



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

December 6, 2018

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am very pleased to appoint Cynthia Nina-Soto, of 6 Laurent Road, to the Scholarship and Education Committee, to complete the remainder of a three-year term originally filled by Joseph Salerno, to expire June 1, 2019. I hope you will join me in thanking Mr. Salerno for his many years of dedicated service to this committee, our community, and the youth of Salem.

Ms. Nina-Soto earned her degree in business administration from Salem State and today owns her own real estate brokerage. In her professional work, Ms. Nina-Soto has been focused on helping first-time homebuyers and Latino families especially. She is deeply committed to building a strong community here in Salem. Ms. Nina-Soto is the President-elect of the North Shore Association of Realtors and will make a strong addition to the Scholarship and Education Committee, especially as the committee works to broaden its messaging and fundraising efforts.

I strongly recommend confirmation of Ms. Nina-Soto to the Scholarship and Education Committee. We are fortunate that she is willing to serve our community in this important role and lend her time and dedication to this board.

Very truly yours,

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

Kimberley Driscoll  
Mayor  
City of Salem

# CYNTHIA NINA-SOTO

6 LAURENT RD, SALEM, MA 01970 || C: (978) 836-0868 | CYNTHIA@NINASOTO.COM

## Executive Summary

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Local Real Estate Broker focused on providing a high level of service and education. Helping others achieve success and independence through real estate.

## Core Qualifications

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- Local Director at North Shore Assoc. of Realtors Board of Directors
- Member of the HBEC Steering Committee at NSAR
- Experienced Real Estate Investor
- Raised in Salem, MA
- Experienced helping Latino family become homeowners
- Fluent in English & Spanish
- Licensed Real Estate Broker 11/2010

## Professional Experience

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Broker Owner May 2014 to Present  
Nina-Soto & Company

- Started my own Real Estate Brokerage offering Residential Real Estate services to Massachusetts customers
- Specialize in helping first time buyers break through barriers and become home owners.
- Highly focused on helping the Latino buyer fully understand the home buying process and helping them achieve ownership success.
- Partnered with my husband and created a successful flipping company. Since 2015 we have successfully rehabbed 10+ homes all of which have been sold to first time buyers

Call Center Team Manager Oct 2013 to May 2014  
Dealerfocus/Strolid

- Became a founding member of a start-up company in which we provided a high level of customer service for those looking to purchase a vehicle.
- Managed and trained a group of 11 employees handling calls and Internet leads for various dealerships.
- Maintained constant communication with team members and store management team to ensure proper handling of customers' requests.

Call Center Asst. Manager Sep 2009 to Sep 2013  
Group1Auto

- Started as BDC sales agent and received several promotions until becoming part of the BDC management team.
- Managed over 20 sales agents handling sales call and Internet requests for several dealerships on the east coast.
- Maintained high accountability and consistency to ensure all metrics were accurate and always available to anyone.
- Became a trainer and mentor for many agents helping them obtain higher promotions within the department.

Load Captain/Material Handler  
FedEx Express

Jul 2007 to Dec 2009

- Responsible for loading and unloading of FedEx flights and trucks arriving at Logan Airport.
- As a load captain I was responsible for the correct handling of the freight and supervised a group of 3 to 5 material handlers per night.
- Worked in a high volume and fast paced group environment Maintained 97% on time flight departure schedule

Agent Partner  
Keller Williams Realty

Feb 2005 to Dec 2011

- Helped many first time buyers find and purchase their first home.
- Maintained high level sales performance.
- Member of ALC (Agent Leadership Council) became a mentor to many agents in an effort to help them expand their knowledge and understanding of the market.

Housing Specialist / Case Worker  
NSCAP

Jan 2005 to Sep 2006

- Provided housing assistance to customers needing emergency funds, shelter, or court representation.
- Visited several shelters to aid customers in obtaining permanent housing.
- Networked with various non-profit organizations in effort to secure funding for customers in need

Human Resources Assistant  
Salem Hospital

May 2001 to Dec 2004

- Maintained Marketing budget.
- Created and organized recruitment events such as job fairs, open houses, etc.
- Scheduled Travel RN interviews with the appropriate recruiter and department manager.
- Created detailed executive reports summarizing all recruitment, and marketing activities.
- Managed the HR Temp pool along with all external clerical temporary assignments.
- Conducted new hire orientation and coordinated any job specific training needed.

Member Service Rep. / Loan Underwriter  
St. Joseph Credit Union

Mar 1998 to May 2001

- Responsible for providing excellent customer service to all current and potential members.
- Worked in conjunction with the lending department during the underwriting of credit card and various loan.

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## Education

Associate of Arts, Business Administration  
North Shore Community College

May 2004

Business Administration  
Salem State College

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## Interests/Hobbies

- Running
- Dancing
- Cooking
- Spending time with family



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to City Council confirmation, Ms. Kylie Sullivan, of 50 Barr Street #2, to the  
Bicycling Advisory Committee for a term of 3 years to expire 1/14/2022.

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

Very truly yours,

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

Kimberley Driscoll  
Mayor  
City of Salem



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to City Council confirmation, Mr. Eric Papetti, of 11 Symonds Street #1, to the Bicycling Advisory Committee for a term of 3 years to expire 1/14/2022.

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

Very truly yours,

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

Kimberley Driscoll  
Mayor  
City of Salem



**CITY OF SALEM, MASSACHUSETTS**

**Kimberley Driscoll  
Mayor**

January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to City Council confirmation, Mr. William Legault, of 2 Orne Street, to the Disabilities Commission for a term of 3 years to expire 1/14/2022.

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

Very truly yours,

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

Kimberley Driscoll  
Mayor  
City of Salem



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to City Council confirmation, Mr. Kurt Ankey-Beauchamp, of 19 Harbor Street #5, to the Public Art Commission for a term of 2 years to expire 1/11/2021.

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

Very truly yours,

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

Kimberley Driscoll  
Mayor  
City of Salem



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to City Council confirmation, Mr. Laurence Spang, of 125 Columbus Avenue, to the Historical Commission for a term of 3 years to expire 1/10/2022.

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

Very truly yours,

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

Kimberley Driscoll  
Mayor  
City of Salem





**CITY OF SALEM, MASSACHUSETTS**

**Kimberley Driscoll  
Mayor**

January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to City Council confirmation, Ms. Lisa Lyons, of 1 Broad Street #6, to the Beautification Committee for a term of 3 years to expire 1/10/2022.

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

Very truly yours,

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

Kimberley Driscoll  
Mayor  
City of Salem



# CITY OF SALEM

In City Council,

January 10, 2019

**Ordered:**

That the sum of Fifty-Two Thousand Dollars (\$52,000.00) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account (1-3245) to the "Planning Contracted Services" Account (11822-5320) in accordance with the recommendation of Her Honor the Mayor.



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

As you may recall, late in 2018 testing conducted in preparation for planned improvements at Salem's Gallows Hill park found elevated arsenic levels in soil samples taken from below the surface on a portion the athletics field.

In compliance with MassDEP requirements, the field and adjacent playground area and basketball court were closed as result. To date, the elevated arsenic levels were only detected in soils beneath a portion of the field soil and not in the playground area; however, out of an abundance of caution the playground area was temporarily closed, as well. To date, no elevated levels of arsenic or other contaminants have been detected in the baseball field or skate park areas, which were also assessed during subsurface investigations completed.

The enclosed Order appropriates \$52,000 from free cash in order to carry out the required additional testing, the design of remediation work, and other soft costs associated with the mitigation of this contamination. The implementation of the mitigation work itself will be incorporated into the construction phase of the planned park improvements.

I recommend adoption of this Order so this important work can proceed and the park upgrades may continue on or close to our original schedule.

Sincerely,

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

Kimberley Driscoll  
Mayor  
City of Salem



CITY OF SALEM, MASSACHUSETTS  
DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT

KIMBERLEY DRISCOLL  
MAYOR

98 WASHINGTON STREET ♦ SALEM, MASSACHUSETTS 01970  
TELE: 978-619-5685

TOM DANIEL, AICP  
DIRECTOR

January 7, 2019

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

**Re: Free Cash Request for Contracted Services**

Dear Mayor Driscoll:

We are requesting an allocation of \$52,000 in free cash for contracted services in order to pay for the City's cost to address contaminated soil at Gallows Hill Park. These funds will cover testing, remedial design, and MassDEP's required documentation to incorporate soil remediation into the park renovation project. In addition, this request includes the cost of temporary fencing for the City to secure the area until a contractor assumes site control later this year.

**Total request: \$52,000**

Thank you for your consideration. Please let me know if you would like additional information.

Sincerely,

Tom Daniel, AICP  
Director

# CITY OF SALEM – Finance Department

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

From: DPCD Department [Signature] Department Head Authorizing Signature 1/7/19 Date

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

**Free Cash or** To: 11822-5320 Desc: Contracted Services Budget Amt: 53,382  
Retained Earnings (W/S) (Org/Object) Balance: 31,782  
**Raise & Appropriate**  
 Please circle one

**Amount Requested:** \$ 52,000

**Reason (Be Specific)** Testing, remedial design, and MassDEP documentation to incorporate soil remediation into Gallows Hill Park renovation

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

Budget Transfer  Mayor Approval  City Council Approval  
 Free Cash Appropriation – City Council Approval – Gen Fund \$ 1,023,214.00  
 Free Cash Balance FWR  
 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

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



# CITY OF SALEM

In City Council,

Ordered:

January 10, 2019

That the sum of Fifteen Thousand Four Hundred and Fifty-One Dollars and Forty-Four Cents (\$15,451.44) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2019 contractual buyback(s) listed below in accordance with the recommendation of Her Honor the Mayor.

Name	Department	Amount
Vittoria DellaMonica	Library	15,451.44
		<b>15,451.44</b>



**CITY OF SALEM, MASSACHUSETTS**

**Kimberley Driscoll  
Mayor**

January 10, 2019

To the City Council  
City Hall  
Salem, Massachusetts

Ladies and Gentlemen of the Council:

Enclosed herewith is a request for an appropriation of Fifteen Thousand Four Hundred and Fifty-One Dollars and Forty-Four Cents (\$15,451.44) appropriated in the "Retirement Stabilization Fund-Vacation Sick/leave buyback account (83113-5146) to fund the retirement buyback cost to be expended for FY 2019 contractual buyback.

Name	Department	Amount
Vittoria DellaMonica	Library	\$15,451.44

I recommend passage of the accompanying Order.

Very truly yours,

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

Kimberley Driscoll  
Mayor



CITY OF SALEM, MASSACHUSETTS

HUMAN RESOURCES  
120 WASHINGTON STREET  
TEL. (978) 745-9595 EXT. 5630  
FAX (978) 745-7298

KIMBERLEY DRISCOLL  
MAYOR

LISA B. CAMMARATA  
DIRECTOR OF HUMAN RESOURCES

MEMORANDUM

TO: Laurie Giardella, Finance Director  
DATE: December 20, 2018  
RE: Retirement Stabilization Fund

\*\*\*\*\*

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

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

Vittoria DellaMonica

630 sick hours @ \$24.51 per hour \$15,441.30

.4136 vacation hours @ \$24.51 per hour 10.14

Total: \$15,451.44

In accordance with the July 2008 Policy, I am requesting you verify the availability of the funds from the Retirement Stabilization Fund, prepare the Council Order, and continue the process in order that my staff can input the information in MUNIS and issue payments to this former employee upon Council approval.

Thank you for your cooperation, and if you should have any questions, please do not hesitate to contact me.

  
Finance Director



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

From: Department Library Date 12/12/18

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

NAME: Vittoria Della Monica

CALCULATION

VACATION HOURS # 4/36 @ \$ 24.51 = \$ 10.14

SICK HOURS # 630 @ \$ 24.51 = \$ 15,441.30

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

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

Total Amount Due: \$ 15,451.44  
Please attach corresponding PAF or other backup to this sheet.

Reason: Retired - 12/5/18

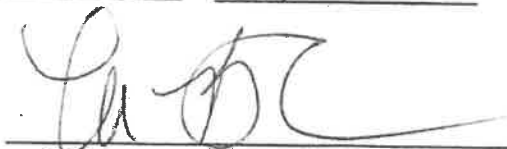
**For Human Resources's Use Only:**

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

Org and Object: 83113 - 5146

Recommendation:

Approved

  
HR Director/City or Superintendent/Schools



# CITY OF SALEM

In City Council,

January 10, 2019

**Ordered:**

That the sum of Fifteen Thousand Dollars (\$15,000.00) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account (1-3245) to the "HR Legal Services/Arbitration" Account (11522-5303) in accordance with the recommendation of Her Honor the Mayor.



