

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



CITY OF SALEM
KIMBERLEY L. DRISCOLL, MAYOR
LEGAL DEPARTMENT
93 WASHINGTON STREET
SALEM, MASSACHUSETTS 01970

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

SHARYN G. LUBAS
ASSISTANT CITY SOLICITOR
93 WASHINGTON STREET
SALEM, MA 01970
TEL: 978.744.0171 x 50106
EMAIL: SLUBAS@SALEM.COM

July 27, 2022

Ilene Simons, City Clerk
City of Salem
Salem City Hall
93 Washington Street
Salem MA 01970

Patricia Morsillo, City Council President
City of Salem
Salem City Hall
93 Washington Street
Salem MA 01970

RE: City Solicitor Letters of Approval for Laying Out and Acceptance of
Amanda Way and a portion of Osborne Hill Drive as Public Ways or Streets

Dear Madam Clerk and City Council President:

In my capacity as City Solicitor of the City of Salem, as required by Salem Code of Ordinance Chapter 38 or otherwise, I have reviewed the Petition and related Street Acceptance Plan for the laying out and acceptance of Amanda Way and a portion of Osborne Hill Drive as public ways or streets in the City of Salem to be presented to the City Council for consideration and I hereby approve the same.

Yours truly,

Elizabeth Rennard

Enclosures

BRIAN D. McGRAIL
ATTORNEY AT LAW
LAKESIDE OFFICE PARK
607 NORTH AVENUE
DOOR 18
WAKEFIELD, MASSACHUSETTS 01880

FAX
(781) 246-1986

TELEPHONE
(781) 246-9999

August 22, 2022

Ilene Simons
City Clerk
City of Salem
93 Washington Street
Salem, MA 01970

RE: Laying Out and Acceptance of Amanda Way and a portion of Osborne Hill Drive
as Public Ways or Streets

Dear Madam Clerk,

This office is legal counsel to Osborne Hills Realty Trust regarding the Strongwater Crossing subdivision in the City of Salem.

Two of the streets in the subdivision, Amanda Way and a portion of Osborne Hill Drive, are completed and ready for acceptance and layout by the Salem City Council.

To that end, included with this letter please find the Petition for Street Acceptance and Layout, the Street Acceptance Plan, the Letter of Approval by the City Solicitor, and a check in the amount of \$250.00.

I respectfully request that you commence the street acceptance and layout process in conjunction with the Salem City Council regarding these two streets.

If any other information, materials, or documentation is required please advise me of the same.

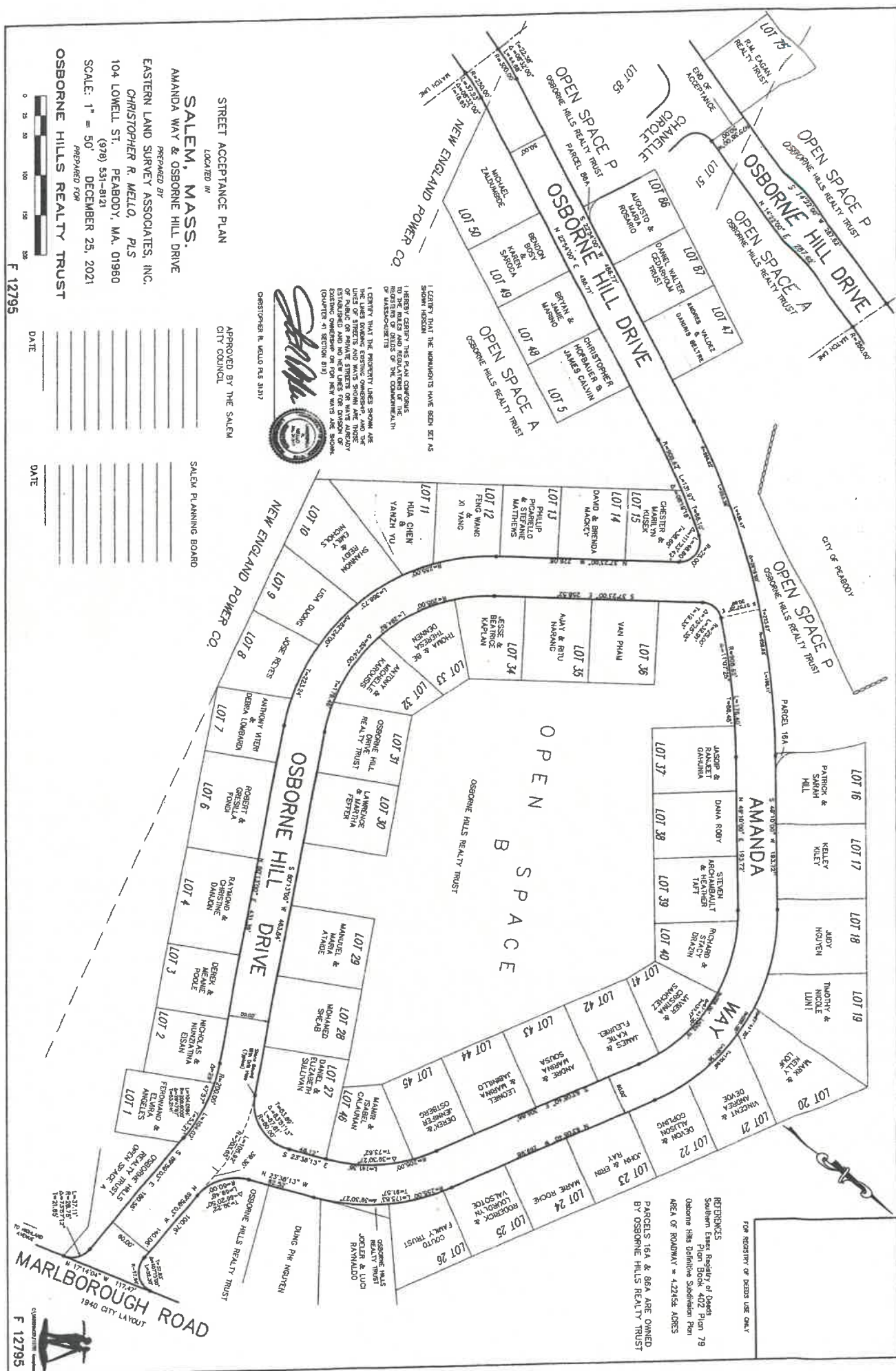
Lastly, I would very much appreciate it if you would keep me advised of any hearing dates and the status of the process.

Thank you for your continued assistance with this process.

Yours truly,

Brian D. McGrail

Brian D. McGrail, Esq.
brian@mcgrailaw.net



[LAYING OUT OF STREET]

CITY OF SALEM

IN CITY COUNCIL,

RESOLVED, that the common convenience, benefit and necessity of the inhabitants of the city require that a public street or way of said city to be called Osborne Hill Drive and Amanda Way street should be laid out from Marlborough Road to Osborne Hill Drive and Amanda Way, as shown on a plan hereinafter referred to and for that purpose it is necessary to take and lay out as a public street or way of said city of Salem being a parcel of land belonging to or supposed to belong to Osborne Hills Realty Trust, under declaration of trust dated July 7th, 2000, and recorded at Essex South Registry of Deeds Book 16455, Page 100, as amended at Book 18675, Page 54.

Osborne Hill Drive and Amanda Way are shown on a plan prepared by Eastern Land Survey Associates, Inc entitled "Street Acceptance Plan Located In Salem, Mass. Amanda Way & Osborne Hill Drive dated 12/25/2021".

, bounded as follows, viz.: see Exhibit A attached hereto

; and WHEREAS, the City Council on the day of A. D. 19....., passed the following order, viz.:

"WHEREAS, in the opinion of the City Council, the public necessity and convenience require that a public street or way to be called Osborne Hill Drive and Amanda Way should be laid out as a highway of the city from Marlborough Road to Osborne Hill Drive and Amanda Way as shown on a plan on file in the office of the city clerk of this city, dated 12/25/2021 it is therefore hereby

ORDERED, that due notice be given to all abutters as shown on said plan and by advertising in the Salem News

and all others interested, that the City Council intend to lay out the highway before mentioned, and to take therefor a portion of their land and to lay out the same as a highway of said city; and that the day of 19....., at o'clock M., at City Hall, Salem, is appointed as the time and place for a public hearing, in the matter;" and

WHEREAS, due notice has been given of the intention of the City Council to take said parcel of land for the purpose aforesaid, as appears by the return on the order of notice issued therefor passed as aforesaid; and,

WHEREAS, the City Council did meet at the time and place appointed and notified as aforesaid and has heard all parties interested claiming to be heard in the matter, it is therefore,

ORDERED AND DECREED that the parcel of land before described be and the same hereby taken and laid out as a public street or way of said city, according to a plan of the same made by Eastern Land Survey Associates, Inc. dated 12/25/2021 12, entitled

"Street Acceptance Plan Located In Salem, Mass. Amanda Way & Osborne Hill Drive" deposited in the office of the city engineer, to which plan reference may be had.

Said laying out, as hereinbefore stated, is over or by land of Osborne Hills Realty Trust

and we have considered and estimated the damages sustained in their property by the several owners aforesaid, and all other persons by the taking of said parcel of

land and the laying out of said..... street, as shown on said plan, and we determine and award the same as follows, viz.:

[illegible]

as compensation in full for any and all damages sustained by them as aforesaid, and to be paid by the city. Said owners may remove and take away any and all buildings, trees, fences and other property, which will obstruct the building of such street or public way within.....days from and after the acceptance of this laying out by the city council.

Given under our hands, this.....day of in
the year nineteen hundred and.....

[illegible]

**City
Council**

EXHIBIT A

Osborne Hill Drive

Beginning at a drill hole in a stone bound on the westerly side line of Marlborough road, thence turning on a radius to the left of 28.75 feet and a length distance of thirty seven and eleven hundredths feet (37.11') to a drill hole in a stone bound thence turning and running;

S 89° 59' 03" E a distance of one hundred eighty and fifty eight hundredths feet (180.58') to a drill hole in a stone bound, thence turning and running;

Westerly by the length of curve to the left having radius of 200.00 feet and a length distance one hundred four and two hundredths feet (104.02') to drill hole in a stone bound, thence turning and running;

N 60° 13' 00" E a distance of four hundred thirty one and thirty nine hundredths feet (431.39') to a drill hole in a stone bound, thence turning and running;

Westerly by the length of a curve to the right having a radius of 255.00 feet and a length of the three hundred sixty six and seventy three hundredths feet (366.73') to a drill hole in a stone bound, thence turning and running;

N 37° 23' 00" W a distance of two hundred and twenty six and six hundredths feet (226.06') to a drill hole in a stone bound, thence turning and running;

Westerly by the length of a curve to the left having a radius of 25.00 feet and a length of forty eight and sixty hundredths feet (48.60') to a drill hole in a stone bound, then turning and running;

Westerly by the length of a curve to the left having a radius of 908.62 feet and a length of one hundred thirty one and ninety seven hundredths feet (131.97') to a drill hole in a stone bound, thence turning and running;

N 22° 54' 00" E a distance of four hundred eighty six and seventy seven hundredths feet (486.77') to a drill hole in a stone bound, thence turning and running;

Westerly by the length of a curve to the left having a radius of 250.00 feet and a length of thirty seven and twenty three hundredths feet (37.23) to a drill hole in a stone bound, thence turning and running;

N 14° 22' 00" E a distance of two hundred eighty seven and sixty two hundredths feet (287.62') to a drill hole in a stone bound, thence turning and running;

N 75° 38' 00" W a distance of fifty and zero hundredths feet (50.00') to a drill hole in a stone bound, thence turning and running;

S 14° 22' 00" W a distance of two hundred eighty seven and sixty two hundredths feet (287.62') to a drill hole in a stone bound, thence turning and running;

Easterly by the length of a curve to the right having a radius of 300.00 feet and a length of forty four and sixty eight hundredths feet (44.68') to a drill hole in a stone bound, thence turning and running;

Easterly by the length of a curve to the right having a radius of 958.62 feet and a length of two hundred fifty three and thirty six hundredths feet (253.36') to a point, thence turning and running;

S 51° 57' 25" E a distance of fifty and zero hundredths feet (50.00') to a drill hole in a stone bound, thence turning and running;

Westerly by the curve to the left having a radius of 25.00 feet and a length of thirty two and ninety one hundredths feet (32.91') to a drill hole in a stone bound, thence turning and running.

S 37° 23' 00" E a distance of two hundred fifty eight and fifty two hundredths feet (258.52') to a drill hole in a stone bound, thence turning and running;

Southerly by the curve to the left having a radius of 205.00 feet and a length of two hundred ninety four and eighty two hundredths feet (294.82') to a drill hole in a stone bound, thence turning and running;

S 60° 13' 00" W a distance of four hundred sixty three and eighty four hundredths feet (463.84) to a drill hole in a stone bound, thence turning and running;

Easterly by the curve to the right having a radius of 203.65 feet and a length of one hundred five and ninety two hundredths feet (105.92') to a point, thence turning and running;

N 89° 59' 03" W a distance one hundred forty and six hundredths (140.06') to a drill hole in a stone bound, thence turning and running;

Northerly by the curve to the left having a radius of 27.94 feet and a length of fifty two and thirty hundredths feet (52.30') to a drill hole in a stone bound, thence turning and running;

N 17° 14' 04" W a distance of one hundred seventeen and forty seven hundredths feet (117.47') to a drill hole in a stone bound at the point of beginning.

Amanda Way

Beginning at a drill hole in a stone bound on the northerly sideline of Osborne Hill Drive, thence turning on a radius to the left of 60.00 feet and a length distance of eighty seven and eighty one hundredths feet (87.81) to a drill hole in a stone bound, thence turning and running;

S 23° 18' 13" E a distance of forty six and twelve hundredths feet (46.12') to a drill hole in a stone bound, thence turning and running;

Northerly by the length of a curve to the left having a radius of 205.00 feet and a length distance of one hundred forty one and thirty six hundredths feet (141.36') to a drill hole in a stone bound, thence turning and running;

S 63° 08' 40" E a distance of three hundred six and eighty six hundredths feet (306.86) to a drill hole in a stone bound, thence turning and running;

Northwesterly by the length of a curve to the left having a radius of 205.00 feet and a length of two hundred forty two and nineteen hundredths feet (242.19') to a drill hole in a stone bound, thence turning and running;

N 49° 10' 00" E a distance of one hundred ninety three and seventy two hundredths feet (193.72') to a drill hole in a stone bound, thence turning and running;

Westerly by the length of a curve to the left having a radius of 908.62 feet and a length of one hundred seventy six and forty hundredths feet (176.40') to a drill hole in a stone bound, thence turning and running;

S 51° 57' 25" E a distance of fifty and zero hundredths feet (50.00') to a point, thence turning and running;

Easterly by the length of a curve to the right having a radius of 958.62 feet and a length of one hundred eighty six and eleven hundredths feet (186.11') to a drill hole in a stone bound, thence turning and running;

S 49° 10' 00" W a distance of one hundred ninety three and seventy two hundredths feet (193.72') to a drill hole in a stone bound, hence turning and running;

Southerly by the length of a curve to the right having a radius of 255.00 feet and a length of a distance of the three hundred one and twenty six hundredths feet (301.26') to a drill hole in a stone bound, thence turning and running;

N 63° 08' 40" W a distance of two hundred sixty nine and ninety eight hundredths feet (269.98') to a drill hole in a stone bound, thence turning and running;

Southerly by the length of a curve to the left having a radius of 255.00 feet and length of one hundred seventy five and eighty three hundredths feet (175.83') to a drill hole in a stone bound, thence turning and running;

S 23° 38' 13" W a distance of eighty two and fifty two hundredths feet (82.52') to a drill hole in a stone bound, thence turning and running;

Southerly by a length of a curve to the left having a radius of 60.00 feet and a length of sixty nine and forty eight hundredths feet (69.48') to a drill hole in a stone bound, thence turning and running;

N 89° 59' 03" W a distance of thirty nine and thirty hundredths feet (39.30') to a point, thence turning and running;

Northeasterly by Osborne Hill Drive a length of a curve to the left having a radius of 203.65' feet and a length distance of one hundred five and ninety two hundredths feet (105.92') to a drill hole in a stone bound at the point of beginning.



CITY OF SALEM

Laying Out a Street

In City Council _____

Whereas, in the opinion of the City Council the public necessity and convenience require that a public street to be called Osborne Hill Drive and Amanda Way should be laid out as a highway of the city from Marlborough Road to Osborne Hill Drive and Amanda Way as shown on a plan on file in the office of the City Clerk of this city dated 12/25/2021 _____, it is therefore hereby

Ordered, that due notice be given to abutters _____

and all others interested, that the City Council intend to lay out the highway before mentioned, and to take therefore a portion of their land and lay out the same as highways of said city and that _____ the _____ day of _____ month of meeting _____ at _____ P.M., at city hall, Salem, is appointed as the time and place for a public hearing in the matter.



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

November 17, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am pleased to appoint the following members to the Salem Food Policy Council for three-year terms to expire November 17, 2025. I recommend confirmation of their appointments and invite you to join me in thanking them for their service and dedication to our community and to addressing issues of food security, access, and nutrition in our city. All of these individuals have already been working on the Council as volunteer members while it was an informal advisory group and are now seeking formal appointment to the body following the adoption last month of the Council Order establishing the Council as an official entity.

Johan Arango-Quiroga, of 7 Fairview Avenue in Salem, is a research assistant at Northeastern University where he specializes in policy research on state and municipal decarbonization policies and legislation. Previous to that work Mr. Arango-Quiroga was also a researcher at the MIT Sociotechnical Systems Research Center and the Zofnass Program at Harvard University. He holds a Bachelor's degree in agroindustrial engineering from the Universidad de San Buenaventura in Colombia and a Master's degree in sustainability from Harvard University's extension school, where he was a member of the Harvard Climate Leaders Program and the Council of Student Sustainability Leaders.

Robyn Burns, of 15 Carlton Street #2 in Salem, has been the executive director of the Salem Pantry since March 2020 and is responsible for leading the organization through its remarkable growth during the COVID-19 pandemic, from a budget of \$100,000 to a budget of \$1 million. Because of her leadership of the Pantry during that historic crisis, Ms. Burns has received distinguished leadership awards from the North Shore Chamber, the Salem Chamber, and Salem Rotary. Before her time in Salem she was Director of Programs for CitySprouts, urban agriculture manager for the Boston Food Project, and part of the urban farm staff at Grow Pittsburgh. Ms.

Burns holds a Bachelor's degree in communications from the University of Pittsburgh and a Master's degree in sustainable systems from Slippery Rock University.

Allison Caffrey, of 35 Congress Street #2350, currently serves as the Executive Director for Root, a nonprofit organization that provides culinary and food service training and transitional employment assistance for North Shore youth. Before her time with Root, Ms. Caffrey was national development director for Let's Get Ready, director of development for Esperanza Academy, and a philanthropic advisory at the Boston Foundation. She volunteers on the board of the Dartmouth Educational Association and on the selection committee for the Red Pine Scholarship. Ms. Caffrey holds a Bachelor's degree in government from Dartmouth College and a Master's in education policy and management from Harvard University.

Flora Cordoleani, of 52 Webb Street in Salem, is a project scientist for NOAA and UC Santa Cruz's Southwest Fisheries Science Center, where she also facilitates the agency's acoustic telemetry advisory group. Dr. Cordoleani earned a Bachelor's of science degree, a Master's degree in marine biology, and a doctoral degree in oceanography from Aix-Marseille II University. She completed her postdoctoral work in ecological modeling and statistics for marine biology with the Wildlife Fish and Conservation Biology Department at UC Davis.

Celia Grant, of 8 Alvah Kittredge Park in Boston, currently works as the Director of Community Engagement and Programs for the Daily Table, a community grocery store organization operating in the Greater Boston region and currently pursuing a location in Salem. Previous to that Ms. Grant held a variety of positions of increasing responsibility with the Associated Industries of Massachusetts and served as Curator of Art Exhibitions for Haley House Bakery Café in Roxbury, where she is still a Board member. Ms. Grant holds a Bachelor's degree in fine arts from Brandeis University.

Sara Moore, of 1 Purchase Street in Salem, is an Associate Professor of Sociology at Salem State University and current chair of that department. Prior to her time at SSU, Dr. Moore taught and conducted research at George Mason University. She has been extensively published and is one of the lead volunteers responsible for the updated Community Food Assessment, as well as its first edition in 2018. Dr. Moore is a member of the Salem Board of Health and has been engaged in the City's prior Mass in Motion work and the regional Overdose Substance Abuse Prevention Collaborative. She holds a Bachelor's, Master's, and doctoral degrees in sociology from Shepherd University, the New School, and George Mason University, respectively.

Claudia Paraschiv, of 20 Fowler Street in Salem, is the principal and owner of Studioful, an architecture, community art, and design firm she founded in 2016. In addition to extensive public art engagements in Salem, Ms. Paraschiv and Studioful have been responsible for creating public art installations and programs for the City of Boston's Office of Urban Mechanics, Neustra Mesa in Chelsea, ArtBarn in Weymouth, and the Deck Room in Brookline. She has been the artist-in-residence for Salem's Artists Row and the Fairmount Cultural Corridor in Dorchester. Ms. Paraschiv served for three years on the Public Art Commission here in Salem and holds a Bachelor's degree and Master's degree in architecture from the University of Southern California and MIT, respectively.

Irvett Perrin, of 437 Andover Street in Lawrence, is the Salem Public Schools Director of Food Nutrition Services. Mr. Perrin joined SPS as a kitchen manager for Bentley, Saltonstall, and Collins in 2015 and has risen from that role to his current position as of last year. Prior to his time in Salem he worked in food services for public schools in Winchester and in Rye, New Hampshire, as well as a variety of assisted living and healthcare settings. Mr. Perrin holds a certification in food service management from Bunker Hill Community College and a certificate in school nutrition from the John Stalker Institute.

Julie Pottier-Brown, of 2 Gedney Court #2 in Salem, is the Director of Operations for the Farm Direct Coop and one of the leaders who has helped grow that organization substantially since 2000. In addition to the daily management of the depot locations, Ms. Pottier-Brown coordinate membership, volunteers, marketing, sourcing of new items, purchasing, and sales. From 2004 to 2018 she also operated her own contracting service coordinating and carrying out transportation logistics for the Greater Boston Food Bank. Ms. Pottier-Brown holds a Bachelor's degree in art from Salem State University.

Joel Simonson, of 34 Forrester Street #3 in Salem, is the Assistant Director of Major Gifts for Project Bread. Before his time with that organization, he held a variety of development and fundraising positions with Lovin' Spoonfuls, a food rescue organization that diverts excess food from the waste stream toward community agencies. Mr. Simonson is one of the lead researchers for the current Community Food Assessment update and holds a Bachelor's degree in biology and a Master's degree in environmental science and policy both from Clark University.

