



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

Office of the Mayor

November 17, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

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

**Johan Arango-Quiroga**, of 7 Fairview Avenue in Salem, appointed to a one year term to expire November 17, 2023, is a research assistant at Northeastern University where he specializes in policy research on state and municipal decarbonization policies and legislation. Previous to that work Mr. Arango-Quiroga was also a researcher at the MIT Sociotechnical Systems Research Center and the Zofnass Program at Harvard University. He holds a Bachelor's degree in agroindustrial engineering from the Universidad de San Buenaventura in Colombia and a Master's degree in sustainability from Harvard University's extension school, where he was a member of the Harvard Climate Leaders Program and the Council of Student Sustainability Leaders.

**Robyn Burns**, of 15 Carlton Street #2 in Salem, appointed to a three year term to expire November 17, 2025, has been the executive director of the Salem Pantry since March 2020 and is responsible for leading the organization through its remarkable growth during the COVID-19 pandemic, from a budget of \$100,000 to a budget of \$1 million. Because of her leadership of the Pantry during that historic crisis, Ms. Burns has received distinguished leadership awards from the North Shore Chamber, the Salem Chamber, and Salem Rotary. Before her time in Salem she was Director of Programs for CitySprouts, urban agriculture manager for the Boston Food Project, and part of the urban farm staff at Grow Pittsburgh. Ms. Burns holds a Bachelor's degree in communications from

the University of Pittsburgh and Master's degree in sustainable systems from Slippery Rock University.

**Allison Caffrey**, of 35 Congress Street #2350, appointed to a one year term to expire November 17, 2023, currently serves as the Executive Director for Root, a nonprofit organization that provides culinary and food service training and transitional employment assistance for North Shore youth. Before her time with Root, Ms. Caffrey was national development director for Let's Get Ready, director of development for Esperanza Academy, and a philanthropic advisory at the Boston Foundation. She volunteers on the board of the Dartmouth Educational Association and on the selection committee for the Red Pine Scholarship. Ms. Caffrey holds a Bachelor's degree in government from Dartmouth College and a Master's in education policy and management from Harvard University.

**Flora Cordoleani**, of 52 Webb Street in Salem, appointed to a one year term to expire November 17, 2023, is a project scientist for NOAA and UC Santa Cruz's Southwest Fisheries Science Center, where she also facilitates the agency's acoustic telemetry advisory group. Dr. Cordoleani earned a Bachelor's of science degree, a Master's degree in marine biology, and a doctoral degree in oceanography from Aix-Marseille II University. She completed her postdoctoral work in ecological modeling and statistics for marine biology with the Wildlife Fish and Conservation Biology Department at UC Davis.

**Celia Grant**, of 8 Alvah Kittredge Park in Boston, appointed to a one year term to expire November 17, 2023, currently works as the Director of Community Engagement and Programs for the Daily Table, a community grocery store organization operating in the Greater Boston region and currently pursuing a location in Salem. Previous to that Ms. Grant held a variety of positions of increasing responsibility with the Associated Industries of Massachusetts and served as Curator of Art Exhibitions for Haley House Bakery Café in Roxbury, where she is still a Board member. Ms. Grant holds a Bachelor's degree in fine arts from Brandeis University.

**Sara Moore**, of 1 Purchase Street in Salem, appointed to a three year term to expire November 17, 2025, is an Associate Professor of Sociology at Salem State University and current chair of that department. Prior to her time at SSU, Dr. Moore taught and conducted research at George Mason University. She has been extensively published and is one of the lead volunteers responsible for the updated Community Food Assessment, as well as its first edition in 2018. Dr. Moore is a member of the Salem Board of Health and has been engaged in the City's prior Mass in Motion work and the regional Overdose Substance Abuse Prevention Collaborative. She holds a Bachelor's, Master's, and doctoral degrees in sociology from Shepherd University, the New School, and George Mason University, respectively.

**Claudia Paraschiv**, of 20 Fowler Street in Salem, appointed to a two year term to expire November 17, 2024, is the principal and owner of Studioful, an architecture, community art, and design firm she founded in 2016. In addition to extensive public art engagements in Salem, Ms. Paraschiv and Studioful have been responsible for creating public art installations and programs for the City of Boston's Office of Urban Mechanics, Neustra Mesa in Chelsea, ArtBarn in Weymouth, and the Deck Room in Brookline. She has been the artist-in-residence for Salem's Artists Row and the Fairmount Cultural Corridor in Dorchester. Ms. Paraschiv served for three

years on the Public Art Commission here in Salem and holds a Bachelor's degree and Master's degree in architecture from the University of Southern California and MIT, respectively.

**Irvett Perrin**, of 437 Andover Street in Lawrence, appointed to a two year term to expire November 17, 2024, is the Salem Public Schools Director of Food Nutrition Services. Mr. Perrin joined SPS as a kitchen manager for Bentley, Saltonstall, and Collins in 2015 and has risen from that role to his current position as of last year. Prior to his time in Salem he worked in food services for public schools in Winchester and in Rye, New Hampshire, as well as a variety of assisted living and healthcare settings. Mr. Perrin holds a certification in food service management from Bunker Hill Community College and a certificate in school nutrition from the John Stalker Institute.

**Julie Pottier-Brown**, of 2 Gedney Court #2 in Salem, appointed to a two year term to expire November 17, 2024, is the Director of Operations for the Farm Direct Coop and one of the leaders who has helped grow that organization substantially since 2000. In addition to the daily management of the depot locations, Ms. Pottier-Brown coordinate membership, volunteers, marketing, sourcing of new items, purchasing, and sales. From 2004 to 2018 she also operated her own contracting service coordinating and carrying out transportation logistics for the Greater Boston Food Bank. Ms. Pottier-Brown holds a Bachelor's degree in art from Salem State University.

**Joel Simonson**, of 34 Forrester Street #3 in Salem, appointed to a three year term to expire November 17, 2025, is the Assistant Director of Major Gifts for Project Bread. Before his time with that organization, he held a variety of development and fundraising positions with Lovin' Spoonfuls, a food rescue organization that diverts excess food from the waste stream toward community agencies. Mr. Simonson is one of the lead researchers for the current Community Food Assessment update and holds a Bachelor's degree in biology and a Master's degree in environmental science and policy both from Clark University.

Sincerely,



Kimberley Driscoll  
Mayor  
City of Salem



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

November 17, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

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

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

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

Sincerely,

Kimberley Driscoll  
Mayor  
City of Salem



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

Office of the Mayor

November 17, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

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

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

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

Sincerely,

Kimberley Driscoll  
Mayor  
City of Salem





## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
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Office of the Mayor

November 17, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

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

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

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

Sincerely,

Kimberley Driscoll  
Mayor  
City of Salem



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
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Office of the Mayor

November 17, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

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

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

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

Sincerely,

Kimberley Driscoll  
Mayor  
City of Salem



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

Office of the Mayor

CITY CLERK, SALEM MASS.  
2022 NOV 16 AM 11:17

November 17, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am pleased to appoint Captain Fred Ryan of 95 Margin Street to the Salem Harbor Port Authority for a three-year term to expire November 17, 2025. Captain Ryan will fill the seat previously held by Michael Rutstein. Please join me in thanking Mr. Rutstein for his dedicated service to our community and the Authority.

Captain Ryan has been a member of the Salem Police Department since 2003, rising from the rank of patrol officer to sergeant in 2009 and from sergeant to captain in 2014. As Captain, one of his responsibilities has been coordination with the Salem Harbormaster around the City's federal Port Security grants, including submissions, reporting, and oversight. Prior to joining the police department Captain Ryan was the chief engineer for Keystone Shipping for 13 years, supervising a variety of aspects of the shipyard and vessel operations. Captain Ryan holds a Bachelor's degree in marine engineering from the Massachusetts Maritime Academy and a Master's degree in criminal justice from Western New England University.

I strongly recommend confirmation of Captain Ryan's appointment to the Harbor Port Authority. We are fortunate that he is willing to serve our community in this important role and lend his expertise and dedication to the Authority and the important work it has underway.

Sincerely,

Kimberley Driscoll  
Mayor  
City of Salem





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Kimberley Driscoll  
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Office of the Mayor

November 17, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am pleased to appoint Michaela Short of 81 Bancroft Road in Melrose to serve as a voting alternate member of the Salem Food Policy Council. Ms. Short is appointed to a two-year term to expire November 17, 2024.

Ms. Short is the Assistant Director of Food and Nutrition Services for Salem Public Schools, where she manages staff, creates biweekly menus for the district, and oversees training and certification. Prior to serving in this role Ms. Short was a diet technician and dietary aide supervisor for SPS Food and Nutrition Services. She holds a Bachelor's degree in nutrition and dietetics from the University of Rhode Island and, for her dietetic internship, completed a food service management rotation at Milton Public Schools, a community nutrition rotation with the Framingham YMCA, and a clinical rotation at Salem Hospital.

I strongly recommend confirmation of Ms. Short's appointment as the Council's alternate member. We are fortunate that she is willing to serve our community in this important role and lend her expertise and dedication to the Council and its work.

Sincerely,

Kimberley Driscoll  
Mayor  
City of Salem



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

Office of the Mayor

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am submitting following reappointments of existing board and commission members and City staff and recommend City Council confirmation for all of them. These individuals have terms that expire between now and the May 1, 2023.

An abbreviated reappointment term will allow all of the below individuals to continue service, subject to your confirmation vote, while also preserving the ability of the next elected Mayor to make their own determinations about reappointment to full terms following the forthcoming special election.

### Board Reappointments –for a one-year term expiring December 8, 2023.

FNAME	LNAME	BOARD	ADDRESS
Filipe	Zamborlini	Affordable Housing Trust Fund Board	62 Perkins Street #3
Mary Ellen	Halliwell	Beautification Committee	81 Orchard Street
Sandra	Power	Beautification Committee	18 Loring Avenue
Colleen	Downie	Bicycling and Shared Path Advisory Committee	12 School Street #2
Robert	Millerick	Board of Assessors	4 Gallows Circle
Paul	Kirby	Board of Health	8 1/2 Daniels Street #3
Sara	Moore	Board of Health	34 Leach Street
Darren	Black	Commission on Disabilities	1 Essex Street #1
Rebecca	Christie	Commission on Disabilities	17 Marlborough Road
Debra	Lobsitz	Commission on Disabilities	11 Forest Avenue
Eliud	Alcalá	Council on Aging	11 South Street #3
Abigail	Butt	Council on Aging	11 South Street
Kristin	Macek	Council on Aging	48 Webb Street #1
Marc	Perras	Design Review Board	6 Union Street #1
Sarah	Tarbet	Design Review Board	1 Chase Street #1
F. Reed	Cutting	Historical Commission	14 Clifton Avenue
Vijay	Joyce	Historical Commission	10 1/2 Herbert Street
Kurt	Ankney-Beauchamp	Public Art Commission	19 Harbor Street #5
Charles	Barton	Registrars of Voters	26 Marlborough Road
Kathy	Winn	Salem Harbor Port Authority	133 Fort Avenue
Peter A.	Copelas	Zoning Board of Appeals	40 Warren Street
Rosa	Ordaz	Zoning Board of Appeals	13 Forest Avenue
Steven	Smalley	Zoning Board of Appeals (Alternate)	141 Washington Street #2

### Staff Reappointments – for a term to expire January 31, 2024.

<b>NAME</b>	<b>TITLE</b>
Anna Freedman	Finance Director/Auditor
David Knowlton	Director of Public Services
Patricia O'Brien	Parks, Recreation, and Community Services Director
Teresa Gove Arnold	Council on Aging Director
Anthony Delaney	Purchasing Agent
Stephen Cortes	Director of Assessing

Sincerely,



Kimberley Driscoll  
Mayor  
City of Salem



# CITY OF SALEM

In City Council,

December 8, 2022

**Ordered:**

That the sum of Seven Million, Three Hundred Thirty-Two Thousand Fourteen Dollars and Twenty-Five Cents (\$7,332,014.25) is hereby appropriated from General Fund Balance Reserved for Free Cash to the following special revenue funds. The amount of free cash to be transferred is per the City's Financial Policies and in accordance with the recommendation of Her Honor the Mayor.