**CITY OF SALEM, MASSACHUSETTS**

**Kimberley Driscoll**

**Mayor**

January 10, 2019

To the City Council  
City Hall  
Salem, Massachusetts

Ladies and Gentlemen of the Council:

Enclosed herewith is an order for Fifteen Thousand Dollars (\$15,000.00) from the "Fund Balance Reserved for Appropriation – Free Cash" account (1-3245) to the "HR Legal Services/Arbitration" Account – (11522-5303).

This request is necessary to cover current and unanticipated Arbitration fees.

I recommend passage of the accompanying Order.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kim Driscoll".

Kimberley Driscoll  
Mayor



KIMBERLEY DRISCOLL  
MAYOR

LISA B. CAMMARATA  
DIRECTOR OF HUMAN RESOURCES

## CITY OF SALEM, MASSACHUSETTS

HUMAN RESOURCES  
120 WASHINGTON STREET  
TEL. (978) 745-9595 EXT. 5630  
FAX (978) 745-7298

January 7, 2019

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

Dear Mayor Driscoll:

I am respectfully requesting the amount of \$15,000.00 to be transferred from Free Cash to the Legal Services/Arbitration line (11522-5303) in the Human Resources Budget.

This amount reflects an estimated amount required to fund current and anticipated arbitrator fees. Fortunately, we recently prevailed on a three-day arbitration and we have another session for a similar arbitration scheduled in March that may span two days.

Thank you for your attention and cooperation, and if you should have any questions, or if you should require any additional information, please do not hesitate to contact me.

Very truly yours,

  
Lisa B. Cammarata

cc: Finance Department  
File

## CITY OF SALEM - Finance Department

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

From: *HL* Department *J. O. A.* Department Head Authorizing Signature *1/7/19* Date

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

**Free Cash or** To: *11522 - 5303* Desc: *Legal Services / Arbitration* Budget Amt: *\$1,200.00*  
**Retained Earnings (W/S)** (Org/Object) Balance: *\$61.00*  
**Raise & Appropriate**  
Please circle one

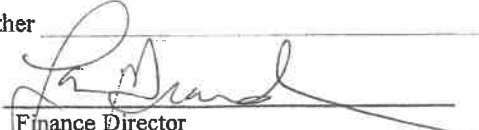
Amount Requested: \$ *15,000.00*

Reason (Be Specific) *Current and Unforeseen Arbitration costs.*

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

Budget Transfer           Mayor Approval           City Council Approval  
 Free Cash Appropriation - City Council Approval - Gen Fund \$ *1,023,214.00*  
Free Cash Balance *MB*  
 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

  
 Finance Director

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



# CITY OF SALEM

In City Council,

Ordered:

January 10, 2019

That the sum of Eight Thousand and Fifty-Four Dollars and Forty Cents (\$8,054.40) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2019 contractual buyback(s) listed below in accordance with the recommendation of Her Honor the Mayor.

Name	Department	Amount
John Murray	DPS	8,054.40
		<b>8,054.40</b>



**CITY OF SALEM, MASSACHUSETTS**

**Kimberley Driscoll  
Mayor**

January 10, 2018

To the City Council  
City Hall  
Salem, Massachusetts

Ladies and Gentlemen of the Council:

Enclosed herewith is a request for an appropriation of Eight Thousand, and Fifty-Four dollars and Forty cents (\$8,054.40) appropriated in the "Retirement Stabilization Fund-Vacation Sick/leave buyback account (83113-5146) to fund the retirement buyback cost to be expended for FY 2019 contractual buyback.

Name	Department	Amount
John Murray	DPS	\$8,054.40

I recommend passage of the accompanying Order.

Very truly yours,

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

Kimberley Driscoll  
Mayor



KIMBERLEY DRISCOLL  
MAYOR

LISA B. CAMMARATA  
DIRECTOR OF HUMAN RESOURCES

## CITY OF SALEM, MASSACHUSETTS

HUMAN RESOURCES  
120 WASHINGTON STREET  
TEL. (978) 745-9595 EXT. 5630  
FAX (978) 745-7298

### MEMORANDUM

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

\*\*\*\*\*  
Attached is a PAF for a former employee of the Department of Public Services.

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

**John Murray**

320 sick hours @ \$25.17 per hour	\$8,054.40
<b>Total:</b>	<b>\$8,054.40</b>

In accordance with the July 2008 Policy, I am requesting you verify the availability of the funds from the Retirement Stabilization Fund, prepare the Council Order, and continue the process in order that my staff can input the information in MUNIS and issue payments to this former employee upon Council approval.

Thank you for your cooperation, and if you should have any questions, please do not hesitate to contact me.

Finance Director



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

From: Department Department of Public Services Date 12/12/18

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

NAME: John Murray

**CALCULATION**

VACATION HOURS # \_\_\_\_\_ @ \$ \_\_\_\_\_ = \$ \_\_\_\_\_

SICK HOURS ~~230~~ # 320 @ \$ 25.17 = \$ 8,054.40

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

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

**Total Amount Due:** \$ 8054.40

Please attach corresponding PAF or other backup to this sheet.

Reason: Retired - 11/30/18

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

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

Org and Object: 83113 - 5146

Recommendation: [Signature]  
 Approved  
HR Director/City or Superintendent/Schools

*Handwritten notes:*  
8/12/18  
Murray  
no letter  
b/c of Holiday



# CITY OF SALEM

In City Council,

Ordered:

January 10, 2019

That the sum of Three Thousand Six Hundred and Sixty-Four Dollars and Thirty-Eight Cents (\$3,664.38) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2019 contractual buyback(s) listed below in accordance with the recommendation of Her Honor the Mayor.

Name	Department	Amount
Mark Bates	Parking Garage	3,664.38
		<b>3,664.38</b>



**CITY OF SALEM, MASSACHUSETTS**

**Kimberley Driscoll  
Mayor**

January 10, 2018

To the City Council  
City Hall  
Salem, Massachusetts

Ladies and Gentlemen of the Council:

Enclosed herewith is a request for an appropriation of Three Thousand Six Hundred and Sixty-Four Dollars and Thirty-Eight Cents (\$3,664.38) appropriated in the "Retirement Stabilization Fund-Vacation Sick/leave buyback account (83113-5146) to fund the retirement buyback cost to be expended for FY 2019 contractual buyback.

Name	Department	Amount
Mark Bates	Parking Garage	\$3,664.38

I recommend passage of the accompanying Order.

Very truly yours,

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

Kimberley Driscoll  
Mayor



KIMBERLEY DRISCOLL  
MAYOR

LISA B. CAMMARATA  
DIRECTOR OF HUMAN RESOURCES

# CITY OF SALEM, MASSACHUSETTS

HUMAN RESOURCES  
120 WASHINGTON STREET  
TEL. (978) 745-9595 EXT. 5630  
FAX (978) 745-7298

## MEMORANDUM

**TO:** Laurie Giardella, Finance Director  
**DATE:** December 4, 2018  
**RE:** Retirement Stabilization Fund

\*\*\*\*\*  
Attached is a PAF for a former employee of the Parking Garage.

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

### Mark Bates

23.00 sick hours @ \$23.0950 per hour	\$531.19
135.6651 vacation hours @\$23.0950 per hour	\$3,133.19

**Total: \$3,664.38**

In accordance with the July 2008 Policy, I am requesting you verify the availability of the funds from the Retirement Stabilization Fund, prepare the Council Order, and continue the process in order that my staff can input the information in MUNIS and issue payments to this former employee upon Council approval.

Thank you for your cooperation, and if you should have any questions, please do not hesitate to contact me.

  
Finance Director

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

From: Department Parking Garage Date 11/28/18

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

NAME: Mark Bates

CALCULATION

VACATION HOURS # 135.665 @ \$ 23.0950 = \$ 3,133.19

SICK HOURS # 23.00 @ \$ 23.0950 = \$ 531.19

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

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

Total Amount Due: \$ 3,664.38  
Please attach corresponding PAF or other backup to this sheet.

Reason: Retired - November 27, 2018

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

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

Org and Object: 83/13 - 5/46

**Recommendation:**

Approved

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



# CITY OF SALEM

In City Council,

Ordered:

January 10, 2019

To accept the donation(s) listed below totaling Twenty Five Thousand Dollars (\$25,000.00). These funds will be deposited into the account listed below in accordance with the recommendation of Her Honor the Mayor.

<b>From:</b>	<b>Fund Name</b>	<b>Org/Obj</b>	<b>Amount</b>
Susan Schiro & Peter Manus Foundation	NS Workforce Board	46031-4830	\$ 5,000.00
Hartford Foundation for Public Giving	NS Workforce Board	46031-4830	\$ 20,000.00
<b>Total</b>			<b>\$ 25,000.00</b>



**CITY OF SALEM, MASSACHUSETTS**

**Kimberley Driscoll**

**Mayor**

January 10, 2019

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 two donations from Susan Schiro and Peter Manus Foundation in the amount of Five Thousand Dollars (\$5,000) and Hartford Foundation for Public Giving in the amount of Twenty Thousand Dollars (\$20,000.00) to be deposited into the North Shore Workforce Investment Board – Org/Object 46031-4830. Total of Twenty-Five Thousand dollars.

In order to accept these two donations 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 North Shore Workforce Investment Board.

Very truly yours,

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

Kimberley Driscoll  
Mayor



# NORTH SHORE WORKFORCE BOARD

70 Washington Street, Suite 314  
Salem, MA 01970  
978.741.3805  
Fax 978.741.3809

January 3, 2019

Ms. Kim Driscoll, Mayor  
City of Salem, MA  
93 Washington Street  
Salem, MA

Dear Mayor Driscoll,

Please accept donations totaling Twenty Five Thousand Dollars (\$25,000.00) by the Mass Hire North Shore Workforce Board to provide employment retention services.

These funds will be deposited into the account listed below:

<u>Donation From</u>	<u>Fund Org./Obj</u>	<u>Amount</u>
Susan Schiro & Peter Manus Foundation	46031-4830	\$5,000.00
Hartford Foundation for Public Giving	46031-4830	20,000.00
<b>Total</b>		<b><u>\$25,000.00</u></b>

Sincerely,

Mary Sarris  
Executive Director  
Mass Hire North Shore Workforce Board  
70 Washington Street  
Suite 314  
Salem, MA 01970





## CITY OF SALEM

In City Council, January 10, 2019

Ordered:

The City of Salem Designer Selection Procedures adopted by the City Council on December 13, 1990 are hereby replaced in their entirety with new, revised City of Salem Designer Selection Procedures attached hereto. These procedures govern the selection of designers for City building projects that are subject to the Commonwealth of Massachusetts designer selection law, M.G.L. c. 7C, §§ 44-58.



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Order updates the City's Designer Selection Procedures to reflect changes made to applicable sections of state law in 2018. A copy of the updated procedures is included herewith for your reference.

These procedures relate to how the City selects designers for building projects. Salem's procedures were originally adopted in 1990, but now no longer fully reflect existing state law. The updated procedures reflect the state statutes and remove or update outdated references. The new procedures are based on the model procedures developed by the Inspector General of the Commonwealth and are also reflective of the applicable sections of our own City Charter and Ordinances.

In order to hire designers, the City must have procedures in place according to state law. As we are undertaking a procurement for on-call architectural services this winter, I hope you will approve this housekeeping measure at your earliest convenience. If you have any questions, I invite you to reach out to Jenna Ide, Tom Watkins, and/or Beth Rennard for more information.

Sincerely,

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

Kimberley Driscoll  
Mayor  
City of Salem

**Proposed Designer Selection Procedures**  
**City of Salem ("Awarding Authority")**  
**Adopted [date]**

New Proposed Procedures based on Commonwealth's model procedures (<https://www.mass.gov/service-details/model-designer-selection-procedures-for-municipalities-and-other-local-public>) updated and adapted for City of Salem.