Sincerely,



Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

November 17, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am pleased to appoint Jack Nessen of 26 Phelps Street #2 to the Sustainability, Energy, and Resiliency Committee to complete the remainder of an unexpired three-year term to conclude July 20, 2023. Mr. Nessen will be filling the seat previously held by Doug Bowker, who has chosen to step down from the committee. I hope you will join me in thanking Mr. Bowker for his service and dedication to the committee.

Mr. Nessen is currently the GIS Manager for Mass Audubon and served as the City's GIS Administrator from 2018 until late last year. In his time with the City, Mr. Nessen was responsible for the development of substantial and critical GIS projects utilizing ArcGIS, PeopleGIS, and Esri, including data collection and mapping systems, our green infrastructure maintenance database, and public participatory platforms including applications for food resources, coyote and illegal fireworks reporting, snow removal management, and the first-of-its-kind natural gas leak data portal in partnership with HEET Massachusetts. Mr. Nessen came to the City from Salem Sound Coastwatch, where he was that organization's GIS/Environmental Program Coordinator. He holds a Bachelor's degree in environmental science from Colby-Sawyer College and a Master's in Geography and Sustainability from Salem State University.

I strongly recommend confirmation of Mr. Nessen's appointment to the Sustainability, Energy, and Resiliency Committee. We are fortunate that he is willing to serve our community in this role and lend his expertise and insights to the committee and its work.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

November 17, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am pleased to appoint Jason Lang of 43 Osgood Street to the Beautification Committee for a three-year term to expire November 17, 2025.

Mr. Lang is a communications specialist who currently runs his own consulting firm, Doodle Consulting, after having served as a communications and marketing leader for the Center for High Ambition Leadership, Raising a Reader Massachusetts, and the St. Vincent's Center for Children with Disabilities, among other organizations. He has worked as the community relations officers for the Delaware Department of Transportation and Media Relations Assistant for Charles County in Maryland. Mr. Lang holds Bachelor's degrees in communications and history from Salisbury University and is currently a member of the Salem Garden Club, where he is one of the volunteers who helps maintain the window boxes at City Hall.

I strongly recommend confirmation of Mr. Lang's appointment to the Beautification Committee. We are fortunate that he is willing to serve our community in this role and lend his expertise, passion, and perspective to the Committee and its work.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

**Kimberley Driscoll
Mayor**

Office of the Mayor

November 17, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am pleased to appoint Heather Lang of 43 Osgood Street to the Scholarship and Education Committee to complete the remainder of an unexpired three-year term to conclude September 10, 2023.

Ms. Lang is currently a special education teacher at Lynn English High School and, previous to that, she worked as a special education facilitator in Haverhill, and as a special education teacher at Beverly Middle School and the Children's Center for Communication/Beverly School for the Deaf. Ms. Lang holds a Master's degree in special education from Gordon College and a Bachelor's degree in elementary education from Edinboro University of Pennsylvania. She is fluent in American Sign Language and will bring a unique and beneficial perspective to the Scholarship and Education Committee.

I strongly recommend confirmation of Ms. Lang's appointment to the Scholarship and Education Committee. We are fortunate that she is willing to serve our community in this role and lend her expertise and passion to the Committee and its work.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

November 17, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am pleased to appoint Kelly Tyler-Lewis of 23 Warren Street to the Historic Commission as an alternate member for a two-year term to expire November 17, 2024. This seat was previously held by Milo Martinez, who was appointed to a regular member seat in June 2021.

Ms. Tyler-Lewis and her family own a historic 1838 Greek Revival property in Salem and, for the last 18 years, have worked to restore and renovate it, with the guidance of the Commission. Ms. Tyler-Lewis is a writer and historian by profession, the author of *The Lost Men* about Ernest Shackleton's trans-Antarctic expedition, a former consulting historian for the British Film Institute, and a producer, writer, and director for WGBH Educational Foundation's NOVA series and films, as well as WGBH Interactive. She holds a Bachelor's degree in history from Harvard University and has served as a visiting scholar for the Scott Polar Research Institute. Ms. Tyler-Lewis has volunteered as a jury member for the Salem Film Festival and on the standing committee of the First Church.

I strongly recommend confirmation of Ms. Tyler-Lewis's appointment to the Historical Commission. We are fortunate that she is willing to serve our community in this role and lend her passion and her perspective to the Commission and its work.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

November 7, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am pleased to appoint Demi Fox of 7 Meadow Street #1 to the Salem Recycling Committee. This letter is being provided to you for informational purposes only, as City Council confirmation is not required for this committee.

Ms. Fox currently works as the Northeast Regional Coordinator for the National Oceanic and Atmospheric Administration's Marine Debris Program, where she leads planning and implementation of marine debris action plans across the Gulf of Maine and Southern New England region and works with community partners to coordinate marine debris removal, prevention, and research. Prior to that she served as the Conservation Coordinator for the Loggerhead Marinelife Center in Juno Beach, Florida. She holds a Bachelor of Science from Florida State University and a Master's degree in Environmental Management from the Nicholas School of the Environment at Duke University where she focused her studies on coastal environmental management.

Please join me in welcoming Ms. Fox to SalemRecycles. We are fortunate that she is willing to serve our community in this important role and lend her expertise and dedication to the group and its work.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem

CC: Janelle Rolke, Waste Reduction Coordinator

Salem City Hall • 93 Washington Street • Salem, Massachusetts 01970
p: (978) 619-5600 • f: (978) 744-9327 • www.salemma.gov/mayor



CITY OF SALEM

In City Council,

Ordered:

November 17, 2022

That the sum of Twenty-Four Thousand, Seven Hundred Fifty-Six Dollars and Twelve Cents (\$24,756.12) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2023 contractual buyback(s) listed below in accordance with the recommendation of Her Honor the Mayor.

Name	Department	Amount
Roberta Ahearn	Salem Public Schools	\$ 6,564.00
Rosalie Nealon-O'Connell	Salem Public Schools	\$ 18,192.12
		\$ 24,756.12



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

November 17, 2022

To the City Council
City Hall
Salem, Massachusetts

Ladies and Gentlemen of the Council:

Enclosed herewith is a request for an appropriation of Twenty-Four Thousand, Seven Hundred Fifty-Six Dollars and Twelve Cents (\$24,756.12) to be appropriated from the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146).

This transfer is to be expended for the sick leave buybacks to be paid out for active employees pursuant to collective bargaining agreements with various unions.

NAME	DEPARTMENT	AMOUNT
Roberta Ahearn	Salem Public Schools	\$ 6,564.00
Rosalie Nealson-O'Connell	Salem Public Schools	\$18,192.12
	Total:	<u>\$24,756.12</u>

I recommend passage of the accompanying Order.

Very truly yours,

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

Kimberley Driscoll
Mayor



KIMBERLEY L. DRISCOLL
MAYOR

LISA B. CAMMARATA
DIRECTOR OF HUMAN
RESOURCES

CITY OF SALEM MASSACHUSETTS

HUMAN RESOURCES
98 WASHINGTON STREET, 3RD FLOOR
SALEM, MASSACHUSETTS 01970
TEL. 978-619-5630
FAX 978-745-7298

MEMORANDUM

TO: Anna Freedman, Director of Finance
DATE: October 18, 2022
RE: Retirement Stabilization Fund

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

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

Rosalie Nealon-O'Connell

39.50 sick days @ \$460.56 per day	\$18,192.12
---	--------------------

Total:	\$18,192.12
---------------	--------------------

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
APPROVAL-SICK DAYS/VACATION BUY-BACK

From: Department School Payroll Date 10/7/22

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

NAME: Rosalie Nealon-O'Connell

CALCULATION

VACATION DAYS # _____ @ \$ _____ = \$ _____

SICK DAYS # 39.50 @ \$ 460.56 = \$ 18,192.12 ✓

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

OTHER # _____ @ \$ _____ = \$ _____

Total Amount Due: \$ 18,192.12

Please attach corresponding PAF or other backup to this sheet.

Reason: retirement

For Human Resources's Use Only:

- ☐ VACATION DAYS
☒ SICK DAYS
☐ PER ACCRUAL REPORT
☐ OTHER

Org and Object: 83113 - 5146

Recommendation:

☒ Approved

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



SALEM PUBLIC SCHOOLS

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

PART A

DATE 12/9/2021

NAME (LAST, FIRST, MIDDLE) NEALON O'CONNELL, ROSALIE		EMPLOYEE NO. 504155	CHECK ALL THAT APPLY 1. EMPLOYMENT 2. WAGE SALARY ADJUST 3. TRANSFER 4. LEAVE OF ABSENCE 5. ADDRESS/NAME CHANGE 6. TERMINATION 7. OTHER
JOB TITLE TEAM CHAIR		JOB CODE	
DEPARTMENT SPECIAL EDUCATION	SCHOOL DISTRICT	DEPT NO.	

1. EMPLOYMENT

ADDRESS: STREET 4132 CRANE BROOK WAY, PEABODY, MA 01960		CITY	STATE	ZIP	SOCIAL SECURITY NO.		NEW HIRE <input type="checkbox"/>	REHIRE <input type="checkbox"/>	RECALL <input type="checkbox"/>	Salaried Hourly
PERMANENT Full Time <input type="checkbox"/> 20 HRS+ Part Time <input type="checkbox"/>	4. TEMP	CIVIL SERVICE	DATE APPROVED	VETERAN	SHIFT	PAY RATE PER	SHIFT PREM.	GRADE		STEP
PHONE #	DATE OF BIRTH	SEX	ETHNIC CODE	SCHEDULED HOURS	HOURLY RATE	# DEPENDENTS	MARITAL STATUS			
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?		
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	NEW PHONE NO.	CORRECT NAME TO
---------------------	------	-------	-----	---------------	-----------------

6. TERMINATION (GIVE EXPLANATION IN SEC 8)

LAST DAY WORKED	DATE HIRED	RECOMMENDED FOR REEMPLOYMENT?		
REASON	QUALITY OF WORK	ATTENDANCE	ATTITUDE	JOB KNOWLEDGE

7. EMERGENCY CONTACT

NAME	PHONE NO.	RELATIONSHIP
------	-----------	--------------

8 EXPLANATION OF ACTION (or other action)

RETIREMENT EFFECTIVE AUGUST 10, 2022

DIRECTOR'S SIGNATURE

DATE

Alicia Palmer 12-9-21

DIRECTOR OR PRINCIPAL'S SIGNATURE

DATE

ASST SUPERINTENDENT'S SIGNATURE

DATE

SUPERINTENDENT'S SIGNATURE

DATE

BUSINESS MANAGER'S SIGNATURE

DATE



KIMBERLEY L. DRISCOLL
MAYOR

LISA B. CAMMARATA
DIRECTOR OF HUMAN
RESOURCES

CITY OF SALEM MASSACHUSETTS

HUMAN RESOURCES
98 WASHINGTON STREET, 3RD FLOOR
SALEM, MASSACHUSETTS 01970
TEL. 978-619-5630
FAX 978-745-7298

MEMORANDUM

TO: Anna Freedman, Director of Finance
DATE: October 24, 2022
RE: Retirement Stabilization Fund

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

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

Roberta Ahearn

9.70 vacation days @ \$120.00 per day	\$ 1,164.00
45 sick days @ \$120.00 per day	\$ 5,400.00


Total: \$6,564.00

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
APPROVAL-SICK DAYS/VACATION BUY-BACK

From: Department School Payroll Date 10/24/22

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

NAME: Roberta Ahearn

CALCULATION

VACATION DAYS # 9.70 @ \$ 120.00 = \$ 1,164.00 ✓

SICK DAYS # 45 @ \$ 120.00 = \$ 5,400.00 ✓

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

OTHER # _____ @ \$ _____ = \$ _____

Total Amount Due: \$ 6,564.00 ✓

Please attach corresponding PAF or other backup to this sheet.

Reason: Retirement

For Human Resources's Use Only:

☒ VACATION DAYS

☒ SICK DAYS

☐ PER ACCRUAL REPORT

☐ OTHER

Org and Object: 83113 - 5146

Recommendation:

☒ Approved


HR Director/City or Superintendent/Schools

SALEM PUBLIC SCHOOLS: PAF (PERSONNEL ACTION FORM)

Employee Name (Last, First) **AHEARN, ROBERTA** Action **6. Termination**
 Date **4/26/2022** (Payroll Assigns) Employee ID **510323**

Section 1: New Hire

Completed By Hiring Manager

Job Title (From Posting) **CAFETERIA HELPER** Location **Food Services** Posting #
 Aspen Job Type **Food Services** FTE Status **Full-time** For Hourly Hires: Shift/Schedule
 Replacement/New Role Previous Employee or Funding Source Funding Source
 Munis Budget Code
 Names of 3 References

(Following Section Only Completed For Staff Needing Professional Licensure)

Required certification Waiver required
 Beginning MA Educator (1st year working under this license in Mass.) If yes: Name of Mentor
 Safety Care Training Required SEI Endorsement Needed Is SEI Held?

Completed By Human Resources

Start Date Compensation Hours Per Day Shift
 Column Step Annual Salary Hourly Wage
 Bargaining Unit Days Per Year PTS Start Date Seniority Date

Section 2: Wage/Salary Adjustment (HR Only)

Start Date Compensation Hours Per Day Hourly Wage
 Column Step Annual Salary

Section 3: Transfer (Completed By Principal or Department Head)

New Job Title New Location Posting #
 New Job Type New FTE Status Schedule Hours
 Replacement/New Role Employee Previously In Role New Budget Code
 Previous Job Title Location
 Job Type Previous FTE Status

Section 4: Leave of Absence (HR Only)

Type of Leave Start Date Return to Work

Section 5: Address/Name Change (Completed by Principal or Department Head)

New Address
 New Phone Number
 New Name

Section 6: Termination (Completed by Principal or Department Head)

Reason **Resignation** Final Work Day **06/17/2022** Final Paycheck

Section 7: Other

Notes: **RETIREMENT EFFECTIVE JUNE 17, 2022**

Approvals

Director or Principal **D. T...** Date **4/27/22**
 Human Resources Date
 Sch. Bus. Administrator Date



CITY OF SALEM

In City Council,

Ordered:

November 17, 2022

That the sum of Nine Thousand Eight Hundred Ninety-Seven Dollars (\$9,897.00) is hereby appropriated from the General Stabilization Fund to the "Police Department Building Maintenance Account" (12102-5300) for the costs associated with repairs to the gun range due to water damage, in accordance with the recommendation of Her Honor the Mayor.



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

November 17, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed herewith is a request for an appropriation of Nine Thousand Eight Hundred Ninety-Seven Dollars (\$9,897.00) from the General Stabilization Fund to the Police Department Building Maintenance Account (12102-5300) to cover costs associated with repairs to the gun range necessary due to water damage.

These stabilization funds will be restored from Free Cash later this year after Free Cash is certified. I recommend passage of the enclosed Order.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CHIEF OF POLICE

LUCAS J. MILLER

City of Salem, Massachusetts

Police Department Headquarters

95 Margin Street

Salem, Massachusetts 01970

(978) 744-2204

October 28, 2022

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

Dear Mayor Driscoll:

I am writing to request a General Stabilization fund transfer in the amount of \$9,897.00. Justification for this fund transfer is set forth herein.

As background, we sustained significant water damage back in January 2022. Our gun range was damaged and the estimated cost to repair is \$9,897.00. I have attached a copy of the Quote from Falite. The insurance check was issued in June 2022 and, per Finance, was deposited into the City's General Account. A Purchase Order has since been issued out of our FY2023 Building Maintenance Budget Line item.

We are, therefore, requesting a transfer in the amount of \$9,897.00 be deposited into our current Building Maintenance Budget Line item to cover the cost of repairing the gun range which was damaged in January 2022.

Thank you for your consideration. I am available to discuss this request at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Lucas J. Miller".

Lucas J. Miller,
Chief of Police

LJM:jc
Enclosure



City of Salem, Massachusetts

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

Kimberley L. Driscoll, Mayor

Anna Freedman, Finance Director

November 10, 2022

The Honorable Kimberley L. Driscoll
Mayor of Salem
93 Washington Street
Salem, Massachusetts 01970

Re: Transfer from General Stabilization Fund to Police Department Building Maintenance

Dear Mayor Driscoll:

The attached order requests a transfer of \$9,897.00 from the General Stabilization Fund to the Police Department Account (12102-5300) for the costs associated with the repairs to the gun range due to water damage. Salem received payment from its insurer, MIIA, for the costs of these repairs. However, that payment was received in June and closed out to Free Cash at the end of the fiscal year (as required). The repairs and invoices were not finalized until after the close of FY 2022, thus, those funds are no longer available to offset these costs.

Since the city does not yet have FY 2022 certified Free Cash (as it is pending final review by the DOR), this transfer must occur from the General Stabilization Fund. Once the city's Free Cash has been certified, it can replenish a commensurate amount to the General Stabilization Fund to restore the previous fund level. With this transfer, the General Stabilization Fund level would be \$14,067,895.24.

I recommend that the City consider adopting a revolving fund or other special revenue fund during the FY 2024 annual budget process to take in insurance proceeds and issue payments (pursuant to MGL Chapter 44, Section 53) to avoid potential timing issues with such expenses and payments in the future.

Please let me know if there are any further questions, or if I could be of any additional assistance in this matter.

Sincerely,

A handwritten signature in dark ink, appearing to be "A. Freedman", is written over a circular embossed stamp.

Anna Freedman
Finance Director

Phone – 978.619.5625

Fax 978.741.3348

CITY OF SALEM – Finance Department

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

From: 210 Police
Department

Robert D. Mulligan for Chief of Police, Lucas J. Miller
Department Head Authorizing Signature

10/27/2022
Date

Budget or R/Res

Budget Amt: \$81,250.00

Transfers

To : 12102-5300
(Org/Object)

Desc: Building Maintenance

Balance: \$3,205.71

From : 8301

Desc: Submittal

Balance: \$14,077.92

Budget Amt: N/A

(*Note - Please include letter to Mayor for Transfers from different Personnel & Non-personnel lines)

Current Balance in Receipts Reserved Fund Above (if applicable) - \$ _____ Date: _____

Free Cash or To : _____

Desc: _____

Budget Amt: _____

Balance: _____

Retained Earnings (W/S) (Org/Object)

Raise & Appropriate

Please circle one

Amount Requested:

\$ 9,897.00

Reason (Be Specific) Gun range was damaged in January 2022 as a result of water damage to the Building. An insurance check was received in June 2022. The check was deposited into the City's General Fund. Repairs were unable to be performed in June 2022. A Purchase Order was issued on September 14, 2022 out of our FY2023 Building Maintenance Line. We are requesting monies be deposited into our FY2023 to cover the cost of the damage to gun range.

For Finance Department and Mayor's Use Only:

_____ Budget Transfer

_____ Mayor Approval

_____ City Council Approval

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

_____ R/E Appropriation – Water \$ _____
R/E Balance

_____ R/E Appropriation Sewer \$ _____
R/E Balance

_____ Receipts Reserve – City Council Approval

\$ _____
R/Res Fund Balance

_____ Raise & Appropriate

✓ Other Submittal

Recommendation: ☒ Approved _____ Denied

[Signature]
Finance Director

Completed: Date: _____ By: _____ CO # _____ JE#: _____ Transfer #: _____



CITY OF SALEM

In City Council,

Ordered:

November 17, 2022

That the sum of Nine Thousand Five Hundred Eighty-Five Dollars (\$9,585.00) be hereby appropriated from the following "Receipts Reserved for Appropriation" account, to be transferred to the Park & Rec – Golf Course "Equipment" account 16512-5860 for costs associated with the purchase of nonpermeable green covers to protect the greens from winter ice damage in accordance with the recommendation of Her Honor the Mayor.

Description	Amount
Receipts Reserved – Golf Course (2436)	\$ 9,585.00
Total	\$ 9,585.00



CITY OF SALEM, MASSACHUSETTS
Kimberley Driscoll
Mayor

November 17, 2022

To the City Council
City Hall
Salem, Massachusetts

Ladies and Gentlemen of the Council:

Enclosed herewith is a request to transfer Nine Thousand Five Hundred Eighty-Five Dollars (\$9,585.00) from the "Receipts Reserved for Appropriate account to be transferred to the Park & Rec – Golf Course "Equipment" account 16512-560.

This transfer is necessary to purchase 3 nonpermeable green covers to protect the greens from ice damage over the winter.

I recommend passage of this accompanying order.

Sincerely,

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

Kimberley Driscoll
Mayor



CITY OF SALEM, MASSACHUSETTS
PARK, RECREATION & COMMUNITY SERVICES
401 Bridge Street, Salem MA 01970
Tel. (978) 744-0180/(978) 744-0924

Kimberley Driscoll
MAYOR

October 24, 2022

Dear Mayor Driscoll:

I am writing to request the transfer of funds from Olde Salem Greens receipts reserve income account 24361-4800 to be transferred into the Golf Equipment account 16512-5860.

The transferred amount of \$9,585.00 will be used for the purchase of 3 nonpermeable green covers to protect the greens from ice damage over the winter.

Sincerely,

A handwritten signature in black ink, appearing to read "Tricia O'Brien", is written over a horizontal line.

Tricia O'Brien
Superintendent, City of Salem
Jean A. Levesque Community Life Center
(Park, Recreation & Community Services)

CITY OF SALEM - Finance Department
Free Cash, W & S R/E, R/Res & Budget Transfer Requiring Council Approval

From: P/R Golf Course [Signature] 10/24/22
 Department Department Head Authorizing Signature Date

Budget or R/Res

Transfers

To: 16512-5860 Desc: Equipment
 (Org/Object)

Budget Amt: 12,000
 Curr Balance: 10,450

From: 24361-488

Desc: R/R Golf Course

Budget Amt: NA
 Curr Balance: \$114,204.86

(*Note - Please include letter to Mayor for Transfers from different Personnel & Non-personnel lines)

Current Balance in Receipts Reserved Fund Above (if applicable) - \$ _____ Date: _____

Free Cash or

To:

Desc:

Budget Amt:

Curr Balance:

Retained Earnings (W/S) (Org/Object)

Please circle one

Amount Requested:

\$ 9,585

Reason (Be Specific)

Requesting amount to be added to purchase greens protective covering before you sweep the R/R account

For Finance Department Use Only:

☒ Budget Transfer

☐ Mayor Approval

☐ City Council Approval

☐ Free Cash Appropriation - City Council Approval - Gen Fund \$ _____

Free Cash Balance

☐ R/E Appropriation - Water \$ _____

R/E Balance

☐ R/E Appropriation Sewer \$ _____

R/E Balance

☐ Receipts Reserve - City Council Approval \$ _____

R/Res Fund Balance

☐ Raise & Appropriate

☐ Other _____

Recommendation: ☒ Approved ☐ Denied

[Signature]
 Finance Director

Mayor

Completed: Date: _____ By: _____ CO # _____ JE# _____ Transfer #: _____



CITY OF SALEM

In City Council,

Ordered:

November 17, 2022

To accept the donation of Three Thousand Dollars (\$3,000.00) from Alexandra Camarillo. The donation is to be deposited into the Parks and Recreation Donation Fund 2406 (24061-4830) for a Classic Series Bench at Salem Common or within Historic District in accordance with the recommendation of Her Honor the Mayor.