Description	Amount
Stabilization Fund (8301) 10%	1,629,336.50
Capital Improvement Fund (2000) 30%	4,888,009.50
Other Post Employ Benefits (OPEB) (8313) 5%	814,668.25
<b>Total</b>	<b>7,332,014.25</b>



## **CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

Office of the Mayor

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am writing to inform you that the Department of Revenue has certified Free Cash for the City of Salem for the current fiscal year. Free Cash is derived from unexpended budget dollars and/or higher than anticipated revenues from prior fiscal years. Our available Free Cash balance for FY2023 is \$16,293,365.

Over my administration the City has successfully built up our reserve accounts and is in a strong financial position due, in large part, to responsible budgeting practices and professional fiscal policies. This was not always the case; at the start of my administration our Free Cash account held next to nothing, putting a significant strain on our ability to appropriately save for the future.

Prior to the recommended allocations here, our reserve accounts currently total \$25.1 million. These include our Stabilization Fund, our Capital Outlay Fund, our Retirement Stabilization Fund, and our OPEB Trust Fund. It is as critical as ever for the City to continue to save wisely and plan appropriately for these upcoming challenges. In addition to building up our rainy-day fund balance, we have continued to implement routine regular financial forecasting and improved our operational and capital budget procedures.

Evidence of our success in these efforts can be found in the recognition we have received annually over the last 17 years in a row through the Government Finance Officials Association "Certificate of Excellence" for Salem's Comprehensive Annual Financial Report and receipt of the organization's "Distinguished Budget Presentation Award." Salem is one of only a handful of communities in the Commonwealth to be recognized annually for both distinctions. It is also apparent from Standard & Poor's recent affirmation of our current AA bond rating, the highest credit rating on record in the City's history. In explaining what prompted the rating, the agency has specifically cited our strong financial management practices and conservative budgeting. The



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

As you will see outlined in the Finance Director's enclosed letter, as well, we have recently revised our fiscal policies to adjust the amounts appropriated from Free Cash to our reserve funds. These changes are a direct result of both the strong positive growth of our Stabilization Fund and our intention to reduce debt costs by utilizing more short term "pay as you go" capital funds for capital needs. This latter policy decision was prompted by increasing interest rates, the continuing need for capital and maintenance investments, and our goal of reducing long-term costs to Salem taxpayers.

Therefore, consistent with our revised fiscal policies, I am submitting the enclosed Order to appropriate \$7.3 million of free cash to our City's reserve funds: \$1,629,336.50 to the Stabilization Fund, \$4,888,009.50 to the Capital Improvement Program Fund, and \$814,668.25 to the OPEB Fund. In all, these appropriations increase the total amount in these funds by 30% and bring them collectively to a very healthy \$31.8 million in all, the most our City has ever had in our stabilization and reserve funds, positioning the City strongly for the future.

As this is the final such appropriation request from Free Cash of my administration, I would be remiss in not highlighting the fact that, when I first took office in January 2006, the OPEB Fund did not exist, and we inherited a Stabilization Fund that held just \$30,317.85. From that day until the vote that is before you now, we have worked responsibly and intentionally to grow that fund by 51.708%. Together, we rebuilt this City's financial capacity, growing our reserve funds from practically nothing to a positive balance of over \$32.4 million. This success required collaborative work by both my administration and by yourself and previous Councillors. We should all be incredibly proud of the position of fiscal strength in which we are leaving our City to the next administration – I know that I am.

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

Respectfully,



Kimberley Driscoll  
Mayor  
City of Salem



## City of Salem, Massachusetts

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

Kimberley L. Driscoll, Mayor

Anna Freedman, Finance Director

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December 8, 2022

Honorable Salem Mayor Kimberley Driscoll  
Salem City Hall  
Salem, Massachusetts

Dear Honorable Mayor Driscoll:

Enclosed herewith is a request to transfer \$7,332,014.25 from certified Free Cash pursuant to Salem's Free Cash Policy. Of this total amount, \$1,629,336.50 (10%) will be transferred to the Stabilization Fund, \$4,888,009.50 (30%) to the Capital Improvement Fund (2000), and \$814,668.25 (5%) to the Other Post-Employment Benefits (OPEB) Fund (8313).

The Massachusetts Department of Revenue – Division of Local Services certified the city of Salem's FY2022 Free Cash at \$16,293,365. After the requested transfers enclosed herewith, the balance remaining would be \$8,961,350.75. Please note, Salem is unlikely to see such high certified Free Cash going forward, as FY2022 Free Cash substantially benefitted from revenues recovering from COVID-19. In FY2023 and beyond, it is likely that the city will see more typical levels of Free Cash (typically around half of the current certified amount). The balance of the city's Stabilization Fund as a result of the requested transfers would be a record \$15,707,128.74 (approximately 9.4% of the current year operating budget), the balance of the OPEB Fund would be \$6,013,933.27 and the cash balance (which includes currently unspent balances of existing appropriations) of the Capital Improvement Fund would be \$9,975,196.99.

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

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

Sincerely,

Anna Freedman  
Finance Director



# CITY OF SALEM

In City Council,

**Ordered:**

December 8, 2022

That the sum of Three Million, Eighty-Two Thousand, Five Hundred Nineteen Dollars (\$3,082,519.00) shall be Raised and Appropriated from the City of Salem General Fund for the purpose of supporting the fiscal year 2023 Trash Enterprise Fund Expense Subsidy, which represents the amount to be raised less operational expenses, in accordance with the recommendation of Her Honor the Mayor.



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

Office of the Mayor

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Order appropriates from the General Fund \$3,082,519 for the Trash Enterprise Fund Expense Subsidy. This is not an addition or change to the FY2023 Budget but is a housekeeping measure requested by the Massachusetts Department of Revenue (DOR) as of 2021. As a General Fund subsidy of an Enterprise Fund expense, a separate recorded vote of the Council is required by DOR.

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

Respectfully,

Kimberley Driscoll  
Mayor  
City of Salem



## City of Salem, Massachusetts

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

Kimberley L. Driscoll, Mayor

Anna Freedman, Finance Director

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December 8, 2022

Honorable Salem Mayor Kimberley Driscoll  
Salem City Hall  
Salem, Massachusetts

Dear Honorable Mayor Driscoll:

Enclosed herewith is a request to raise and appropriate three million eighty-two thousand, five hundred nineteen dollars (\$3,082,519.00) from the City of Salem General Fund for the purpose of supporting the Trash Enterprise Fund Expense Subsidy. This formality has been requested by the Department of Revenue as of 2021, which is a change from previous acceptable practices. Since that time, this appropriation vote has thus occurred at the same meeting as the tax rate setting.

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

Regards,

A handwritten signature in black ink, appearing to read "Anna Freedman".

Anna Freedman  
Finance Director

Enclosures





# CITY OF SALEM

In City Council,

Ordered:

December 8, 2022

That the sum of One Million, Six Hundred Eighty-Two Thousand, One Hundred Thirty-Six Dollars (\$1,682,136.00) is hereby appropriated from the following "Receipts Reserved for Appropriation" accounts to reduce the tax rate amount to be raised by taxation when the Fiscal Year 2023 tax rate is set in accordance with the recommendation of Her Honor the Mayor.

Description	Amount
Receipts Reserved - Witch House	622,135.00
Receipts Reserved - Golf Course	730,000.00
Receipts Reserved - Harbormaster	230,000.00
Receipts Reserved - Charter Street	100,000.00
<b>Total</b>	<b>1,682,136.00</b>



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

Office of the Mayor

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

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

Enclosed herewith are requests to transfer the sum of \$1,682,136 from receipts reserved to be applied to reduce the gross amount to be raised by taxation for Fiscal Year 2023. \$622,135 is derived from Witch House revenues, \$730,000 from the golf course, \$230,000 from Harbormaster receipts, and \$100,000 from the Charter Street Welcome Center.

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

Respectfully,

Kimberley Driscoll  
Mayor  
City of Salem



## City of Salem, Massachusetts

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

**Kimberley L. Driscoll, Mayor**

**Anna Freedman, Finance Director**

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December 8, 2022

Honorable Salem Mayor Kimberley Driscoll  
Salem City Hall  
Salem, Massachusetts

Dear Honorable Mayor Driscoll:

Enclosed herewith is a request to transfer One Million, Six Hundred Eighty-Two Thousand, One Hundred Thirty-Six Dollars (\$1,682,136.00) from Receipts Reserved for Appropriation accounts to reduce the amount to be raised by taxation when setting the Fiscal Year 2023 tax rate. This is an increase of 24% over FY2022 and will reduce the burden on taxpayers by offsetting costs in the city's budget. The total transfer is comprised of the following:

- \$622,136 from R/Res Witch House (current fund balance: \$1,538,760.90)
- \$730,000 from R/Res Golf Course (current fund balance: \$1,189,621.75)
- \$230,000 from R/Res Harbormaster (current fund balance \$364,113.04)
- \$100,000 from R/Res Charter Street (current fund balance \$244,027.57)

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

Regards,

Anna Freedman  
Finance Director

Enclosures



# CITY OF SALEM

In City Council,

December 8, 2022

**Ordered:**

That the sum of Eight Hundred Thousand Dollars (\$800,000.00) is hereby transferred from the General Fund Balance Reserved for Free Cash and appropriated to the following account in the Capital Improvement Fund (2000) below for the costs associated with soil remediation and restoration at Mansell Field in accordance with the recommendation of Her Honor the Mayor.

Description	Amount
20002320-5846FR	\$800,000.00
<b>Total</b>	<b>\$800,000.00</b>



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

Office of the Mayor

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Order appropriates \$800,000 from Free Cash to fund a portion of the costs associated with the remediation and restoration of Mansell Field. The full cost of the project is \$3,400,000 with the balance of the project costs coming from \$800,000 of the City's American Rescue Plan Act funds and a funding commitment of \$1,800,000 from the US EPA. There is additionally a \$500,000 state bond authorization that, if funded, will be used to reimburse the City for a portion of the local costs incurred.

A few years ago, during due diligence for the renovation of the adjacent parkland, the City's Licensed Site Professional identified elevated arsenic levels within Mansell Field that are likely associated with a leather tannery that existed at this location until the early 20th century. The site was designated an Imminent Hazard by MassDEP and required to be closed to the public until the contaminated material is remediated. This funding is critical to fully eliminating the public health risk and restoring the park as an amenity that is enjoyed by both Salem residents and visitors throughout the region and beyond. More details about the planned restoration project and the site conditions can be found at [www.salemma.gov/mansellfield](http://www.salemma.gov/mansellfield).

I recommend adoption of the enclosed Order and invite you to contact Senior Planner Tom Devine with questions about the Mansell Field project and Finance Director Anna Freedman or Director of Recovery Strategy David Rodrigues about the funding plan.

Respectfully,

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

November 29, 2022

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 \$800,000 in Free Cash for the remediation and restoration of contaminated soils at Mansell Field. The City is entering into a work-share arrangement with the US EPA through which federal funds will cover up to \$1,800,000 of the estimated \$3,400,000 total cost. We seek \$800,000 in Free Cash to supplement the \$800,000 ARPA funds being sought separately. In addition, the City is pursuing \$500,000 allocated through a 2022 state bond bill that, if secured, may reimburse the City's Free Cash and ARPA accounts.

MassDEP ordered Mansell Field closed in 2018 when elevated arsenic levels were identified through the City's due diligence for the renovation of the adjacent Gallows Hill Park and Ryan Brennan Memorial Skate Park. In response to the City's request for assistance, the US EPA at that time agreed only to remediate contaminated soils that extended onto neighboring residential properties due to statutory limitations on the use of their funding. The City has since worked with Tighe & Bond to develop a remediation and restoration plan for Mansell Field, which was approved at a public meeting of the Park and Recreation Commission in January 2021.