1. These procedures govern the selection of designers for any municipal building project subject to the state designer selection law, M.G.L. c. 7C, §§ 44-58. Any other local law governing the procurement of services will be inapplicable to these procurements.
2. The Mayor, hereinafter the "Approving Body," has the authority to conduct the designer selection process for the Awarding Authority. The Approving Body may delegate any duties described herein to the extent such delegation is permissible by law.
3. The Approving Body shall designate the individual or group of individuals, hereinafter referred to as "the Designer Selection Committee" and as authorized by the Salem City Charter, Section 36A, which will conduct the designer selection process. No member of the Committee shall participate in the selection of a designer for any project if the member, or any of the member's immediate family:
  - a. has a direct or indirect financial interest in the award of the design contract to any applicant;
  - b. is currently employed by, or is a consultant to or under contract to, any applicant;
  - c. is negotiating or has an arrangement concerning future employment or contracting with any applicant; or
  - d. has an ownership interest in, or is an officer or director of, any applicant.
4. A Request for Qualifications (RFQ) for each contract subject to these procedures shall be advertised in accordance with M.G.L. Chapter 7C Sections 44-58.
5. The advertisement shall contain the following information:
  - a. a description of the project, including the specific designer services sought, the time period within which the project is to be completed, and, if available, the estimated construction cost;
  - b. if there is a program for the building project, a statement of when and where the program will be available for inspection by applicants;
  - c. when and where a briefing session (if any) will be held;
  - d. the qualifications required of applicants;
  - e. the categories of designers' consultants, if any, for which applicants must list names of consultants they may use;
  - f. whether the fee has been set or will be negotiated; if the fee has been set, the amount of the fee must be listed in the advertisement;
  - g. when and where the RFQ can be obtained and the applications must be delivered.

6. The RFQ shall include the most current "Standard Designer Application Form for Municipalities and Public Agencies not within DSB Jurisdiction," which is available for download from the Massachusetts Designer Selection Board. The Application Form may be amended to include additional information on a project-specific basis.
7. The Committee shall evaluate applicants based on the following criteria:
  - a. prior similar experience;
  - b. past performance on public and private projects;
  - c. financial stability;
  - d. identity and qualifications of the consultants who will work with the applicants on the project;
  - e. Capacity to undertake the project,
  - f. Affirmative Action goals as set by the Appointing Body, the Commonwealth or Federal Government, and
  - g. any other criteria that the Committee considers relevant to the project.
8. Design services such as the preparation of programs and feasibility studies, construction management, and construction scheduling must be performed by licensed, registered, and experienced designers as applicable and required by law. The RFQ must require licensed, registered, and experienced designers.
9. The Committee shall select at least three finalists. Finalists may be required to appear for an interview or provide additional information to the Committee, provided that all finalists are afforded an equal opportunity to do so.
10. No proposal shall be accepted from or for any person who has broken a contract with the City during the three (3) years preceding.
11. The Committee shall rank the finalists in order of qualification and transmit the list of ranked finalists to the Approving Body. No person or firm, including applicants' listed consultants, debarred pursuant to M.G.L. c. 149, § 44C, shall be included as a finalist on the list. The list must be accompanied by a written explanation of the reasons for selection including the recorded vote, if any. The written explanation and recorded vote, if any, shall be public records and shall be maintained in the contract file.
12. If the fee was set prior to the selection process, the Approving Body shall select a designer from the list of finalists. If the Approving Body selects a designer other than the one ranked first by the Committee, the Approving Body shall file a written justification for the selection with the Committee and maintain a copy in the contract file.
13. If the fee is to be negotiated, the Approving Body shall review the list of finalists and may exclude any designer from the list if a written explanation of the exclusion is filed with the Committee and maintained in the contract file. The Approving Body shall request a fee proposal from the first ranked designer remaining on the list and begin contract negotiations. If the Approving Body is unable to negotiate a satisfactory fee with

the first ranked designer, negotiations shall be terminated and undertaken with the remaining designers, one at a time, in the order in which they were ranked by the Committee until agreement is reached. In no event may a fee be negotiated which is higher than the maximum fee set by the Approving Body prior to selection of finalists.

14. If the Approving Body is unable to negotiate a satisfactory fee with any of the finalists, the Approving Body shall recommend that the Committee select additional finalists.
15. The Approving Authority may allow a designer who conducted a feasibility study to continue with the design of a project. However, the Approving Authority may commission, at its discretion, an independent review, by a knowledgeable and competent individual or business doing such work, of the feasibility of the designer's work to insure its reasonableness and its adequacy before allowing the designer to continue on the project, *provided* the Approving Authority otherwise complies with the statutory requirements for selecting a designer under Chapter 7C of the General Laws, including those set forth in M.G.L. c. 7C, § 54(a)(i).
16. Every contract for design services shall include the following:
  - a. certification that the designer or construction manager has not given, offered, or agreed to give any person, corporation, or other entity any gift, contribution, or offer of employment as an inducement for, or in connection with, the award of the contract for design services;
  - b. certification that no consultant to, or subcontractor for, the designer or construction manager has given, offered, or agreed to give any gift, contribution, or offer of employment to the designer or construction manager, or to any other person, corporation, or entity as an inducement for, or in connection with, the award to the consultant or subcontractor of a contract by the designer or construction manager;
  - c. certification that no person, corporation, or other entity, other than a bona-fide full-time employee of the designer or construction manager, has been retained or hired by the designer or construction manager to solicit for or in any way assist the designer or construction manager in obtaining the contract for design services upon an agreement or understanding that such person, corporation, or other entity be paid a fee or other consideration contingent upon the award of the contract to the designer;
  - d. certification that the designer has internal accounting controls as required by M.G.L. c. 30, § 39R(c), and that the designer has filed and will continue to file an audited financial statement as required by M.G.L. c. 30, § 39R(d);
  - e. A requirement to provide energy system life-cycle cost estimates (which should be prepared during the preliminary design) as stipulated in M.G.L. C.149, ss44M);
  - f. All fees shall be stated in design contracts, and in any subsequent amendments thereto, as a total dollar amount. Contracts may provide for equitable adjustments in the event of changes in scope or services; and,
  - g. The design contract shall state the fee as a total dollar amount. In no case may the designer's fee be determined as a percentage of construction cost.

17. The Awarding Authority shall not enter into a contract for design services unless the Awarding Authority or the designer has obtained professional liability insurance covering negligent errors, omissions, and acts of the designer or of any person or business entity for whose performance the designer is legally liable arising out of the performance of the contract. The total amount of such insurance shall at a minimum equal the lesser of one million dollars or ten percent of the project's estimated cost of construction, or such larger amounts as the Awarding Authority may require, for the applicable period of limitations. A designer required by the Awarding Authority to obtain all or a portion of such insurance coverage at its own expense shall furnish a certificate or certificates of insurance coverage to the Awarding Authority prior to the award of the contract.
18. Every contract for design services shall include a provision that the designer or its consultants shall not be compensated for any services involved in preparing changes that are required for additional work that should have been anticipated by the designer in the preparation of the bid documents, as reasonably determined by the individual responsible for administering the design contract.
19. In the event of an emergency that precludes the normal use of these designer selection procedures, the Approving Body may elect to authorize expedited procedures to address the emergency (see Section 30 below). The Approving Body shall document in writing the reasons for the emergency declaration, the proposed scope of work, the estimated cost of construction, the established fee for the needed design services, and any other relevant information.
20. The Awarding Authority shall publish the name of any designer awarded a contract in the *Central Register*.
21. The following records shall be kept by the Awarding Authority:
  - a. all information supplied by or obtained about each applicant;
  - b. all actions taken relating to the project; and
  - c. any other records related to designer selection.All records shall be available for inspection by the state Designer Selection Board and other authorized agencies.
22. The Awarding Authority shall evaluate designers' performance on contracts using the Designer Selection Board evaluation form(s) in accordance with M.G.L. c. 7C, § 48(h), and file completed evaluations with the Board and any other agency named in M.G.L. c. 7C, § 48(h).
23. Nothing in these Procedures shall be interpreted to require the establishment of a board or waive or reduce the requirements of any other applicable law or regulation.
24. For any municipal design or construction project that includes funding provided by the Commonwealth, in whole or in part (such as reimbursements, grants and the like), the City must incorporate minority-owned business enterprise and women-owned business

enterprise participation goals. If applicable, the Awarding Authority shall take steps to assure that it complies with all Massachusetts Supplier Diversity Office requirements.

25. No officer or board shall make any contract on behalf of the City, the execution of which will necessarily extend beyond three (3) years from the date thereof unless special permission to do so has been given by vote of the City Council or by the statutes of the Commonwealth. (Salem Code of Ordinances, Chapter 2, Sec. 2-1688)
26. Officials and employees are prohibited from making or sharing in municipal contracts. (Salem City Charter, Section 27)
27. Any person contracting with a municipality must certify in writing that he or she has complied with State tax laws. (M.G.L. c. 62C, s49A)
28. The contract shall specifically list the names and time commitments of the key personnel included in the designer's proposal. Any change to the list of consultants in the contract must be approved in writing by the Approving Body or their delegate.
29. The contract shall have a provision giving ownership of any completed or partially completed design documents to the awarding authority even if the contract is terminated.
30. All contracts made by any department, board or commission where the amount involved is \$5,000.00 dollars or more (or as might further be amended by City Council) shall be in writing. (Salem Code of Ordinances, Chapter 2, Section 2-1694)
31. Emergency Procedures
  - a. The Approving Body may declare an emergency under the following circumstances:

Whenever the health or safety of any persons will be endangered because of the time required for the selection of a designer, interior designer, programmer or construction manager by the procedures prescribed by M.G.L. Chapter 7C, sections 44 to 58, inclusive, or whenever a deadline for action is set on a project by any court or federal agency which cannot be met if those selection procedures are followed.
  - b. The Approving Body may select a designer from
    1. a pre-approved standing list of designers, or
    2. as the approving body determines is in the best interest of the City.
  - c. After the designer has been selected and awarded a contract, the Approving Body must file a memorandum with the Purchasing Agent, stating the reasons for the emergency declaration, listing proposed scope of work, estimated cost of construction, the established fee for designers' services, the reference to the standing contract or the list of designers solicited and any quotes received, and any other relevant information.
32. All meetings of a government body shall be subject to the Massachusetts' Open Meeting Law. (M.G.L. c. 30A, §§18-25)

33. The Design Selection Committee and designers must comply with Massachusetts' Conflict of Interest Laws. (M.G.L. c. 268A).
34. The Designer Selection Committee and designers must comply with all Salem Ordinances including Chapter 2, Article XVI Non-discrimination, which provides that actions that may deny or tend to deny to an individual equal access or opportunity in matters of housing, employment, education, municipal services, contracts, purchasing or public accommodations on the basis of: age, ancestry, color, disability, family status, gender identity or expression, military status, marital status, national origin, race, religion, sex or sexual orientation, are hereby prohibited.
35. Using full-time municipal employees to perform design services which fall within the scope of their normal duties is permissible and may be permitted by the Approving Body, provided the employees are qualified. The Approving Body should review and evaluate the employee qualifications for a particular project using similar criteria as would be applied to outside firms. This review and evaluation shall be conducted by the person or persons so designated by the Approving Body. Where the employee is found to be qualified, an open competition need not be conducted.
36. These procedures have been adopted to satisfy the purpose and intent of M.G.L. Chapter 7C, sections 44-58. Where interpretive questions or ambiguities arise, refer to the recommendations "Designing and Constructing Public Facilities, November 2016" or any update, issued by the Office of the Inspector General. The Attorney General is the chief law officer and her or his opinion takes precedence over previous interpretations by State agencies.



# City of Salem

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*In the year two thousand and nineteen*

**An Ordinance** amending an Ordinance relative to enforcement of Chapter 14, Article VII.  
Use of Disposable Plastic Bags at Retail Business Establishments

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

**Section 1.** Chapter 14 is hereby amended by striking the last sentence of Section 14-503 in its entirety and replacing it with the following:

“This article may be enforced by any police officer, enforcement officer or agent of the board of health, licensing department, or the City Engineer or his or her designees.”

**Section 11.** This Ordinance shall take effect as provided by City Charter.

Sec. 14-503. - Penalties and enforcement.

The penalty for each violation that occurs after the issuance of the warning notice shall be in accordance with subsection 1-10(b) of this Code. The warning notice issued for the first offense shall provide at least 14 days to correct the violation. No fine for the second offense shall be issued until at least 14 days after the warning is issued. ~~This article may be enforced by any police officer, enforcement officer or agent of the board of health or licensing department.~~ This article may be enforced by any police officer, enforcement officer or agent of the board of health, licensing department, or the City Engineer or his or her designees.

(Ord. of [11-17-2016\(1\)](#), § 1)



**CITY OF SALEM, MASSACHUSETTS**

**Kimberley Driscoll  
Mayor**

January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Ordinance extends the authority to issue tickets for violations of our plastic bag Ordinance to the City Engineer or his designees.