CITY OF SALEM, MASSACHUSETTS
Kimberley Driscoll
Mayor

November 17, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed herewith is a request to accept a donation from Alexandra Camarillo in the amount of Three Thousand Dollars (\$3,000.00) for a Classic Series Bench at Salem Common or within Historic District. These funds will be deposited into the Parks and Recreation Donation Fund 24061-4830.

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

Very truly yours,
Kimberley Driscoll

Kimberley Driscoll
Mayor



Kimberley Driscoll
MAYOR

CITY OF SALEM, MASSACHUSETTS
PARK, RECREATION & COMMUNITY SERVICES
401 Bridge Street, Salem MA 01970
Tel. (978) 744-0180/(978) 744-0924

November 1, 2022

Dear Mayor Driscoll:

I am writing to request the acceptance of a \$ 3,000.00 donation written to the City of Salem for a Classic Series bench from Alexandra Camarillo. To be deposited into Park & Recreation Donation account of 24061-4830.

Sincerely,

A handwritten signature in black ink, appearing to read "Tricia O'Brien".

Tricia O'Brien
Superintendent, City of Salem
Jean A. Levesque Community Life Center
(Park, Recreation & Community Services)



CITY OF SALEM

In City Council,

November 17, 2022

Ordered:

To accept the donation from Friends of the Salem Council on Aging in the amount of Two Thousand Seven Hundred Dollars (\$2,700.00) for Thanksgiving meals for isolated or homebound seniors. These funds will be deposited into the COA Donations Fund - Fund (2401) account number 24011-4830 in accordance with the recommendation of Her Honor the Mayor.



CITY OF SALEM, MASSACHUSETTS
Kimberley Driscoll
Mayor

November 17, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed herewith is a request to accept the following donation from the Friends of the Salem Council on Aging in the amount of Two Thousand Seven Hundred Dollars (\$2,700.00) for Thanksgiving meals for isolated or homebound seniors. These funds will be deposited into the Council on Aging Donation fund 24011-4830.

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

Very truly yours,

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

Kimberley Driscoll
Mayor



CITY OF SALEM, MASSACHUSETTS
PARK, RECREATION & COMMUNITY SERVICES
401 BRIDGE ST., SALEM, MA 01970
(978) 744-0924

KIMBERLEY DRISCOLL
MAYOR

PATRICIA O'BRIEN
SUPERINTENDENT

October 28, 2022

Mayor Kimberley Driscoll
93 Washington Street
Salem, MA 01970

Dear Mayor Driscoll,

The Salem Council on Aging respectfully requests a donation acceptance of \$2,700.00 from the Friends of the Salem COA to be used to pay for Thanksgiving meals for homebound or shut-in seniors. As you know, some seniors are isolated without family or a support network. This donation acceptance would allow certain elders the opportunity to receive this special holiday meal delivered by a Friends of the COA volunteer.

Fund 2401
Org/Obj is 24011-4830

Thank you for your consideration.

Sincerely,

Teresa Gove Arnold

Teresa Gove Arnold
Director
Salem Council on Aging



CITY OF SALEM

In City Council,

Ordered:

November 17, 2022

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



CITY OF SALEM, MASSACHUSETTS
Kimberley Driscoll
Mayor

November 17, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed herewith is a request to accept a donation from Richard E. Nardella in the amount of One Thousand Two Hundred Dollars (\$1,200.00) for a wooden historic dedication bench. These funds will be deposited into the Parks and Recreation Donation Fund 24061-4830.

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

Very truly yours,


Kimberley Driscoll
Mayor



CITY OF SALEM, MASSACHUSETTS
PARK, RECREATION & COMMUNITY SERVICES
401 Bridge Street, Salem MA 01970
Tel. (978) 744-0180/(978) 744-0924

Kimberley Driscoll
MAYOR

November 1, 2022

Dear Mayor Driscoll:

I am writing to request the acceptance of a \$1,200.00 donation written to the City of Salem for a wooden historic dedication bench from Richard E Nardella. To be deposited into Park & Recreation Donation account of 24061-4830.

Sincerely,

A handwritten signature in cursive script, reading "Tricia O'Brien".

Tricia O'Brien
Superintendent, City of Salem
Jean A. Levesque Community Life Center
(Park, Recreation & Community Services)

City of Salem

In the year Two Thousand and Twenty-Two

An Ordinance to amend an Ordinance relative to Pickup of large items.

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

Section I.

Chapter 36 – Solid Waste Management is hereby amended by:

- 1.) Adding the word “/Fee” within the heading of Sec. 36-4 so it shall read “Sec. 36-4. Pickup of large items/Fee.”
- 2.) Striking the words “mattresses and” within Sec. 36-4 (a) so it shall read “Up to two bulk items such as furniture shall be collected by appointment by the city's solid waste collection contractor during the resident's recycling pick-up week.”
- 3.) Inserting the following new paragraph within section 36-4 “(b) Mattresses and box springs shall be collected by appointment by the City's mattress recycling contractor twice per month. Each residential unit shall be limited to recycling two such items through the City contract per calendar year.”
- 4.) Replacing subsection (b) within Sec. 36-4 with “(c)”.
- 5.) Inserting the following new paragraph within section 36-4 “(d) The fee for the collection of each bulk item, mattress or box spring shall be twenty dollars (\$20), paid directly to the City's collection contractors.”
- 6.) Adding the letter “(e)” at the beginning of the last paragraph immediately before the words “Construction and demolition”.

Section II. This ordinance shall take effect as provided by city charter.



CITY OF SALEM, MASSACHUSETTS

**Kimberley Driscoll
Mayor**

Office of the Mayor

November 17, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

As you may be aware, effective this month the Commonwealth no longer allows mattresses and box springs to be diverted to solid waste disposal and instead must be collected for recycling. Over the last couple months our Engineering Department's Waste Reduction Coordinator has been working to identify a vendor to conduct curbside mattress collection for the City once this waste ban goes into effect. We have now secured that vendor, Tough Stuff Recycling.

Currently mattresses are disposed of for free by the disposer as curbside bulk item trash. Due to the increasing cost of bulk item disposal and the imposition of this new waste ban, we are requesting a change to the solid waste ordinance to charge \$20 per item for the curbside disposal of mattresses, which will be collected for recycling, and for other bulk items, which are currently treated as solid waste. Mattress and box spring recycling will be limited to two items per household unit and pick-up by Tough Stuff takes place twice per month.

The proposed rate, \$20 per item, is substantially less than what most other communities charge:

Municipality	Curbside Item Cost
Andover	\$40*
Billerica	\$40*
Brockton	\$20
Danvers	\$40
Hamilton	\$15*
Haverhill	\$35*
Ipswich	\$50
Lynn	\$55
Lynnfield	\$10*

Marblehead	\$30
Medford	\$55
Methuen	\$70*
Newburyport	\$15*
Newton	\$50
Reading	\$35*
Revere	\$25
Swampscott	\$20*
Watertown	\$46*
Winthrop	\$75

*Indicates per item rate being charged for mattress/box spring curbside pick-up prior to the November waste ban going into effect.

Allowing curbside disposal of bulk items and mattresses to be done for free by the disposer actually passes that cost on to the larger resident population, as the City has to absorb it through our budget. By moving to a fee-for-service model, the cost for this benefit will be more equitably borne by those who are disposing of these items, instead of all residents in general.

Because the mattress waste ban is already going into effect, and because the Council only meets twice more this year, I am requesting approval for first passage at your meeting of November 17, 2022, so that a committee meeting – if one is desired – can be held prior to the final meeting of the year on December 8, 2022. If second and final passage is completed on December 8, 2022, we would begin implementation of this change effective December 19, 2022.

I recommend adoption of the enclosed Ordinance and invite you to contact City Engineer David Knowlton and our Waste Reduction Coordinator Janelle Rolke with any questions that you may have regarding it.

Very truly yours,



Kimberley Driscoll
Mayor
City of Salem

Chapter 36 SOLID WASTE MANAGEMENT¹

Sec. 36-4. Pickup of large items/Fee.

- (a) Up to two bulk items such as ~~mattresses and furniture~~ shall be collected by appointment by the city's solid waste collection contractor during the resident's recycling pick-up week.
- (b) Mattresses and box springs shall be collected by appointment by the City's mattress recycling contractor twice per month. Each residential unit shall be limited to recycling two such items through the City contract per calendar year.
- (c) E-Waste, including computers and televisions, and appliances may be recycled at quarterly collection events scheduled by the city engineer. A fee may be charged for the disposal of certain e-waste items.
- (d) The fee for the collection of each bulk item, mattress or box spring shall be twenty dollars (\$20), paid directly to the City's collection contractors.
- (e) Construction and demolition debris including asphalt, bricks, concrete and other masonry materials, soil, rock, wall coverings, drywall, plumbing fixtures, insulation, roofing shingles, plate glass, metal, wood waste, electrical wires or other such items, as may be determined by the director of public services, shall not be collected by the city. Residents shall be responsible for the proper disposal of such items.

¹Cross reference(s)—Building, electricity and plumbing regulations, ch. 12; waters and sewers, ch. 46.



CITY OF SALEM

In City Council, November 17, 2022

Ordered:

The City Council hereby authorizes free parking in municipal garage, lots, and meters on November 25, November 26 and November 27, 2022 in support of Small Business Saturday, and December 23, 24, 25, and 26, 2022.



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

November 17, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

As we do each year, I am proud to celebrate Small Business Saturday here once again in Salem, this year on Saturday, November 26th.

Falling between Black Friday and Cyber Monday, Small Business Saturday is a day to celebrate and support the small, independently owned businesses that are so critically important to our local economy. As the holiday season approaches, I hope all Salem residents will shop local first and support our small businesses, this year especially as so many of them have suffered from the economic downturn resulting from the pandemic. I am pleased to participate in Small Business Saturday and celebrate our local small businesses throughout Salem once again.

As we do each year, the City would like to provide free parking at all municipal lots, garages, and meters for the Friday and Saturday following Thanksgiving, to help encourage more people to shop local this holiday season. The enclosed Order authorizes free parking for November 25th-27th and for the December holiday season for December 23rd-26th.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM

In City Council, November 17, 2022

Ordered:

Upon payment of an unpaid parking fine and the donation of two non-perishable items or canned goods to be donated to local food pantries, the City Collector shall waive, from December 1, 2022 – December 23, 2022, up to thirty dollars in late fees added to an unpaid parking fine, as provided in Section 17A of the City of Salem Traffic Code.

The Collector shall not waive any surcharge imposed by the Massachusetts Registry of Motor Vehicles if the Collector has notified the Registry of Motor Vehicles of an unpaid fine and a non-renewal of license and/or registration has been recorded by the Registry of Motor Vehicles.



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

November 17, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed is an Order seeking Council approval to implement our annual parking ticket amnesty program to waive up to \$30 in late fees on parking violations in exchange for a donation of canned goods and non-perishable items between December 1 and December 23, 2022. All food will go to local Salem food pantries.

The "Peas for Fees" program has become an annual tradition in Salem and has proved to be successful bringing in donations of food for those in need and also additional receipts for the City. In the spirit of the holidays, this amnesty program will once again give individuals who owe late fees an incentive to pay their tickets, providing additional food supplies to very needy food pantries and hopefully resulting in an extra infusion of funds for the City.

This has been a practice that has been used in Massachusetts and other communities across the country as a way to provide residents and others with a benefit that relieves late penalties. While the City benefits from recovering unpaid ticket revenues, the added advantage to this initiative is the receipt of the canned goods, which are donated to local food pantries during the holiday season. This year we will have a receptacle located in the outer area of the Collector's Office, so staff will not need to handle the donated items.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM

In City Council, November 17, 2022

Ordered:

WHEREAS, the Commonwealth of Massachusetts (hereinafter “the Commonwealth”) established the Urban Center Housing Tax Increment Financing Program (hereinafter “UCH-TIF”) per M.G.L., Chapter 40 Section 60; and

WHEREAS, the UCH-TIF requires a municipality to participate in a Tax Increment Financing (hereinafter “TIF”) agreement with a program applicant in order for that applicant to be eligible to receive local property tax exemptions on increased incremental value;

Now, Therefore, Be It Ordered:

1. That the Salem Neck UCH-TIF Zone as illustrated on the map and parcel table shown in the enclosed Salem Neck UCH-TIF District Plan and Zone Designation is hereby established and approved;
2. That the Salem Neck UCH-TIF District Plan and the activities described therein are hereby approved;
3. That the Mayor is hereby authorized to submit the Salem Neck UCH-TIF District Plan and Zone Designation to the Commonwealth’s Department of Housing and Community Development; and
4. That the Mayor, subject to City Council approval, is hereby authorized to negotiate tax increment financing (TIF) agreements with eligible project applicants who endeavor to utilize the benefits of the Salem Neck UCH-TIF District Plan and Zone Designation and that such tax increment financing agreements shall be of not more than 100% of the resulting increment from the developments for a period not to exceed 20 years for all or a portion of the increment in accordance with M.G.L. c. 40 section 60.



CITY OF SALEM, MASSACHUSETTS

**Kimberley Driscoll
Mayor**

Office of the Mayor

November 17, 2022

**Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970**

Ladies and Gentlemen of the City Council:

I am writing to respectfully request that you approve the Salem-Neck Urban Center for Housing (UCH) plan and authorize a tax increment financing (TIF) agreement between the City of Salem and BC Leefort Terrace, LLC.

The Urban Center Housing Tax Increment Financing (UCH-TIF) is a statutory program that authorizes cities and towns to promote housing and commercial development, including affordable housing, through tax increment financing arrangements. To participate in the program, the City must adopt a detailed urban center housing tax increment financing plan ("UCH-TIF Plan") for a designated area with a "UCH-TIF Zone." The UCH program is essentially the same concept as a commercial TIF or the Housing Development Incentive Program (HDIP) in that it authorizes municipalities to provide real estate tax exemptions on all or part of the increased value (the "increment") of eligible property improvements within an approved zone. However, unlike HDIP which requires a minimum of 80 percent of the units be market rate, the UCH-TIF allows projects that are 100 percent affordable.

The UCH program is a strategy identified in the Housing Roadmap to ensure everyone benefits from having a home in a stable community - supporting those who need additional assistance and investing local funding as a tool where subsidy and stability measures alone fall short. The UCH-Plan and TIF are being initiated as part of the financial plan to redevelop the existing 50-unit Leefort Terrace site - which is physically, financially, and functionally obsolete - into a 124-unit affordable development with site improvements and publicly accessible open space.

The Assessor estimates that the base value of the property with the building post-sale will be \$3.15 million. He further estimates that the anticipated investment in the building will increase the property value by \$25.8 million after completion. Keep in mind, as a Housing Authority

property the City currently does not collect any property tax from Leefort Terrace. The City has negotiated a TIF agreement with BC Leefort Terrace, LLC. The agreement has a 15-year term starting when the development is in operation, with a 100 percent exemption on the increment for the first year of operation. The exemption declines over time, per the schedule below.

Based on this agreement the City will collect over \$2.7 million in total over a fifteen-year period. When the TIF expires after sixteen years, the City will collect approximately \$384,250 per year in taxes from the property. The TIF, over fifteen years, would provide a tax exemption of a projected \$2,996,312 on the incremental assessed value according to the following schedule:

Term Year	Exemption	Incremental Assessed Value	Exempted Property Taxes	Estimated New Property Taxes	Estimated Base Tax Bill	Total Annual Taxes Paid
1	100%	\$25,844,200	\$342,436	\$342,436	\$384,250	\$41,814
2	90%	\$25,844,200	\$308,192	\$342,436	\$384,250	\$76,058
3	85%	\$25,844,200	\$291,070	\$342,436	\$384,250	\$93,180
4	80%	\$25,844,200	\$273,949	\$342,436	\$384,250	\$110,301
5	70%	\$25,844,200	\$239,705	\$342,436	\$384,250	\$144,545
6	65%	\$25,844,200	\$222,583	\$342,436	\$384,250	\$161,667
7	60%	\$25,844,200	\$205,461	\$342,436	\$384,250	\$178,789
8	55%	\$25,844,200	\$188,340	\$342,436	\$384,250	\$195,910
9	50%	\$25,844,200	\$171,218	\$342,436	\$384,250	\$213,032
10	45%	\$25,844,200	\$154,096	\$342,436	\$384,250	\$230,154
11	40%	\$25,844,200	\$136,974	\$342,436	\$384,250	\$247,276
12	40%	\$25,844,200	\$136,974	\$342,436	\$384,250	\$247,276
13	35%	\$25,844,200	\$119,852	\$342,436	\$384,250	\$264,398
14	30%	\$25,844,200	\$102,731	\$342,436	\$384,250	\$281,519
15	30%	\$25,844,200	\$102,731	\$342,436	\$384,250	\$281,519
Total			\$2,996,312	Total		\$ \$2,767,438

The approval process of the UCH-Plan and TIF requires a public hearing, which must be advertised for two successive weeks, with the second notice being at least three days prior to the hearing. Because of the time sensitivity of the project, I request you schedule the public hearing as soon as possible. I further recommend approval of the proposed UCH-plan and TIF. I believe that this is a solid investment for the City of Salem. Thank you for your consideration.

Sincerely,



Kimberley Driscoll
Mayor
City of Salem

UCH-TIF Salem Neck District Plan & Zone Designation

Applicant and Authorized by:
Kimberley Driscoll, Mayor
City of Salem
98 Washington Street
Salem, MA 01970
P: 978.619.5600
E: mayor@Salem.com

Contact Person:
Tom Daniel, Director
City of Salem Department of Planning & Community Development
98 Washington Street
Salem, MA 01970
P: 978.619.5685
E: tdaniel@Salem.com

Address of UCH-TIF Agreement Included with Application: Leefort Terrace
1 and 2 Leefort Terrace,
Salem, MA 01970

Project Applicants:
Courtney Koslow, Development Director
BC Leefort Terrae LLC
c/o Beacon Communities
2 Center Plaza, Suite 700
Boston, MA 02108
P: 617.574.1113
E: ckoslow@beaconcommunitiesllc.com

Cathy Hoog, Executive Director
Salem Housing Authority
27 Charter Street
Salem, MA 01970
P: 978.744.4431
E: choog@salemha.org

Draft Submitted August 23, 2022
Additional Information Submitted October 24, 2022

Table of Contents

Table of Contents

Table of Contents	.
UCH-TIF Local Approvals (58.04)	1
UCH-TIF Zone (58.05)	2
UCH-TIF Plan (58.06)	6
Executive Summary	6
Objectives (58.06(1))	11
Parcel Description, Coverage and Zoning in the UCH-TIF Zone (58.06(2))	14
Specification of Development and Useful Life of Housing (58.06(3))	16
Compliance with Zoning (58.06(4))	19
Schedule and Cost of Public Construction in the UCH-TIF Zone (58.06(5))	20
Affordable Housing (58.06(6))	23
UCH-TIF Agreement (58.06(7))	26
Municipal Signatory Power (58.06(8))	27

UCH-TIF Local Approvals (58.04)

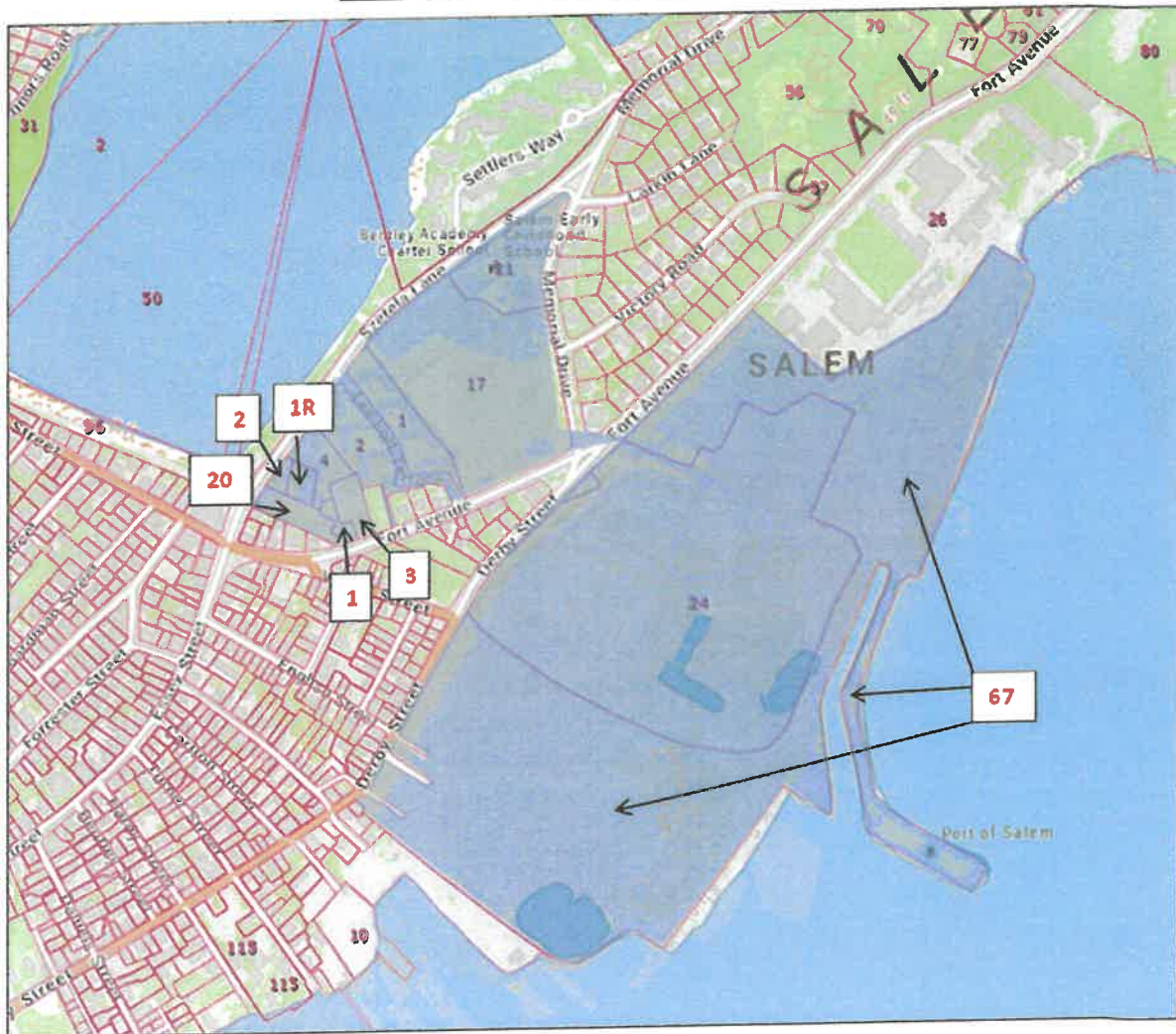
Guidelines:

- A. Designation of UCH-TIF Zone and Prep of UCH-PLAN by Chief Executive or other authorized officers
- B. Public Hearing
 - Evidence of hearing & notices (2 successive weeks prior, with last publication 3 days prior to hearing)
 - Hearing Minutes
 - Sign-In Sheets
- C. Approval by Municipal Legislative Body
 - Certified Copy of the Vote
 - Approval of UCH-TIF Plan
 - Authority to sign UCH-TIF Agreements/ Authority to Implement Tax Increment Financing
 - Approval of max percentage of costs of any public project that can be recovered through special assessment
- D. Application Submission to DHCD

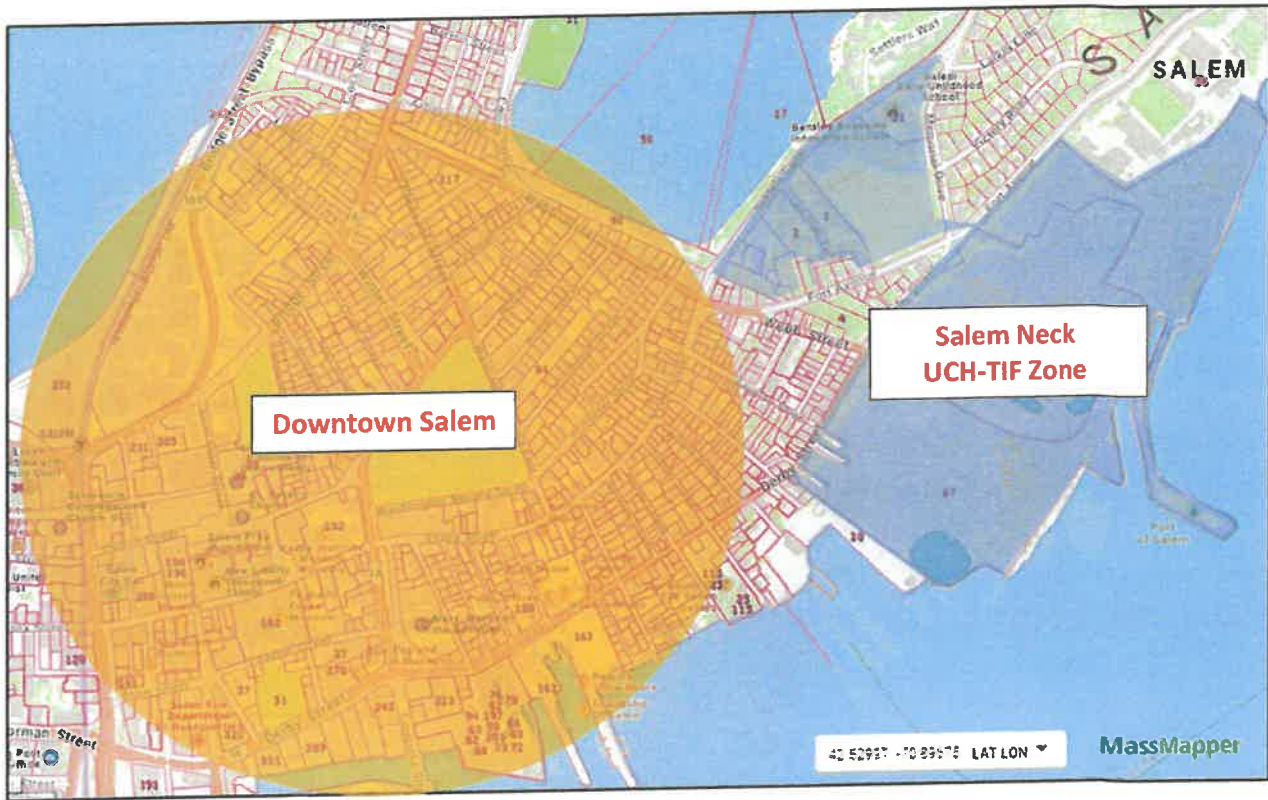
UCH-TIF Zone (58.05)

The City of Salem proposes to create the Salem-Neck UCH-TIF District (The “District” or “Zone Designation”) under the Massachusetts Department of Housing and Community Development’s (DHCD) Urban Center Housing – Tax Increment Finance Program (UCH-TIF Program). The UCH-TIF Program encourages residential development as a catalyst for Commercial Center revitalization, authorizing municipalities to provide a real estate tax exemption on all or part of the increased value (the “Increment”) of improved real property. Consistent with this goal, the area that benefits from the TIF shall be primarily a commercial district, new development shall be primarily residential, and such housing shall be appropriate to a Commercial Center. Tax increment financing may be combined with other resources in order to make a project feasible.

Salem-Neck UCH-TIF Zone Designation



Salem-Neck UCH-TIF Zone in conjunction with Downtown Salem, MA



The Zone Designation is comprised of businesses and residences, containing within its perimeter the following assortment of commercial businesses, educational services, housing providers and energy/power producers:

- Footprint Power Salem (Parcels 24 & 67)
- Leefort Terrace / Salem Housing Authority (Parcels 1 & 2)
- H & H Propeller Shop (Parcel 2)
- Bentley Academy Innovation School (Parcel 21)
- Salem Early Childhood School (Parcel 21)

The basis of the Zone Designation is Leefort Terrace, a state public housing development for elderly and disabled households, which has been owned and managed by the Salem Housing Authority. The District and Leefort Terrace are within close proximity to Salem's historic City Center and downtown amenities, the commuter rail and mass transit, the Salem Willows recreational and residential area and Winter Island Park.

Overall, the District contains areas with several different zoning designations, including, Residential One-Family (R1), Residential Two-Family (R2), Residential Conservation (RC) and Industrial (I). A portion of this zone also falls within the Salem Designated Port Area (DPA), one of 10 established Designated Port Areas in the Commonwealth. DPAs promote and protect water-dependent industrial uses.

The proposed Zone designation, pictured above, encompasses an assortment of parcels located on Salem Neck, including the following parcels:

UCH-TIF Zone			
Total Area			
Parcel	Property ID	Address	Owner
20	41-0245-0	20 Webb St.	City
1R	41-0244-0	1 Rear Fort Ave	City/ Unknown
1	41-0235-0	1 Fort Ave	City/ Unknown
2	41-0274-0	2 Szetela Lane	3 Szetela Lane LLC/ Unknown
3	41-0236-0	3 Fort Avenue	City/ Unknown
4	41-0243-0	4 Szetela Lane	City/ Unknown
1	41-0249-0	1 Lee Fort Terrace	Salem Housing Authority
2	41-0242-0	2 Lee Fort Terrace	Salem Housing Authority
17	41-0248-0	17 Fort Avenue	City (Memorial Park)
21	42-0004-0	21 Memorial Drive	City (Bentley Academy/Salem Community Child Care)
24	41-0271-0	24 Fort Ave.	Footprint Power Salem
67	41-0339-0	67 Derby Street	Footprint Power Salem

Assessor's Field Cards, attached in Exhibit B, contain detailed information for each parcel included in the district.

The creation of the Salem-Neck UCH-TIF District is further justified on the basis that the average household income is well below 115% of the AMI, in accordance with guidelines outlined at 58.05 (2)(a)(iii). Outlined in the UCH-TIF Income Details table, the average Leeport Terrace household income is \$19,573.49, 88% below the 115% AMI threshold of \$161,230 for the Boston-Cambridge-Quincy Metro Area.

UCH-TIF Income Details

	Leeport Terrace (SHA Average Income Data)	Census Tract 2044 (2021 ACS 5-Yr Data)	HUD 2022 AMI Boston-Cambridge- Quincy FMR	115% AMI
<i>Median Household Income</i>	\$19,573.49	\$66,506	\$140,200	\$161,230

To arrive at Leefort Terrace's average income, the project team analyzed the ranges and **distribution** of annual household income provided by the Salem Housing Authority, shown in the **table** below; factoring in the probable household sizes, the team calculated each range set by the **HUD 2022 Boston-Cambridge-Quincy Area Median Income**.

Household Income		
Annual Income	Total Families	%
0 - 4,999	1	2.13%
5,000 - 9,999	4	8.51%
10,000 - 14,999	23	48.94%
15,000 - 19,999	10	21.28%
20,000 - 24,999	5	10.64%
25,000 - 34,999	3	6.38%
35,000 - 44,999	0	0.00%
45,000 - 999,999	1	2.13%
Total Families:	47	

UCH-TIF Plan (58.06)

Executive Summary

The City of Salem is proposing the creation of an Urban Center Housing Tax Increment Finance District (UCH-TIF) in order to facilitate the preservation and redevelopment of the Leefort Terrace residential community, leveraging the redevelopment to create even more critically needed affordable housing within Salem. Beacon Communities LLC (“Beacon” or “Beacon Communities”), in collaboration with the Salem Housing Authority (“SHA”) propose a rescue mission to replace the 50 obsolete Leefort Terrace state public housing units with a newly imagined 124-unit, 100% affordable rental, intergenerational, regenerative and climate resilient development that works in harmony with natural and social systems.

In its current capacity, Leefort Terrace is functionally and financially obsolete. The 50 existing residential units all reside on the ground floor of a coastal flood plain at significant and increasing risk of storm related flooding and sea level rise. Asbestos containing materials and size constraints preventing accessible modifications of the units, further eliminate renovation as an option.

At the newly developed Leefort Terrace, all 124 units will be affordable in perpetuity to households earning at or below 60% AMI. Beacon and the SHA have entered into an MOU that outlines SHA’s intention to ground lease the approximately 3.2-acre site to a Beacon- affiliated owner entity. Without the benefits of a UCH-TIF agreement, the proposed redevelopment would likely not be economically feasible.

The new Leefort Terrace building will be all electric and designed and built to achieve Passive House (PHIUS+) certification, striving to get as close as possible to net zero site energy use with on-site solar energy generation. Material selection will focus on healthier materials and indoor air quality. The building and site will also be designed with as many carbon sequestering materials as is feasible, with the aim to minimize embodied carbon.

Complementing this redevelopment, is the creation of a publicly accessible open space along the Collin Cove side of the building, to be available to Leefort Terrace residents and the wider Salem community alike. Informed and modified by a community engagement process, landscape plans incorporate a pedestrian walkway and pathways, site furnishings, including benches, picnic tables and tables with perforated game tops, hammock posts and bike racks, and lush foliage and plantings appropriate to the coastal area, in an effort to provide an enhanced public amenity for the entire community to enjoy.

Financing is anticipated to comprise Federal and State Low Income Housing Tax Credits, soft funds from the city and state and other sources. However, a sizeable gap remains as a result of escalating construction costs and inflation; subsequently, without the benefit of a UCH-TIF agreement, the proposed redevelopment would likely not be viable as a climate-resilient affordable housing project.

The boundaries of the designated Zone Designation were drawn to include the proposed project, the only property to be subject to the attached UCH-TIF agreement, as well as a number of City-owned and commercial areas immediately adjacent to the Leefort Terrace site. Other residential properties

were excluded to the extent possible in order to comply with DHCD requirements for district composition.

The UCH-TIF zone shall consist of the following parcels, as shown on the attached map (Exhibit A), which are located on Webb Street, Fort Ave, Szetela Lane and Memorial Drive:

- | | |
|-------------|-------------|
| • 41-0245-0 | • 41-0249-0 |
| • 41-0244-0 | • 41-0242-0 |
| • 41-0235-0 | • 41-0248-0 |
| • 41-0274-0 | • 42-0004-0 |
| • 41-0236-0 | • 41-0271-0 |
| • 41-0243-0 | • 41-0339-0 |

EXPLANATION OF THE NEED FOR RESIDENTIAL DEVELOPMENT & AFFORDABLE HOUSING IN THE DISTRICT

Affordable housing is a critical and urgent need within the Salem community and one of the many challenges facing the City as outlined in Salem's Housing Needs Assessment and Imagine Salem initiative. Housing is an essential part of what makes Salem a strong and welcoming community and is an essential part of Salem's wellbeing; however, the market is not supplying homes that are affordable.

As of the Housing Needs Assessment, about 49 percent (9,045 households) of total households in Salem have incomes below 80 percent AMI and may qualify for affordable housing as defined under the state's Chapter 40B law.

The Assessment also pointed to a significant mismatch between the size of Salem's housing units and the size of households. Salem has a significantly higher proportion of smaller households than smaller housing units. Larger units are generally more expensive, in regard to not just mortgage or rent payments, but also energy costs. This mismatch limits the availability of financially attainable housing options for smaller households.

In terms of the housing stock, about 35 percent (6,450 households) of Salem's households are cost burdened. Most of Salem's cost burdened households, 92 percent or about 5,925 households, are low-to-moderate-income (LMI) households. Cost-burdened households, particularly lower-income households, are likely to struggle to pay for other basic needs, such as food, clothing, health care, and transportation costs.

The largest group (proportionally and absolutely) of most severely cost burdened LMI households in Salem are those that have extremely low incomes (at or below 30 percent AMI) – of all the estimated extremely low-income households in Salem (4,280 households), 61 percent (2,590 households) are estimated to be severely cost burdened.

Salem's LMI renter households have the highest levels of severe cost burden indicating a high need for more affordable rental housing. Of all LMI households estimated to be severely cost burdened in Salem, 67 percent are renter households.

Most cost-burdened LMI households in Salem are smaller households including non-family, small family, and elderly non-family households. Note that many non-family households are people living

alone. Again, this indicates a need for smaller, affordable units including single-room occupancy (SRO), studio, one-bedroom, and two-bedroom units.

Salem must meet the rising local and regional demand for housing with increased supply, or else costs will continue to rise beyond what is affordable for its diverse population. The proposed UCH-TIF Zone, where Leefort Terrace is located, is a previously developed area within proximity of Salem's City center, transportation, civic and open space. The redevelopment and replacement of Leefort Terrace's existing 50 units with 124 new units of affordable rental housing will make strides in expanding housing choice and opportunities, for small and family-sized households alike. The project will provide more deeply affordable units for those extremely low-income households earning at or below 30% AMI. Plus, its universal design, visitability and inclusion of accessible units for mobility and sensory impairments, will provide options for households of all abilities.

Salem's Housing Needs Assessment indicates that several of the community's most urgent housing needs are:

- More deeply affordable rental units that are affordable to households with extremely low income – at or below 30 percent AMI
- Partnerships and state assistance to preserve existing affordable housing units

The redevelopment of Leefort Terrace address both of these critical needs.

NEED FOR COMMERCIAL GROWTH/DEVELOPMENT IN THE DISTRICT

The proposed UCH-TIF Zone includes an assortment of establishments providing a combination of sales of goods and services, educational services, and energy and power production, and are within a mile of Salem's City Center. A portion of this zone also contains the Salem Designated Port Area (DPA), which is governed by the City of Salem and the Harbor Planning Committee in conjunction with the Salem DPA Master Plan.

As the Salem DPA transitioned to cleaner natural gas and environmental remediation, efforts have focused on making the Salem DPA environmentally sustainable and climate resilient, consistent with the goals being developed for Resilient Cities. The Salem DPA Master Plan sets forth its guiding principles in order to promote a diverse, sustainable and resilient industrial port as the Committee oversees ongoing development of the Designated Port Area Master Plan and implementation thereof:

- Preferred Water-dependent Industrial Uses
- Other Allowable Uses Within the DPA
- Design Principles

The design principles highlighted, call on activities and development within the DPA to be designed and carried out based on climate resiliency measures and redeveloping the area to protect against flooding, as well as decreasing the port's carbon footprint.

The redevelopment of the original Salem Harbor Generating Station, a coal- and oil-fired power plant built in the 1950's and 1970's, now Footprint Power, is poised to produce and provide efficient, reliable, low-emission electrical power to New England, supporting the introduction of new

renewable resources to the energy grid. However, occupying less than a third of the current site, aims have expanded to efficiently use the land to allow the community to reclaim and reshape the Salem waterfront.

The proposed project at Leefort Terrace and designated UCH-TIF District, aligns with ongoing efforts to protect, reclaim, redevelop and make resilient, the land, housing and commercial resources in the area, while maximizing available opportunities for development and increasing the scale of positive impact.

ANTICIPATED PUBLIC & PRIVATE CONSTRUCTION

The primary public/private construction project anticipated within the UCH-TIF Zone is the redevelopment of Leefort Terrace, which involves the demolition of the existing buildings and construction of a new building to consist of 124 units of affordable rental housing. Total Development Costs are estimated at \$92,082,574 and would include a combination of public and private sources, such as Federal and State LIHTC, DHCD soft funds, City of Salem Community Preservation Act funds, permanent debt and private equity, among other possible sources. The project is expected to close in fall of 2023 and complete construction and initiate lease-up in 2025.

Redevelopment of Leefort Terrace will also culminate in an assortment of infrastructure, road and sidewalk improvements which must be completed as part of the condition of anticipated project approval. However, the extent, scope and cost of these improvements are unknown at this time.

Also ongoing, is continued construction at Footprint Power's Salem Harbor Station and the surrounding area. According to Project Finance International Yearbook, 2016, financing for Salem Harbor Station totaled \$730,000,000.

Vineyard Wind, a joint venture seeking to build the first large-scale offshore wind farm off the U.S. coast, has entered into a tentative agreement with the City of Salem, Massachusetts and the Crowley Maritime Corp. to build the state's second port dedicated to serving the wind energy industry. Vineyard Wind's partners will serve as the port's anchor tenants, utilizing the property for the Commonwealth Wind project as well as other projects in the company's portfolio. The Commonwealth Wind project is an initiative seeking to deliver clean and affordable energy and intends to use the site for turbine assembly, storage and staging activities.

SUMMARY OF THE TYPES, AMOUNTS AND LOCATIONS OF THE PROPOSED AFFORDABLE HOUSING

Located at 1 and 2 Leefort Terrace, near Collins Cove and between downtown Salem and the Salem Willows, Leefort Terrace is owned and managed by the Salem Housing Authority. The garden style units were constructed in 1958 and consist of seven buildings and one building for a community room. Altogether, they consist of 50 one-bedroom units for elderly and disabled households. Sited within a floodplain and Chapter 91 filled tidelands, the functionally and financially obsolete units cannot be repaired or rehabilitated.

Beacon Communities, in partnership with the Salem Housing Authority, proposes the demolition of the existing buildings and construction of a new building to consist of 124 units of affordable rental

housing. The development would be 100% affordable, serving a mixture of low-to-moderate-income households at 30%, 50%, and 60% AMI levels. The redeveloped Leefort Terrace will be an intergenerational development with one- two- and three-bedroom apartments. Fifty-one-bedroom units will be reserved for the elderly and disabled households currently residing at Leefort Terrace and the remaining seventy-four units will be open to individuals and families without an age restriction.

An intergenerational community reflects the way that people have historically lived together. Residents of all ages will have the opportunity to meet and interact within the common areas including the community room, fitness center, wellness office, computer stations and outdoor grilling patios, bocce court and victory gardens. Beacon's Community Engagement staff will also work with residents to bring the elderly and family households together for community building activity and mutual support.

ADDRESSES OF INDIVIDUAL PROPERTIES PROPOSED TO BE INCLUDED IN THE TIF AGREEMENT

Only the residences at 1 and 2 Leefort Terrace in Salem, will be subject to a UCH-TIF agreement as outlined in this plan.

Objectives (58.06(1))

The UCH-TIF Plan will meet the integrated purpose of the statute to “encourage increased residential growth, affordable housing and commercial growth” in the locally designated UCH-TIF Zone, in addition to implementing a number of City-wide goals and objectives.

Objectives of the proposed UCH-TIF Plan and designation are as follows:

CREATE AFFORDABLE HOUSING

This is a key moment for Salem, where rising market values create an urgent need to preserve and expand affordable housing options so that households of all income levels continue to have access to the area. Salem recognizes the community’s right to safe, affordable, and life-enriching housing. As previously identified in Salem’s Housing Needs Assessment, Imagine Salem and numerous other planning initiatives, Salem must meet the rising local and regional demand for housing with increased supply, or else costs will continue to rise beyond what is affordable for its diverse population.

To ameliorate this urgent need for housing, particularly for lower income households, the City is committed to:

- Collaborating with affordable housing developers to lower costs, through low-cost land, as-of-right regulatory processes or otherwise;
- Promoting the designing, siting and development of housing that is safe to inhabit and able to withstand environmental and social shocks, particularly those associated with climate change;
- Facilitating the design and development of housing that meet the varied needs of its diverse residents, accounting for the unique requirements of such populations as large families, elderly households and persons with disabilities;
- Integrating housing with other uses like employers, retail, civic and open spaces, a robust transportation system and community spaces, as part of a complete neighborhood.

The UCH-TIF would support the replacement of the 50 existing units at Leefort Terrace, while also enabling the provision of 74 additional affordable units to the property, with a legal restriction that will maintain all 124 units as affordable in perpetuity. This directly responds to the local and regional housing crisis, helping to mitigate the severe lack of housing supply and rents that are unaffordable to a large portion of the population. Other than the redevelopment of Leefort Terrace, no other site within the proposed Zone is targeted for affordable housing development.

PROMOTE ENVIRONMENTALLY SUSTAINABLE DESIGN AND CONSTRUCTION

“Resilient Together”, the Climate Action and Resilience Plan prepared jointly by the Cities of Salem and Beverly, details the collective efforts to ensure inclusive and thriving communities that are attractive and accessible to diverse families and businesses. Resilient and Carbon neutral buildings and development represent a key focus area, to which Salem and Beverly have outlined the following goals:

All new buildings and major renovations are designed, constructed, and maintained for maximum lifespan, resource efficiency, GHG reduction, and climate resilience

Development prioritizes adaptive reuse, brownfield redevelopment, and resilience to protect and restore community historic, cultural, and land assets

The proposed UCH-TIF prioritizes development that is environmentally sustainable and is built to withstand increasing climate volatility, such as flooding. The Leefort Terrace redevelopment meets and even exceeds what is needed in Salem and surrounding communities, to mitigate the continuing housing and climate crises.

All 50 existing Leefort Terrace units are currently on the ground floor in a coastal flood plain and at significant and increasing risk of storm related flooding and sea level rise. The forward-thinking design of Leefort Terrace and the publicly accessible open space planned along Collins Cove, not only rescue and replace the homes of the 50 current inhabitants, but it does so in a way to maximize resiliency against climate volatility and flooding, facilitates GHG reduction, and enhances a critical land asset that contributes to the Story of Place in the Salem Willows neighborhood.