While it is regrettable that Mansell Field has been closed for several years, the magnitude of the remediation costs warranted taking the time to negotiate a work-share arrangement with the US EPA. Now that execution of this agreement is imminent, we seek Free Cash funding so that work may commence without delay to restore this community parkland to active use.

**Total Free Cash request:**

**\$800,000**

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

*M. Daniel*  
Department Head Authorizing Signature

November 29, 2022  
Date

**Budget or R/Res**

**Transfers** To: \_\_\_\_\_ Desc: \_\_\_\_\_ Budget Amt: \_\_\_\_\_  
(Org/Object) Balance: \_\_\_\_\_

From: \_\_\_\_\_ Desc: \_\_\_\_\_ 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 Retained Earnings (W/S)** To: 20002320-5846F12 Desc: F463 Mansell Field Budget Amt: N/A  
(Org/Object) Balance: N/A

**Raise & Appropriate**  
Please circle one

**Amount Requested:** \$ 800,000.00

**Reason (Be Specific)** Remediation and restoration of contaminated soils at Mansell Field.

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

\_\_\_\_\_ Budget Transfer                      \_\_\_\_\_ Mayor Approval                      \_\_\_\_\_ City Council Approval

Free Cash Appropriation - City Council Approval - Gen Fund \$ 8,731,685.87  
Free Cash Balance

\_\_\_\_\_ R/E Appropriation - Water \$ \_\_\_\_\_ R/E Appropriation Sewer \$ \_\_\_\_\_  
R/E Balance 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,

December 8, 2022

**Ordered:**

That the sum of Seven Hundred Fifty Thousand Dollars (\$750,000.00) is hereby transferred from the General Fund Balance Reserved for Free Cash and appropriated to the following account in the Capital Improvement Fund (2000) below for the Fire Department's purchase of a new Ladder truck to replace Salem Ladder 1 in accordance with the recommendation of Her Honor the Mayor.

Description	Amount
20002310-5846FQ	\$750,000.00
<b>Total</b>	<b>\$750,000.00</b>



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

Office of the Mayor

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Order appropriates \$750,000 from Free Cash to fund a portion of the costs associated with the purchase of a new Fire Department ladder truck to replace Ladder 1. The full cost of the vehicle is \$1,510,000, with the balance of this purchase coming from the City's American Rescue Plan Act funds.

The current Ladder 1 has been in operation for us since 1999 and has reached a point where continued repair and maintenance is no longer practical or, depending on the necessary parts, possible. While we had been in discussions about placing this apparatus into the FY24 capital budget, two events have occurred that prompted the more urgent mid-year request before you now. First, on October 1<sup>st</sup>, Ladder 1 experienced an electrical fire that incapacitated the vehicle's computer and wiring, rendering it inoperable. Second, the Chief obtained a quote for a "stock" Metro Ladder truck from Pierce Manufacturing that is compatible with our needs as an older city with smaller streets, and also deliverable on an accelerated timeframe – in just seven months, instead of the usual 24-30 months that a custom apparatus would require. Additional details can be found in the enclosed letter and back-up information from the Fire Chief.

I recommend adoption of the enclosed Order at this evening's Council meeting, in order not to lose our ability to secure the stock vehicle before another municipality procures it. I invite you to contact Chief Dionne should you have questions about the apparatus and Finance Director Anna Freedman or Director of Recovery Strategy David Rodrigues about the funding plan.

Respectfully,

Kimberley Driscoll  
Mayor  
City of Salem



# CITY OF SALEM, MASSACHUSETTS FIRE DEPARTMENT



48 LAFAYETTE STREET  
SALEM, MASSACHUSETTS 01970-3695  
PHONE 978-744-1235 FAX 978-745-4646

**ALAN E. DIONNE**  
CHIEF  
978-744-6990  
ADIONNE@SALEM.COM

FIRE PREVENTION  
BUREAU  
978-745-7777

November 16, 2022

To: Mayor  
City Councilors  
Finance

## RE: Request for funding from free cash

I am writing to request \$750,000.00 from free cash to pay for half the purchase cost of a new Ladder truck to replace Salem Ladder 1. The other half of the cost will be subsidized with ARPA funding.

Salem Fire Ladder 1 has been failing for some time, I was hoping to get at least another year of service from it, but unfortunately, this is no longer feasible. We have already spent thousands of dollars on repairs and many mechanic man hours this year alone.

On Saturday, October 1<sup>st</sup> there was an electrical issue/fire on Ladder 1; As far as we can tell, at a minimum, the fire damaged a large wiring harness and the main onboard computer. Due to the age of this truck, parts are indefinitely out of stock. Ladder 1 cannot be repaired for the foreseeable future, and considering its 23 hard years of service, I do not believe we should spend any future time and resources repairing it.

I have been working with my apparatus committee and mechanic to seek out alternatives to replace Ladder 1. There are four key items we considered: cost, quality, compatibility, and availability.

- Cost: Aerial ladders range in price from just over a million dollars to well over two million
- Quality: Although many manufacturers produce aerial ladders, not all are the same. Salem is a big city that requires a quality heavy-duty ladder truck that will perform and last 15 to 20 years with limited issues.
- Compatibility: The ladder truck must be compact so that it can operate on our tight streets and fit into Station 4. Not all manufacturers make fire trucks that work in an old city such as Salem.
- Availability: This is a key item we had to consider. Most manufacturers require 24 to 30 months to produce an aerial ladder. It would be very difficult and unadvisable to operate the Salem Fire Department without a second ladder for that period. Presently we are fully manned with 88 department members. With a full contingent of department firefighters, Ladder 1 would be in service 6 to 7 months out of the year, usually during the tourist season and the winter months.

Just one manufacturer has come forward with a favorable timeline for delivery, a quality compatible truck, and reasonable pricing - Pierce Manufacturing. As you'll see in the attached document, Pierce Manufacturing has proposed to deliver a stock Arrow XT Metro Ladder Truck to us in July for \$1,510,000.00. (See Attached) Metro ladder trucks are primarily produced for older cities in the US with narrow streets and smaller fire stations. Pierce is the largest fire truck manufacturer in the world; their apparatus and aerial ladders are considered some of the



best available. Salem Tower 2 and Ladder 1 which we are replacing are both Pierce aerial ladders. They have both performed admirably for the department.

A stock truck can be delivered much quicker than a custom truck since it has already been engineered and parts are in stock. Stock trucks are assigned spots on the assembly line when there is an opening in production without a known buyer. The truck we are proposing to purchase is already on the production line. This truck is non-customizable and is equipped with limited options - which is our preference - it will meet the needs of our department perfectly for years to come. The pricing is in line with comparable equipment from other manufacturers. Our dealer, Allegiance Fire & Rescue, is a Massachusetts company and is part of the HGAC Mass Buy Program for fire vehicle sales.

This truck cannot be held by the dealer or the manufacturer for our city to purchase until we secure funding and provide a PO to them. Presently, the ladder truck could be claimed by another buyer. If this happens, we would be forced to wait for another stock truck to become available or purchase a customer ladder with another manufacturer which would take 24 to 30 months to manufacture.

The price provided to us by Pierce manufacturing and the Dealer Allegiance trucks incorporates everything we will need to take ownership and put it into service. Including delivery, all equipment, painting & decals, additional electronics, and training.

I hope this free cash request meets with your approval. I will be available for questions at the council meeting scheduled in December. If you would like, please feel free to reach out to me at [adionne@saalem.com](mailto:adionne@saalem.com) prior to that meeting with any questions you may have, and I will do my very best to answer them for you. I would also be available to speak with each of you individually. My cell # 978-375-4963

Sincerest regards,



Alan Dionne  
Chief of Department

CC D. Pangallo  
I. Simmons

# ALLEGIANCE FIRE & RESCUE

2181 Providence Highway  
Walpole, MA 02081  
508.668.3112  
[www.AllegianceFR.com](http://www.AllegianceFR.com)

Nov 1, 2022

City of Salem MA  
Attn: Chief Allan Dionne  
48 Lafayette St  
Salem, MA 01970  
RE: Budget Letter for One Pierce Arrow XT 100' LSL Aerial Stock Truck

Chief,

The proposed Stock truck Job # 39351 will cost \$1,510,000 for the selling price. This unit is the 100' Arrow XT LSL Aerial with no tank no pump. This chassis is the same as your current Mid Mount that you have now. This Aerial is also a close match to the unit you saw at the FDIC show which is now being purchased by Springfield Ma.

As we spoke about the other day this truck meets some requirements that were important to the FD. The first being the overall height at 11'2", this may be the most important option on this stock truck. This unit also meets the requirements of a Cummins motor, roll up doors, and no tank no pump on this build. We may also have the ability to change the color scheme so we can make the Aerial black, cab painted black over red, and a few more items to match the black accent items to match the fleet as best we can; these paint items are pending approval.

We expect this unit off the assembly line Summer 2023. In today's environment with lead times on Aerials pushing 24-30 months, this is a huge advantage. However, this truck has already gone through engineering and changes will be very limited. Stock trucks sell fast, and the first Purchase Order gets the truck. We are competing against every other Pierce Dealer who are also proposing this truck to customers. In this scenario, all we need is a simple P.O. or contract to secure the unit.

We are grateful that we have had the opportunity to possibly serve the City of Salem Fire Department, its Membership, and the city again. We look forward to a continued relationship and the opportunity to earn your future business. You are a valued customer to Allegiance Fire and Rescue Apparatus and Pierce Manufacturing.

If there is anything else that I can assist you with regarding this matter, please feel free to contact me.



**Patrick Whitney**  
*Emergency Vehicle Sales*  
**ALLEGIANCE FIRE & RESCUE**  
2181 Providence Highway, Walpole, MA 02081  
D: 508.216.6371 | C: 978.360.0419 | F: 508.216.6368



# CITY OF SALEM - Finance Department

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

From: Fire Department      [Signature] Head Authorizing Signature      11-29-22 Date

**Budget or R/Res** Budget Amt: N/A

**Transfers** To: 20002310-584600 Desc: FY23 Ladder Truck Balance: N/A  
(Org/Object)

From: \_\_\_\_\_ Desc: Free Cash 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 Retained Earnings (W/S)** Budget Amt: N/A  
(Org/Object) Balance: N/A

To: 20002310-584600 Desc: FY23 Ladder Truck

**Raise & Appropriate**  
 Please circle one

**Amount Requested:** \$ 750,000.00

**Reason (Be Specific)** Replace Ladder Truck

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

Budget Transfer       Mayor Approval       City Council Approval  
 Free Cash Appropriation -- City Council Approval -- Gen Fund \$ 8,731,685.87  
Free Cash Balance  
 R/E Appropriation - Water \$ \_\_\_\_\_ R/E Balance       R/E Appropriation Sewer \$ \_\_\_\_\_ R/E Balance  
 Receipts Reserve -- City Council Approval \$ \_\_\_\_\_ R/Res Fund Balance  
 Raise & Appropriate       Other \_\_\_\_\_  
**Recommendation:**  Approved       Denied      [Signature]  
Finance Director

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



# CITY OF SALEM

In City Council,

December 8, 2022

Ordered:

That the sum of Two Hundred Twenty-Nine Thousand Six Hundred Sixty-Four Dollars and Eighty-Eight Cents (\$229,664.88) is hereby appropriated from General Fund Balance Reserved for Free Cash to the Stabilization Fund (8301) to replenish appropriations made prior to the certification of fiscal year 2022 free cash in accordance with the recommendation of Her Honor the Mayor.

Description	Amount
Stabilization Fund (8301)	\$229,664.88
<b>Total</b>	<b>\$229,664.88</b>



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

Office of the Mayor

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

With the certification of the City's free cash by the Department of Revenue, we are now able to restore monies to the Stabilization Fund that had been appropriated out this fiscal year to date. The three specific instances of when this took place are detailed in the enclosed letter from the Finance Director.