Currently this authority rests with police, licensing, and health staff. Because most complaints related to improper provision of plastic bags by retailers are being submitted to the Trash and Recycling Office in the Engineering Department, this change will allow those employees to take enforcement actions where necessary to ensure that our existing Ordinance requirements are upheld in as consistent and regular a manner as possible.

I recommend adoption of the enclosed Ordinance.

Sincerely,

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

Kimberley Driscoll  
Mayor  
City of Salem



**CITY OF SALEM, MASSACHUSETTS**

**In City Council, January 10, 2019**

**Resolved**

**A RESOLUTION FOR STATE ACTION TO COMBAT NIP BOTTLE LITTER**

WHEREAS, the growing prevalence of “nip” bottles as loose litter on our streets and sidewalks and in our parks and other open spaces contributes to the flow of trash in our waterways, rivers, and ocean; and

WHEREAS, this form of litter additionally detracts from the public’s enjoyment and diminishes the quality of life in our communities; and

WHEREAS, the Commonwealth has seen tremendous success in the elimination of other forms of bottle and can littering through the adoption of M.G.L. c. 94 sections 321-327, also called the Bottle Bill;

THEREFORE, we, the City Council and Mayor of Salem, do request of the legislature and Governor of the Commonwealth that they take action in 2019 to amend M.G.L. c. 94 and all other regulations or laws thereunder regarding the redemption of empty bottles and containers in order to extend the law to include “nip” bottles or any other small bottle of spirit, liqueur, or other alcoholic beverage, typically of 50 ml, intended to comprise an individual serving.



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

January 10, 2019

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

As you are no doubt aware, one of the most common forms of litter in Salem and throughout the Commonwealth are nip bottles. While some communities are studying banning these types of containers altogether, I believe a more effective approach to reducing this form of litter would be to simply extend the existing bottle redemption law to include nips.

The enclosed Resolution asks the legislature and Governor to advance and approve such a measure in 2019. I recommend its adoption and hope you will join with me in asking for the state to give us this important tool to combat this growing nuisance in our communities.

Sincerely,

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

Kimberley Driscoll  
Mayor  
City of Salem

*City of Salem, Massachusetts*  
*Office of the City Clerk*

*Ilene Simons*  
*City Clerk*



*Room 1*  
*City Hall*

January 8, 2019

Salem City Council  
93 Washington Street  
Salem, MA 01970

RE: Council Appointment to the Community Preservation Act Committee to fill a vacancy.

Dear Councillor Flynn:

Per Council Order #741, I am submitting to you, as Chairperson of the Committee on Government Services, the applications and resumes I received by the deadline of December 30, 2018 of any Salem resident interested in filling the above vacancy.

I further understand that you will hold a committee meeting co-posted with the Committee of the Whole prior to the next regularly scheduled Council Meeting to review these submittals and make recommendations back to the full Council on the January 24, 2019 meeting via a Committee Report.

If you or any Councillors have any questions, please feel free to contact me.

Sincerely,

Ilene Simons  
City Clerk

Enclosures: Three resumes/applications



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll *City Council*  
Mayer

### City of Salem Application for Appointment to Boards and Commissions

**Name:** Ty Hapworth

**Address:** 6 Brown Street Salem, MA

**Email:** tyhapworth@outlook.com

**Daytime Phone:** 207-659-4755 **Evening Phone:** Same

**How long have you lived in Salem?** 5 years in April

**Current occupation:** Commercial Executive, Microsoft

**Committee/Board you are interested in:** Community Preservation

**Why are you interested in this Committee or Board?** I'm committed to doing what I can to give back and help keep this a vibrant, safe and beautiful city for my family to grow up in. I'm a big believer in what I've seen the CPC do for Salem since I moved here in 2014, and I'd be honored to be a part of it.

**Please list any relevant skill or experience (or provide a resume) you will bring to this committee assignment:** I've worked for large complex organizations with competing demands, priorities and politics, including the US Army, Walmart and Microsoft. I'm also an admitted Salem history nerd, and am deeply interested in the people, spaces history and architecture in this city.

**If you are currently serving on any City Board(s) or Commission(s), please indicate which one(s):** Beautification Committee

**Signature:**

A handwritten signature in black ink, appearing to read "Ty Hapworth".

**Date:** 10 DEC 18

Ty Hapworth  
6 Brown Street, Salem, MA  
Mobile: 207-659-4755  
[tyhapworth@outlook.com](mailto:tyhapworth@outlook.com)

2018 DEC 17 AM 10:19

September 2014-Present

HelloSalem - Photographer

Social media account on Instagram and Facebook platforms featuring my Salem photography

CITY CLERK  
SALEM, MASS.

- Salem work featured at the IgersBoston Gallery in the Fairmont Copley in Boston.
- Photography sales have raised a collective \$9,000 for Lifebridge, the Saltonstall School, and the St. Francis House of Boston
- Official photographer for Christmas in Salem and the 2018 Historic Salem Preservation Awards
- Founder of IgersSalem – a community group that shines a spotlight on the people, history and architecture of Salem.

June 2017-Present

Microsoft – US Enterprise Commercial Executive – Boston, MA

Lead complex enterprise agreement negotiations. Work closely with account executives, solution specialists, and regional leadership to simplify and sell the right solutions to the right customers at the right time, paving the way to Microsoft's modern enterprise experience solutions.

May 2012-June 2017

Microsoft – Store Leader – Boston, MA

Serving as Microsoft's Store Leader at the Prudential Center in Boston. Leading a diverse team of Consumer Product Advisors, Technical Services Advisors, Inventory Control Experts, Business and Community Specialists, Store Teachers and Assistant Managers. Responsible for being the first and best to tell the Microsoft story direct to consumers, enterprise customers, and partners.

- Hosted multiple celebrities and high-profile executives in partnership with Microsoft's marketing team
- Received 2015 Microsoft Retail P&L Award for best company-wide fiscal management

January 2009-May 2012

Walmart Stores, US – Store Manager – Rochester, NH, Orange, MA, Springfield, MA

Led Associates in multiple formats from low volume and rural to high volume and urban. Responsible for the development and performance of up to 12 salaried managers and over 400 hourly associates.

- Store Manager of the Year 2011.
- "Media Focus Store Manager" for Walmart in Massachusetts.
- Selected by Walmart PR to speak alongside Lt. Governor of Massachusetts at UMass Boston.
- Gave interviews to local and international news outlets.

June 2005-December 2008

US Army – Combat Arms Officer – Fort Sill, OK

Motivated and led Soldiers in the field and in garrison. Created and implemented training plans for the number one ranked firing battery in the battalion. Responsible for the health, welfare and readiness of up to 100 Soldiers and Non-Commissioned Officers.

- Received multiple awards and decorations for leadership and excellence

Education

MBA University of Massachusetts Isenberg School of Management 2016

Commission, US Army Officer Candidate School, Fort Benning, GA

US Army Basic Officer Leadership Course, Fort Sill, OK

Bachelor of Arts in Political Science, University of Maine 2005

Congressional Intern in Washington, DC and at District Office in Bangor, ME

Volunteer Experience

- Boston Marathon – 2017 runner and fundraiser for St. Francis House
- Saltonstall School – Friday Club Volunteer Parent
- Lifebridge – Donated all photography sales from May-December 2017 to Lifebridge
- City of Salem Beautification Committee – Board Member
- Punto Urban Art Museum Advisory Board – Board Member



ruid 12/24/18



**CITY OF SALEM, MASS.**

Office of the City Council  
City Hall  
93 Washington Street  
Salem, MA 01970

**Application for Community Preservation Act Committee Member**

**Please send this form, along with a current resume, to the above address or to isimons@saalem.com**

**Name:** Estevan "Milo" Martinez

**Address:** 78 Washington Sq. East, Unit 2

**Email:** newhalltrust@gmail.com

**Cell Phone:** 202-630-6456      **Home Phone** n/a

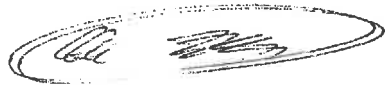
**How long have you lived in Salem?** 2 years

**Current Occupation** Support Specialist, InterSystems

**Why are you interested in serving on this Committee? (Please use additional pages if necessary)**  
As a newer member of the community, I find that Salem in particular is full of wonderful community assets. The amount of care and passion that the city residents have for them is remarkable to see. I'd love to be a part of helping guide how the city approaches the preservation of these community spaces and in many cases historical pieces that need extra care and attention.

**In addition to the experience listed on your resume what other specific skills or expertise do you believe you can bring to this commission? (Please use additional pages if necessary)**  
I'm very good at listening to multiple points of view and taking a big picture approach to allocating resources. It's difficult to want to do everything but realistically the committee needs to be able to prioritize projects based on multiple measures.

**If you currently serving on other boards, including City Boards, please indicate which one(s)** n/a

**Signature** 

**Date** 12/24/2018

Milo Martinez  
78 Washington Sq #2  
Salem, MA 01970  
T 202.630.6456  
milo.m@mac.com

**Education : Massachusetts Institute of Technology, 2008** Cambridge, MA  
Bachelors of Science in Comparative Media Studies

## Experience

### **Events Committee Chair, Salem Common Neighborhood Association, June 2018-present**

- Interface with City Government for permits and approvals (Parks and Rec Commision, Health Dept)
- Coordinate committee of 10 to execute events to benefit community members
- Contribute to community outreach and communications via fb, web, social media

### **Lead Devops Engineer, Manager Devops, Cogo Labs Aug 2013 – Nov 2018**

- Manage external relationships with network service providers and core platform products
- Attend industry conferences to develop best practices strategies
- Be an expert in and provide knowledge of mailing infrastructure, process, project status, and general networking/internet protocols
- Provide triage and updates during service windows/interruptions
- Trained at Boston's Intelligent.ly to hone and develop leadership/team building skills
- Lead a team of 5 that maintains a mailing infrastructure with 0 downtime, 24 hour response, and production sends over 130M messages/day
- Create process for accepting requests from other teams with quick turnover and high accuracy. Making an arduous, many step process seems easy and quick to outsiders
- Balance workload between team members to ensure new projects are completed in a timely manner without falling behind on support tasks
- Responsible for the setup and integration of hundreds of dedicated servers into our networking, along with internal bookkeeping of sending setups
- Deciding best way to store and present data to analysts with combinations of MySQL, python and html

### **Associate QA Engineer, Xceptance– Oct 2012 – Aug 2013**

- Become adept in using the Admin Panel to populate e-store
- Create and execute test plans based on documentation and build automated tests

### **Associate SQA Engineer, Turbine – Jan 2012 – Oct 2012**

- Coordinate with developers and design docs to create test plans, push builds to test
- Lead QA for several minor site releases and localization testing

### **QA Engineer, Enerpath – April 2011 – Jan 2012**

- Established the Quality Assurance processes and standards for company use
- Created and maintained design documents, test plans, and release notes
- Trained Support Team on product functionality

## Skills

**Languages** – Spanish: oral fluency and written proficiency

## **Ilene Simons**

---

**From:** Milo Martinez, Newhall Trust <newhalltrust@gmail.com>  
**Sent:** Monday, December 24, 2018 9:18 PM  
**To:** Ilene Simons  
**Subject:** CPC Application  
**Attachments:** Milo-Martinez-CPC-application.pdf; Milo-Martinez-resume-CoS.pdf

Happy Holidays Ilene,

I've attached my application for the Community Preservation Committee. If you need anything else from me, please let me know. Thanks so much!

~Milo Martinez  
Newhall Trust  
78 Washington Sq



2018 DEC 26 PM 12:42

CITY CLERK  
SALEM, MASS

**CITY OF SALEM, MASS.**

Office of the City Council  
City Hall  
93 Washington Street  
Salem, MA 01970

**Application for Community Preservation Act Committee Member**

Please send this form, along with a current resume, to the above address or to isimons@salem.com

Name: Deborah Greel

Address: 34 Boardman Street Salem, MA 01970

Email: deborah-greel@yahoo.com

Cell Phone: 508-932-3497 Home Phone 978-745-6519

How long have you lived in Salem? 26 years

Current Occupation Retired

Why are you interested in serving on this Committee? (Please use additional pages if necessary)

The CPC does great work preserving Salem's treasures, as well  
as providing new opportunities to fund important projects.