Further, the project's strong focus on climate resilience and environmental sustainability, culminates with an all-electric building that will be PassiveHouse certified, as well as contain solar PV panels, offsetting much of the energy needs of the building.

INCREASE PEDESTRIAN ACTIVITY & CREATE NEW PUBLIC OPEN SPACE

The development to be supported by the UCH-TIF Zone designation incorporates publicly accessible open space in front of the proposed new structure along Collins Cove. As part of the project's regenerative design process, the team behind the Leefort Terrace redevelopment undertook a community driven process involving the creation of and coordination with the Leefort Terrace Open Space Planning Group. This group, made up of Leefort Terrace residents, community members and project stakeholders, worked together to design the publicly accessible open space along the Collins Cove side of the redevelopment. The process and resulting plan, strives to reflect the unique and interrelated environmental, housing and open space needs of the community, not just for the Leefort Terrace residents, but for the wider Salem community as well. Landscape plans have been modified and informed by this process and provide for a new public amenity for the entire community to enjoy.

The publicly accessible open space incorporates a pedestrian walkway and pathways that take advantage of the site and enhance the user experience. Featuring a number of site furnishings, including benches, picnic tables and tables with perforated game tops, hammock posts and bike racks, residents and the public alike, are welcomed into this new space. The project team is adding trees in excess of the amount that are being removed and surrounding grades are being maintained to minimize impacts, integrating the tree species selection based on Coastal Zone Management (CZM) plant lists published online listing plantings that are salt tolerant and appropriate for coastal flood zones. Locations for future installations of public art are also noted on the plan and are intended to welcome and invite the community to stroll through the open space area.

FACILITATE SUSTAINABLE FORWARD-THINKING DEVELOPMENT AND COMMERCIAL GROWTH

The City, Salem Willows neighborhood and the Salem Designated Port Area are poised for transformation with the redevelopment of Salem Harbor Station and recent partnerships with Vineyard Wind and Crowley Maritime Corp, as well as significant investment and anticipated growth in tax revenue. The proposed UCH-TIF designation will complement this forward-thinking development, harmonizing with the Zone's uses, needs, and the goals culminating from the myriad of planning efforts and community initiatives conducted by the City and its partners.

This vital tool will authorize the financial resources necessary to enable projects, liked the proposed Leefort Terrace redevelopment, to move forward in a sustainable and thoughtfully moderated fashion. In turn, residents, and the community as a whole, can benefit from the carefully thought-out resiliency and adaptation measures critical in addressing climate volatility, enjoy publicly accessible land assets that have been preserved and protected for posterity, leverage resources that generate commercial tax revenues and innovative development, and attract and retain the diverse populations that contribute to Salem's enriching sense of community.

Located on the ground floor in a coastal flood plain with waters projected to rise, in addition to being financially and functionally obsolete, action is required at Leefort Terrace. Residents must be relocated and stably housed; and with ever increasing affordable housing shortages, that is growing ever more challenging. The redevelopment of Leefort Terrace provides the opportunity for sustainable, climate resilient high-quality affordable housing. The failure to enact the UCH-TIF Plan, not only puts this redevelopment in jeopardy, but puts at risk the lives and homes of the current Leefort Terrace residents.

Parcel Description, Coverage and Zoning in the UCH-TIF Zone (58.06(2))

Leefort Terrace, the subject site and only parcel being designated for a project-specific UCH-TIF Agreement, is located on Salem Neck within the Salem Willows neighborhood on 3.2 acres of land owned the Salem Housing Authority. Leefort Terrace is currently a Chapter 667 state public housing development located at 1 and 2 Lee Fort Terrace, Salem MA (census tract 2044).



The garden style development was built in 1958 and consists of seven buildings and one additional building for a community room. The development includes 50 garden style one-bedroom units for elderly and disabled residents. The community room building houses commercial coin operated washer/dryer facilities and a management office. The units are subsidized by DHCD through the state public housing operating subsidy formula, which is insufficient to cover capital upgrades. All residential units are currently on the ground floor in a coastal flood plain and at significant and increasing risk of storm related flooding and sea level rise. There are currently no handicap accessible units in the development and given the approximate size of only 371 SF each, they cannot be adapted. Residents report continual problems with flooding, outdated kitchen and bath facilities, climate control, and pest issues resulting from the obsolete design and construction methods. Built to standards more than six decades out of date, renovation of Leefort Terrace is not an option.

Leefort Terrace is nestled between downtown Salem and the mixed-use, seaside neighborhood of Salem Willows. It is located along Collins Cove and adjacent to a new community bike path. It is ½ mile to the jobs and amenities of downtown Salem. It is also in a prime commuting location being ½ mile to a ferry with connections to Boston, and exactly 1 mile to the Salem commuter rail stop on the Newburyport/Rockport line.

To the southeast, it is bounded by Fort Avenue along with three single family residential dwellings, a bike path and a natural gas power plant. To the northwest, it is bounded by Szetela Lane and Collins Cove. To the northeast, it is bounded by an open park area and school. To the southwest, it is bounded by a set of underutilized vacant parcels totaling 2.3 acres, a newly created community bike path and 10 residential 1-, 2- and 3- family dwellings.

The subject parcel is also located within a coastal floodplain currently at elevations ranging from 5

feet to 11 feet above sea level and varying throughout the site. Chapter 91 Tidelands Permitting will be required and all new structures will be built above the floodplain. The Chapter 91 process also will require that a portion of the site adjacent to Collins Cove needs to be accessible to the public. There will be no occupied structures in the Chapter 91 area.

The property which abuts Leefort Terrace to the east (currently occupied by the Bentley school) was used as a town dump and landfill from the late 1930s through the mid 1940's. The city owned vacant parcels located to the west-northwest of the subject site, which have addresses of 1, 3 and 3R Fort Avenue and 4 Szetela Lane, were occupied by the Crest Brand Leather Co. Tannery and the American Coal Company in 1950. The buildings were demolished in 1986.

Overall, the District contains areas with several different zoning designations, including, Residential One-Family (R1), Residential Two-Family (R2), Residential Conservation (RC) and Industrial (I). A portion of this zone also falls within the Salem Designated Port Area (DPA), one of 10 established Designated Port Areas in the Commonwealth. DPAs promote and protect water-dependent industrial uses.

Leefort Terrace, the subject property is located in the R-2 zoning district, where multi-family residential use is not allowed; however, the existing use is non-conforming. The R-2 zoning district allows two-family residential properties by right. The property will be permitted under MGL Chapter 40B Comprehensive Permit. The project team's application for project eligibility determination for the development of Leefort Terrace was approved on April 5, 2022.

Additionally, a description of the utility infrastructure available in the area is outlined below:

Water: The City of Salem owns and operates water mains in both Szetela Lane and Fort Avenue. In Fort Avenue there is a 16" Cast Iron water main, and in Szetela Lane there is an 8" Ductile Iron (DI) pipe. The proposed site will be serviced by the existing 16" main in Fort Avenue which will have capacity for the proposed development. The existing connection is proposed to be reused for the new building.

Sewer: The City of Salem owns and operates a 15" sewer main in Fort Avenue. The proposed project will connect to this existing sewer in Fort Ave. Based on discussions with the DPW there are no known capacity or condition concerns.

Drainage: The City of Salem owns and operates the drainage infrastructure in Szetela Lane which consists of 12" pipes and an existing outfall to Collins Cove.

Electric/Telecom: Overhead Electric and Telecom infrastructure existing along Fort Avenue supported by existing utility poles.

All utilities are also identified on the Feldman Survey, attached in Exhibit E.

Please see attached Assessors' field cards included in Exhibit B for a detailed description of the properties included in the UCH-TIF Zone, including ownership information.

Please also see attached map for boundaries of the UCH-TIF Zone, including its location within the municipality, streets included within the UCH-TIF Zone, and zoning information in Exhibit A.

Specification of Development and Useful Life of Housing (58.06(3))

In terms of the useful life of housing, Leefort Terrace is essentially functionally and financially obsolete. As noted previously, all of Leefort Terrace's residential units are currently on the ground floor of a coastal flood plain and at significant and increasing risk of storm related flooding and sea level rise. There are currently no handicap accessible units in the development and given the approximate size of only 371 SF each, they cannot be adapted. A preliminary asbestos and regulated building materials survey report was conducted, and samples collected earlier in the project. It identified asbestos containing materials in floor tiles, walls, caulking, thermal systems insulation, surfacing materials and roofing materials. Further, residents report continual problems with flooding, outdated kitchen and bath facilities, climate control, and pest issues resulting from the obsolete design and construction methods. Built to standards more than six decades out of date, renovation of Leefort Terrace is not an option.

Beacon Communities, in collaboration with the Salem Housing Authority, propose a rescue mission to replace the 50 financially and functionally obsolete Leefort Terrace state public housing units with a newly imagined 124-unit, 100% affordable rental, intergenerational, regenerative and climate resilient development that works in harmony with natural and social systems. All 124 units will be affordable in perpetuity to households earning at or below 30%, 50% and 60% AMI. The development will be permitted under MGL Chapter 40B, the process of which began in May 2022 and anticipated for approval fall of the same year.

Affordability Breakdown by Bedroom Size

Project Based Section 8- 17 units under 30% AMI, 48 units under 50% AMI			
Bedroom Size	Unit Count	Sq Ft (Avg)	Notes
1 Bed	50	650	Leefort Terrace Replacement units reserved for Elderly Families
2 Bed	5	850	
3 Bed	10	1150	
Subtotal	65		
Low Income Housing Tax Credit Units- Under 60% AMI			
Bedroom Size	Unit Count	Sq Ft (Avg)	Notes
1 Bed	12	650	
2 Bed	33	850	
3 Bed	14	1150	
Subtotal	59		
Total	124		

Leefort Terrace will create a new, intergenerational community on Salem Neck. With direct access to the waterfront at Collins Cove, along with close proximity to historic downtown Salem amenities and transit, the site offers a unique combination of convenience while feeling more secluded. The

site has three directly abutting single, 2- and 3- family homes. It is otherwise surrounded by Collins Cove, a park and school, a newly created bike path, a set of underutilized vacant parcels, and a natural gas power plant.



The project includes the new construction of 124 units in two wings that embraces a sheltered, south-facing courtyard for the residents. The residences are elevated to ensure resilience, while accommodating the majority of the parking in the basement below the building, where it will be screened. The basement parking level will be set at 10.5 feet above sea level (above the current flood map), and the lobby and first residential floor entrance at 14 feet above sea level (the 2070 sea level rise prediction). The average grade around the building is 13-14', setting the overall height of the building at roughly 52' above average grade.



A four-story façade to the north along Collins Cove faces a substantial new community publicly accessible open space that will celebrate and strategically accommodate the tidal nature of the site. To the south, both wings drop down to three stories, breaking down the mass and giving them a height more consistent with the abutting residences.

One wing of the building will have primarily 1-bedroom apartments with a few 2-bedrooms. A bridge at each residential level connects the two wings, while allowing an at-grade connection between them. The second wing will have a mix of 1-, 2- and 3-bedroom apartments. The entire development will be universally designed. Seven units will be fully handicap accessible ADA units and 3 additional units adapted for sensory impairments. Program spaces of various scales including a community room, fitness center and wellness office are augmented by supportive services that connect and bolster the new Leefort Terrace community.

The building form draws on the story of Salem Neck, and its history of providing both protection and healthy exchange. The U-shaped building provides a solid, protective edge to the north, creating a strong backdrop for the substantial publicly accessible open space that the broader community can enjoy. To the south, the two connected wings embrace a sheltered, sun filled courtyard that welcomes the residential entry and provides a variety of outdoor spaces that are protected from the prevailing western winds. The predominant clapboard siding draws on the broader residential context and character. The massing is modulated both with changes in height and inset elements, as well as changes in material and color.

As part of the design and permitting processes, the project team has engaged in a robust community engagement effort that has impacted and modified the design and specifications of the proposed project. Working with Leefort Terrace residents, neighbors and stakeholders, the team has altered building siding materials, introducing traditional clapboard style fiber cement boards as the primary exterior siding, with accents of a natural look wood-like material, to be more in line with a coastal building typology. The color palette draws on the historic dark clapboard vernacular seen in much of historic Salem, balanced by lighter shades typical of seaside towns, with soft, muted, “washed” colors. The change in color occurs at regular intervals, creating a vertical rhythm more akin to the scale and proportions of a series of rowhouses.

In addition to flood resilience, the building is designed to be high-performance, meeting the Passive House standard, incorporating on site renewable energy, and maximizing healthy, low-embodied carbon materials. The building will be all electric and designed and built to achieve Passive House (PHIUS+) certification. The project team will strive to get as close as possible to net zero site energy use with on-site solar energy generation. Material selection will also focus on healthier materials and indoor air quality. The building and site will be designed with as many carbon sequestering materials as possible, with the aim to minimize embodied carbon.

Overall, the building and site plan design result in a development that reduces scale by breaking down the massing and stepping down when closer to neighbors, creates space between buildings that serve as sheltered area, is connected to, and engaged with the waterfront, and serves as a gateway to the larger Salem social and ecological system.

Please refer to Exhibit D, which contains an assortment of site plans and renderings of the proposed development.

Compliance with Zoning (58.06(4))

The Leefort Terrace redevelopment will be permitted under MGL Chapter 40B Comprehensive Permit. (See attached map under Exhibit A for zoning on individual parcels.) Noted previously, Leefort Terrace is located in the R-2 zoning district, which allows single and two-family residences by right; however, the existing use is non-conforming.

The project team's application for Chapter 40B Project Eligibility determination for the development of Leefort Terrace was approved on April 5, 2022. On May 16, 2022, the Salem Zoning Board of Appeals held a joint public meeting with the Salem Planning Board, subsequently opening up the public hearing and comment component related to the 40B Comprehensive Permit application by BC Leefort Terrace LLC c/o Beacon Communities and the Salem Housing Authority to construct 124 new affordable housing units at Leefort Terrace. Approval is anticipated during Fall 2022.

As part of the permitting process, Beacon Communities, in conjunction with the SHA, partnered with CoUrbanize, the Regenes Group and Desire Path Group in an effort to positively engage the neighborhood and community stakeholders. These combined processes facilitated community conversations that informed and enhanced the project scope and design, strengthened relationships to leverage project support and connect to Salem's story of place.

Schedule and Cost of Public Construction in the UCH-TIF Zone (58.06(5))

The primary public/private construction project anticipated within the UCH-TIF Zone is the redevelopment of Leefort Terrace, which involves the demolition of the existing eight buildings and construction of a new building to consist of 124 units of affordable rental housing. Total Development Costs are estimated at \$76,445,511 and would include a combination of public and private sources as detailed below:

• Federal LIHTC Equity (Twin)	\$28,923,494
• State LIHTC	\$10,250,000
• DHCD soft funds	\$6,000,000
• EPA Brownfields Funding	\$500,000
• HOME	\$750,000
• City of Salem CPA funds	\$200,000
• Permanent Debt	\$20,013,123
• MassSave Rebate	\$310,000
• Deferred Developer Fee	\$1,908,023

1 and 2 Leefort Terrace are the only parcels being designated for a project-specific UCH-TIF Agreement, and no special assessments are currently planned for this project or any other at this time. As part of the 40B Permitting process, there may be public roadway construction and mitigation, however the exact cost and scope of work is not known at this time.

The project is expected to wrap up the 40B permitting process in fall 2022. Thereafter, the project team will apply for additional funding sources, with closing anticipated in fall of 2023. Construction will then commence, with completion expected in 2025. Lease-up will be subsequently initiated and stabilization reached in mid-2025. An overview of the overall project timeline is outlined below:

- **January 2020-** SHA notified resident of predevelopment plans
- **March 2020-** Salem Housing Authority selects Beacon as partner
- **September 2020-** Site assessment analysis determined site capacity of 214 units
- **December 2020-** Community meetings begin, resident engagement continues, website launched
- **March 2021-** First site plan developed and shared with community for 124 units
- **May 2022- December 2022-** Chapter 40B, Conservation Commission Permitting, MEPA

- **January 2023-** Temporary relocation planning begins with residents
- **February 2023- June 2023-** Financing secured
- **June 2023-** Resident temporary relocation begins
- **August 2023-** Construction begins
- **February 2025-** Construction complete
- **February 2025 -** Residents begin moving back
- **February 2025 -** Lease-up of additional units begins
- **June 2025-** Building fully occupied

Also ongoing, is continued construction at Footprint Power's Salem Harbor Station and surrounding area. The original Salem Harbor Generating Station, a coal- and oil-fired power plant built in the 1950's and 1970's, was purchased by Footprint Power in 2012. Footprint Power at Salem Harbor Station is a 674-megawatt (MW) natural gas-fired, quick-start, combined-cycle turbine and electric generating facility on a 23-acre portion of the original 65-acre Salem Harbor Generating Station, a coal-fired generating plant site. It is poised to produce and provide efficient, reliable, low-emission electrical power to New England, supporting the introduction of new renewable resources to the energy grid.

The Station has been operating since December 2017; though, amid litigation and bankruptcy proceedings, construction stalled temporarily, preventing operations from opening on schedule. The facility comprises two quick-start natural gas combustion turbine generators, heat recovery steam generators with selective catalytic reduction (SCR) and oxidation catalyst and reheat steam turbine generators. (Commonwealth of Massachusetts, 2021) The project was the first thermal power plant construction in Massachusetts in over 10 years (Project Finance International Yearbook 2016, 2016) and according to Project Finance International Yearbook, 2016, financing for the Salem Harbor Station has totaled \$730,000,000.

In addition to the construction of the new facility, which occupies less than a third of the current site, Footprint Power aims to efficiently use the land to allow the community to reclaim and reshape the Salem waterfront. Leveraging redevelopment of the Station to significantly influence the Salem Designated Port Area, part of the designated UCH-TIF Zone, owners and managing members of the site sought complementary ventures to maximize use of the land and its resources.

Over the years, options for this available land ranged from docking for cruise ships to commercial and light industrial marine related uses. (Masto Public Relations, 2013) In 2021, officials with Footprint Power presented a split to the City's Harbor Plan Committee, that would have set aside 21 acres north of the plant to support marine-

industrial uses and 17 acres to the south to support mixed-use development. Existing site restrictions, however, prohibit mixed-use development, subsequently taking this option off the table. But soon after, the creation of a hub for offshore wind turbine construction was in discussion. (Luca, 2021)

Vineyard Wind, a joint venture seeking to build the first large-scale offshore wind farm off the U.S. coast, was selected as a winning bidder of the Commonwealth's Section 83C Offshore Wind Energy Generation RFP and has entered into an agreement with the City of Salem, Massachusetts and the Crowley Maritime Corp. to build the state's second port dedicated to serving the wind energy industry. The agreement is projected to create as many as 900 jobs. Under the proposed agreement, Crowley Maritime Corporation's subsidiary Crowley Wind Services, will purchase 42 acres surrounding Salem Harbor Station and serve as the long-term offshore wind port operator for the site. Vineyard Wind's partners will act as the port's anchor tenants, utilizing the property for the Commonwealth Wind project, as well as other projects in the company's portfolio. The Commonwealth Wind project, an initiative seeking to deliver clean and affordable energy, while cutting GHG, create jobs and power homes, intends to use the site for turbine assembly and staging activities, utilizing the site to store and assemble components – including blades, nacelles, and tower sections – as they are prepared for offshore installation. In addition to hundreds of clean jobs, the project significantly expands the commercial tax base in Salem. (McCue, 2021)

Affordable Housing (58.06(6))

Beacon Communities, in collaboration with the SHA, will construct 124 units, providing a combination of one-, two- and three-bedroom units.

Unit Breakdown by Bedroom Size

Bedroom Size	Unit Count
1 Bed	62
2 Bed	38
3 Bed	24
Total	124

The project proposes 100% affordable rental housing reserved for households with extremely low-, low-, and moderate-incomes as defined by the U.S. Department of Housing and Urban Development, serving households earning at or below 60% of the AMI, far exceeding the UCH-TIF affordability threshold requirements.

The property will be subject to affordable housing restrictions, which will require that the affordable units remain affordable in perpetuity. The affordability breakdown by AMI level is detailed below:

Affordability Breakdown by Area Medium Income

Area Medium Income (AMI)	Unit Count	Percentage
30% AMI or less	17	13%
50% AMI or less*	48	39%
Under 60% AMI	59	48%
Total	124	

Leefort Terrace will serve an intergenerational population, inclusive of seniors and families. The development's original 50 State-supported units being replaced will be subsidized through Section 8 Project Based Vouchers (PBVs). An additional 15 units (2- and 3- bedrooms) will also be subsidized with PBVs, for a total of 65 apartments receiving rental assistance. All PBVs will be provided by the Salem Housing Authority from its available Housing Choice Voucher authority. To this end, the redevelopment of Leefort Terrace as proposed, far exceeds the affordability thresholds as specified in the UCH-TIF Guidelines.

The newly constructed units will be dispersed over two wings that embrace a sheltered,

south-facing courtyard for the residents; one wing of the building will have primarily 1-bedroom apartments with a few 2-bedrooms, while the second wing will have a mix of 1-, 2- and 3-bedroom apartments. The entire development will be universally designed. Seven units will be fully handicap accessible ADA units and 3 additional units adapted for sensory impairments.



As described in earlier sections, the residences are being elevated to ensure resilience, while accommodating the majority of the parking in the basement below the building, where it will be screened. A four-story façade will face the north along Collins Cove, strategically accommodating the tidal nature of the site and showcasing the planned publicly accessible open space. To the south, both wings drop down to three stories, breaking down the mass and giving them a height more consistent with the abutting residences.

Throughout the design process, architectural plans and building layout have been modified to account for community, Board and City feedback. This has resulted in:

- A condensed building layout to be smaller and more efficient, thereby reducing the overall footprint and shifting the structure farther away from abutting residences;
- Removing an access road, reducing impervious surface and adding additional landscaping;
- Changing building siding materials to be more in line with a coastal building typology, incorporating traditional style fiber cement boards and a color pallet consistent with much of historic Salem.

UCH-TIF Agreement (58.06(7))

See form of Agreement attached as Exhibit F

Municipal Signatory Power (58.06(8))

Municipal delegation of power to execute UCH-TIF Agreements to a municipal board, agency, or officer.

