of Salem, MA hereby adopts a Resolution authorizing the filing of applications with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for federal transportation assistance authorized by 49 U.S.C. Chapter 53; title 23, United States Code, or other federal statutes administered by the Federal Transit Administration.

WHEREAS, the Federal Transit Administrator has been delegated authority to award federal financial assistance for a transportation project;

WHEREAS, the grant or cooperative agreement for federal financial assistance will impose certain obligations upon the applicant, and may require the applicant to provide the local share of the project cost;

WHEREAS, the applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;

NOW, THEREFORE, BE IT RESOLVED BY THE SALEM CITY COUNCIL

1. That the Mayor is authorized to execute and file an application for federal assistance on behalf of the City of Salem, MA with the Federal Transit Administration for federal assistance authorized by 49 U.S.C. Chapter 53, title 23, United States Code, or other federal statutes authorizing a project administered by the Federal Transit Administration. (If the applicant is requesting Urbanized Area Formula Program assistance authorized by 49 U.S.C. 5307, either alone or in addition to other federal assistance administered by the Federal Transit Administration, the resolution should state whether the applicant is the designated recipient as defined by 49 U.S.C. 5307(a)(2), or whether the applicant has received authority from the designated recipient to apply for Urbanized Area Formula Program assistance.)
2. That the Mayor is authorized to execute and file with its applications the annual certifications and assurances and other documents the Federal Transportation Administration requires before awarding a federal assistance grant or cooperative agreement.
3. That the Mayor is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of the City of Salem, MA.



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

Office of the Mayor

January 23, 2020

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

As you may recall, in 2018 the City received notification that had received a \$3.4 million federal grant through the Federal Transit Administration's Ferry Grant Program in order to acquire a second ferry vessel. Over the last year, City staff led by Deputy Planning Director Kathy Winn and Harbormaster Bill McHugh have worked diligently to prepare for the acquisition of the second ferry. At this point, we are prepared to move forward to the next phase of this effort, which entails formal acceptance of the federal funds. The enclosed Order includes the statutory language required for the City to receive these funds.

Expanded ferry service has been a priority to help mitigate traffic and add more commuter options for Salem residents and visitors alike. As we revitalize and reconnect with our historic harbor and waterfront, ferry service is a critical part of the economic growth and strength of our community. For centuries, Salem has looked to the sea and seen opportunity. The awarding of these funds only furthers that connection, to the benefit of all who live in or visit our city.

I am grateful to all the City staff that worked on this grant application and to our federal partners, whose tireless efforts have made these funds available to us. Should you have any questions about this Order, I invite you to contact Kathy Winn in the Planning Department.

Very truly yours,

Kimberley Driscoll  
Mayor  
City of Salem

CERTIFICATION

The undersigned duly qualified City Clerk, acting on behalf of the City of Salem, MA, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Salem City Council held on \_\_\_\_\_.

[Seal]

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

\_\_\_\_\_  
(Date)



# CITY OF SALEM

In City Council, January 23, 2020

## Ordered:

That the members of the following boards are hereby designated as Special Municipal Employees under the provisions of M.G.L. Chapter 268A:

- Affordable Housing Trust Fund Board
- Beautification Committee
- Bicycling Advisory Committee
- Board of Assessors
- Cable Television & Technology Commission
- Community Preservation Committee
- Council on Aging Board
- Cultural Council
- Disabilities Commission
- Public Art Commission
- Recycling Committee
- Sustainability, Energy, and Resiliency Committee
- Salem Harbor Port Authority
- Scholarship and Education Committee
- Traffic and Parking Commission
- Tree Commission



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor  
Office of the Mayor

January 23, 2020

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed herewith is an Order designating the members of certain boards as "special municipal employees" pursuant to Massachusetts General Law Chapter 268A.

268A provides that anyone performing services for the City, whether a paid employee or unpaid volunteer board member, is a "municipal employee" under the conflict of interest law. Under the law, municipal employees may not be paid by others in relation to a matter if the city has an interest in the matter. In addition, a municipal employee may not act on behalf of other people and organizations or act as an attorney for others on a matter in which the City has an interest.