The enclosed Order appropriates the full amount of these, \$229,664.88, from our now available Free Cash Fund back into the Stabilization Fund to make that reserve account whole.

I respectfully request your adoption of the accompanying Order. If you have any questions, please feel free to contact Finance Director Anna Freedman or Chief of Staff Dominick Pangallo.

Respectfully,

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

Kimberley Driscoll  
Mayor  
City of Salem



## City of Salem, Massachusetts

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

Kimberley L. Driscoll, Mayor

Anna Freedman, Finance Director

December 8, 2022

Honorable Salem Mayor Kimberley Driscoll  
Salem City Hall  
Salem, Massachusetts

Dear Honorable Mayor Driscoll:

Enclosed herewith is a request to transfer \$229,664.88 from Free Cash to the General Stabilization Fund to replenish amounts previously appropriated from the General Stabilization Fund prior to the certification of Free Cash. The amounts appropriated from the General Stabilization Fund were:

- Council Order 489 (\$130,288.00) which funded retroactive collective bargaining payments;
- Council Order 597 (\$89,479.88) which funded a technology payment at the School Department; and,
- Council Order in the amount of \$9,897.00 which funded a police department building maintenance issue.

The Massachusetts Department of Revenue – Division of Local Services certified the city of Salem's FY2022 Free Cash at \$16,293,365. After the requested transfer enclosed herewith, in addition to the transfers also currently requested per Salem's Free Cash Policy, the balance remaining would be \$8,731,685.87.

The balance of the city's Stabilization Fund as a result of the requested transfer would be \$15,936,793.62 (approximately 9.6% of the current year operating budget). This amount is in line with best practices and thresholds deemed "strong" by credit rating agencies.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Anna Freedman".

Anna Freedman  
Finance Director



# CITY OF SALEM

In City Council,

December 8, 2022

**Ordered:**

That the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) is hereby transferred from the General Fund Balance Reserved for Free Cash and appropriated to the following account in the Capital Improvement Fund (2000) below for the costs associated traffic calming infrastructure, including the permanent installation of speed humps on Fairfield, Cedar, and Gardner Streets, and design, engineering, and education work for other measures throughout the city in accordance with the recommendation of Her Honor the Mayor.

Description	Amount
20002318-5846FS	\$150,000.00
<b>Total</b>	<b>\$150,000.00</b>





## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Order appropriates \$150,000 from Free Cash to implement traffic calming measures on City streets. Specifically, it will fund construction of elements where temporary measures have been in place and engineering is complete and, in other places where temporary measures have been in place, but engineering is not yet done, it will allow us to advance the engineering and design work. As you know, these projects advance through multiple phases, from study and data collection to temporary installations, to design/engineering, and, ultimately, to final/permanent construction.

Since we launched the Neighborhood Traffic Calming program in 2018, at the request of residents in neighborhoods who had been struggling with high vehicle speeds, dangerous road conditions, and high crash counts, projects have been implemented at 15 streets and intersections, with many more in the queue. This past summer, to bring more equity to the program, the Traffic and Parking Department staff initiated a data review of every roadway in Salem and will shortly be publishing that information in a user-friendly, public format on the department website. The data from that study will help the department prioritize locations for calming and other interventions on an evidence-based basis. In the interim, the department is working diligently to continue moving existing projects in the program through the process outlined above.

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

Respectfully,

Kimberley Driscoll  
Mayor  
City of Salem



## City of Salem, Massachusetts

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

Kimberley L. Driscoll, Mayor

David Kucharsky, Traffic & Parking Director

December 2, 2022

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

RE: Request for Funding: Traffic Calming Program

Dear Honorable Mayor Driscoll:

This request is for a Council Order to provide \$150,000 in funding to implement traffic calming measures along various streets throughout the city. Approval of these funds would facilitate the installation of five permanent speed humps on three streets (Cedar Street, Fairfield Street, and Gardner Street) as well as fund additional design and engineering work to continue the implementation of these measures at other locations. Additionally, this funding would allow for the Traffic & Parking Department to work with a consultant to create informational material to help educate the public about the various types of roadway treatments that can be found around Salem including bike accommodations.

Since launching the Traffic Calming Program in 2018, the Department has received an overwhelming number of resident requests and have implemented projects at over 15 streets and/or intersections throughout the city. Given the high number of requests we continued to receive and the limited staff and resources, we were recently instructed by the Traffic & Parking Commission, along with input from some of the City Councilors, to incorporate more equity into how we prioritize requests as well as clarify how we evaluate them. After several discussions this past summer with the Commissioners, city staff, Councilors, and the public, we have ranked every public road (600+) within Salem.

The rankings are based on demographic information, proximity to community land uses, crash history, as well as collected speed and volume (vehicle count) data. This ranking system is intended to help staff determine how we prioritize our resources moving forward. As part of this effort, we are working on publishing this roadway ranking in a user-friendly format to our department's webpage so residents can see where their street ranks in comparison to other Salem streets.

The Department will continue to evaluate other streets utilizing the ranking system and will be seeking funds in the FY24 budget to hire consultants, prepare design plans and purchase materials to continue piloting traffic calming measures as well as making some of these measures permanent. Please let me know if you have any questions or need any additional information.

Sincerely,

A handwritten signature in blue ink that reads "David Kucharsky".

David Kucharsky  
Traffic and Parking Director

## CITY OF SALEM - Finance Department

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

From: Traffic + Parking Paul Kuey 12/5/2022  
Department Department Head Authorizing Signature Date

**Budget or R/Res** Budget Amt: \_\_\_\_\_  
**Transfers** To: \_\_\_\_\_ Desc: \_\_\_\_\_ Balance: \_\_\_\_\_  
(Org/Object) Budget Amt: \_\_\_\_\_  
 From: \_\_\_\_\_ Desc: \_\_\_\_\_ 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 Retained Earnings (W/S)** To: STCIP Desc: 20002318-5846FS Budget Amt: \$150,000  
(Org/Object) Balance: \_\_\_\_\_  
**Raise & Appropriate**  
 Please circle one

**Amount Requested:** \$ 150,000  
**Reason (Be Specific)** Funds would be used to install permanent speed humps on Fairfield, cedar, Gardner streets as well as support additional design and engineering work to continue the implementation of these permanent & temporary measures. Funds also be used to develop educational materials for the public!

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

\_\_\_\_\_ Budget Transfer \_\_\_\_\_ Mayor Approval \_\_\_\_\_ City Council Approval  
 \_\_\_\_\_ Free Cash Appropriation - City Council Approval - Gen Fund \$ \_\_\_\_\_  
Free Cash Balance  
 \_\_\_\_\_ R/E Appropriation - Water \$ \_\_\_\_\_ R/E Appropriation Sewer \$ \_\_\_\_\_  
R/E Balance 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,

December 8, 2022

**Ordered:**

That the sum of One Hundred Forty Thousand, Eighty-Eight Dollars and Thirty Cents (\$140,088.30) is hereby appropriated and transferred from the "General Fund Balance Reserved for Appropriation – Free Cash" account to the Transit Enhancement Fund as provided in the Cannabis Host Agreements for payments received from sales from January through June 30, 2022, in accordance with the recommendation of Her Honor the Mayor.

Description	Amount
Transit Enhancement Fund (1%)	\$140,088.30
	<b>\$140,088.30</b>



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

Office of the Mayor

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Order transfers \$140,088.30 from Free Cash to the Transportation Enhancement Fund (TEF). This represents the amount received from January 1-June 30, 2022, by the City from marijuana establishments pursuant to current community host agreements intended for supporting transportation mitigation and alternative transportation modes. Pursuant to state law, these contributions are collected as general fund revenues and must therefore be appropriated by vote to the intended fund.

The TEF is supported by a variety of sources, including these contributions, payments from developer agreements, and the City's share of transportation network fees collected by the Commonwealth. TEF funds are used to support several valuable City programs including Salem Skipper and the BlueBikes bike share.

As these funds are provided to the City expressly for this purpose within our current agreements, this transfer is simply a housekeeping measure to place the funds into the appropriate account for these purposes. If you have any questions about this Order please contact Finance Director Anna Freedman or Traffic and Parking Director David Kucharsky.

Sincerely,

Kimberley Driscoll  
Mayor  
City of Salem



## City of Salem, Massachusetts

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

Kimberley L. Driscoll, Mayor

Anna Freedman, Finance Director

---

December 8, 2022

Honorable Salem Mayor Kimberley Driscoll  
Salem City Hall  
Salem, Massachusetts

Dear Honorable Mayor Driscoll:

Enclosed herewith is a request to transfer \$140,088.30 from Free Cash to the Transportation Enhancement Fund (TEF). This amount represents the 1% of gross recreational marijuana sales for January 2022-June 2022 from marijuana retail establishments pursuant to the Cannabis Host Agreements (CBAs), that have not yet been transferred to the TEF. As set forth in those CBAs, the 1% in gross sales is to be transferred to the TEF to support transportation initiatives in Salem. To date, funds in the TEF have predominantly supported the Salem Skipper service.

The CBAs require recreational marijuana establishments to annually submit payments to the city within 30 days of 12/31 and 6/30 for recreational sales from the preceding six months. Because Salem received some payments after 6/30 for FY2022, those payments closed out to FY2022 Free Cash. This requested transfer would allocate the commensurate amount of those payments from Free Cash to the TEF.

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

Regards,

Anna Freedman  
Finance Director

Enclosures



# CITY OF SALEM

In City Council,

December 8, 2022

**Ordered:**

That Ninety-Thousand, Five Hundred Forty-Eight Dollars and Forty-Nine Cents (\$90,548.49) is hereby appropriated from the Community Preservation Act (CPA) fund balance to the accounts listed below in accordance with the recommendation of the Community Preservation Committee.

FY	Fund	Fund Name	Description	Org/Obj	Amount
2023	2001	General Fund CPA	Salem Willows Phase II Improvements	2001323-580688	90,548.49
					<b>90,548.49</b>



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

Office of the Mayor

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

At their meeting of November 15, 2022, the Community Preservation Committee voted unanimously to recommend a Community Preservation Act funding award in the amount of \$90,548.49 to the Salem Willows Phase II signature park project. The enclosed Order appropriates these funds from the CPA Fund in approval of this recommendation.

Phase II of the Salem Willows signature park project is being funded through a combination of sources, including a \$400,000 state PARC grant, approximately \$353,603 in signature park bond funds, and this allocation from CPA. The project scope includes the restoration and improvement of the park areas from the historic gate at the Willows, along the pathways, and to the new pier. While the upland improvements, including accessibility modifications, for the pier are part of Phase II, the pier itself is a separately funded project and not included in this scope.

A more complete description of the project's scope can be found in the enclosed summary from the Planning Department, as well as an explanation on why this request is arriving outside of the traditional CPA funding schedule. We are all eager to get this improvement project underway, to maintain our timeframe for the quadricentennial in 2026 and to ensure this treasure of a public space remains vibrant, accessible, and inviting for future generations of Salem residents to enjoy. I recommend adoption of the enclosed Order and invite you to contact our Preservation Planner, Patti Kelleher, should you have any questions regarding this request.

Respectfully,

Kimberley Driscoll  
Mayor  
City of Salem





**CITY OF SALEM, MASSACHUSETTS**  
**Kimberley L. Driscoll, Mayor**  
Community Preservation Committee

---

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

**TO:** Honorable City Council

**FROM:** Patti Kelleher, Preservation Planner  
on behalf of the Community Preservation Committee

**DATE:** November 17, 2022

**RE:** **CPC Recommendation for CPA Funding**

---

At its meeting of November 15, 2022, the Community Preservation Committee (CPC) voted to recommend Community Preservation Act (CPA) funding:

1. For the Salem Willows Phase II Improvements in the amount of \$90,548.49 from the CPA Fund Balance.

In compliance with MGL c.44B, the City Council is requested to take one of the following actions on each funding recommendation:

- Approve recommendation of the CPC
- Reject recommendation of the CPC
- Reduce amount recommended by the CPC

Thank you for your consideration.