Municipal Signatory Power

Kimberley Driscoll, Mayor



CITY OF SALEM

In City Council, November 17, 2022

Ordered:

WHEREAS, the City of Salem has been in negotiation with BC Leefort Terrace LLC regarding a development consisting of one hundred twenty-four (124) units of affordable housing to be located at 1 and 2 Leefort Terrace, Salem, MA, (herein after the "Properties") known as the Assessor's Parcel IDs as follows

Address	Parcel Number
1 Leefort Terrace	41-0249-0
2 Leefort Terrace	41-0242-0

and

WHEREAS, the project proposed by BC Leefort Terrace LLC meets the minimum requirements of the Urban Center Housing Tax Increment Financing Program (UCH-TIF) created by Chapter 40 Section 60 of Massachusetts General Laws and the local objectives of the City of Salem's Salem Neck UCH-TIF District Plan; and

WHEREAS, the proposed project is located at the Properties within the boundaries of the City of Salem's designated Salem Neck UCH-TIF Zone; and

WHEREAS, BC Leefort Terrace LLC is investing approximately \$79 million to create 124 total units of housing; and

WHEREAS, the City of Salem has agreed to offer BC Leefort Terrace LLC a Tax Increment Financing Agreement. Said agreement is hereby approved by the City Council;

NOW, THEREFORE, BE IT RESOLVED that the Salem City Council hereby

- Endorses the use of Tax Increment Financing as a tool to encourage affordable housing production at the Properties, and;
- Provides for a tax exemption at the Properties based on the growth portion in assessed valuation of the property for a period of fifteen (15) years, beginning the first full fiscal year after the final residential Certificate of Occupancy is issued for the new building at 1 and 2 Leefort Terrace, and in accordance with the schedule below:

Term Year	Exemption
1	100%
2	90%
3	85%
4	80%
5	70%
6	65%
7	60%
8	55%
9	50%
10	45%
11	40%
12	40%
13	35%
14	30%
15	30%

Said exemption being in accordance with the requirements and regulations established, which govern the implementation of such Tax Increment Exemption Agreements.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized, on behalf of the City, to enter into a Tax Increment Financing Agreement, a copy of which is attached hereto, with BC Leefort Terrace LLC.

BE IT FURTHER RESOLVED that the City of Salem is hereby authorized to submit a request to the Department of Housing and Community Development for approval of the Tax Increment Financing Agreement.



CITY OF SALEM, MASSACHUSETTS

**Kimberley Driscoll
Mayor**

Office of the Mayor

November 17, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am writing to respectfully request that you approve the Salem-Neck Urban Center for Housing (UCH) plan and authorize a tax increment financing (TIF) agreement between the City of Salem and BC Leefort Terrace, LLC.

The Urban Center Housing Tax Increment Financing (UCH-TIF) is a statutory program that authorizes cities and towns to promote housing and commercial development, including affordable housing, through tax increment financing arrangements. To participate in the program, the City must adopt a detailed urban center housing tax increment financing plan ("UCH-TIF Plan") for a designated area with a "UCH-TIF Zone." The UCH program is essentially the same concept as a commercial TIF or the Housing Development Incentive Program (HDIP) in that it authorizes municipalities to provide real estate tax exemptions on all or part of the increased value (the "increment") of eligible property improvements within an approved zone. However, unlike HDIP which requires a minimum of 80 percent of the units be market rate, the UCH-TIF allows projects that are 100 percent affordable.

The UCH program is a strategy identified in the Housing Roadmap to ensure everyone benefits from having a home in a stable community - supporting those who need additional assistance and investing local funding as a tool where subsidy and stability measures alone fall short. The UCH-Plan and TIF are being initiated as part of the financial plan to redevelop the existing 50-unit Leefort Terrace site - which is physically, financially, and functionally obsolete - into a 124-unit affordable development with site improvements and publicly accessible open space.

The Assessor estimates that the base value of the property with the building post-sale will be \$3.15 million. He further estimates that the anticipated investment in the building will increase the property value by \$25.8 million after completion. Keep in mind, as a Housing Authority

property the City currently does not collect any property tax from Leefort Terrace. The City has negotiated a TIF agreement with BC Leefort Terrace, LLC. The agreement has a 15-year term starting when the development is in operation, with a 100 percent exemption on the increment for the first year of operation. The exemption declines over time, per the schedule below.

Based on this agreement the City will collect over \$2.7 million in total over a fifteen-year period. When the TIF expires after sixteen years, the City will collect approximately \$384,250 per year in taxes from the property. The TIF, over fifteen years, would provide a tax exemption of a projected \$2,996,312 on the incremental assessed value according to the following schedule:

Term Year	Exemption	Incremental Assessed Value	Exempted Property Taxes	Estimated New Property Taxes	Estimated Base Tax Bill	Total Annual Taxes Paid
1	100%	\$25,844,200	\$342,436	\$342,436	\$384,250	\$41,814
2	90%	\$25,844,200	\$308,192	\$342,436	\$384,250	\$76,058
3	85%	\$25,844,200	\$291,070	\$342,436	\$384,250	\$93,180
4	80%	\$25,844,200	\$273,949	\$342,436	\$384,250	\$110,301
5	70%	\$25,844,200	\$239,705	\$342,436	\$384,250	\$144,545
6	65%	\$25,844,200	\$222,583	\$342,436	\$384,250	\$161,667
7	60%	\$25,844,200	\$205,461	\$342,436	\$384,250	\$178,789
8	55%	\$25,844,200	\$188,340	\$342,436	\$384,250	\$195,910
9	50%	\$25,844,200	\$171,218	\$342,436	\$384,250	\$213,032
10	45%	\$25,844,200	\$154,096	\$342,436	\$384,250	\$230,154
11	40%	\$25,844,200	\$136,974	\$342,436	\$384,250	\$247,276
12	40%	\$25,844,200	\$136,974	\$342,436	\$384,250	\$247,276
13	35%	\$25,844,200	\$119,852	\$342,436	\$384,250	\$264,398
14	30%	\$25,844,200	\$102,731	\$342,436	\$384,250	\$281,519
15	30%	\$25,844,200	\$102,731	\$342,436	\$384,250	\$281,519
Total			\$2,996,312	Total		\$ \$2,767,438

The approval process of the UCH-Plan and TIF requires a public hearing, which must be advertised for two successive weeks, with the second notice being at least three days prior to the hearing. Because of the time sensitivity of the project, I request you schedule the public hearing as soon as possible. I further recommend approval of the proposed UCH-plan and TIF. I believe that this is a solid investment for the City of Salem. Thank you for your consideration.

Sincerely,



Kimberley Driscoll
Mayor
City of Salem

URBAN CENTER HOUSING TAX INCREMENT FINANCING AGREEMENT

BY AND AMONG

BC LEEFORT TERRACE LLC
AND THE CITY OF SALEM

(Leefort Terrace)

This Urban Center Housing Tax Increment Financing Agreement (this "Agreement") is made as of this ____ day of _____, 202__ (the "Effective Date") by and among the City of Salem, a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts, having an address of City Hall, 93 Washington Street, Salem, Massachusetts 01970 (the "City"); and BC Leefort Terrace LLC, a Massachusetts limited liability company having an address c/o Beacon Communities LLC, Two Center Plaza, Suite 700, Boston, MA 02108 (the "Developer").

RECITALS

1. The Developer is (i) acquiring, by 99-year ground lease, that certain 3.2± acre parcel of land commonly known as Leefort Terrace, located at 1 and 2 Leefort Terrace in Salem, Massachusetts, identified by the City of Salem Assessors' Office as Parcels 41-0249-0 and 41-0242-0, and legally described on Exhibit A attached hereto and incorporated herein (the "Property"), and (ii) obtaining debt financing and equity investments needed to finance the construction of the Development (as hereinafter defined).

2. The Salem Housing Authority (the "SHA") is the fee simple owner of the Property, which presently consists of 50 units of state-funded public housing. The existing 50 units of housing on the Property warrant replacement and redevelopment, as the Property's infrastructure is physically, financially, and functionally obsolete.

3. The Developer will undertake the full demolition of the pre-existing site and buildings, and construction of a new 124-unit multifamily residential building, together with site improvements, publicly accessible open space, parking, and pedestrian pathways and other landscape improvements (collectively, the "Development"), all as shown on the project plans dated October 12, 2022 approved by the Salem Zoning Board of Appeals on October 24, 2022 (such plans and specifications, as they may be amended from time to time, the "Approved Plans"). The projected development schedule is attached hereto as Schedule 1.

4. One hundred seven (107) of the new residential units at the Development will be restricted in perpetuity, for lease to households earning no more than 60% of the Area Median Income (as defined by the U.S. Department of Housing and Urban Development) ("AMI"), and seventeen (17) additional residential units will be restricted in perpetuity, for lease to households earning no more than 30% of AMI (such income-restricted units, the "Affordable Units"), pursuant to the AHR (as defined below).

5. The City, by a duly authorized vote of the Salem City Council on _____, 2022, taken in accordance with the provisions of M.G.L. c. 40, § 60 (the “Act”) and 760 CMR 58.04-58.06, has approved (i) the designation and creation of an Urban Center Housing – Tax Increment Financing Zone in Salem Neck (“UCH-TIF Zone”), (ii) the adoption of an Urban Center Housing Tax Increment Financing Plan (the “UCH-TIF Plan”), including this Agreement, and (iii) the execution of this Agreement by the Mayor of the City.

6. The Property and proposed Development are located within the UCH-TIF Zone, which is characterized by a preponderance of commercial and marine industrial land uses, and average household income below 115% of AMI, as described in M.G.L. c. 40 §§ 60(a)(i), (b).

7. The Development furthers the housing objectives of the City as outlined in the UCH-TIF Plan by significantly broadening and enhancing the affordable residential opportunities within the City, complementing the surrounding commercial growth, and generating additional real estate revenues from the Property.

8. The Commonwealth of Massachusetts Department of Housing and Community Development (“DHCD”) has approved the UCH-TIF Zone and UCH-TIF Plan, including this Agreement and the AHR, in accordance with M.G.L. c. 40 § 60 and 760 CMR 58.04(6).

9. The City has agreed to grant the Developer an Urban Center Housing Tax Increment Financing exemption to benefit the Development (the “Exemption”).

10. Unless otherwise stated, terms capitalized but not defined within this Agreement shall have the meanings as set forth in M.G.L. c. 40, § 60 and c. 59, § 5, cl. 51s (collectively referred to herein as the “Act”), and the regulations found at 760 CMR 58.00 et seq. (referred to herein as the “Regulations”), as of the Effective Date.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein and other good and valuable consideration each to the other paid, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

A. TAX INCREMENT FINANCING EXEMPTION

1. The Developer agrees to construct the Development pursuant to and in substantial accordance with the Approved Plans. The Developer further agrees to operate the Development in accordance with the MassDocs Affordable Housing Restriction to be executed by the [MassDocs Lenders (defined therein), including the City], and the Developer, dated as if the Effective Date (the “AHR”).

2. The City hereby grants the Exemption to the Developer in accordance with the Act, subject to the terms and conditions hereof.

3. The term of the Exemption shall be for a period of fifteen (15) years (the

“Exemption Period”) commencing upon start of operations at the Development following construction completion (the “Term Commencement Date”), and shall provide a discounted dollar amount of annual taxation, as described below, based upon a fixed percentage increase from the fiscal year 20__ [*INSERT YEAR OF EXECUTION*] on the assessed value of the Property. When the Term Commencement Date can be determined, the Developer shall submit a confirmatory notice to the City. During construction of the Development, prior to the Term Commencement Date, real estate taxes for the Property shall be prorated based on the percentage of the work completed.

4. The following exemption percentage and exemption schedule will apply towards the assessed value. The Exemption shall be calculated as prescribed by the Act and the Regulations during the term of this Agreement for each of the years listed below:

Year	Fiscal Year	Exemption Percentage	Percentage of Real Estate Tax Payable on the Increment
1		100%	0%
2		90%	10%
3		85%	15%
4		80%	20%
5		70%	30%
6		65%	35%
7		60%	40%
8		55%	45%
9		50%	50%
10		45%	55%
11		40%	60%
12		40%	60%
13		35%	65%
14		30%	70%
15		30%	70%

5. For each of the fifteen (15) fiscal years listed in Section 4, a portion of the assessed value of the Property equal to the (i) Increment (as defined in 760 CMR 58.03), times (ii) the Exemption Percentage shall be exempt from taxation, all as more specifically provided in the Act and the Regulations.

6. As provided in the Act and the Regulations, the Base Value shall be the assessed value of the Property in the fiscal year in which this Agreement is entered into.

7. The City fiscal year 20__ assessed valuation of the two tax parcels comprising the Property are as follows: (i) 1 Leefort Terrace (Building Value \$[____]), Land Value \$[____]); and (ii) 2 Leefort Terrace (Building Value \$[____]), Land Value \$[____]), (or \$[____] in the aggregate).

8. The Exemption provided by this Agreement shall automatically terminate after the fifteenth (15th) full fiscal year following the Term Commencement Date (the “Expiration”).

Date”) except for claims related to defaults or alleged defaults under this Agreement occurring prior to the expiration of the Exemption Period. From and after the Expiration Date, the owner of the Property shall pay the full amount of taxes assessed on the Property comprising the Development, or any portion thereof.

9. The Developer hereby agrees that the allocation of real estate taxes it pays or causes to be paid to the City shall be in a manner and an amount consistent with this Agreement, pursuant to tax bills rendered by the City in its usual and customary manner. Notwithstanding any other provisions of this Agreement to the contrary, the parties agree that the payment obligation under this Agreement shall be the legal responsibility of the Developer.

B. DEVELOPER’S COVENANTS AND AGREEMENTS

1. As stated in Section A.1, the Developer shall undertake the redevelopment of the Property substantially in accordance with the Approved Plans.

2. The Exemption granted by the City is in consideration of the recitals set forth at the beginning of this Agreement, and the Developer’s covenants and agreements as stated below, which the Developer hereby affirms as follows:

a. To undertake the redevelopment of the Property and operation of the Development in accordance with the provisions hereof.

b. To keep the Development in good order and repair and maintain the Development in a decent, safe, and sanitary condition, all in accordance with applicable laws and ordinances and all rules, regulations and requirements of governmental authorities having jurisdiction over the Development.

c. To create and operate all 124 units in accordance with the AHR.

d. To ensure that the Affordable Units are occupied by income-eligible households in accordance with the terms of the AHR.

e. To comply with all applicable fair housing laws in the selection of tenants for the Development, including without limitation, the Affordable Units.

f. To comply with all income certification requirements with respect to occupants of the Affordable Units, as set forth in the AHR.

g. The Developer shall have the right to transfer this Agreement in connection with a conveyance of an interest in the Property or Development; provided that Developer gives the City written notice (the “Transfer Notice”) of such conveyance no less than thirty (30) days prior thereto (the “Transfer Notice Period”) and such entity assumes the obligations of the Developer hereunder. This Agreement shall not be transferred to any third party at any time, unless the Mayor approves such action in writing in his or her good faith basis, provided that the Mayor shall be deemed to have

approved such transfer unless he or she provides a written rejection of the transfer within ten (10) days of delivery of the Transfer Notice, and provided further that any written rejection of a proposed transfer of this Agreement be accompanied by an explanation of the reasons for such rejection. Notwithstanding the foregoing, no Transfer Notice or City approval shall be required for the Developer (i) to convey any interest in the Property or the Development and (ii) to transfer this Agreement to an entity controlled by the Developer.

h. To cooperate in the City's administration, monitoring and enforcement of this Agreement, including such access rights to the Property (subject to any applicable leases) as are reasonably necessary to accomplish the same.

i. Except as set forth above, the provisions of this Agreement shall benefit the Property and no other real property.

C. AFFORDABLE HOUSING REQUIREMENTS AND RESTRICTION

1. The parties hereto have agreed upon the form of AHR attached to this Agreement as Exhibit B.

2. Contemporaneously with the execution of this Agreement, the Developer shall record or cause to be recorded, the AHR with the Essex County Registry of Deeds and provide a recorded copy thereof to the City.

3. The Act, in Section 60(b), requires as a condition of the granting of the Exemption, that one of the affordability thresholds described in such Section 60(b) be satisfied at the Property. Section 60(b)(i) of the Act provides that one such threshold is the assurance that at least 15% of the housing units assisted by the exemption shall be affordable to occupants or families with incomes at or below 80% of AMI. All 124 units shall be maintained as Affordable Units for the duration of the term of the Exemption as described in the AHR.

4. The City and the Developer expressly acknowledge and agree to DHCD's right of first refusal and purchase with respect to the Property, as set forth in the AHR.

5. In the event of any conflict between the provisions of this Agreement and the AHR, the AHR shall be dispositive.

6. In the event the City terminates this Agreement for any reason, or revokes the Exemption, the Developer shall have no further obligations under this Agreement; however, such termination shall have no impact on Developer's obligation pursuant to any other agreements between the Developer and the City, or DHCD, unless explicitly stated otherwise.

D. ADDITIONAL REQUIREMENTS AND AGREEMENTS

1. This Agreement does not provide any exemption from personal property taxes with respect to the Property or the Development.

2. Intentionally omitted.

3. The City, the Developer, DHCD, and other parties shall enter into the AHR.

4. Any failure of the Developer to (i) construct, operate and maintain the Development as required herein, (ii) comply with the terms of this Agreement, or (iii) timely make any payments owed to the City hereunder, shall constitute a default under this Agreement. If any such default shall occur, the City may, in addition to such other remedies it may have at law or in equity, terminate this Agreement and discontinue the Exemption, commencing with the first day of the City fiscal year immediately following the City fiscal year in which default has occurred. Prior to any discontinuance of the Exemption, however, the City shall provide to the Developer written notice of the alleged default and an opportunity to cure the default within a period of thirty (30) days from the date of any such notice. The City agrees to provide contemporaneous written notice of any such alleged default to (a) the Developer at the notice address set forth in Section E.1., and (b) any lender or investor entity providing financing for the Project, notice of which lenders and/or investors the Owner has provided to the City in accordance with Section E.1. Notwithstanding the foregoing, as of the Effective Date, such lenders and investors are as set forth on Exhibit C attached hereto.

E. ADDITIONAL PROVISIONS

1. Notices. All notices, requests and demands which any party is required or may desire to give to the other party pursuant to this Agreement must be in writing delivered to each party at the addresses set forth below:

If to the City:

Mayor
City of Salem
98 Washington Street
Salem, MA 01970

With copies to:

City Solicitor
City of Salem
98 Washington Street
Salem, MA 01970

If to the Developer:

BC Leefort Terrace LLC
c/o Beacon Communities LLC
Two Center Plaza, Suite 700
Boston, MA 02108
Attn: Dara Kovel

With copies to:

Nixon Peabody LLP
Exchange Place
53 State Street
Boston, MA 02110

Attn: Julie Hancock Stande, Esq.

and

Beacon Communities LLC
Two Center Plaza, Suite 700
Boston, MA 02108
Attn: General Counsel

Copies of all Notices hereunder shall also be provided to the DHCD UCH-TIF Program at:

Department of Housing and Community and
Development
100 Cambridge Street, Suite 300
Boston, MA 02114
Attn: UCH-TIF Program Representative

Any notice party may designate a different address by notice given to the other parties as provided herein. Each notice, request and demand hereunder shall be deemed given or made as follows: (i) if sent by hand delivery, upon delivery; or (ii) if sent by certified mail, return receipt requested, or by nationally recognized overnight delivery service, upon receipt or refusal.

2. Further Assurances. At the request of either party hereto, the other party shall execute, acknowledge and deliver such other documents and/or instruments as may be reasonably required by the requesting party in order to carry out the purposes of this Agreement, provided that no such document or instrument shall modify the rights and obligations nor increase the liability of the parties set forth herein.

3. Successors and Assigns. The provisions of this Agreement shall benefit the Property and no other real property. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the City, and of the Developer as owner of the Property. Except as set forth in Section B.2.g. above, the Developer may not assign its rights and obligations under this Agreement without the approval of the City in its sole discretion; provided, however, that the Developer may assign its rights and obligations hereunder to an assignee which acquires the Property through foreclosure or deed in lieu thereof and thereby assumes all of the Developer's rights hereunder (so long as notice of any such foreclosure or deed in lieu of foreclosure is promptly provided to the City in accordance with Section E.1 hereof). In addition, and notwithstanding the foregoing, the City acknowledges that the Developer may subject the Property to a condominium regimes pursuant to the provisions of M.G.L. c. 183A, as amended.

4. Governing Law; Venue. This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts, without regard to principles of conflicts of laws. Any claim or action arising under this Agreement shall be tried in a court of competent jurisdiction sitting in Essex County, Massachusetts.

5. Entire Understanding. This Agreement and the AHR constitute the entire understanding of the parties with respect to the subject matter hereof, and supersede all prior and current understandings and agreements with respect to the same, whether written or oral.

6. Headings. Headings are for convenience and reference only and in no way define or limit the provisions of this Agreement.

7. Severability. All provisions contained in this Agreement are severable and the invalidity or unenforceability of any provision shall not affect or impair the validity or enforceability of the remaining provisions of this Agreement. If any provision of this Agreement shall be found invalid for any reason, such invalidity shall be construed as narrowly as possible, and the balance of this Agreement shall be deemed to be amended to the minimum extent necessary to provide the parties with the benefits and obligations set forth herein.

8. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, but both of which together shall constitute and be construed as one and the same instrument.

9. Recitals. The recitals are incorporated herein by reference, as if fully restated herein.

10. Estoppel Certificates. Upon written request of either party made upon at least ten (10) business days' notice, the other party shall provide a certificate certifying to the best of its knowledge, that (if true) (i) this Agreement is in full force and effect, (ii) this Agreement has not been amended, except as may be set forth in such certificate, (iii) the requesting party is not in default of this Agreement (or if it is default, specifying the nature of the default), and (iv) such other factual matters as the requesting party may reasonably request.

11. Conflicts. In the event of any conflict between the provisions of this Agreement and the provisions of the TIF Plan, the provisions of this Agreement shall be dispositive.

[The signature page is the next page.]

This Agreement is executed as an instrument under seal as of the date first set forth above.

CITY:

CITY OF SALEM

By: _____
Kimberley Driscoll, Mayor

DEVELOPER:

BC Leefort Terrace LLC

By: Leefort Terrace MM LLC, its Managing Member

By: Beacon Communities Corp., its Managing Member

By: _____

Name:

Title:

Exhibit A: Legal Description of Property
Exhibit B: Form of AHR
Exhibit C: Notice Addresses – Lender, Investor
Schedule 1: Projected Development Schedule

Exhibit A

Legal Description of Property

[to be attached]

Exhibit B

Form of Affordable Housing Restriction

**[MassDocs Affordable Housing Restriction
to be attached]**

Exhibit C

Lender/Investor Notice Addresses

If to Construction Lender:

If to Equity Investor:

With copies to:

And also to:

Schedule 1

Projected Development Schedule

An overview of the projected overall project timeline is outlined below:

- **February 2023 - June 2023** - Acquisition
- **June 2023** - Resident temporary relocation begins
- **August 2023** - Construction begins
- **February 2025** - Construction complete
- **February 2025** - Residents begin moving back
- **February 2025** - Lease-up of additional units begins
- **June 2025** - Building fully occupied

CITY OF SALEM

In the year Two Thousand and Twenty-two

An Ordinance to amend an Ordinance relative to Traffic, Ch. 42 Sec. 50B

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

Section 1. Chapter 42, Section 50B – “Handicap Zone Limited Time” is hereby amended by repealing the following:

Repeal - in Front of #27 Barstow Street for a distance of 20 feet, Handicap Parking, Limited Time, Tow Zone”

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 Riccardi

DATE: November 14, 2022

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

NAME OF STREET Barstow Street

TYPE OF STREET CHANGE Handicapped Zones, Limited Time

DESCRIPTION OF AREA WHERE CHANGE IS REQUESTED In front of 27 Barstow Street.