In recognition of the need not to unduly restrict the ability of volunteers to earn a living, the law is less restrictive for "special" municipal employees than for other municipal employees. The status of "special" municipal employee may be assigned by vote of the City Council. A position is eligible to be designated as "special" if it is unpaid, or if it is part-time and the employee is allowed to have another job during normal working hours, or if the employee was not paid for working more than 800 hours during the preceding 365 days. It is the position that is designated as "special" and not the person or persons holding the position. Once a municipal position has been designated as "special," an individual holding that position may be paid by others, act on behalf of others, and act as attorney for others with respect to matters before municipal boards other than their own, provided that they have not officially participated in the matter, and the matter is not now, and has not within the past year been, under their official responsibility.

Previous Council Orders have designated several of our boards' members as special municipal employees. Designating the members of the additional boards on the enclosed Order will ensure consistency in our volunteers' status and enable the City to retain qualified board members.

Very truly yours,

Kimberley Driscoll  
Mayor  
City of Salem



## **CITY OF SALEM, MASSACHUSETTS**

**In City Council, January 23, 2020**

**Resolved,**

### **A RESOLUTION ESTABLISHING THE CENTURY TREE PROGRAM**

WHEREAS, the City of Salem was founded in 1626 and is among the oldest communities in the United States; and

WHEREAS, the City of Salem will celebrate its 400<sup>th</sup> anniversary in 2026; and,

WHEREAS, the City of Salem desires to honor its past and provide for the health and enjoyment of its citizens in the future through the beneficial effects of a replenished urban tree canopy;

THEREFORE, we, the Mayor and City Council of the City of Salem, do hereby establish the Century Tree Program, through which Salem residents may propose sites throughout the city where tall trees – Salem’s future heritage trees – may flourish without obstructions. Century Trees will be planted each year through 2026 within sight of public rights-of-way and labeled for posterity, in honor of the quadricentennial of the City of Salem.

*Submitted to the City Council by: Mayor Kimberley Driscoll, City Councillor Stephen Dibble, Councillor Domingo Dominguez, City Councillor Ty Hapworth, City Councillor Christine Madore, City Councillor Robert McCarthy, City Councillor Patricia Morsillo, and City Councillor Josh Turiel*





## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

Office of the Mayor

January 23, 2020

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed resolution, jointly presented to you by myself and several of your colleagues, announces the creation of the Salem Century Tree Program, a new initiative tied to Salem 400, our quadrennial celebration, which aims to plant the next generation of heritage trees at suitable locations throughout Salem for future residents to enjoy for decades to come. This program was developed through the efforts of our Tree Commission.

Salem residents are invited to submit their suggestion for potential sites for Century Trees by emailing the location to [centurytree@salem.com](mailto:centurytree@salem.com). The City's Tree Warden will review the proposed locations to select the most appropriate ones for plantings that will, we hope, grow and flourish throughout the 21<sup>st</sup> century and, potentially, beyond. Each Century Tree will be designated with a plaque commemorating its planting.

From our recently completed City-wide tree inventory and maintenance plan, to the new tree ordinance and commission, to the nearly 5,000% increase in our tree planting budget over the last four years, Salem is committed to our public trees as a critical part of our climate change mitigation strategy, our beautification efforts, and our historic legacy as a green city.

Very truly yours,

Kimberley Driscoll  
Mayor  
City of Salem

Please consider this letter a petition to the City Council to address the current status of the City's Compliance to ADA Law and the recently released report by IHDC regarding an ADA transition plan.

**Details:**

1. In 2012 it became a requirement that the City must comply with 2010 ADA standards.
2. As of today, the City is not in compliance
3. The City's previous 5-year plan to achieve compliance was not completed.
4. Many projects completed in the last 5 years were done in a manner that were not compliant with ADA requirements. Meaning the City performed work and fell short of performing the work correctly.
5. City recently hired IHDC to complete audits on several of the City's buildings, parks, schools, etc.
6. The IHDC report shows that not one property evaluated is following ADA. Furthermore, report shows that even projects that were completed in 2017 are not in compliance with ADA.
7. IHDC report has not been presented to City Council

It is evident that the City has failed to become compliant to ADA and that the work being completed in the last 10 years contains violations.

**Problem:**

By not being compliant to ADA the City is in violation of ADA Laws, a Civil Rights Violation. The City is exposed to potential daily fines by both the DOJ and State of MA. More importantly, for the City to achieve compliance it will require in excess of 1 million dollars and more than 5 years' time. It is more than unfortunate that the City has not made appropriate progress over the last 10 years regarding ADA compliance.