In addition to the experience listed on your resume what other specific skills or expertise do you believe you can bring to this commission? (Please use additional pages if necessary)

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

If you currently serving on other boards, including City Boards, please indicate which one(s) Licensing Board

Signature Deborah Greel Date Dec. 26, 2018

**Deborah A. Greel**  
34 Boardman Street  
Salem, Massachusetts 01970  
508-932-3497 • Deborahgreel@gmail.com

---

**Experience:** *City of Salem – Salem, MA – 2014-2018*

**Public Art Planner**

- Managed the Public Art Initiative and facilitated communications among the City Departments, Salem Redevelopment Authority and Public Art Commission
- Developed the Public Art Workplan in collaboration with the Public Art Commission
- Managed all aspects of commissioning and acquiring works of art
- Oversaw the revitalization and re-branding of Artists' Row, facilitating the Creative Entrepreneur Program and the Artist in Residence Program
- Managed Old Town Hall rental schedule, maintenance and restoration projects

*Marblehead Arts Association – Marblehead, MA – 2006 - 2014*

**Executive Director**

- Planned and executed full year of exhibitions across six galleries, special events, programs and classes
- Promoted MAA exhibits, gallery shop and rentals to local and regional media
- Managed expenses of association, Annual Appeal, membership retention and renewal
- Worked with Board of Directors to achieve mission of organization through five-year strategic plan

*Salem Main Streets Initiative - Salem, MA – 2001-2005*

**Executive Director**

- Focus areas included fundraising, volunteer recruitment and retention, project development and management, public awareness and education programs, promotional event planning, marketing and publicity.
- Supported the creation of 27 new businesses that generated 350 new jobs during tenure.
- Project coordinator for SalemOpen.net (WIFI), the North Shore's first downtown wireless area.
- Generated extensive free publicity, including *The Boston Globe* and *NPR*.
- Created entertainment and food events that brought thousands of visitors to Salem.
- Developed a successful capital fundraising strategy that generated \$200,000 in operating revenue during tenure.
- Recruited and retained volunteers from a broad base of stakeholders within the community.
- Coordinated the activities of up to 60 volunteers per month, resulting in 7000 volunteer hours.

**Volunteer**

**Leadership:**

Steering Committee, Essex County Community Foundation, Creative County Initiative; Salem Advisory Committee, El Punto Urban Art Museum, North Shore Community Development Coalition; Salem Rotary; Boys and Girls Club of Salem, 150<sup>th</sup> Celebration Committee

**Education:**

*Boston University – Boston, MA – 2010 – Non-Profit Management & Leadership Program*

*Salem State College - Salem, MA - 1998 - Arts Management Course*

*North Shore Community College - Beverly, MA - 1979 and 1973*

**Associates Degrees (2) - Early Childhood Education & Cooperative Retailing**

Questions contact – Ben Hofmann 781-907-3510

**PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS**

North Andover, Massachusetts

To the City Council  
Of Salem, Massachusetts

NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Harbor Street - National Grid to install 1 JO Pole on Harbor St. National Grid to install 1 JO Pole on the north side of Harbor Street, directly behind the curb, 100'+/- east of the centerline of Lafayette Street.

Location approximately as shown on plan attached

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Harbor St – Salem – Massachusetts.

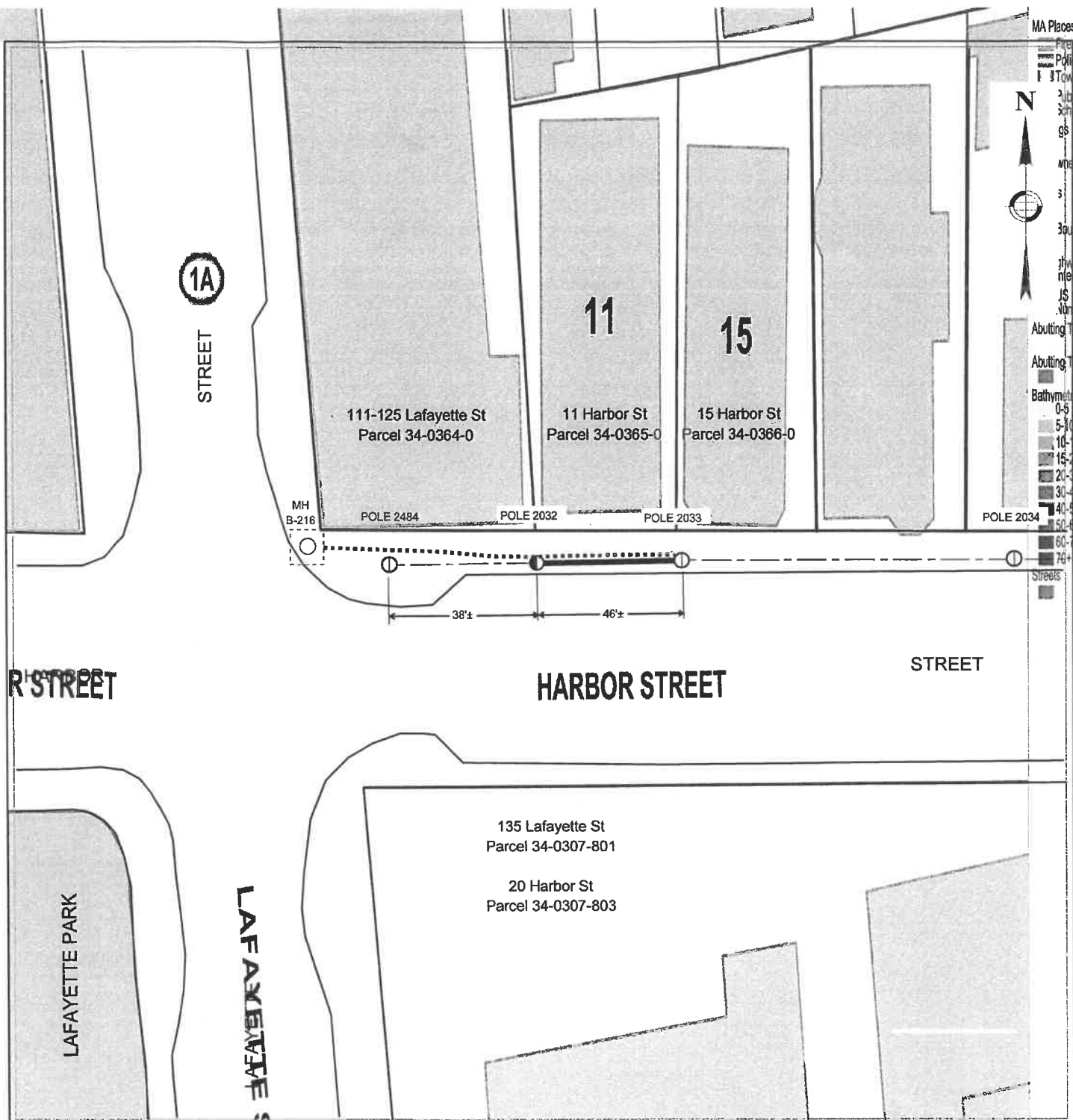
No.# 26967670 November 7, 2018

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

NATIONAL GRID  
BY Rob Coulter  
Engineering Department

VERIZON NEW ENGLAND, INC.  
BY Karen Levesque  
Manager / Right of Way



### JOINT OWNED POLE PETITION

Plan Number 26967670

#### LEGEND

- Existing Manhole
- Existing JO Pole
- Proposed JO Pole
- Proposed OH Primary Wire
- Existing UG Conduit
- Existing OH Wires

# nationalgrid

and Verizon New England, Inc.

To The: City of Salem, Massachusetts

For Proposed:  
1 JO Pole

Location:  
11 Harbor Street

**Sketch to accompany petition for:**  
the installation of one JO wood pole and appurtenances.

Date: November 1, 2018 Drawn by: Michael Byrne

DRAWING NOT TO SCALE. DISTANCES ARE APPROXIMATE.



CITY OF SALEM, MASSACHUSETTS  
PARK, RECREATION & COMMUNITY SERVICE

5 Broad Street, Salem MA 01970  
Tel. (978) 744-0180/(978) 744-0924  
Fax (978) 744-7225  
pobrien@salem.com

Kimberley Driscoll  
MAYOR

Trish O'Brien  
Superintendent

**2018 Road Bike/Race/Walk/Parade Application**

PLEASE SUBMIT PAYMENT OF \$200 WITH THIS PERMIT TO THE CITY OF SALEM PARK, & RECREATION DEPARTMENT NO LATER THAN 45 DAYS PRIOR TO THE EVENT.  
ANY FOR PROFIT EVENTS WILL REQUIRE AN ADDITIONAL 5% FROM THE REGISTRATION FEES  
Registered Non-Profit Fee \$150  
Please fill out application completely and legibly

We, the undersigned, respectfully apply for permission to host a road race/walk in the City of Salem as follows:

Applicant's Name: Chrissy Kenney  
Organization Name: HAWC (Healing Abuse working for change)  
Name of Race/Walk/Parade: Walk for HAWC  
Contact #: 978.744.8552 E-Mail Address: chrissyk@hawcdv.org  
Address: 27 Congress St. Suite 204  
City/State/Zip: Salem, MA 01970  
Organization Tax Status (please include Tax ID Number): tax-exempt 04-2655367  
What Charities Will This Race/Walk Be Benefiting? HAWC

Approximately How Much of the Race/Walk/Parade Proceeds Will Be Donated to Each Charity(s) 100%

**Day of Race/Walk Contact Information:**

Name: Chrissy Kenney Contact #: 978-604-4720  
Date of Event: 4/28/19 Estimated Number of Participants: 500-1,000  
Time of Event: 10:30 Estimated Finish Time of Event: 3pm  
Start Location: Salem Common Finish Location: Salem Common  
Distance of Event: 5K  
Has This Event Been Held Before?  Yes  No





HEALABU-01

CAIMOLA

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/3/2019

**THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.**

**IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).**

<b>PRODUCER</b> The Corcoran & Havlin Insurance Group 287 Linden Street Wellesley, MA 02482	<b>CONTACT NAME:</b> Daniel J. Curtin, Jr. <b>PHONE (A/C, No, Ext):</b> (781) 235-3100 403 <b>FAX (A/C, No):</b> <b>E-MAIL ADDRESS:</b> DCurtin@chinsurance.com														
<b>INSURED</b>  Healing Abuse Working for Change Inc. 27 Congress Street Salem, MA 01970	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:80%;">INSURER(S) AFFORDING COVERAGE</th> <th style="width:20%;">NAIC #</th> </tr> <tr> <td>INSURER A : Selective Insurance Company of South Carolina</td> <td>19259</td> </tr> <tr><td>INSURER B :</td><td></td></tr> <tr><td>INSURER C :</td><td></td></tr> <tr><td>INSURER D :</td><td></td></tr> <tr><td>INSURER E :</td><td></td></tr> <tr><td>INSURER F :</td><td></td></tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Selective Insurance Company of South Carolina	19259	INSURER B :		INSURER C :		INSURER D :		INSURER E :		INSURER F :	
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INSURER B :															
INSURER C :															
INSURER D :															
INSURER E :															
INSURER F :															

**COVERAGES      CERTIFICATE NUMBER:      REVISION NUMBER:**

**THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.**

INSR LTR	TYPE OF INSURANCE	ADDITIONAL SUBROGATION	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
						INSUR	WVD
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	<input checked="" type="checkbox"/>					
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:		S 2205105	1/1/2018	1/1/2019	EACH OCCURRENCE	\$ 1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 1,000,000
						MED EXP (Any one person)	\$ 20,000
						PERSONAL & ADV INJURY	\$ 1,000,000
						GENERAL AGGREGATE	\$ 3,000,000
						PRODUCTS - COMP/OP AGG	\$ 3,000,000
							\$
A	<input type="checkbox"/> AUTOMOBILE LIABILITY						
	<input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		A 9100432	1/1/2018	1/1/2019	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
						BODILY INJURY (Per person)	\$
						BODILY INJURY (Per accident)	\$
						PROPERTY DAMAGE (Per accident)	\$
							\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR						
	<input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 0		S 2205105	1/1/2018	1/1/2019	EACH OCCURRENCE	\$ 2,000,000
						AGGREGATE	\$ 2,000,000
							\$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N	N/A				PER STATUTE	OTHER
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. EACH ACCIDENT	\$
						E.L. DISEASE - EA EMPLOYEE	\$
						E.L. DISEASE - POLICY LIMIT	\$
A	Abuse or Molestation		S 2205105	1/1/2018	1/1/2019	Each Occurrence	1,000,000
A	Abuse or Molestation		S 2205105	1/1/2018	1/1/2019	General Aggregate	3,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
City of Salem is included as an Additional Insured with respect to the General Liability when required by written contract between the named insured and certificate holder.