COUNCILLOR'S COMMENTS/EXPLANATION The resident of 27 Barstow Street who had requested an HP space in front of the home no longer lives there and no one has been using the space.

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: Repeal: Barstow Street – Handicapped Zones, Limited Time – in front of #27, for a distance of 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 the year Two Thousand and Twenty-two

An Ordinance to amend an Ordinance relative to Traffic, Ch. 42 Sec. 50B

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

Section 1. Chapter 42, Section 50B – “Handicap Zone Limited Time” is hereby amended by adding the following:

In Front of #15 Conant Street for a distance of 20 feet, “Handicap Parking,
Limited Time, Tow Zone”

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 Watson-Felt DATE: November 14, 2022

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

NAME OF STREET Conant Street

TYPE OF STREET CHANGE Handicapped Zones, Limited Time

DESCRIPTION OF AREA WHERE CHANGE IS REQUESTED In front of 15 Conant Street.

COUNCILLOR'S COMMENTS/EXPLANATION A resident of 15 Conant Street is disabled and uses a vehicle in conjunction with an HP placard. They have difficulty using their available off-street parking due to its poor layout. On-street parking is heavily used on the street, and the resident has difficulty finding parking close to their home.

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: Conant Street – Handicapped Zones, Limited Time – in front of 15 Conant Street, for a distance of 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) 745-9593 ext 41202 www.salem.com

CITY OF SALEM

In the year Two Thousand and Twenty-two

An Ordinance to amend an Ordinance relative to Traffic, Ch. 42 Sec. 50B

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

Section 1. Chapter 42, Section 50B – “Handicap Zone Limited Time” is hereby amended by adding the following:

In Front of #3 Ocean Avenue for a distance of 20 feet, “Handicap Parking, Limited Time, Tow Zone”

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: November 14, 2022

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

NAME OF STREET Ocean Avenue
TYPE OF STREET CHANGE Handicapped Zones, Limited Time
DESCRIPTION OF AREA WHERE CHANGE IS REQUESTED In front of 3 Ocean Avenue.

COUNCILLOR'S COMMENTS/EXPLANATION A resident of 3 Ocean Avenue is disabled and uses a vehicle in conjunction with an HP placard. They have no available off-street parking. On-street parking is heavily used on the street, and the resident has difficulty finding parking close to their home.

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: Ocean Avenue – Handicapped Zones; Limited Time – in front of 3 Ocean Avenue, for a distance of 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 the year Two Thousand and Twenty-two

An Ordinance to amend an Ordinance relative to Traffic, Ch. 42 Sec. 50B

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

Section 1. Chapter 42, Section 50B – “Handicap Zone Limited Time” is hereby amended by adding the following:

In Front of #42 Essex Street for a distance of 20 feet, “Handicap Parking, Limited Time, Tow Zone”

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 McCarthy

DATE: November 14, 2022

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

NAME OF STREET Essex Street

TYPE OF STREET CHANGE Handicapped Zones, Limited Time

DESCRIPTION OF AREA WHERE CHANGE IS REQUESTED In front of 42 Essex Street.

COUNCILLOR'S COMMENTS/EXPLANATION A resident of 41 Essex Street is disabled and uses a vehicle in conjunction with an HP placard. They have no available off-street parking. On-street parking is heavily used on the street, and the resident has difficulty finding parking close to their home. There is no parking allowed on the odd-numbered side of the street, so the sign would have to be erected in front of 42 Essex St

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: Essex Street – Handicapped Zones; Limited Time – in front of 42 Essex Street, for a distance of 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, November 17, 2022

Ordered:

In accordance with Massachusetts General Law, Chapter 268A, Section 20(b) the City Council hereby declares that Thomas Doyle has met the requirements for exemption as set forth in this Section and may be retained as a Basketball League Director (seasonal) for the Park, Recreation and Community Services Department, not to exceed 500 hours in this calendar year.

ELIZABETH M. RENNARD

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



CITY OF SALEM
KIMBERLEY L. DRISCOLL, MAYOR

LEGAL DEPARTMENT
93 WASHINGTON STREET
SALEM, MASSACHUSETTS 01970

VICTORIA B. CALDWELL

ASSISTANT CITY SOLICITOR
93 WASHINGTON STREET
SALEM, MA 01970
TEL: 978.619.5634
EMAIL: VCALDWELL@SALEM.COM

SHARYN G. LUBAS

ASSISTANT CITY SOLICITOR
93 WASHINGTON STREET
SALEM, MA 01970
TEL: 978.744.0171 x 50106
EMAIL: SLUBAS@SALEM.COM

November 17, 2022

Salem City Council
City Hall
Salem, MA 01970

Ladies and Gentlemen of the Council:

Enclosed herewith is a proposed Order approving a Massachusetts Conflict of Interest Law exemption for Thomas Doyle, as provided in General Law c. 268A, § 20(b), to work as a Basketball League Director (seasonal) for the Park, Recreation and Community Services Department.

The Conflict-of-Interest Law, specifically General Law c. 268A, § 20(b), requires that because Thomas will provide personal services to a new department, he must receive City Council approval of a § 20(b) exemption. A copy of the required disclosure form and instructions are attached for your review.

If you have any questions relative to the proposed Order, please contact me at your earliest convenience. Thank you.

Sincerely,

Elizabeth Rennard

Enclosure

CHAPTER 268A. CONDUCT OF PUBLIC OFFICIALS AND EMPLOYEES

Chapter 268A: Section 20. Municipal employees; financial interest in contracts; holding one or more elected positions

Section 20. (a) A municipal employee who has a financial interest, directly or indirectly, in a contract made by a municipal agency of the same city or town, in which the city or town is an interested party of which financial interest he has knowledge or has reason to know, shall be punished by a fine of not more than three thousand dollars or by imprisonment for not more than two years, or both.

This section shall not apply if such financial interest consists of the ownership of less than one per cent of the stock of a corporation.

This section shall not apply (a) to a municipal employee who in good faith and within thirty days after he learns of an actual or prospective violation of this section makes full disclosure of his financial interest to the contracting agency and terminates or disposes of the interest, or (b) to a municipal employee who is not employed by the contracting agency or an agency which regulates the activities of the contracting agency and who does not participate in or have official responsibility for any of the activities of the contracting agency, if the contract is made after public notice or where applicable, through competitive bidding, and if the municipal employee files with the clerk of the city or town a statement making full disclosure of his interest and the interest of his immediate family, and if in the case of a contract for personal services (1) the services will be provided outside the normal working hours of the municipal employee, (2) the services are not required as part of the municipal employee's regular duties, the employee is compensated for not more than five hundred hours during a calendar year, (3) the head of the contracting agency makes and files with the clerk of the city or town a written certification that no employee of that agency is available to perform those services as part of their regular duties, and (4) the city council, board of selectmen or board of aldermen approve the exemption of his interest from this section.

Tues, November 15, 2022

City of Salem MA

Street sweeping signs need to be posted on the side of the street where parking takes place. I.e: one way streets where parking only occurs one side - that is where signs need to be - even if it requires placing cones with the signs on them.

Around the Common - if street sweeping is occurring on both sides - signs also need to be on both sides.

This needs to take place citywide.

Thank you,
Lucy Sprague

CITY CLERK
SALEM, MASS

2022 NOV 15 AM 10:45

PARKING VIOLATION				CITY OF SALEM, MA			
MONTH	DAY	YEAR	VIOLATION #				
11	15	22	3055446				
REGISTRATION			PLATE COLOR				
STATE	CT	6942B8	PLATE TYPE				
MA	RI		OTHER				
NH	NY		PA				
VT	MA		CO				
OTHER			OTHER				
TIME	VEHICLE MAKE	VEHICLE TYPE	VEHICLE COLOR				
10:00 PM	Toyota	COE	Silver				
LOCATION	K. Sprague St		METER #				
NAME	K. Sprague		OFFICER ID #				
			133				

\$300		\$25 FINE	
<input type="checkbox"/> 1 HANDICAPPED ZONE	<input type="checkbox"/> 15 OVERTIME PARKING NON-METER		
<input type="checkbox"/> \$100 FINE	<input type="checkbox"/> 16 OVERTIME PARKING - METER		
<input type="checkbox"/> 2 MTA BUS STOP	<input type="checkbox"/> 17 STANDING TOUR BUSES, ENGINE RUNNING		
<input type="checkbox"/> 3 PARKING BUS OR MOTOR COACH IN RESTRICTED AREA	<input type="checkbox"/> \$15 FINE		
<input type="checkbox"/> \$50 FINE	<input type="checkbox"/> 18 RESIDENT PERMIT AREA TOW ZONE		
<input type="checkbox"/> 4 WITHIN 10 FEET OF A FIRE HYDRANT	<input type="checkbox"/> 19 PARKING VEHICLE FOR SALE PROHIBITED		
<input type="checkbox"/> 5 INTERFERING W/ SNOW REMOVAL	<input type="checkbox"/> 20 EMERGENCY SNOW ARTERY		
<input type="checkbox"/> \$25 FINE	<input type="checkbox"/> 21 LESS THAN 12 FEET UNOBSTRUCTED LANE		
<input type="checkbox"/> 6 RESTRICTED AREA	<input type="checkbox"/> 22 TOUR BUS STOP		
<input type="checkbox"/> 7 NOT WITHIN A DESIGNATED SPACE	<input type="checkbox"/> 23 FIRE LANE		
<input type="checkbox"/> 8 UPON A CROSSWALK	<input type="checkbox"/> 24 WITHIN 20 FEET OF CORNER		
<input type="checkbox"/> 9 DOUBLE PARKING / RIGHT WHEEL NOT WITHIN 12 INCHES OF CURB	<input type="checkbox"/> 25 WITHIN 4 FEET OF DRIVEWAY OR PRIVATE ROAD		
<input type="checkbox"/> 10 SERVICE ZONE	<input type="checkbox"/> 26 ALONGSIDE / OPPOSITE STREET EXCAVATION		
<input type="checkbox"/> 11 UPON A SIDEWALK	<input type="checkbox"/> 27 USING VEHICLE FOR SOLE PURPOSE OF ADVERTISING		
<input type="checkbox"/> 12 STREET SWEEPING TOW ZONE	<input type="checkbox"/> 28 PARKING REGULATIONS AT SALEM HIGH SCHOOL		
<input type="checkbox"/> 13 WITHIN A POSTED TOW ZONE	<input type="checkbox"/> OTHER FINE		
<input type="checkbox"/> 14 METER FEEDING	<input type="checkbox"/> 29 OTHER		

\$300	\$100	\$50	\$25	\$15	TOTAL DUE
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	35

Payment or appeal must be completed within 21 days. Appeal in writing to: Hearing Officer, 93 Washington St. Rm. 4, Salem, MA 01970 or appear in person Tuesday 10am-2pm or Thursday 3-7pm.
DO NOT MAIL CASH. Pay only by postal note, money order or check made payable to City of Salem and mail to PO BOX 27, Hopedale, MA 01747, 978-745-3595

SEE OTHER SIDE FOR IMPORTANT INFORMATION
PLACE CHECK IN ENVELOPE - PEEL OFF TAPE AND FOLD TO SEAL.

SOAKX OL ENVELOPE REMOVE TO EXPOSE ADHESIVE
TAISEHNV ESODX OL ENVELOPE REMOVE TO EXPOSE ADHESIVE

City of Salem

In the year two thousand and twenty-two

An Ordinance to prioritize affordable housing when disposing of city land.

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

Section I. A New Ordinance To Replace The Existing Ordinance, Chapter 2, Article IX, Public Property, Division 4- Disposition Of City-Owned Land by deleting Chapter 2, Sections 1631 through 1637 in it's entirety and replacing with the following:

Sec. 2-1631. Scope of division.

The City of Salem owns and operates real property needed for the effective provision and management of municipal services. The city recognizes that from time-to-time property may no longer be needed for any municipal purpose. It is the policy of the City of Salem to provide the best possible stewardship and management of municipal assets in the best interests of the City of Salem.

In the interest of establishing a clear policy for the sale of publicly-owned land that will achieve land uses that best serve the City of Salem, the procedures in this division will be adhered to concerning the sale of publicly-owned land.

This division shall not apply to the transfer of real estate, or any interest therein, to the affordable housing trust fund Board for the purposes of construction of low-moderate-income housing pursuant to M.G.L. c. 40, s. 15A.

The purpose of this division is to:

- (1) Ensure that real property owned by the city serves a valid public purpose.
- (2) When the public purpose is found to be best served by a disposition for a private purpose, the city's objective shall be to ensure a public benefit will be provided to the city. The public benefit must be consistent with the city's priorities, including:
 - a. Prioritize public land that is suitable for housing and or the adaptive reuse into housing as affordable housing as defined herein; or
 - b. Park and or open space; or
 - c. Historic preservation; or
 - d. Other priorities reflected in or adopted by City policies or plans.
- (3) Establish a policy to encourage public agencies, other than the city, that own surplus and underutilized public lands in Salem to prioritize land uses that accomplish the city's priorities identified in this division.

Sec. 2-1633. City policy regarding the disposition of public land

- (1) The city council shall be guided by the following policy regarding the disposition of surplus and Underutilized property, which policy shall be the official policy of the city.
- (2) The city shall ask all other public agencies and quasi-public agencies that own real property within Salem and that intend to dispose of the real property to give the director of public property 90 days of advance notice of the proposed disposition together with an opportunity to negotiate for the property to discuss the city's priorities.

Sec. 2-1634. Inventory.

The city planner and the director of public property shall inventory all parcels of inactive city-owned land, with such inventory including the following:

- (1) Address of the parcel.
- (2) Assessor map and lot number.
- (3) Lot area and frontage.
- (4) Presence of buildings.
- (5) Current zoning classification.
- (6) Assessed value.

Sec. 2-1635. Processes for disposing or leasing of city land.

- (1) The process for disposing of tax title parcels shall be consistent with Massachusetts General Law Chapter 60.
 - (2) The process for disposing of city-owned developable parcels that will be sold by public auction shall occur in accordance with Massachusetts General Law Chapter 30B.
- (A) The process for disposing of city-owned parcels undevelopable due to zoning restrictions shall be as follows:
- i. The city planner and director of public property shall consult with city department heads to determine if the city land is underutilized.
 - ii. The city council shall vote to declare the land surplus.
 - iii. The city planner and the director of public property shall prepare for review and approval of the mayor and city council a brief description of the factors that have made such parcel undevelopable.
 - iv. Upon review and approval of the recommendation by the mayor and city council, the director of public property shall advertise the undevelopable parcel(s) for sale in accordance with Chapter 30B.
 - v. Such advertisement shall contain the following information:

- a. The lowest acceptable bid amount (equal to the current value on record with the City Assessor); and
 - b. The address of the parcel.
- vi. Notice shall be sent to all abutters of such parcels stating the city's intent to dispose of the parcel and the factors which make such parcel undevelopable, as well as the date, time and place for submission of sealed bids.
- vii. Upon opening of the proposals, the director of public property may recommend to the mayor be authorized to dispose of the parcel to the highest bidder, provided the price equals or exceeds the assessed value. If such bid price does not equal or exceed the assessed value, the parcel shall not be disposed of.
- viii. In specific instances, the request for proposal may provide award criteria to dispose a land parcel to an abutter, despite the fact such abutter is not the highest bidder, if the city believes that the disposition of such land to an abutter will provide the use most compatible with the surrounding neighborhood.
- ix. Upon approval of the sale by the mayor, the city solicitor shall set a date for transfer of the land parcel from the city to the purchaser.

(B) Procedures for disposal or leasing of city-owned developable parcels shall be as follows:

- i. The city planner and director of public property shall consult with city department heads to determine if the city land is underutilized.
- ii. The city council shall vote to declare the land surplus.
- iii. The city planner and the director of public property shall prepare a report for review and approval at a public meeting of the mayor and city council of the developable parcel per the guidelines of Sect 2-1635.
- iv. Upon approval of the report by the mayor, the city council shall vote on the public purpose to be achieved if the lowest acceptable bid will be less than the appraised value. The city planner shall be instructed to dispose of such parcels by requests for proposal.
- v. A request for proposal shall be prepared that defines the following:
 - a. A definition of the development objectives, specifically the public purpose to be achieved if the lowest acceptable bid will be less than the appraised value as approved by the city council, and any reuse-restrictions.
 - b. The lowest acceptable bid amount.
 - c. The address of the parcel.
 - d. The lot area.
 - e. Zoning classification.
 - f. A definition of the scope of the preferred type and density of development.
 - g. The date, time and place for submission of proposals.
 - h. Other information deemed appropriate to the specific parcel.
- vi. A purchaser shall be chosen based on the most advantageous proposal from a responsive and responsible proposer, taking into consideration all evaluation criteria set forth in the solicitation, such as but not limited to the following criteria:

- a. Affordability: Proposals with the highest percentage of affordable housing (memorialized through an affordable housing restriction) in terms of the quantity of affordable housing units and the depth of affordability with a preference for units restricted for extremely low and very low-income households.
 - b. Development capabilities: Proposals by qualified and capable development teams that are able to fully accomplish the redevelopment project. The quality of the development team's reputation and references, and regulatory track record and ability to complete projects as proposed.
 - c. Historic preservation: If the property has historic value proposals that retain the historic character of the structure and clearly demonstrate how the redevelopment will successfully achieve city of Salem Historical Commission approval.
 - d. Economic value: Proposals that provide value to the city through direct economic benefits such as increase to tax base and purchase price. The city will not make its determination on price alone. The award will be made to the proposal that rates highest on the comparative criteria and price considered.
 - e. Quality of plan: Proposals with quality plans for development of the parcel and the compatibility of such plans with the surrounding neighborhood.
- vii. The purchasing agent, in concert with the city planner and director of public property or their designees, hereinafter "designation committee," shall evaluate all proposals based upon the criteria listed in the request for proposals. Finalists will be ranked in order of qualifications. All finalists will be treated equally and reason for the ranking will be set down in writing. The designation committee shall report its finding to the city council. The designation committee may recommend to the city council that the mayor be authorized to dispose the parcel to such purchaser.
- viii. If the property will be disposed of for less than the fair market value, prior to entering into a binding agreement to dispose of the property a notice shall be posted in the Central Register explaining the reasons for the decision, the public purpose that will be achieved, and disclosing the difference between the property value and the price to be receive.
- ix. Upon approval of the sale by the mayor, the city solicitor shall set a date for transfer of the parcel from the city to the purchaser.

Sec. 2-1636. Guidelines for evaluation of the disposition of real property by request for proposals.

The director of public property and city planner shall be responsible for engaging in a process that will result in a fair analysis of how the greatest public benefit can be obtained from the city property in question. The director of public property and city planner shall prepare a report to the city council on the disposal of any surplus or underutilized property on a case-by-case basis using the following guidelines:

- (1) Consistency. The director of public property and city planner shall review the proposed disposal for consistency with any restrictions or limitations resulting from any of the following:

- a. The title or deed conveying the property, including terms and conditions of the original acquisition or any other contact or instrument by which the city is bound or to which the property is subject to;
 - b. City, state, or federal ordinances, statutes, and regulations.
- (2) Economic Value.
 - a. An appraisal of the property shall be included in the report.
- (3) Evaluation.
 - a. The use of the city property at the time of the disposition analysis and any actual or projected annual revenues or costs associated with such property.
 - b. The existing zoning designation of the property and other City, State, and federal laws, codes, ordinances and regulations that apply to it at the time of the recommended disposition and that would apply to the various alternative uses analyzed.
 - c. Parcel size.
 - d. Existing improvements.
 - e. Existence of easements for city utilities.
 - f. Existing infrastructure.
 - g. Existence of or proximity to wetlands.
 - h. Known environmental factors.
 - i. Potential for consolidation.
 - j. Unique attributes that make the property difficult to dispose (size, location).
Limitations of the land parcel for construction.
 - k. The development potential of the property.
 - l. Compatibility of the potential uses with the physical characteristics of the property and surrounding uses.
 - m. Provisions of the city master plan applicable to the parcel.
 - n. Highest and best use of the property.
- (4) Priorities for use of city-owned Properties. The director of public property and city planner's joint recommendation for the disposition of city property should reflect assessment of the potential use of the property consistent with City priorities. The assessment should include a recommendation of the development objectives, including the public purpose to be achieved if the council decides to accept a bid lower than the appraised value.

Sec. 2-1637. Administration.

The city planning department and the director of public property, in cooperation with each other, shall administer the disposition process.

The aforementioned requirements delineated in sections 2-1631 through 2-1636 shall be adhered to for the disposition of all city-owned land, excluding, at the discretion of the director of public property after consultation with the city solicitor, those acquired through a Mass. Gen. Law Chapter 60 tax title foreclosure. In no event, shall city-owned land be disposed of without notice being mailed to all abutting land owners stating the city's intent to

dispose of a particular parcel or parcel(s). Said notice shall be mailed to abutters, their abutters and the city council at their home address a minimum of 30 days prior to the sale and shall include the date, time and place for submission of bids or proposals.

Sec. 2-1639. 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.

Affordable housing: Housing that is affordable in perpetuity to and occupied by a household with income at or below 60% 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).

Surplus property: Property deemed surplus by a vote of the City Council.

Underutilized public property: An entire property or portion thereof, with or without improvements, which does not have specific operational needs of the city, as determined through consultation with city department heads.

Section II. Secs. 2-1640- 2-1685. Reserved.

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

In City Council September 15, 2022

Referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole

In City Council October 25, 2022

Adopted for first passage

ATTEST:

ILENE SIMONS
CITY CLERK



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

September 15, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am pleased to present for your consideration the amended Disposition of City Owned Land Ordinance. As land values increase and affordable housing resources remain limited, we must consider a broad range of programs, policies, and tools to improve housing affordability. In the Summer of 2021, the Affordable Housing Trust Fund Board and Planning Department staff studied land disposition best practices to develop the enclosed disposition ordinance.

Surplus public land is a valuable resource. When public land is declared surplus, the City must consider competing pressures for the reuse of that property. There can be many, sometime conflicting goals. The proposed ordinance, has been reviewed and endorsed by the Affordable Housing Trust Fund Board, offers a clear and transparent communication process to identify community needs and opportunities for using publicly owned parcels to meet those goals, while prioritizing affordable housing and aligning our local rules with state procurements requirements.