1. The City either lacks the expertise and competence to complete projects properly or has not assigned the proper funding and personnel to making corrections. One just has to look at the recently renovated Collins Cove Park and beach. The IHDC report lists over 17 violations for this location. The same can be said for all properties evaluated by the IHDC.
2. ADA compliance plan is not funded adequately in our City Budget.
3. ADA compliance Capital Projects are not funded adequately in our City Budget.
4. City does not have a comprehensive plan to achieve ADA compliance
  - a. Start and end dates on projects based on priority
  - b. Adequate funds in budget to complete projects
  - c. ADA assessment of property after project completed
  - d. Expert assistance from MOD

**Solutions:**

Simply put the only solution is for the City to have a comprehensive plan for all properties that includes timeline, adequate funds, expert personnel, proper oversight and review of work as it is completed. This is a massive undertaking that will require a significant amount of money and time, it is a matter that belongs in the City Council so that it can achieve the proper funding and planning.

Below is a list of items that must be included for Salem to achieve ADA compliance. This is currently 10 years past due and needs be a priority for the City of Salem.

1. Evaluation and plan for the properties not audited by the IHDC
2. Adequate Capital Funds added to Budget
3. Adequate budget funds for City to Achieve ADA compliance
4. Detailed plan with timeline and funding for all City owned properties`
5. Expert assistance from MOD for planning and reviewing work

Thank you for your consideration to this matter

Steve Kapantais

Village Tavern Salem, Inc.  
168 Essex Street Salem, MA 01970  
Arthur Ingemi Officer  
617-320-6584  
[art@villagetavernsalem.com](mailto:art@villagetavernsalem.com)

2020 JAN 16 PM 3:26  
CITY CLERK  
SALEM, MASS

January 16, 2020

Letter to City Council:

The Village Tavern would like permission to operate a seasonal FREE Shuttle Service in the downtown area for anyone, (tourist, locals, etc.) wishing to use it. The benefit to the Village Tavern would be the exposure provided by the vehicle's signage and the possibility of direct drop off of passengers to the Village Tavern. The benefit to the city is the FREE service would include free pick up from all downtown Salem Hotels, Inns, and tourist attractions as well as those just hailing down the vehicle as it travels along. Many cities in Florida feature this type of service and is a welcome relief for Salem tourist where transportation is limited and walking is just about the only way to get around without paying for transportation costs. Request for transportation will not be limited to just the Village Tavern, as we will gladly drop passengers off to any downtown restaurant or attraction.

#### **About the Vehicle**

It is a Polaris GEM six (6) passage, electric powered vehicle that would be purchase brand new. It is a street legal LSV so it is easily registered in the same way any other car would be. This is the exact same model the Salem Waterfront Hotel has been using for the last couple of years. Checking with the Salem Police Traffic Officers, it is legal on all Salem Streets that have a posted speed limit of 35-MPH or less.

#### **Licensing with the City**

Since the Police Department has the authority to license our operators, we would of course follow their procedure for full legal compliance. All licensed operators will be trained to travel upon the mall in a safe and courteous manner, so as not to place pedestrians in danger of injury.

#### **Insurance**

All proper insurances will be in place and approved by the city before opening day.

#### **Operation Times**

Seasonal May through November 1<sup>st</sup> excluding last two weekends in October.  
Time approximately 10:30 AM to dusk; or as needed for special hotel calls.

**Route**

Due to the nature of a 'Shuttle Service' the vehicle would operate in the downtown area as dictated by passenger and hotel demand and not by a set route as the Larger Trolley does. The shuttle would of course respect the 'one-way' law that is now in effect.

**Operation on the Essex Street Mall**

Special permission is requested to operate on the mall at all hours with no black out times to better serve the public. Since the Village Tavern is located directly on the mall it would be a hardship to restrict the service especially during lunch times.

**Storage of Vehicle**

The storage would be on the Village Tavern Patio during its seasonal operation months, and then stored off premises during the winter months. Since the vehicle powers up with just a standard 110 outlet we would simply power it up at night using our own source of power, and it would be ready to go for the next day's shuttle service. The vehicle would be covered with a custom canvas during the overnight to prevent vandalism and protect from the elements.



Arthur P. Ingemi, Officer  
1/16/20