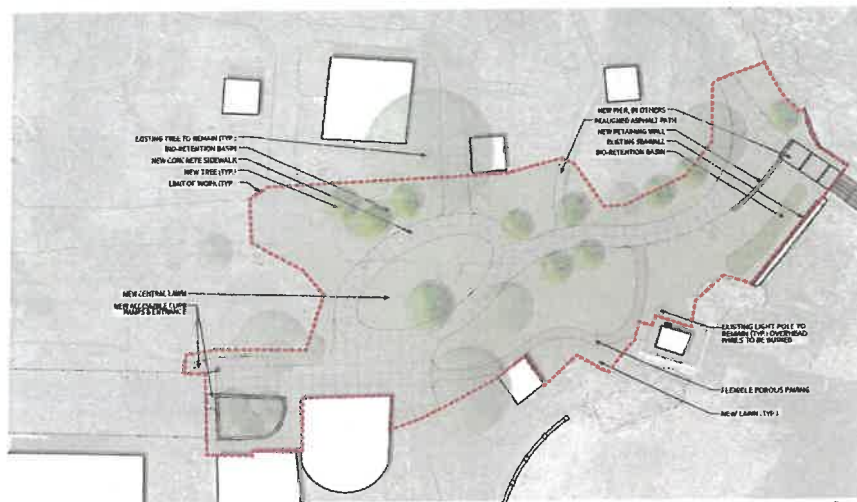
<b>APPLICANT:</b>	City of Salem
<b>PROJECT TITLE:</b>	Salem Willows Phase II Improvements
<b>PROJECT LOCATION:</b>	Willows Park
<b>CPA CATEGORY:</b>	Recreational Land: Rehabilitation/Restoration
<b>CPC RECOMMENDED CPA FUNDING:</b>	\$90,548.49
<b>CPC RECOMMENDED SOURCE:</b>	\$90,548.49 Fund Balance

**PROJECT DESCRIPTION:**



The City of Salem Park and Recreation Commission has requested CPA funds for the Salem Willows Phase II Improvements.

The project will restore and improve the area of the Willows Park located between the historic park gate, the tree allee and the pier. The asphalt expanse will be removed to create a better pedestrian experience and increase greenspace. The pedestrian pathways will be resurfaced and reoriented around a central greenspace to create direction and flow within the space. The entrance near the historic Willows Gate will be improved to add two accessible ramps. One tree may need to be removed due to its poor health, but nine (9) new



**SALEM WILLOWS - PHASE 2A SITE IMPROVEMENTS**

trees will be planted and root zone restoration will be performed for the remaining existing trees. Existing fixtures, including benches and waste receptacles, will be redistributed throughout the site. Overhead wires will be removed within the project improvement area and conduit will be laid to support the existing light fixtures and lay the groundwork necessary for replacing those fixtures with human-scale lighting in the future. This project will tie-in to the ongoing pier restoration project, increasing water-based recreation opportunities for all park users. Planting will feature a native plant palette selected from the NHESP Coastal Woodland and Coastal Shrubland plant communities and bioretention basins will be added, improving stormwater infiltration and environmental resilience in this popular park.

The CPA funds will also fund a consultant to conduct a preservation study and preliminary archeological survey to ensure protection of historic resources. The consultant will review the

proposed project designs and provide feedback to the City to ensure they are consistent with the Secretary of the Interior's *Standards for the Treatment of Historic Properties and the Guidelines for the Treatment of Cultural Landscapes*.

**FUNDING/TIMELINE:**

In September 2022, the City was awarded a PARC grant of \$400,000 to support this project, which has an overall project budget of \$844,152.00. The City will match the grant with funding from the Signature Parks Bond Fund, but there is not enough left unencumbered in the account to fund the full obligation. In addition, as the project was under consideration for the PARC grant, the City was alerted by the Massachusetts Historical Commission that should the project move forward, a preservation study and preliminary archaeological investigation would be required before the formal design phase could begin. The requested CPA funds will address both the portion of the City's match of the PARC grant and the required preservation study and archeological work.

The City is seeking \$90,548.49 in CPA funding (\$71,396.49 for design costs and \$19,152.00 for preservation study and archaeological investigation) outside of the normal funding round cycle due to PARC grant funding and schedule constraints; design work must be completed by July 2023 with construction to be completed by the end of June 2024. Given this, the City must employ a preservation consultant to begin immediately to ensure the project stays on target for design to be completed by July. CPA funds would ensure that the City is able to comply with the grant requirements and will result in a design for the Salem Willows Phase II improvements that will protect the historic resources of the beloved community park and will improve public access in a more resilient and sustainable environment. For the reasons stated above, failure to secure these funds prior to the CPA's next funding cycle may jeopardize the City's ability to utilize the PARC grant received for this project.

**CPC RECOMMENDATION:**

The Community Preservation Committee voted 8 in favor and 0 opposed to recommend funding this application at \$90,548.49 from the CPA Fund Balance.



# CITY OF SALEM

In City Council,  
December 8, 2022

**Ordered:**

That the sum of Forty-Five Thousand Dollars (\$45,000.00) is hereby appropriated from the "Retained Earnings – Water/Sewer Fund" account (6000-3120) to the Water-Engineering Contracted Services account (610132-5320) for a water and sewer rate study in accordance with the recommendation of Her Honor the Mayor.



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

Office of the Mayor

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Order appropriates \$45,000 from Water/Sewer retained earnings to the Water-Engineering Department's contracted services account to conduct a water and sewer rate study, as had been discussed during the FY2023 budget hearings.

The scope of the study is detailed in the enclosed letter from the Finance Director, but in general it will enable the City to retain a specialist to analyze our rate structures, usage data, infrastructure and demand projections, and other elements of our water and sewer system to develop a more comprehensive and evidence-based financial forecast for modeling future rates, financial planning, and capital costs. Our water and sewer infrastructure represents some of our largest and most complex capital investments and, as a result, it requires a careful and thoughtful approach to future planning for their long-term maintenance, both from a physical infrastructure standpoint and a financial planning perspective.

If you have any questions about this Order, please contact Finance Director Anna Freedman and City Engineer David Knowlton.

Sincerely,

Kimberley Driscoll  
Mayor  
City of Salem



## City of Salem, Massachusetts

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

Kimberley L. Driscoll, Mayor

Anna Freedman, Finance Director

December 8, 2022

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

Re: Transfer from Water & Sewer Retained Earnings for Water & Sewer Rate Study

Dear Mayor Driscoll:

In collaboration with Director of Public Services/ City Engineer, David Knowlton, I respectfully request a transfer from Water & Sewer Retained Earnings in the amount of forty-five thousand dollars (\$45,000) to the Water-Engineering Contracted Services account (610132-5320) for a water and sewer rate study, as discussed during the FY2023 budget process. The city has conducted an invitation for bid and is prepared to enter into a contract with a consultant with the requisite knowledge and experience to conduct such a study.

The study will include such deliverables as:

- Conducting a comparison of Salem's existing water and sewer rates to similarly situated communities;
- Reviewing current rate structures and providing recommendations regarding rate structure options;
- Reviewing existing rate policies, historical information regarding cost, customer usage, demand, capital plans, infrastructure, and revenues;
- Reviewing future capital spending and infrastructure needs to incorporate into financial models and making recommendations regarding enterprise fund reserves;
- Reviewing water loss data, assess impact on rate development and forecasting;
- Conducting trend analysis and develop financial forecasts that include consumption forecasts;
- Forecasting rates and consumption using current rates and develop forecasting models using adjusted rates and other factors for comparison with current rate structure;
- Developing a recommended multi-year financial plan and rate forecasting model for continued use by City to support enterprise fund operating and capital costs while maintaining reserves;

The consultants will provide a written report and will be available to present their findings. Salem's water and sewer infrastructure has substantial capital investment needs. A water and sewer rate study will

particularly help the city in developing a capital planning timeline that moderates the impact on utility rate increases needed to afford the relevant debt service costs.

The Department of Revenue – Division of Local Services (DOR-DLS) recently certified the city's Water & Sewer Retained Earnings in the amount of \$4,366,572. With this transfer, the new amount would be \$4,321,572.

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

Sincerely,



Anna Freedman  
Finance Director

# CITY OF SALEM – Finance Department

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

From: Finance Engineering Department      [Signature] Department Head Authorizing Signature      11/30/22 Date

**Budget or R/Res Transfers**

To: \_\_\_\_\_ (Org/Object)      Desc: \_\_\_\_\_      Budget Amt: \_\_\_\_\_  
 Balance: \_\_\_\_\_

From: \_\_\_\_\_ Desc: \_\_\_\_\_ 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 Retained Earnings (W/S)**

To: (011)132-5320 (Org/Object)      Desc: Contract Services      Budget Amt: N/A  
 Balance: N/A

**Raise & Appropriate**  
 Please circle one

**Amount Requested:** \$ 45,000.00

**Reason (Be Specific)** Water + Sewer rate study

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

Budget Transfer       Mayor Approval       City Council Approval  
 Free Cash Appropriation – City Council Approval – Gen Fund \$ \_\_\_\_\_ Free Cash Balance  
 R/E Appropriation – Water \$ 4,366,572 R/E Balance       R/E Appropriation Sewer \$ Same (Combined R/E) 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,

December 8, 2022

**Ordered:**

That the sum of Forty-One Thousand, Seven Hundred Seventy-Three Dollars and Forty-Eight Cents (\$41,773.48) is hereby transferred from the General Fund Balance Reserved for Free Cash and appropriated to the following account in the Sale of City Property Fund (2441) below to complete licensed site professional (LSP) services for Parcel A adjacent to Furlong Park in accordance with the recommendation of Her Honor the Mayor.

Description	Amount
24413-5846	\$41,773.48
<b>Total</b>	<b>\$41,773.48</b>



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

Office of the Mayor

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Order appropriates transfers \$41,773.48 from the Free Cash fund to the Sale of City Property fund. As explained in the enclosed letters from the City Engineer and the Finance Director this amount represents the balance of the \$98,000 originally transferred out of the Sale of City Property fund and into the Engineering Department's contracted services account, in order to retain a licensed site professional (LSP) for the close out of remediation work on the parcel immediately adjacent to Furlong Park.

The Engineering Department's contracted services account is an operational account, the unused funds of which do not carry over at the end of a fiscal year and instead close to Free Cash. Because the LSP's work did extend past the fiscal year end, however, we are now requesting that the balance of unused funds that did close to our Free Cash be returned to the Sale of City Property fund. The Sale of City Property fund is a special account, the monies of which do not close out at the end of each fiscal year and remain available – for capital projects only – year over year. To reiterate, this is not an increase in cost for the remediation work on the parcel, nor is it a change in the City's overall budget; rather, it is a transfer from Free Cash to another fund of monies already approved by the Council for this project.

I recommend adoption of the enclosed Order and invite you to contact City Engineer David Knowlton with any questions related to the project and Finance Director Anna Freedman with any questions about the accounting.

Respectfully,

Kimberley Driscoll  
Mayor  
City of Salem



## City of Salem, Massachusetts

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

Kimberley L. Driscoll, Mayor

Anna Freedman, Finance Director

December 8, 2022

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

Re: Free Cash Transfer – LSP Services – Parcel A/Furlong Park

Dear Mayor Driscoll:

In addition to the attached memorandum from David Knowlton, City Engineer / DPS Director, this letter is to provide further information regarding this request.