<b>CERTIFICATE HOLDER</b>  City of Salem 93 Washington Street Salem, MA 01970	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
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# HAWC

Healing Abuse **Working for Change**

November 16, 2017

Ms. Tricia O'Brien  
Executive Director  
Salem Parks & Recreation  
5 Broad St.  
Salem, MA 01970

Dear Ms. O'Brien,

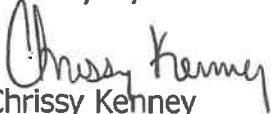
As you know, each year HAWC (Healing Abuse Working for Change) has held its Walk for HAWC in Salem for 27 years. We are reaching out to respectfully submit a park permit request to use the Salem Common as our starting point and home base for our event once again this year, which we hope to hold on Sunday, April 28.

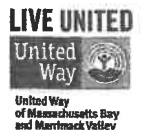
We would be honored if your department would grant us use of this space for our event. Since 1992, the Walk has brought together members of the 23 communities we serve on the North Shore to walk in unity, increasing awareness about domestic abuse, while also raising significant funds for our agency's domestic violence services. In 2018, we raised more than \$80,000 for our survivors through the Walk for HAWC.

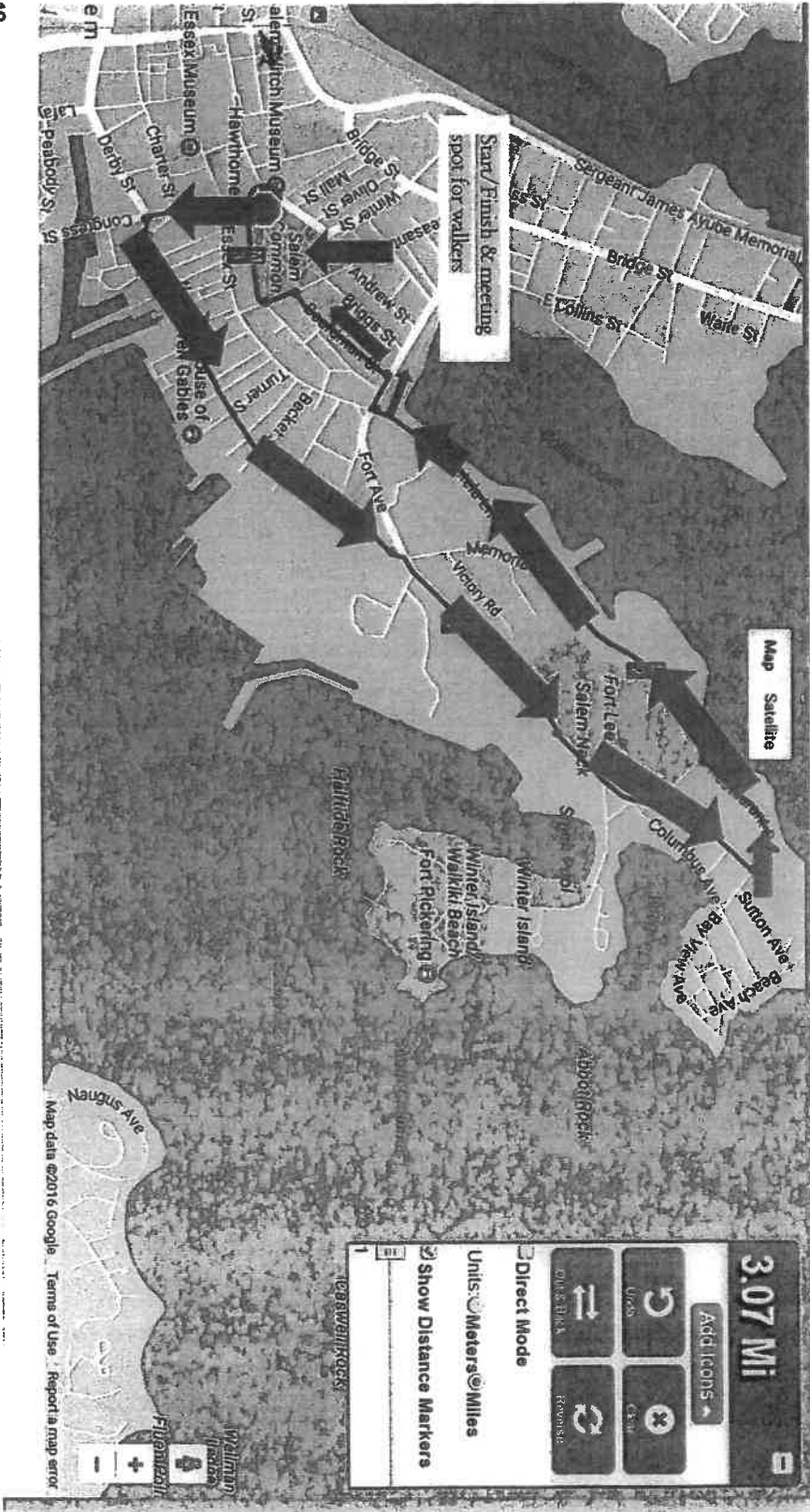
If this request is approved, we would like the three mile route to kick off at the Salem Common. Pre-walk festivities and registration will begin at 10:30 am, and the walk will kick off at noon. It will wrap up back at the Common with refreshments. We expect the crowd to disperse and clean-up to begin at 2 pm.

Thank you for your kind consideration and your past support of our efforts. Please do not hesitate to contact me at 978.744.2299, ext. 114, with any questions you may have or any additional paperwork you may need.

Thank you,

  
Chrissy Kenney  
Senior Manager, Development





Start/Finish & meeting spot for walkers

Map Satellite

3.07 Mi

Additional icons

Units: Meters @ Miles

Direct Mode

Show Distance Markers

Map data ©2016 Google Terms of Use Report a map error

## 2019 WALK FOR HAWC ROAD ROUTE

- 1) Walk starts at Salem Common
- 2) Walkers take a left at the Common entrance onto Hawthorne blvd
- 3) Left on Derby street
- 4) Follow Derby St. until it merges with Fort Ave.
- 5) Follow Fort Ave. down to the Willows
- 6) Take a left onto Restaurant Row
- 7) Bear right onto Memorial Drive
- 8) Follow Memorial Drive and then bear right onto Szetela Lane
- 9) Take a right onto Webb St.
- 10) Left onto Boardman St.
- 11) Enter back into the Common

December 6th 2018

Dear City Council of Salem,

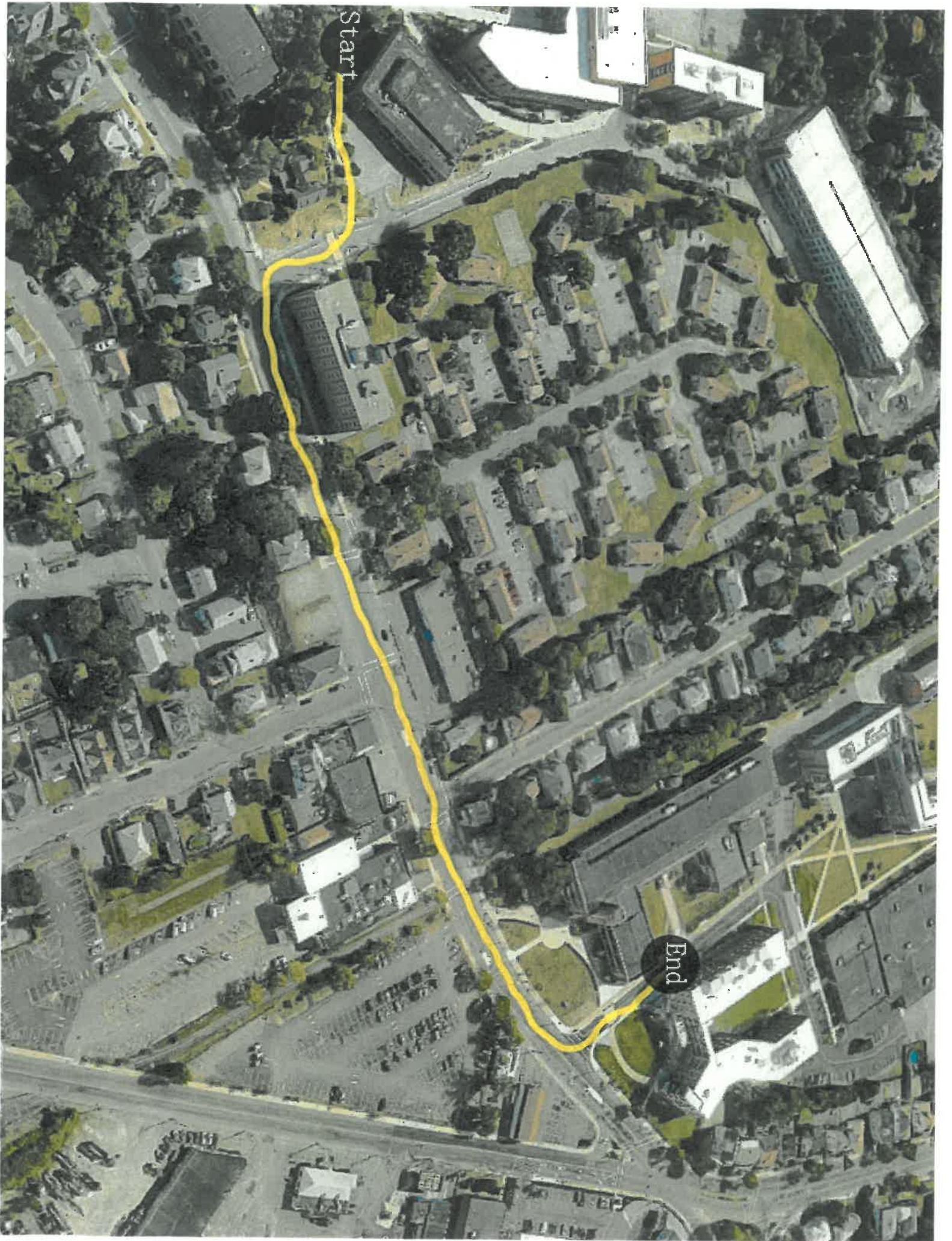
Please allow this letter to serve as a request for the approval of the route and execution of the MLK Freedom March on Monday, January 21, 2019. Salem State University's MLK Planning Committee in partnership with the City of Salem's No Place for Hate Committee is currently planning a MLK Vigil that will occur on Salem State's campus at 5:30 PM in the Ellison Campus Center. Immediately following the Vigil at approximately 6:45PM we will begin the Freedom March starting on College Drive leading to Loring Avenue which will take us back on campus to Marsh Hall for refreshments and conclude the Vigil and Freedom March. For further detail, please see the campus map that is enclosed. As a representative of the MLK Planning Committee and the No Place for Hate Committee, I have been in touch with Chief Mary Butler of the City of Salem Police Department and Captain Richard Riggs of Salem State University's Campus Police Department, and both University Police and the City of Salem Police Department have agreed to support our efforts. Both departments have been gracious enough to support us in past years in hopes of making sure that our marchers are safe.

On behalf of Salem State University's MLK Planning Committee and the No Place for Hate Committee we are looking forward to maintaining this partnership, and see great potential in continuing to make the Freedom March an annual occurrence in our community for the MLK Holiday. Please feel free to reach out to me directly if you have any questions regarding our request, I will be serving as the primary contact for the MLK Vigil and Freedom March. I look forward to hearing from you.  
Sincerely,

RDC  
Rebecca D. Comage  
Interim Chief Diversity Officer  
Inclusive Excellence Office  
Salem, MA 01970

978.542.2404 phone  
978.542.8307 fax

[rcomage@salemstate.edu](mailto:rcomage@salemstate.edu)



Start

End



**Salem State Host's a Week of Events to Honor Martin Luther King, Jr.**

Events January 21-January 28<sup>th</sup>

**SALEM, MA** – Salem State University will host its 29th annual MLK Week, honoring and celebrating the life and legacy of Reverend Dr. Martin Luther King, Jr. This series coordinated by the Office of Inclusive Excellence and includes events hosted by Student Life and the Center for the Creative & Performing Arts. **All events are open to the general public and media.**

This year's theme, "Hope through Dialogue" will serve as an opportunity for community members to engage in dialogue throughout the week regarding their identities in hopes of learning more about the experiences that make up our community. Through sharing perspective and lived experiences- we believe that we truly move closer towards equity and inclusion of all.