A significant difference between the current ordinance and the proposal is that the solicitation process would now require the City Council to identify the public purpose to be achieved by the redevelopment of surplus land. Furthermore, it clarifies that affordable housing is specifically identified as a public purpose to be prioritized.

I look forward to discussing this ordinance with you and invite you to contact Amanda Chiancola, Deputy Director of Planning and Community Development, if you have any questions regarding it.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem

Disposition of Public Land – Fact Sheet

What is the purpose of this Ordinance?

The ordinance amends the existing City ordinance regarding the disposal of surplus City real estate, to create a more clear and transparent process to identify community needs and opportunities for using such property to meet those goals, prioritizing the need for affordable housing. Additionally, the ordinance updates the existing ordinance so that it better aligns local rules with state procurements requirements.

Inventory and Process for Disposal (Section 2-1634 and 2-1635)

The proposal changes the current inventory and disposal process to streamline it and ensure it reflects the requirements of the state law for dispossession of public land, depending on if it's a tax title parcel or not. In addition to technical changes to the ordinance, the proposal also eliminates the requirement for a listing of all surplus properties and instead establishes that the disposition process applies to individual City-owned parcels as they are identified (section 2-1637 on page 8 of the tracked changes removes the requirement for a biannual inventory of property as that requirement has been cumbersome from a staff and time perspective, and therefore inconsistently met in the past). The proposal also eliminates from the disposal process the payment of a nonrefundable deposit by the purchaser as such a payment is inconsistent with state procurement law.

Valuing a Public Purpose (Section 2-1635 subsection B4 and B5, on pages 5 and 6 of the tracked changes)

Under the current ordinance, the City Council may vote to sell land for less than the appraised value after receiving bids because the appraised value of a property may exceed the amount that, for example, a nonprofit affordable housing developer might be able to afford. However, that is inconsistent with state procurement law which requires that a public purpose be identified if the City is intending to dispose of property for less than the appraised value.

The proposed ordinance adds language stating that, after declaring a parcel surplus, the City Council shall vote to declare any "public purpose" for which the City would accept a bid less than the appraised value. The prioritized public purpose is then highlighted in the Request For Proposals (RFP). This provision empowers the City Council to prioritize that public purpose – creation of affordable housing – over the revenues possible if the property were sold for its full value and ensures a transparent process for all interested bidders.

Public Purposes (Section 2-1635 subsection B6 on page 6 of the tracked changes)

The current ordinance only lists two criteria for selected a proposed purchaser of surplus City property: purchase price and "quality of plan [including] the compatibility of such plans with the surrounding neighborhood." The proposed ordinance amends this section to include and define other criteria that the City may consider in evaluating a proposed purchase against the requirements of the RFP, which will include the "public purpose" identified by the City Council.

The updated ordinance lists the following as potential criteria (in addition to the "quality of plan"):
affordable housing (highest percentage of affordable housing with a preference for units restricted for extremely low and very low-income families; a new section, 2-1639 on page 9 of the tracked changes,

more specifically defines affordable housing as housing affordable to a household with income at or below 60% of area median income), the **capability of the developer**, **historic preservation** if the property has historic elements or value, and **economic value** (this replaces the pure consideration of purchase price with a more comprehensive look at both purchase price and future potential tax revenues).

Designation Committee (Section 2-1635 subsection B7 and B8 on pages 6 and 7 of the tracked changes)

The proposed ordinance would require the designation committee to generate a written report on its ranking of responses to an RFP and to provide the report to the City Council before any decision on authorizing the Mayor to dispose of a parcel to a purchaser. If it is being sold for less than the appraised value, a public notice is required specifying the public purpose prioritized and the dollar amount difference between the appraised value and the purchase price, as required by state procurement law

Guidelines to Evaluate a RFP (Section 2-1636 on pages 7-8 of the tracked changes)

This new section provides greater detail to the criteria to be used by the City in evaluating the greatest public benefit to be achieved from disposing of any City property. Their findings are required to be reported to the City Council so the Council can make its best judgment in approving a public purpose, as required by the new language in subsection B4, and in authorizing the eventual disposition of the property.

The specific criteria to be included in the report to the City Council consist of a summary of the **consistency** of the property use based on existing restrictions or laws, its **economic value** including the appraisal report for the property, and **fourteen defined evaluations** listed in subsection (3) on page 8 of the tracked changes. Lastly, the report is to include a recommendation of the development objectives, including the public purpose to be achieved if the Council were to accept a bid less than the appraised value.

Tax Title Foreclosure (Section 2-1638 on page 9 of the tracked changes)

The current ordinance requires that property acquired by the City through tax title foreclosure be subjected to the same surplus property process as conventional City-owned property, which is inconsistent with state procurement requirements. This change would permit for tax title properties to be exempted from the process and follow the state requirements set forth in Massachusetts General Law Chapter 60, after review and approval by the City solicitor.

PART III - CODE OF ORDINANCES
Chapter 2 - ADMINISTRATION
ARTICLE IX. - PUBLIC PROPERTY
DIVISION 4. DISPOSITION OF CITY-OWNED LAND

REDLINED VERSION

DIVISION 4. DISPOSITION OF CITY-OWNED LAND

Sec. 2-1631. Scope of division.

The City of Salem owns and operates real property needed for the effective provision and management of municipal services. The city recognizes that from time-to-time property may no longer be needed for any municipal purpose. It is the policy of the City of Salem to provide the best possible stewardship and management of municipal assets in the best interests of the City of Salem.

In the interest of establishing a clear policy for the sale of citypublicly-owned land, that will achieve land uses that best serve the City of Salem, the procedures in this division will be adhered to concerning the sale of citypublicly-owned land.

This divisionchapter shall not apply to the transfer of real estate, or any interest therein, to the affordable housing trust fund Board for the purposes of construction of low-moderate-income housing pursuant to M.G.L. c. 40, s. 15A.

{Code 1973, 5-2-403}

Sec. 2-1632. Purpose

The purpose of this division is to:

- (1) Ensure that real property owned by the city of Salem servesperforms a valid public purpose.
- (2) When the public purpose is found to be best served by a disposition for a private purpose, the city's objective shawill be to ensure a public benefit will be provided to the city of Salem. The public benefit must be consistent with the city's priorities, including:
 - a. Prioritize public land that is suitable for housing and or the adaptive reuse into housing as affordable housing as defined herein; or
 - b. Park and or open space; or
 - c. Historic preservation; or
 - d. Other priorities reflected in or adopted by City policies or plans.
- (3) Establish a policy to encourage public agencies, other than the city of Salem, that own surplus and underutilized public lands in Salem to prioritize land uses that accomplish the city's priorities identified in this division ordinance.

Sec. 2-1633. City policy regarding the disposition of public land

- (1) The city council shall be guided by the following policy regarding the disposition of surplus and Underutilized property, which policy shall be the official policy of the city.
- (2) The city shall ask all other public agencies and quasi-public agencies that own real property within Salem and that intend to dispose of the real property, to give the director of public property 90 days of advance notice of the proposed disposition together with an opportunity to negotiate for the property to discuss the city's priorities.

Sec. 2-1634. Inventory.

The ~~city-city planner-planner~~ and the director of public property shall inventory all parcels of inactive city-owned land, with such inventory including the following:

- (1) Address of the parcel.
- (2) Assessor map and lot number.
- (3) Lot area and frontage.
- (4) Presence of buildings.
- (5) Current zoning classification.
- (6) Assessed value.

~~{Code 1973, § 2-404}~~

~~Sec. 2-1633. Analysis and designation of parcels.~~

~~Having completed the inventory of all inactive city-owned parcels as provided in section 2-1632, the city planner shall assess the city's needs as they relate to such parcels in both the shortterm and longterm future. Such assessment shall include input from city department heads as well as the city council. Following such analysis, the city planner and the director of public property shall submit the following lists of recommendations:~~

- ~~(1) Parcels of which the city should retain ownership.~~
- ~~(2) Parcels undevelopable due to zoning restrictions, which should be sold by sealed bid.~~
- ~~(3) Developable parcels, which should be sold by public auction.~~
- ~~(4) Developable parcels, which should be disposed of by the request for proposal process.~~

~~{Code 1973, § 2-404.1}~~

- ~~(1) Sec. 2-1634. Criteria for establishment of designation.~~

~~The following criteria will be used in designating city-owned parcels in a specific category as defined:~~

- ~~(1) Strategic importance of parcel in both the shortterm and longterm future development of the city.~~

Created: 2021-09-01 13:07:26 [EST]

- ~~(2) Waterfront location.~~
- ~~(3) Zoning restrictions that apply to the parcel.~~
- ~~(4) Limitations of the land parcel for construction.~~
- ~~(5) Existence of easements for city utilities.~~
- ~~(6) Existence of or proximity to wetlands.~~
- ~~(7) Parcel size and potential for major development.~~
- ~~(8) Provisions of the city master plan applicable to the parcel.~~

~~(Code 1973, § 2-404.2)~~

Sec. 2-1635. Processes for ~~retaining or disposing or leasing~~ of city land.

~~(1) The process for disposing of tax title parcels shall be consistent with Massachusetts General Law Chapter 60.~~

~~(2) The process for disposing of city-owned developable parcels that will be sold by public auction shall occur in accordance with Massachusetts General Law Chapter 30B.~~

~~(a) The process for city-owned parcels of which the city should retain ownership shall be as follows:~~

- ~~(1) The city planner and the director of public property shall prepare for review and approval of the mayor and city council a listing of all land parcels for which the city has a need over a short and long term.~~
- ~~(2) There will be provided with each such parcel a brief description of the factors that have made such parcel one which the city should retain.~~
- ~~(3) Upon review and approval of the list by the mayor and city council, the city shall retain such parcels for a two-year period, after which the parcels shall be reevaluated for the purpose of potential disposition.~~

~~(b) (A) The process for disposing of city-owned parcels undevelopable due to zoning restrictions shall be as follows:~~

~~(1) The city planner and director of public property shall consult with city department heads to determine if the city land is underutilized.~~

~~(2) The city council shall vote to declare the land surplus.~~

~~(1) The city planner and the director of public property shall prepare for review and approval of the mayor and city council a listing of all land parcels that are undevelopable due to zoning restrictions.~~

~~(2)(3) There will be provided with each such parcel a brief description of the factors that have made such parcel undevelopable.~~

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.65" + Indent at: 0.9"

Formatted: Font: 11 pt

Formatted: List 1, Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.33" + Indent at: 0.58"

Formatted: List 2, Indent: Left: 0.38"

Formatted: Font: (Default) + Body (Calibri)

Formatted: List 1, Don't hyphenate, Don't adjust space between Asian text and numbers

Created: 2021-09-01 13:07:26 [EST]

~~(3)(4)~~ Upon review and approval of the ~~list recommendation~~ by the mayor and city council, the director of public property shall advertise ~~each the undevelopable parcel(s)~~ for sale by ~~sealed bid in accordance with Chapter 30B.~~

Formatted: Font: (Default) +Body (Calibri), 11 pt

~~(4)(5)~~ Such advertisement ~~shall occur in two consecutive weeks in a local newspaper and shall~~ contain the following information:

- a. The lowest acceptable bid amount (equal to the ~~current value on record with the City Assessor~~ assessed value); ~~and~~
- b. The address of the parcel;
- c. ~~Zoning restrictions; and~~
- d. ~~Reasons for the parcel being classified as undevelopable.~~

Formatted: Font: (Default) +Body (Calibri), 11 pt

~~(6) (5)~~ Notice shall be sent to all abutters of such parcels stating the city's intent to dispose of the parcel and the factors which make such parcel undevelopable, as well as the date, time and place for submission of sealed bids.

~~(7)~~ Upon opening of the ~~sealed proposal bids~~, the director of public property may recommend to ~~the city council that the mayor be authorized to sell dispose of~~ the parcel to the highest bidder, provided the price equals or exceeds the assessed value. If such bid price does not ~~equal or~~ exceed the assessed value, the parcel shall not be ~~sold disposed of, but bid again.~~

~~(5)(8)~~ In specific instances, the ~~request for proposal may provide award criteria city may choose to sell dispose~~ a land parcel to an abutter, despite the fact such abutter is not the highest bidder, if the city believes that the ~~sale disposition~~ of such land to an abutter will provide the use most compatible with the surrounding neighborhood.

~~(6) (7)~~ Upon approval of the recommendation by the city council, the prospective purchaser shall be required to pay a nonrefundable deposit equal to the cost of the advertisement for the sale of the land parcel plus ten percent of the price bid for the parcel, and the recommendation shall be referred to the mayor.

~~(7)(9) (8)~~ Upon approval of the sale by the mayor, the city solicitor shall set a date for transfer of the land parcel from the city to the purchaser.

~~(eB)~~ The process for disposing of city-owned developable parcels that should be sold by public auction shall be as follows:

~~(1)~~ The city planner and the director of public property shall prepare for review and approval of the mayor and city council a listing of all land parcels that have been categorized as parcels to be sold by public auction.

~~(2)~~ There will be provided with each such parcel a brief description of the factors that have made such parcel one which the city shall sell by public auction.

~~(3)~~ Upon review and approval of the list by the mayor and city council, the director of public property shall then order a short form appraisal completed on each parcel to be disposed of in this manner.

~~(4)~~ Upon completion of the appraisal on each parcel, the city planner and the director of public property shall advertise each parcel for sale by public auction.

Formatted: List 1, No bullets or numbering

(5) ~~Such advertisement shall occur in two consecutive weeks in the local newspaper and shall contain the following data:~~

- ~~a. The address of the parcel.~~
- ~~b. The lot area.~~
- ~~c. The presence of buildings.~~
- ~~d. Zoning classification.~~
- ~~e. The appraised value as an indicator of the lowest acceptable bid.~~
- ~~f. The date, time and place for the public auction to be presided over by the director of public property.~~

Formatted: List 1

(6) ~~Following the auction, the director of public property may recommend to the city council that the mayor be authorized to sell the parcel to the highest bidder, provided the bid price equals or exceeds the appraised value. If such bid price does not equal or exceed the appraised value, the parcel shall not be sold, but bid again. In specific instances, the city may choose to sell a land parcel to an abutter, despite the fact that such abutter is not the highest bidder, if the city believes that the sale of such land to an abutter will provide the use most compatible with the surrounding neighborhood.~~

Formatted: List 1, No bullets or numbering

(7) ~~Upon approval of the recommendation by a two-thirds affirmative vote of the city council, the prospective purchaser shall be required to provide the city with a nonrefundable deposit equal to the cost of the advertisement for the sale of the land parcel, plus ten percent of the price bid for the parcel, and the recommendation shall be referred to the mayor.~~

~~Upon approval of the sale by the mayor, the city solicitor shall set a date for transfer of the parcel from the city to the purchaser.~~

Formatted: List 1

~~(d) Procedures for disposal or leasing of city-owned developable parcels that should be disposed of by the requests for proposal process shall be as follows:~~

~~(1) The city planner and director of public property shall consult with city department heads to determine if the city land is underutilized.~~

~~(2) The city council shall vote to declare the land surplus.~~

~~(1)(3) The city planner and the director of public property shall prepare a report for review and approval at a public meeting of the mayor and city council of the developable parcel per the guidelines of Sect 2-1635. The city planner and the director of public property shall prepare for review and approval of the mayor and city council a listing of all land parcels that have been categorized as disposable by the request for proposal process.~~

~~(2) There will be provided with each such parcel a brief description of the factors that have made such parcel is one which the city should dispose of by the request for proposal process.~~

~~(2)(4) Upon approval of the list report by the mayor and city council, the city council shall vote on the public purpose to be achieved if the lowest acceptable bid will be less than the appraised value. The city planner shall be instructed to dispose of such parcels by requests for proposal.~~

Created: 2021-09-01 13:07:26 [EST]

~~(4) The city planner shall then order an appraisal completed on each parcel to be disposed of in such manner.~~

(5) A request for proposal shall be prepared that defines the following:

- a. A definition of the development objectives, specifically the public purpose to be achieved if the lowest acceptable bid will be less than the appraised value as approved by the city council, and any reuse-restrictions.
- b. The lowest acceptable bid amount. ~~(equal to the appraised value).~~
- ~~a-c.~~ The address of the parcel.
- ~~b-d.~~ The lot area.
- e. Zoning classification.
- ~~e-f.~~ A definition of the scope of the preferred type and density of development.
- ~~d-g.~~ The date, time and place for submission of proposals.
- e-h. Other information deemed appropriate to the specific parcel.

(6) A purchaser shall be chosen based on the most advantageous proposal from a responsive and responsible proposer, taking into consideration all evaluation criteria set forth in the solicitation, such as but not limited to the following criteria:

- a. Affordability: Proposals with the highest percentage of affordable housing (memorialized through an affordable housing restriction) in terms of the quantity of affordable housing units and the depth of affordability with a preference for units restricted for extremely low and very low-income households.
- b. Development capabilities: Proposals by qualified and capable development teams that are able to fully accomplish the redevelopment project. The quality of the development team's reputation and references, and regulatory track record and ability to complete projects as proposed.
- c. Historic preservation: If the property has historic value proposals that retains the historic character of the structure and clearly demonstrates how the redevelopment will successfully achieve city of Salem Historical Commission approval.
- d. Economic value: ~~Purchase price.~~ Proposals that provide value to the city through direct economic benefits such as increase to tax base and purchase price. The city will not make its determination on price alone. The award will be made to the proposal that rates highest on the comparative criteria and price considered.
- ~~a-~~
- e. Quality of plans: Proposals with quality plans for development of the parcel and the compatibility of such plans with the surrounding neighborhood.

(7) The purchasing Agent, in concert with the City Planner and Director of Public Property or their designees, hereinafter "designated designation committee," shall evaluate all proposals based upon the criteria listed in the request for proposals. Finalists will be ranked in order of qualifications. All finalists will be treated equally and reason for the

Created: 2021-09-01 13:07:26 [EST]

ranking will be set down in writing. The designation committee shall report its finding to the city council. Upon designation of a purchaser, the city planner designation committee may recommend to the city council that the mayor be authorized to sell-dispose the parcel to such purchaser.

- (8) Prior to taking action on any such recommendation, the city council shall hold a public hearing within 60 days to solicit public input regarding the proposed development and sale.
- (9) Upon approval of the recommendation by the city council, the purchaser will be required to pay a nonrefundable deposit equal to the cost of the advertisement for the sale of the parcel plus ten percent of the offered price for the parcel, and the recommendation shall be referred to the mayor.
- (8) If the property will be disposed of for less than the fair market value, prior to entering into a binding agreement to dispose of the property a notice shall be posted in the Central Register explaining the reasons for the decision, the public purpose that will be achieved, and disclosing the difference between the property value and the price to be received.
- (9) Upon approval of the sale by the mayor, the city solicitor shall set a date for transfer of the parcel from the city to the purchaser.
- (10)

The city council may waive the provisions contained in subsections (d)(4), (5)a, and (6)a of this section and sell the land at the minimum price required to satisfy all indebtedness incurred by the city in acquiring such land, if any, upon approval by a two-thirds affirmative vote of the city council, for any request for proposal to build affordable, low-income, elderly, or veterans' housing in the city.

(Code 1973, § 2-404.3)

Formatted: Indent: Left: 0.33", Hanging: 0.33", No bullets or numbering

Formatted: List 2, Indent: Left: 0"

Formatted: Font: (Default) Calibri, 12 pt

Formatted: Section

Sec. 2-16361636. Guidelines for evaluation of the disposition of real property by request for proposals.

The director of public property and city planner shall be responsible for engaging in a process that will result in a fair analysis of how the greatest public benefit can be obtained from the city property in question. The director of public property and city planner shall prepare a report to the city council on the disposal of any surplus or underutilized property on a case-by-case basis using the following guidelines:

- (1) Consistency. The director of public property and city planner shall review the proposed disposal for consistency with any restrictions or limitations resulting from any of the following:
 - a. The title or deed conveying the property, including terms and conditions of the original acquisition or any other contract or instrument by which the city is bound or to which the property is subject to;
 - b. City, state, or federal ordinances, statutes, and regulations.
- (2) Economic Value.
 - a. An appraisal of the property shall be included in the report.

Created: 2021-09-01 13:07:26 [EST]

(Supp. No. 24, Update 4)

(3) Evaluation.

- a. The use of the city property at the time of the disposition analysis and any actual or projected annual revenues or costs associated with such property.
- b. The existing zoning designation of the property and other City, State, and federal laws, codes, ordinances and regulations that apply to it at the time of the recommended disposition and that would apply to the various alternative uses analyzed.
- c. Parcel size.
- d. Existing improvements.
- e. Existence of easements for city utilities.
- f. Existing infrastructure.
- g. Existence of or proximity to wetlands.
- h. Known environmental factors.
- i. Potential for consolidation.
- j. Unique attributes that make the property difficult to dispose (size, location). Limitations of the land parcel for construction.
- k. The development potential of the property.
- l. Compatibility of the potential uses with the physical characteristics of the property and surrounding uses.
- m. -Provisions of the city master plan applicable to the parcel.
- n. Highest and best use of the property.
- a. —

(4) Potential for consolidation Priorities for use of city-owned Properties. The director of public property and city planner's joint recommendation for the disposition of city property should reflect assessment of the potential use of the property consistent with City priorities. The assessment should include a recommendation of the development objectives, including the public purpose to be achieved if the council decides to accept a bid lower than the appraised value.

Sec. 2-1637. Administration.

~~(a) The inventory and disposition process in this division will take place biannually.~~

~~(b)(a)~~ The city planning department and the director of public property, in cooperation with each other, shall administer the disposition process.

(Code 1973, § 2-404.4)

Sec. 2-16387. Notification for disposal of city land.

The aforementioned requirements delineated in sections 2-1631 through 2-1636 shall be adhered to for the disposition of all city-owned land, excluding, at the discretion of the director of public property after consultation with the city solicitor, those acquired through a Mass. Gen. Law Chapter 60 tax title foreclosure. ~~including land acquired by the city through tax title or land of low value procedures.~~ In no event, shall city-owned land be disposed of without notice being mailed to all abutting land

Created: 2021-09-01 13:07:26 [EST]

(Supp. No. 24, Update 4)

owners stating the city's intent to dispose of a particular parcel or parcel(s). Said notice shall be mailed to abutters, their abutters and the city council at their home address a minimum of 30 days prior to the sale and shall include the date, time and place for submission of bids or proposals.

(Ord. of 9-13-2001, § 1)

Sec. 2-1639. 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.

Affordable housing: Housing that is affordable in perpetuity to and occupied by a household with income at or below 60% 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).

Surplus property: Property deemed surplus by a vote of the City Council.

Underutilized public property: An entire property or portion thereof, with or without improvements, which does not have specific operational needs of the city, as determined through consultation with city department heads.

Secs. 2-16~~4038~~—2-1685. Reserved.

Created: 2021-09-01 13:07:26 [EST]

(Supp. No. 24, Update 4)