As noted in the attached, originally funds were transferred from the Sale of City Property Fund last year for Licensed Site Professional (LSP) services at Parcel A, adjacent to Furlong Park. At the time, funds were transferred out to an operational budget line (contracted services), which would have required that the project be completed before the end of the year. Because the project timeline then extended beyond FY2022, the balance of the funds previously transferred was closed out to Free Cash (as operating funds cannot be extended over multiple fiscal years). Sale of City Property Funds may only be used for capital purposes and cannot be retained as Free Cash; thus, this request is to access the funds that had closed out so that the project can be finished. Additionally, I am requesting that the balance of the funds be transferred back into the Sale of City Property account, so should the project ultimately continue into another fiscal year, this issue will not occur again. Other capital projects have been appropriated within the Sale of City Property Fund in the past, so allocating the funds back and spending within that Fund would not be inconsistent with certain past practices.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Anna Freedman".

Anna Freedman  
Finance Director



**CITY OF SALEM**  
SALEM, MASSACHUSETTS  
ENGINEERING DEPARTMENT  
98 WASHINGTON STREET, 2<sup>ND</sup> FLOOR  
SALEM, MA 01970  
Phone: (978) 619-5673

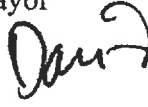
**Kimberley Driscoll**  
Mayor

DAVID H. KNOWLTON, P.E.  
CITY ENGINEER / DPS DIRECTOR

## ***MEMORANDUM***

October 26, 2022

To: Dominick Pangallo, Chief Administrative Aide to the Mayor

From: David H. Knowlton, P.E., City Engineer / DPS Director 

RE: Request to Appropriate Free Cash for completion of LSP services related to Parcel A, adjacent to Furlong Park

---

This memo has been prepared to request \$41,773.08 in free cash to complete LSP services related to the above referenced project. In November of 2021, the Council approved a transfer of \$98,000 from the sale of City Property (see attached) and a purchase order was put in place for \$88,000. The funds were transferred to an operational budget line (contracted services) and work began on the project.

Work continues in FY 2023 and the purchase order was closed at the end of FY 2022. In FY 2022, \$46,226.92 was expended on the purchase before it was closed, and the balance of the funds on the purchase order, \$41,773.08, dropped to free cash.

This request will allow the Engineering Department to continue with the work and complete the project.

If you have any questions, or require additional information, please call. The Engineering Department is available to meet with the City Council to discuss this request.

### Attachments

Cc: Anan Freedman, Finance Director  
Elizabeth Rennard, City Solicitor

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

From: 235 - ENG Department      Knowlton Department Head Authorizing Signature      10-26-22 Date

**Budget or R/Res Transfers**

To: \_\_\_\_\_ Desc: \_\_\_\_\_ Budget Amt: \_\_\_\_\_  
 (Org/Object)

From: \_\_\_\_\_ Desc: \_\_\_\_\_ 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 Retained Earnings (W/S)** To: 100-14122-5320 Desc: contracted services Budget Amt: \$30,059.37  
 (Org/Object) Balance: \$15,000

**Raise & Appropriate** 24413 - 5846 Sales of City Property - Repairs

Please circle one

**Amount Requested:** \$41,773.08

**Reason (Be Specific)** LSP Services for completion of Furlong Park reconstruction project close-out and adjacent Parcel A soil remediation

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

Budget Transfer       Mayor Approval       City Council Approval

Free Cash Appropriation – City Council Approval – Gen Fund \$ 16,293,305.00  
 Free Cash Balance

R/E Appropriation –Water \$ \_\_\_\_\_ R/E Appropriation Sewer \$ \_\_\_\_\_  
 R/E Balance 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**  
SALEM, MASSACHUSETTS  
ENGINEERING DEPARTMENT  
98 WASHINGTON STREET, 2<sup>ND</sup> FLOOR  
SALEM, MA 01970  
Phone: (978) 619-5673

**Kimberley Driscoll**  
Mayor

DAVID H. KNOWLTON, P.E.  
CITY ENGINEER / DPS DIRECTOR

## **MEMORANDUM**

November 24, 201

To: Dominick Pangallo, Chief Administrative Aide to the Mayor  
From: David H. Knowlton, P.E., City Engineer / DPS Director *David*  
RE: Request to appropriate Transfer \$96,800.00 from Fund 2441 Sale of City Property

---

This memo has been prepared to request a transfer of available \$96,800 from Fund 2441, Sale of City Property, to the engineering general fund contracted services account 100-14122-5320 to fund the cost of Licensed Site Professional (LSP) Services related to the recently completed park re-construction project and the clean-up of the adjacent Parcel A as shown in the budget request transfer form.

The recent park re-construction project requires project close-out documentation be prepared and submitted to MassDEP and Parcel A requires soil investigations (borings and sampling), a RAM plan and soil remediation, as described in the attached proposal from TRC Environmental Companies, Inc. (TRC). This work is proposed to be performed under TRC's existing contract #PRF67 with the Commonwealth of Massachusetts Division of Capital Asset Management and maintenance (DCAMM) Environmental Engineering.

The total project cost TRC's LSP services cost for this work is the requested \$96,800.00 (\$88,000 plus 10% contingency).

If you have any questions, or require additional information, please call. The Engineering Department is available to meet with the City Council to discuss this request.

### Attachments

Cc: Anan Freedman, Finance Director  
Elizabeth Rennard, City Solicitor



# CITY OF SALEM

In City Council,

Ordered:

December 8, 2022

That the sum of Twenty-Five Thousand Dollars (\$25,000.00) be hereby appropriated from the following "Receipts Reserved for Appropriation" account, to be transferred to the Park & Rec – Contracted Services account 16502-5320 for costs associated with lifeguarding services at Forest River Pool in accordance with the recommendation of Her Honor the Mayor.

Description	Amount
Receipts Reserved – Forest River Pool (24A9)	\$ 25,000.00
<b>Total</b>	<b>\$ 25,000.00</b>



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

Office of the Mayor

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Order transfers \$25,000 from the new Forest River Park receipts reserved fund to the Park and Recreation Department's contracted services account in order to pay the Salem Y for their lifeguarding services at the facility from this past season.

I recommend adoption of the enclosed Order and invite you to contact Park and Recreation Director Trish O'Brien should you have any questions regarding it.

Respectfully,

Kimberley Driscoll  
Mayor  
City of Salem





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

Kimberley Driscoll  
MAYOR

Trish O'Brien  
Superintendent

12/2/2022

Dear Mayor Driscoll,

This letter is to request that \$25,000 from the Forest River Pool <sup>R/Res</sup> Enterprise Fund #24A91-4800 be transferred to Contracted Services for partial payment to the Salem YMCA towards lifeguarding services at the Forest River Pool.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Trish O'Brien".

Trish O'Brien  
Jean A. Levesque Community Life Center  
(Park, Recreation and Community Services)

# CITY OF SALEM – Finance Department

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

From: PARKS & RECREATION Pat W. Or 12/2/22  
Department Department Head Authorizing Signature Date

**Budget or R/Res** Budget Amt: 223,800  
**Transfers** To: 16502-5320 Desc: Contracted Services Balance: 12,845.66  
(Org/Object) Forest River  
 From: 24A91 Desc: Pool Balance: 28,336.86  
(\*Note - Please include letter to Mayor for Transfers from different Personnel & Non-personnel lines)

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

**Free Cash or** To: \_\_\_\_\_ Desc: \_\_\_\_\_ Budget Amt: \_\_\_\_\_  
**Retained Earnings (W/S)** (Org/Object) Balance: \_\_\_\_\_  
**Raise & Appropriate**  
 Please circle one

Amount Requested: \$ 25,000

Reason (Be Specific) Upgrading services at Forest River Pool

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

Budget Transfer  Mayor Approval  City Council Approval

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

R/E Appropriation –Water \$ \_\_\_\_\_  R/E Appropriation Sewer \$ \_\_\_\_\_  
R/E Balance R/E Balance

Receipts Reserve – City Council Approval \$ 28,336.86  
R/Res Fund Balance

Raise & Appropriate  Other \_\_\_\_\_

Recommendation:  Approved  Denied Pat W. Or  
Finance Director

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



# CITY OF SALEM

In City Council,

**Ordered:**

December 8, 2022

That the sum of Twenty-Four Thousand Dollars (\$24,000.00) is hereby transferred and appropriated from the Receipts Reserved funds listed below to the Department of Public Services Burial Account (14112-5383) in accordance with the recommendation of Her Honor the Mayor.

From		To		Amount
2430-4800	R/Res Sale of Lots	14112-5383	DPS Burial	\$ 10,000.00
2431-4800	R/Res Sale of Vaults	14112-5383	DPS Burial	\$ 14,000.00
<b>Total</b>				<b>\$ 24,000.00</b>



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll

Mayor

December 8, 2022

To the City Council  
City Hall  
Salem, Massachusetts

Ladies and Gentlemen of the Council:

Enclosed herewith is a request for an appropriation of Twenty-Four Thousand Dollars (\$24,000.00) appropriated in the 'Receipts Reserved' funds listed below to the "Department of Public Services" Burial Account (14112-5383).

<b>FROM</b>			<b>TO</b>	<b>AMOUNT</b>
2430-4800	R/Res Sale of Lots	14112-5383	DPS Burial	\$ 10,000.00
2431-4800	R/Res Sale of Vaults	14112-5383	DPS Burial	\$ 14,000.00
			Total:	<u>\$ 24,000.00</u>

This appropriation is necessary to purchase burial services and daily operations of Greenlawn cemetery to continue for FY 23.

I recommend passage of the accompanying Order.

Very truly yours,

Handwritten signature of Kimberley Driscoll in cursive.

Kimberley Driscoll  
Mayor



# CITY OF SALEM, MASSACHUSETTS

DEPARTMENT OF PUBLIC SERVICES  
5 JEFFERSON AVENUE - FACILITY LOCATION  
98 WASHINGTON STREET - MAILING ADDRESS  
SALEM, MASSACHUSETTS 01970

TEL. (978) 744-3302  
FAX (978) 744-6820  
DKNOWLTON@SALEM.COM

KIMBERLEY DRISCOLL  
MAYOR

DAVID KNOWLTON P.E.  
DIRECTOR OF PUBLIC SERVICES

November 18, 2022

The Honorable Mayor Kimberly Driscoll  
City of Salem  
93 Washington Street  
Salem, Massachusetts 01970

Subject: Burial Services

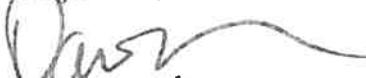
Dear Mayor Driscoll,

We respectfully request an appropriation of funds in the amount of twenty- four thousand dollars, (\$24,000.00) from the following account:

24301 - 4800: Sale of Lots -	\$ 10,000.00
24311 - 4800: Sale of Vaults -	\$ 14,000.00
	<hr/>
	\$ 24,000.00

to be transferred into the Public Services Burial Services line – 14112 - 5383. This will replenish funds used for the Burial services and daily operations for Greenlawn cemetery to continue for FY23.