The following events are scheduled from January 21 to January 28:

**Date: Monday, January 21<sup>st</sup>**

**Event: MLK Vigil & Freedom March**

**Time: 5:30PM-7:30 PM starting in Vets Hall  
Ending in Petrowski Room**

**Date: Tuesday, January 22<sup>nd</sup>**

**Event: NCBI Welcome Diversity Workshop (please rsvp)**

**Time: 8:30 AM-10:30 AM**

**Location: Viking Hall 123**

Description: NCBI's award-winning Welcoming Diversity Workshop is an intense experiential program that has been presented thousands of times at colleges and universities. The Workshop consists of a series of incremental activities that helps participants to celebrate their similarities and differences, recognize the misinformation they have learned about various groups, including their own, and learn to reevaluate personal attitudes and behaviors that are based on the impact of prejudice and discrimination, and most importantly celebrate and claim pride in our group identities.

Link to rsvp: <https://www.surveymonkey.com/r/V59XCNL>

**Date: Wednesday, January 23<sup>rd</sup>**

**Event: Dell Hamilton Performance: This Is All We Have**

**Time: 7:00 PM-8:30 PM**

**Location: Sophia Gordon Center, North Campus (SGC-Rehearsal Room-208)**

Description: This piece expands upon ongoing themes in Hamilton's work on citizenship and the corrupt histories of plantation economies in North America, the Caribbean and Latin America. This Is All We Have also references personal memory, analog photographic technologies, and also incorporates pop music and the cultural revisionism of films like Gone With the Wind. With an eye also towards politics,

this project pokes fun at Presidents Lincoln, Obama, and Donald Trump and riffs off of Donna Haraway and Anna Tsing's concept of the "Plantationocene", which in contrast to the Anthropocene, takes seriously the long-term impact of the trans-atlantic slave trade and its relationship to the environment and racial capitalism.

Admission is free.

**Date: Thursday, January 24<sup>th</sup>**

**Event: NCBI Welcoming Diversity Workshop (please rsvp)**

**\*please see description from Tuesday**

Time: 4:30 PM-7:00 PM

Location: MLK Room, Campus Center

Link to rsvp: <https://www.surveymonkey.com/r/V59XCNL>

**Date: Monday, January 28<sup>th</sup>**

**29<sup>th</sup> MLK Convocation & Breakfast**

**Keynote Speaker: Bree Newsome**

Time: 11:00 AM – 1:00 PM

Location: Vets Hall

Short Bio of Speaker: Bree Newsome is an artist that drew national attention in 2015 when she climbed the flagpole in front of the South Carolina Capitol building and lowered the Confederate battle flag. The flag was originally raised in 1961 as a statement of opposition to the Civil Rights Movement and lunch-counter sit-ins occurring at the time.

#### **MLK Leadership Award Nominations:**

MLK LEADERSHIP AWARD RECEPTION announced during MLK Convocation

All convocation attendees are invited to attend the convocation with light refreshments. This program honors members of the community whose work affirm the legacy of Dr. King. To nominate a Salem State community member (i.e., student, staff, faculty, or alumni), go to

[https://fs19.formsite.com/SSU\\_SIA/qucyfbcmhc/index.html](https://fs19.formsite.com/SSU_SIA/qucyfbcmhc/index.html) and submit by January 18, 2019.



# CITY OF SALEM

---

**In the year Two Thousand and Eighteen**

An Ordinance Relative to Chapter 43 – Trees

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

**Section 1. Chapter 43. Trees is hereby amended by adding this section in its entirety**

## **ARTICLE I. GENERAL**

### **Sec. 43-01. Findings**

The City of Salem has determined that trees have been lost due to natural causes, environmental hazards such as methane (natural gas) leaks near trees or insufficient replacement after the construction process or have been severely damaged or disfigured through excessive or improper pruning. The result is a net loss of trees.

A well-managed urban forest serves a wide variety of functions:

- Enhancing the quality of life, our environment, and the overall appearance of the City;
- Enhancing visual and aesthetic qualities that attract visitors and businesses;
- Defining public spaces and creating civic identity;
- Contributing to the distinct visual character of neighborhoods;
- Protecting and increasing real property values;
- Providing natural privacy among neighbors;
- Preserving the character of wooded and natural areas;
- Conserving and reducing energy consumption by providing shade and evaporative cooling through transpiration;
- Reducing direct sun and reflected glare;
- Improving local and global air quality by absorbing carbon dioxide, ozone, and particulate matter, and by producing oxygen;
- Reducing wind speed and directing air flow;
- Reducing and baffling noise pollution;
- Providing habitat for birds, small mammals, other wildlife, and beneficial insects;
- Reducing storm water runoff and soil erosion; and
- Providing natural flood and microclimate control.

### **Sec. 43-02. Intent**

The City resolves to plant more trees than are removed to compensate for past tree losses and the length of time required for a tree to achieve maturity; to plant judiciously to ensure that all new trees are planted where the chance of survival is optimal; and to maintain well and regularly to ensure a long, healthy, and fruitful life.

### **Sec. 43-03. Statement of Purpose; Effective Date**

**Statement of Purpose.** The City Council hereby finds that the preservation of existing trees and the promotion of new tree planting is a public purpose that protects the public health, welfare, environment, and aesthetics for the City of Salem and its residents.

The provisions of this ordinance reinforce, enhance, and expand existing legal vehicles to ensure that future development and public policy adequately preserve, protect, and provide for replacement of Public Trees as well as increasing the Public Tree Inventory.

3. Upon appeal by an owner or abutter, the Tree Commission shall review the Warden's grant or denial of Tree Permits to remove Protected Trees on private property within the setback areas, with the required public legal notice to be made at the appellant's expense;
4. Through the Tree Warden, if City funds are or become available, offer to offset the loss of any eight-inch-plus (8+) DBH tree located within a setback area with a replacement tree from the City either on applicant's land or on an abutter's setback with the abutter's express approval; or encourage the mitigation of the loss through a contribution to the Tree Donation Fund;
5. Whenever the Tree Warden prepares an impact statement on the effect of any construction project on existing trees or the ability to plant trees in that area in the future, the Tree Commission may submit its advice as part of a submission to appropriate City boards or departments and/or to the City Council for its review of the project;
6. Work in conjunction with the Planning and Engineering Departments to identify methods to include new and to protect existing trees in every City sidewalk and/or roadway project;
7. Advocacy, public education, and coordination with other City boards or committees and civic groups to promote the purposes and intent of this ordinance;
8. Work in conjunction with the Warden to seek grants or other assistance concerning the preservation and maintenance of trees in the City.
9. Upon request by the Mayor or the City Council, consider, investigate, make findings, report, and recommend upon any special matter or question coming within the scope of its work.

**B. Annual Plan.** It shall be the further responsibility of the Tree Warden, in conjunction with the Tree Commission and the Director of Public Services, to update annually a plan for the care, preservation, pruning, planting, replanting, removal, or disposition of trees and shrubs along streets and in other public areas. The Warden shall also work with the Commission and the Director of Public Services to develop an annual budget. Such plan and budget shall be presented annually, by February first, to the Mayor's office for review and comment and then proceeding to the City Council. Upon the Mayor's acceptance and approval, the plan shall constitute the official comprehensive Annual City Tree Plan for the City of Salem.

#### **Sec. 43-12. Composition and Meetings**

- A. Composition.** All members and alternates of the Tree Commission shall be Salem residents and shall serve for a term of three (3) years, with appointments to be staggered to ensure continuity. The composition of the Commission and the appointing authority for the seven (7) Commission members and two (2) alternates is set forth below. Alternates, when appointed shall be designated as first alternate and second alternate, and shall be called upon to vote on a rotating basis in the event of a member's absence or inability to vote.
1. One member of the Planning Board as designated by the board or, if no member of the board is available, an interested individual selected by the board, confirmed by majority vote of the City Council;
  2. One member of the LORAX committee or is such Committee shall no longer exist, an interested individual selected by the commission, confirmed by majority vote of the City Council;
  3. One member who is a licensed landscape architect or certified arborist appointed by majority vote of the City Council;
  4. One member of the general public and one alternate of the general public to be appointed by majority vote of the City Council;

## **Sec. 43-20. Findings**

The Public Tree canopy contributes to the quality of life, the environment, and the overall appearance of the City, enhances visual and aesthetic qualities that attract visitors and businesses, and as well, defines public spaces and creates civic identity.

## **Sec. 43-21. Definitions**

Aggregate Diameter. The combined diameter of a multiple trunk tree measured at breast height.

Caliper. The measure of a newly installed tree. Caliper measurement of a trunk shall be taken six (6) inches above ground level for trees of up to and including four (4) inch caliper size. If the caliper at six (6) inches above the ground exceeds four (4) inches, the caliper should be measured at twelve (12) inches above ground level.

Certified Arborist. An arborist certified by Massachusetts Arborists Association (MAA), its successor organization, or the International Society of Arboriculture (ISA).

Diameter at Breast Height (DBH). The diameter of a tree trunk at 4½ feet above the existing grade at the base of the tree.

Dripline. A vertical line running through the outermost portion of the crown of a tree and extending to the ground.

Person. Any person, firm, partnership, association, corporation, company or organization of any kind including, but not limited to, the person removing a Public Tree.

Pruning Standards. Standards for pruning as defined in the City of Salem Tree Manual and any future amendments or revisions to the same.

### Public Tree.

- A. Any tree along Public Rights-of-Way within City limits or within a public park or public space under the jurisdiction of the City Council, Park and Recreation, Cemetery or Conservation Commissions as well as on public school grounds, or on any other City-owned land, or on property of the Commonwealth which the City has authority to plant or maintain.
- B. In addition, any tree may be determined by the Tree Warden to be a Public Tree if its growth has encroached from the setback area into the space above a Public Right-of-Way between the height of six (6) inches and four and a half (4½) feet above grade. A Public Tree may not be cut or pruned except at the direction of the Warden or pertinent commission.

Remove (including removing and removal). The cutting down of any Public Tree and all other acts which cause the actual removal or the effective removal through damaging, poisoning or other direct or indirect actions resulting in the death of a Public Tree, including, but not limited to, excessive or improper pruning.

Tree Donation Fund. Voluntary contributions may be made to benefit tree planting and maintenance in Salem. See Section 43-62.

- b. Shall not excavate any ditches, tunnels, or trenches, or install pavement within the dripline of any Public Tree without a permit from the Tree Warden.

#### **Sec. 43-25. Permit Application; Fee**

No application fee shall be charged. An application for a Tree Permit shall be submitted to the Tree Warden on the appropriate form. The application shall include any materials or information required based on the nature of the activity for which application is made.

#### **Sec. 43-26. Review of Permit Applications**

The Tree Warden shall review applications for Tree Permits in accordance with the provisions of this ordinance and with any rules or regulations promulgated hereunder;

1. The Warden shall date stamp or otherwise record the date of filing of each application for a Tree Permit;
2. The Warden shall complete the review of each Tree Permit application no later than ten (10) business days after the submission of a completed application to the Warden except in the case of a request to remove a Public Tree which shall be subject to the procedures for a hearing as set forth in MGL c. 87.

#### **Sec. 43-27. Conditions**

The Tree Warden may impose conditions upon a Tree Permit as he deems necessary to protect existing Public Trees. The conditions shall be in writing. The Tree Warden shall make a determination that the prescribed protective measures have been adequately provided before any disturbance of the site related to the permitted activity may begin.

#### **Sec. 43-28. Construction**

Except as provided in a Tree Permit, construction activities on City-owned property and Public Right-of-Ways under the dripline of a Public Tree is prohibited. Prohibited construction activities include, but are not limited to, trenching or grading, storage of materials or equipment, passage of heavy equipment and spillage of chemicals or other materials, which are damaging to trees.

#### **Sec. 43-29. Suspension or Revocation**

The Tree Warden may suspend or revoke a Tree Permit at any time upon written notice to the permit holder for failing to comply with this ordinance, or with conditions of the permit. Written notice shall be sent by mail, return receipt requested, or by hand delivery and shall provide an opportunity for the permit holder to correct the noncompliance and to apply for a renewal of the Tree Permit upon compliance, where practicable. The suspension or revocation of a Tree Permit shall not affect the validity of a Building Permit or be cause for withholding a Certificate of Occupancy.