Respectfully yours,

  
David Knowlton  
Director of Public Services

Cc: Anna Freedman  
Ray Jodoin  
File Copy

# CITY OF SALEM - Finance Department

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

**From:** DPS 230  
Department

  
Department Head Authorizing Signature

Date: 11/16/22

**Budget or R/Res Transfers**  
 To: 14112 or 5383 Desc: Burial Services Budget Amt: 0  
 (Org/Object) Balance: \$3,450.00

From: 24301 - 4800 Desc: Sale of Lots Budget Amt: \$10,893.00  
 (\*Note - Please include letter to Mayor for Transfers from different Personal & Non-personnel lines)

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

**Free Cash or Retained Earnings (W/S) Raise & Appropriate**  
 To: \_\_\_\_\_ Desc: \_\_\_\_\_ Budget Amt: \_\_\_\_\_  
 (Org/Object) Balance: \_\_\_\_\_

Please circle one

Requested: \$ 10,000.00

For: Burial services in FY23

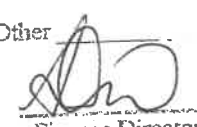
**For Finance Department and Mayor's Use Only:**

Budget Transfer      \_\_\_\_\_ Mayor Approval      \_\_\_\_\_ City Council Approval

\_\_\_\_\_ Free Cash Appropriation - City Council Approval - Gen Fund \$ \_\_\_\_\_ Free Cash Balance

\_\_\_\_\_ R/E Appropriation - Water \$ \_\_\_\_\_ R/E Balance      \_\_\_\_\_ R/E Appropriation Sewer \$ \_\_\_\_\_ R/E Balance

Receipts Reserve - City Council Approval      \$ 13,893.00 R/Res Fund Balance

\_\_\_\_\_ Raise & Appropriate      \_\_\_\_\_ Other  Finance Director

Recommendation:  Approved      \_\_\_\_\_ Denied

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

# CITY OF SALEM - Finance Department

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

From: DPS 230 Department [Signature] Department Head Authorizing Signature 11/14/22 Date

**Budget or R/Res** Budget Amt: 0  
**Transfers** To: 1411225383 Desc: Burial Services Balance: \$3,450.00  
 (Org/Object)

From: 24311 - 4800 Desc: Sale of Vaults Balance: \$14,476.39  
 (\*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** Budget Amt: \_\_\_\_\_  
**Retained Earnings (W/S)** (Org/Object) Desc: \_\_\_\_\_ Balance: \_\_\_\_\_  
**Raise & Appropriation**  
 Please circle one

Amount Requested: \$ 14,000.00

Reason (Be Specific) For Burial services in FY23

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

Budget Transfer  Mayor Approval  City Council Approval

Free Cash Appropriation - City Council Approval - Gen Fund. \$ \_\_\_\_\_ Free Cash Balance

R/E Appropriation - Water \$ \_\_\_\_\_ R/E Balance  
 R/E Appropriation Sewer \_\_\_\_\_ R/E Balance

Receipts Reserve - City Council Approval \$ 30,476.39 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:

December 8, 2022

Per MGL Chapter 44 Section 64 which allows for a municipality to pay for prior fiscal year invoices using current fiscal year appropriations by two-thirds vote of the City Council we request the sum of Twenty-Three Thousand Five Hundred Dollars (\$23,500.00) of outstanding Fiscal Year 2022 invoices is hereby allowed to be paid from the Fiscal Year 2023 Mayor's Office budget ("Accounting and Audit" account 11212-5305) as listed below in accordance with the recommendation of Her Honor the Mayor.

Department	Vendor	Amount
Mayor	Segal	\$ 23,500.00
<b>Total</b>		<b>\$ 23,500.00</b>





**CITY OF SALEM, MASSACHUSETTS**

**Kimberley Driscoll**

**Mayor**

December 8, 2022

To the City Council  
City Hall  
Salem, Massachusetts

Ladies and Gentlemen of the Council:

Enclosed herewith is a request to approve the payment of Twenty-Three Thousand Five Hundred Dollars (23,500.00) to Segal, the City's other post-employment benefits (OPEB) actuarial vendor, services for a Fiscal Year 2022 invoice to be paid from Fiscal Year 2023 budget.

This order is necessary to cover the cost for an invoice for an FY 2022 payment for Segal per MGL Chapter 44 Section 64, which allows for a municipality to pay for prior fiscal year invoices using current fiscal year appropriation by two-thirds vote of the City Council.

I recommend passage of the accompanying Order.

Very truly yours,

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

Kimberley Driscoll  
Mayor



## City of Salem, Massachusetts

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

Kimberley L. Driscoll, Mayor

Anna Freedman, Finance Director

---

December 8, 2022

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

Re: Finance Department – Prior Year Bill

Dear Mayor Driscoll:

The Finance Department recently received a prior year (FY2022) invoice from Segal, the city's Other Post-Employment Benefits (OPEB) Actuary. These services are required under Governmental Accounting Standards Board (GASB) rules and for the city's annual financial audit. The company had been sending the invoice to the former city finance director's email address and had not mailed a copy or called to inquire about payment until recently. Upon finally receiving the invoice, the department clarified to Segal how invoices should be sent and requested it be addressed to multiple members of the Finance Department so that a similar situation will never arise again.

Additionally, turnover in the Finance Department during FY2022 resulted in a misunderstanding of the status of annual invoice payments to Segal; thus, a FY2022 purchase order for these services wasn't maintained at the end of last fiscal year. I have reviewed the payment schedule for Segal to ensure that we will notice in the future if we have not received an invoice from them.

I respectfully request that this prior year bill be processed for payment utilizing the FY2023 Mayor's Office Auditing and Accounting line, which pays for costs associated with the annual audit.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Anna Freedman".

Anna Freedman  
Finance Director



116 Huntington Ave  
9th Floor  
Boston, MA 02116  
Phone: (617) 424-7300  
Fax: (617) 904-1833

**December 31, 2021**

**Invoice #:** 426922

**Reference #:** 10497 - 012 - 202100

**City of Salem, MA  
93 Washington Street  
Salem, MA 01970**

---

**For actuarial and consulting services to the City of Salem related to the June 30, 2020 OPEB Valuation and fiscal year 2021 GASB 74/75 Report. (combined in one report dated November 15, 2021)**

**Total Invoice:**

**\$23,500.00**

**EIN #:** 13-1835864



116 Huntington Ave  
8th Floor  
Boston, MA 02116  
Phone: (617) 424-7300  
Fax: (617) 904-1833

City of Salem, MA  
93 Washington Street  
Salem, MA 01970

December 31, 2021

Invoice #: 426922  
Reference #: 10497 - 012 - 202100

REMITTANCE ADVICE

Total Balance Due: \$23,500.00

PLEASE PAY WITHIN 30 DAYS.

Remittance Information

By Check:	By ACH or Wire Transfer:
P.O. Box 4059 Church Street Station New York, NY 10261-4059	JP MORGAN/CHASE BANK Acct Name: THE SEGAL COMPANY ( EASTERNSTATES). IN Acct Type: CHECKING Acct #: 1440-74092 ABA #: 021000021
Please return a copy of this Remittance Advice with your check to assist us in crediting your account.	Please reference client name and invoice.



# CITY OF SALEM

In City Council,

**Ordered:**

December 8, 2022

To accept the donation of Nine Thousand Five Hundred Dollars (\$9,500.00) from John Russell representing the funds collected from the usage of parking spaces during the Halloween season. The donation is to be deposited into the Parks and Recreation Donation Fund 2406 (24061-4830) in accordance with the recommendation of Her Honor the Mayor.



**CITY OF SALEM, MASSACHUSETTS**  
Kimberley Driscoll  
Mayor

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed herewith is a request to accept a donation of Nine Thousand Five Hundred Dollars (\$9,500.00) from John Russell representing the funds collected from the usage of parking spaces during the Halloween season. The donation is to be deposited into the Parks and Recreation donation fund 2406 (24061-4830).

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

Very truly yours,

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

Kimberley Driscoll  
Mayor



## CITY OF SALEM, MASSACHUSETTS

JEAN A. LEVESQUE COMMUNITY LIFE CENTER  
PARK, RECREATION & COMMUNITY SERVICE

401 Bridge Street, Salem, MA 01970

Tel. (978) 744-0924

Kimberley Driscoll  
MAYOR

Trish O'Brien  
Superintendent

November 16, 2022

Dear Mayor Driscoll:

I am writing to request the acceptance of a \$9,500.00 donation from John Russell, written to the City of Salem. This donation comes from funds generated from the usage of 316 parking spaces at a rate of \$30.00 per space during Halloween season. To be deposited into Park & Recreation Donation account 24061-4830.

Sincerely,

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

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



# CITY OF SALEM

In City Council, December 8, 2022

Ordered:

That the Mayor and the City Council accept the provisions of Section 4, Chapter 73 of the Acts of 1986 for Fiscal Year 2023, and that such additional exemptions granted be 100% of the statutory exemption amounts, provided all other qualifications specified in said Section 4, Chapter 73 of the Acts of 1986 are met.





## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

Office of the Mayor

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed is an Order to accept the provisions of Section 4, Chapter 73, of the Acts of 1986 for Fiscal Year 2023.

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

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

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

Sincerely,

Kimberley Driscoll  
Mayor  
City of Salem



# CITY OF SALEM

In City Council,

**Ordered:**

December 8, 2022

That the City establish an Opioid Settlement Special Stabilization Fund pursuant to Massachusetts General Laws Chapter 40, Section 5B to receive distribution payments from state opioid settlements for further appropriation consistent with settlement requirements in accordance with the recommendation of Her Honor the Mayor.



## **CITY OF SALEM, MASSACHUSETTS**

**Kimberley Driscoll  
Mayor**

**Office of the Mayor**

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

As you may recall, the City of Salem has begun receiving funds from settlements reached with opioid industry defendants for the purposes of supporting local harm reduction, substance use disorder treatment, and recovery services.

The enclosed set of four Orders are necessary to establish an Opioid Settlement Special Stabilization Fund (OSSSF), pursuant to guidance from Mass DOR, to appropriately receive and account for these funds, which we anticipate receiving for many additional years.

Order #1: Establishes the OSSSF.

Order #2: Accepts a provision of Massachusetts General Law authorizing all future settlement payments to be deposited directly into the OSSSF without the need for a transfer.

Order #3: Commits the City to depositing 100% of all such settlement payments into the OSSSF for the purposes outlined above.

Order #4: Transfers the existing settlement funds received to date, totaling \$276,560.61, to the new OSSSF.

These Orders require approval by a two-thirds vote at this evening's Council meeting or the current settlement funds received to date will close to Free Cash and not be available for our use until after the certification of FY2023 Free Cash, likely in December 2023 or January 2024.

As the Finance Director notes in the enclosed letter here, the provisions in the second and third Order listed above do not go into effect, per state law, until the start of the next fiscal year, on July 1, 2023. Because of that, if the City receives settlement payments between now and June 30, 2023, they would necessarily close to Free Cash and therefore require an approval from the City Council to transfer the funds into the OSSSF when FY2023 Free Cash is certified.

I strongly recommend adoption of all four Orders, in the sequence in which they are presented here, at your meeting tonight. If you have questions about the City's work around utilizing these funds, please contact Health Agent David Greenbaum. If you have questions regarding the accounting and these Orders, please contact Finance Director Anna Freedman.

Respectfully,

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

Kimberley Driscoll  
Mayor  
City of Salem



## City of Salem, Massachusetts

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

Kimberley L. Driscoll, Mayor

Anna Freedman, Finance Director

December 8, 2022

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

Re: Opioid Settlement Special Stabilization Fund & Related Matters

Dear Mayor Driscoll:

The Commonwealth of Massachusetts has entered into various statewide opioid settlements with opioid industry defendants. Certain agreements provide for municipal distributions to cities and towns for prevention, harm reduction, treatment, and recovery services. Payments from these settlements have begun flowing to municipalities in the past few months.

Pursuant to Department of Revenue – Division of Local Services (DOR-DLS) guidance and Mass. General Law (MGL), these settlement payments should be considered General Fund revenue; however, municipalities may set up a stabilization fund to take in these dollars for future appropriation. Salem has received three relevant payments to date (totaling \$276,560.61) in FY2023. Because the funds were received after the city finalized its FY2023 budget, Salem did not have an opportunity to appropriate these funds during its budget process. Additionally, as we are still evaluating the most effective use of these funds here in Salem, I am respectfully recommending that the city establish an Opioid Settlement Special Stabilization Fund, where the funds can be held until a determination is made for appropriation recommendations.

If the requested Opioid Settlement Special Stabilization Fund is not approved and the funds received to date are not transferred into said Fund prior to the city setting its FY2023 tax rate, the city would not have access to these funds this fiscal year. (Municipalities may not increase appropriations from a city's General Fund after the annual tax rate is set.) Thus, the funds would close out to Free Cash at the end of the year, and Salem would not be able to appropriate them until it has certified FY2023 Free Cash next year. This situation would then occur annually whenever funds arrive mid-year if not previously budgeted for. Salem will be receiving payments for several years under the settlement agreements executed to date. At this time, we do not know the total amounts Salem will be entitled to under subsequent agreements, so it would be challenging to assume and budget against a certain amount in the annual budget process. Establishing an Opioid Settlement Special Stabilization Fund would remedy these issues and give Salem access at any point

in a fiscal year to make an appropriation from these funds for purposes consistent with settlement guidelines. It would also allow the funds to build up, if desired, to help fund a larger scale initiative.