#### **Sec. 43-30. Removal of a Sound Public Tree**

The Tree Warden shall notify the Tree Commission and the Ward Councilor upon receipt of an application to cut down or remove a sound Public Tree. All Public Tree hearings shall comply with the applicable requirements set forth in MGL c. 87, s. 3. When a Public Tree is to be taken down, a public hearing shall be scheduled. The hearing will be advertised twice in a local newspaper during the fourteen (14) days prior to the

remove the tree or provide oral authorization for its removal, utilizing such professional criteria and technical assistance, as he deems necessary. The Warden shall memorialize in writing each such oral authorization to remove a hazardous tree and keep a record of it.

#### **Sec. 43-35. Recording**

Public Trees that are removed through this emergency provision shall be recorded in the City Tree Inventory.

#### **Sec. 43-36. Waiver**

The requirements of this section may be waived by the Warden during the period of an emergency such as a hurricane, windstorm, tornado, flood, or other act of God.

#### **Sec. 43-37. Tree Replacement**

The Tree Warden shall require the replacement of a removed sound Public Tree, which shall be planted by the City or by the applicant's contractor as approved by the Warden in accordance with Standards cited in Section 43-60.

#### **Sec. 43-38. Payment in Lieu of Planting Replacement Tree(s)**

In lieu of planting a replacement tree as provided in Section 43-30, a person who has been granted a Tree Permit shall make a contribution to the Tree Replacement Fund established in Section 43-61 in an amount equal to the cost to replace the tree in accordance with Section 43-61, which cost shall be determined by the Warden who shall provide the City's current tree planting costs.

#### **Sec. 43-39. Rules and Regulations**

The Warden is authorized to promulgate reasonable rules and regulations to implement administration of this ordinance.

#### **Sec. 43-40. Enforcement**

The Tree Warden shall be authorized to enforce the provisions of this section. The Warden shall provide written notice to the offender of the specific violation and provide a reasonable time for compliance. Such notice shall be sent by mail, return receipt requested, or by hand delivery. Thereafter, the Warden may impose the fines described in Section 43-42.

#### **Sec. 43-41. Tree Vandalism**

No person shall without written permit from the Tree Warden, in the case of a tree or shrub on public property, do or cause to be done by others any of the following acts:

1. Secure, fasten or run any rope, wire, sign, unprotected electrical installation, or other device or material to, around or through a tree or shrub, except to secure leaning or newly planted trees;
2. Break, injure, mutilate, deface, poison, kill, or destroy any tree or shrub including during snow plowing;
3. Remove any guard, stake, or other device or material intended for the protection of a Public Tree or shrub, or close or obstruct any open space above the base of a Public Tree or shrub designed to permit access of air, water, and fertilizer;

**Caliper** The measure of a newly installed young tree. Caliper measurement of a trunk shall be taken six (6) inches above ground level for trees of up to and including four (4) inch caliper size. If the caliper at six (6) inches above the ground exceeds four (4) inches, the caliper should be measured at twelve (12) inches above ground level.

**Certified Arborist** An arborist certified by Massachusetts Arborists Association (MAA), its successor organization, or the International Society of Arboriculture (ISA).

**Diameter at Breast Height (DBH)** The diameter of the trunk of a tree at 4½ feet above the existing grade at the base of the tree.

**Dripline** A vertical line running through the outermost portion of the crown of a tree and extending to the ground.

**Exempt Lot** The lot is occupied and used primarily as a residence for up to three (3) dwelling units at the time any Protected Tree is proposed for removal. The Ordinance is not applicable to properties with single, double or triple residential units.

**Exterior Work Permit** A building permit or approval, which is required in order to perform work on the exterior of a building or a lot, including, but not limited to the following: a building permit; a demolition permit; certificates of appropriateness, non-applicability, or hardship; curb cut and street opening permits; an order of conditions; site plan approval; subdivision approval; a special permit; a review of an alteration of contour of land; a comprehensive permit.

**Occupied Lot** A lot containing a legally constructed, permanent structure, used primarily as a dwelling that is currently being legally occupied and lived in and used as a residence by a person or persons. The dwelling must have a functioning, legally permitted, permanent water, sanitary, and electrical services.

**Person** Any person, firm, partnership, association, corporation, company or organization of any kind including, but not limited to, the person removing a Protected Tree as well as the owner of the real property from which the tree is removed. The definition of "person" shall not include the City of Salem.

#### **Protected Tree**

- A. A tree, with trunk dimensions DBH of eight (8) inches or greater or any multiple trunk tree with an aggregate DBH of fifteen (15) inches or greater located in the setback area bordering a Public Right-of-Way of non-exempt private land, requires a Tree Permit before it may be removed. Permits to remove such trees shall not be unreasonably denied.
- B. The Tree Warden may also designate a tree as Protected, as defined above, if its growth has encroached into the setback area of non-exempt private land, between the height of six (6) inches and four and a half (4½) feet above grade, whether the growth is from the owner's land or the Public Right-of-Way; provided that the tree is not hazardous or undesirable as defined in the Tree Manual.

**Pruning Standards** Standards for pruning as defined in the City of Salem Tree Manual.

An application for a Tree Permit shall be submitted to the Tree Warden concurrently with an application for a building permit to the Director of Inspectional Services. No application fee shall be charged. The completed application shall include information the Tree Commission shall so determine, in consultation with the Tree Warden, pursuant to its power and duties set forth in Sec. 43-11.

**B. Review of Permit Applications**

1. The Tree Warden or his/her designee shall review applications for Tree Permits in accordance with the provisions of this ordinance. The Warden shall date stamp or otherwise record the date of filing of each Tree Permit application. The Warden shall complete the review of each application no later than ten (10) business days after receiving the finished submission.
2. In cases where a construction project will impact a Protected Tree, the Warden shall report whether the Tree Permit was granted or denied to the Director of Inspectional Services within the same ten (10) business days. If the Director receives no such report about a Tree Permit for the property within the above-stated time period, he shall accept a building permit application without that report.

**C. Conditions** Upon the issuance of a Tree Permit, the Tree Warden may prescribe in writing such protective measures for existing Protected Trees, as he deems necessary. The Warden shall make a determination that the prescribed protective measures have been adequately provided before any disturbance of the site related to the permitted activity may begin.

**D. Construction** Except as provided in a Tree Permit, construction activities under the dripline of a Protected Tree are prohibited. Activities include, but are not limited to: trenching or grading, storage of materials or equipment, passage of heavy equipment within the dripline and spillage of chemicals or other materials, which are damaging to trees.

**E. Suspension or Revocation** A Tree Permit may be suspended or revoked at any time by the Warden upon written notice to the permit holder that the permit holder has failed to comply with either this ordinance or the conditions of the Tree Permit. The written notice shall be sent by certified mail, return receipt requested, or by hand delivery and shall provide an opportunity for the permit holder to correct the non-compliance and apply for a renewal of the Tree Permit upon compliance, where practicable. The suspension or revocation of a Tree Permit shall not affect the validity of a building permit nor be the cause for withholding the issuance of a Certificate of Occupancy.

**F. Removal of A Protected Tree**

1. A Tree Permit shall be issued when a Protected Tree will be:
  - a) Replaced or relocated on site or on an abutter's setback with the abutter's express approval; or
  - b) Replaced by payment into the Tree Replacement Fund.
2. A permit shall also be granted when:
  - a) The Protected Tree is dead, diseased, injured, in danger of falling, dangerously close to existing structures, is causing disruption of utility service, is causing drainage or passage problems upon Public Rights-Of-Way, or poses a threat to pedestrian or vehicular safety; or
  - b) The removal of the Protected Tree is necessary and desirable in order to enhance or benefit the health or condition of other trees on the same site as certified to the Tree Warden by a certified arborist.

#### **A. Notice of Violation**

Any person who violates any of the provisions of this ordinance shall be notified by the Warden or his/her designee of the specific violation by certified mail, return receipt requested, or by hand delivery. The notice shall set forth the nature of the violation and a reasonable time period within which compliance must be had. The Warden shall send notice of violation of the Tree Replacement Fund regulations. The notice shall include the date by which trees were to be replaced or payment was to be made for purposes of computing the per day violation fine, in accordance with the Penalty provisions of this Ordinance.

#### **B. Stop Work Order**

1. Upon notice from the Warden or his/her designee that work on any Protected Tree, or property on which a Protected Tree is located is being performed contrary to any provision of this ordinance, such work shall be immediately stopped. The Stop Work Order shall be in writing and shall be delivered to the owner of the property involved, or to the owner's agent, or to the person doing the work; and shall state the conditions under which work will be permitted to resume;
2. The Tree Warden is also authorized to request, to the extent permissible by law, that the city department that has granted an exterior work permit to order the owner cease any activity that might affect a Protected Tree while a Stop Work Order is pending;
3. Any person who shall continue any work in or about the Protected Tree or property on which a Protected Tree is located after having been served with a Stop Work Order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not more than \$300 for each such violation. Each day during which a violation exists shall constitute a separate offense.

#### **C. Injunctive Relief**

1. Whenever there exists reasonable cause to believe that a person is violating this ordinance or any standards adopted pursuant to this ordinance or any term, condition or provision of an approved Tree Permit, the City may, either before or after the institution of any other action or proceeding authorized by this ordinance, institute a civil action in the name of the City for a mandatory or prohibitory injunction and an order of abatement demanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property.
2. Upon determination of a court that an alleged violation is occurring, it shall enter such order or judgment as is necessary to abate the violation. The institution of an action for injunctive relief under this subsection shall not relieve any party to such proceedings from any civil penalty prescribed for violation of this ordinance.

#### **Sec. 43-57. Tree Vandalism**

No person shall, without the consent of the owner of a private tree or shrub, do or cause to be done by others any of the following acts:

- A. Secure, fasten or run any rope, wire, sign, unprotected electrical installation, or other device or material to, around or through a tree or shrub, except to secure leaning or newly planted trees;
- B. Break, injure, mutilate, deface, poison, kill, or destroy any tree or shrub including during snow plowing;
- C. Remove any guard, stake, or other device or material intended for the protection of a tree or shrub, or close or obstruct any open space above the base of a tree or shrub designed to permit access of air, water, and fertilizer;



3. The replacement tree shall have the same or equivalent size as measured in DBH inches as that of the tree that has been removed. In the event that a tree of the same or equivalent size as measured in DBH inches cannot be planted, then multiple smaller replacement trees may be planted provided that, wherever practicable, as determined by the Warden, the cumulative total DBH of the replacement trees shall equal or exceed the cumulative total DBH of the trees that are proposed to be removed. Planting is permitted either on applicant's land or on land abutting applicant's land with the express approval of the owner of the abutting land. The Warden may specify that replacement trees be of a minimum caliper consistent with current accepted practice as stated in the Tree Manual.
4. A replacement tree shall be required to survive in a healthy state for two years, at which time, if it is not thriving, it shall be replaced in kind with another appropriate and same-size or larger tree.

#### **Sec. 43-61. Tree Replacement Fund**

- A. There is hereby established a Tree Replacement Fund which shall be held by the City Treasurer in a separate, identifiable revolving account and administered in accordance with applicable provisions of the General Laws. Any payments into the Tree Replacement Fund required by this ordinance for planting at the same site or at another location shall be deposited into the fund. It shall be used solely for the purpose of buying, planting, and maintaining trees in the City. The Tree Warden, with input from the Tree Commission, shall request use of these funds for tree planting, transplanting, and other tree-related needs. Allocation of these funds shall be approved by the City Council during the annual budget process.
- B. Payment in Lieu of Planting Replacement Trees: When a healthy Public Tree is removed at the request of a property owner, or agent thereof, the requesting party shall make a contribution to a Tree Replacement Fund in an amount deemed equal to the cost to replace the tree plus the value of the tree to be replaced. The cost to remove, replant and purchase new trees shall be determined by the Warden who shall provide the City's current tree planting costs.

#### **Sec. 43-62. Tree Donation Fund**

Collection of voluntary contributions under this ordinance shall be deposited into the Tree Donation Fund, a separate, identifiable revolving account, provided such fund is annually reauthorized, and administered by the City to be dedicated solely for the planting and maintenance of new trees. The Tree Warden, with input from the Tree Commission and commensurate with the reasonably practicable suggestions of any donor, shall request use of these funds for tree planting, and other tree-related needs. Allocation of these funds shall be approved by the City Council during the annual budget process.

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

In City Council December 6, 2018  
Adopted as Amended for first passage

Attest:

Ilene Simons  
City Clerk