The four requested Council Orders relevant to this matter are:

- 1) An order to establish an Opioid Settlement Special Stabilization Fund;
- 2) An order accepting the relevant provision in the MGL that would provide for any future settlement payments to go directly to the Opioid Settlement Special Stabilization Fund, so that transfers would not have to occur every time Salem receives a distribution payment;
- 3) An order dedicating all of the relevant settlement payments to the Fund pursuant to the provision accepted above; and,
- 4) An order transferring the funds received to date in FY2023 since the first three provisions have not been accepted prior to receiving these funds.

Please note, these matters would need to be adopted in the order listed above for proper acceptance of these provisions and require approval by a 2/3 vote of the Council. Furthermore, pursuant to MGL, the provisions cited in requested orders #2 and 3 above would not go into effect until July 1, 2023. Thus, if Salem receives any additional distribution payments between now and June 30, 2023, those payments will close out to Free Cash and would require a transfer into the Fund next year.

Also, please be aware that any funds dedicated to the Opioid Settlement Special Stabilization Fund may not be expended without future City Council appropriation.

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

Sincerely,



Anna Freedman  
Finance Director

## ALM GL ch. 40, § 5B

Current through Chapter 267 of the 2022 Legislative Session of the 192nd General Court

*Annotated Laws of Massachusetts > PART I ADMINISTRATION OF THE GOVERNMENT (Chs. 1 - 182) > TITLE VII CITIES, TOWNS AND DISTRICTS (Chs. 39 - 49A) > TITLE VII CITIES, TOWNS AND DISTRICTS (Chs. 39 — 49A) > Chapter 40 Powers and Duties of Cities and Towns (§§ 1 — 69)*

### § 5B. Municipal Stabilization Funds.

Cities, towns and districts may create 1 or more stabilization funds and appropriate any amount into the funds. Any interest shall be added to and become part of the fund.

The treasurer shall be the custodian of all stabilization funds and may deposit the proceeds in a trust company, co-operative bank or savings bank, if the trust company or bank is organized or exists pursuant to the laws of the commonwealth or any other state or may transact business in the commonwealth and has its main office or a branch office in the commonwealth; a national bank, federal savings bank or federal savings and loan association, if the bank or association may transact business and has its main office or a branch office in the commonwealth; provided, however, that a state-chartered or federally-chartered bank shall be insured by the Federal Deposit Insurance Corporation or its successor; or may invest the funds in participation units in a combined investment fund pursuant to section 38A of chapter 29 or in securities that are legal investments for savings banks. At the time of creating any stabilization fund the city, town or district shall specify, and at any later time may alter, the purpose of the fund, which may be for any lawful purpose, including without limitation, an approved school project pursuant to chapter 70B or any other purpose for which the city, town or district may lawfully borrow money. The specification and any alteration of purpose, and any appropriation of funds from any such fund, shall be approved by a two-thirds vote, except as provided in paragraph (g) of section 21C of chapter 59 for a majority referendum vote. Subject to said section 21C of said chapter 59, any such vote shall be of the legislative body of the city, town or district, subject to charter.

Notwithstanding section 53 of chapter 44 or any other general or special law to the contrary, a city, town or district that accepts this paragraph may dedicate, without further appropriation, all, or a percentage not less than 25 per cent, of a particular fee, charge or other receipt to any stabilization fund established pursuant to this section; provided, however, that the receipt is not reserved by law for expenditure for a particular purpose. For purposes of this paragraph, a receipt shall not include taxes or excises assessed pursuant to chapter 59, 60A, 60B, 61, 61A or 61B or surcharges assessed pursuant to section 39M or chapter 44B. A dedication shall be approved by a two-thirds vote of the legislative body of the city, town or district, subject to charter, and may be terminated in the same manner. A vote to dedicate or terminate a dedication shall be made before the fiscal year in which the dedication or termination is to commence and shall be effective at least for 3 fiscal years.

### History

1945, 124; 1957, 215; 1957, 404, §§ 1, 2; 1962, 463; 1966, 62; 1969, 849, § 29; 1971, 766, § 6; 1985, 94; 1991, 138, § 333, approved July 10, 1991, by § 393, effective July 1, 1991; 1993, 463, § 42; 2003, 46, § 14; 2003, 140, § 19; 2016, 218, § 22, effective November 7, 2016.

Annotations

### Notes

## ALM GL ch. 40, § 5B

**Codification**

Acts 1945, 124, enacted this section.

**Amendment Notes**

The first 1957 amendment, (ch. 215), in the second paragraph, inserted authorization to deposit funds in co-operative banks.

The second 1957 amendment, (ch. 404), by § 1, amended the first paragraph, including districts within the provisions of the section, increasing the amount to be annually appropriated, and changing the provisions as to the aggregate amount of any stabilization fund; and by § 2, amended the third paragraph, including therein references to powers, etc., of districts.

The 1962 amendment made it permissible to invest in federal savings and loan associations situated in the commonwealth.

The 1966 amendment inserted in the third paragraph the provision for appropriation by a two thirds vote at a special town meeting if for an approved school project.

The 1969 amendment amended the second sentence of the first paragraph, substituting "equalized valuation of the city or town as defined in section one of chapter forty-four" for "assessed valuation of real estate and tangible personal property therein in the preceding year."

The 1971 amendment amended the second sentence of the first paragraph, inserting after the word "preceding", the word "fiscal", and purporting to substitute for "assessed valuation of real estate and tangible personal property therein in the preceding year", the words "equalized valuation of the city or town as defined in section one of chapter forty-four". The latter change had previously been made by 1969, ch. 849, § 29.

The 1985 amendment rewrote the third paragraph, moving the proviso regarding appropriating the fund for an approved school project from the first sentence to the end of the paragraph, making the proviso regarding appropriation of the fund for any purpose which the town district or city would be authorized to borrow money, which was part of the first sentence, an independent sentence, and deleting the last sentence which had provided for compensation to the members of the board.

The 1991 amendment, in the second sentence of the third paragraph, substituted "or for any other lawful purpose" for "or for such other municipal purpose as is approved by said emergency finance board".

The 1998 amendment, effective Jan 14, 1999, in the fourth paragraph, substituted "1945" for "the current year".

The 2003 amendment, (ch 46), effective July 31, 2003, rewrote this section.

The 2003 amendment, (ch 140), effective July 31, 2003, in the first paragraph, added the last sentence.

The 2016 amendment, effective Nov 7, 2016, rewrote this section.

**Notes to Decisions**

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Municipal appropriations are not limited to purposes enumerated in GL c 40 § 5, since there are other statutes authorizing appropriations and there are traditional municipal functions for which funds are appropriated without explicit statutory authorization. *Anderson v. Boston*, 376 Mass. 178, 380 N.E.2d 628, 1978 Mass. LEXIS 1114 (Mass. 1978).

**Research References & Practice Aids**

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ALM GL ch. 40, § 5B

**Research References and Practice Aids**

**Cross References**

Local Control of Rents and Evictions. see ALM Spec L c S57, §§ 1, et seq.

Annotated Laws of Massachusetts  
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End of Document



# CITY OF SALEM

In City Council,

**Ordered:**

December 8, 2022

That the City accept the provision within Massachusetts General Laws Chapter 40, Section 5B, which provides for the dedication, without further appropriation, of all, or a percentage not less than 25 percent, of particular fees, charges or receipts to a stabilization fund established under Massachusetts General Laws Chapter 40, Section 5B, to be effective for the fiscal year beginning on July 1, 2023.



## **CITY OF SALEM, MASSACHUSETTS**

**Kimberley Driscoll  
Mayor**

**Office of the Mayor**

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

As you may recall, the City of Salem has begun receiving funds from settlements reached with opioid industry defendants for the purposes of supporting local harm reduction, substance use disorder treatment, and recovery services.

The enclosed set of four Orders are necessary to establish an Opioid Settlement Special Stabilization Fund (OSSSF), pursuant to guidance from Mass DOR, to appropriately receive and account for these funds, which we anticipate receiving for many additional years.

Order #1: Establishes the OSSSF.

Order #2: Accepts a provision of Massachusetts General Law authorizing all future settlement payments to be deposited directly into the OSSSF without the need for a transfer.

Order #3: Commits the City to depositing 100% of all such settlement payments into the OSSSF for the purposes outlined above.

Order #4: Transfers the existing settlement funds received to date, totaling \$276,560.61, to the new OSSSF.

These Orders require approval by a two-thirds vote at this evening's Council meeting or the current settlement funds received to date will close to Free Cash and not be available for our use until after the certification of FY2023 Free Cash, likely in December 2023 or January 2024.

As the Finance Director notes in the enclosed letter here, the provisions in the second and third Order listed above do not go into effect, per state law, until the start of the next fiscal year, on July 1, 2023. Because of that, if the City receives settlement payments between now and June 30, 2023, they would necessarily close to Free Cash and therefore require an approval from the City Council to transfer the funds into the OSSSF when FY2023 Free Cash is certified.

I strongly recommend adoption of all four Orders, in the sequence in which they are presented here, at your meeting tonight. If you have questions about the City's work around utilizing these funds, please contact Health Agent David Greenbaum. If you have questions regarding the accounting and these Orders, please contact Finance Director Anna Freedman.

Respectfully,

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

Kimberley Driscoll  
Mayor  
City of Salem



## City of Salem, Massachusetts

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

Kimberley L. Driscoll, Mayor

Anna Freedman, Finance Director

December 8, 2022

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

Re: Opioid Settlement Special Stabilization Fund & Related Matters

Dear Mayor Driscoll:

The Commonwealth of Massachusetts has entered into various statewide opioid settlements with opioid industry defendants. Certain agreements provide for municipal distributions to cities and towns for prevention, harm reduction, treatment, and recovery services. Payments from these settlements have begun flowing to municipalities in the past few months.

Pursuant to Department of Revenue – Division of Local Services (DOR-DLS) guidance and Mass. General Law (MGL), these settlement payments should be considered General Fund revenue; however, municipalities may set up a stabilization fund to take in these dollars for future appropriation. Salem has received three relevant payments to date (totaling \$276,560.61) in FY2023. Because the funds were received after the city finalized its FY2023 budget, Salem did not have an opportunity to appropriate these funds during its budget process. Additionally, as we are still evaluating the most effective use of these funds here in Salem, I am respectfully recommending that the city establish an Opioid Settlement Special Stabilization Fund, where the funds can be held until a determination is made for appropriation recommendations.

If the requested Opioid Settlement Special Stabilization Fund is not approved and the funds received to date are not transferred into said Fund prior to the city setting its FY2023 tax rate, the city would not have access to these funds this fiscal year. (Municipalities may not increase appropriations from a city's General Fund after the annual tax rate is set.) Thus, the funds would close out to Free Cash at the end of the year, and Salem would not be able to appropriate them until it has certified FY2023 Free Cash next year. This situation would then occur annually whenever funds arrive mid-year if not previously budgeted for. Salem will be receiving payments for several years under the settlement agreements executed to date. At this time, we do not know the total amounts Salem will be entitled to under subsequent agreements, so it would be challenging to assume and budget against a certain amount in the annual budget process. Establishing an Opioid Settlement Special Stabilization Fund would remedy these issues and give Salem access at any point

in a fiscal year to make an appropriation from these funds for purposes consistent with settlement guidelines. It would also allow the funds to build up, if desired, to help fund a larger scale initiative.

The four requested Council Orders relevant to this matter are:

- 1) An order to establish an Opioid Settlement Special Stabilization Fund;
- 2) An order accepting the relevant provision in the MGL that would provide for any future settlement payments to go directly to the Opioid Settlement Special Stabilization Fund, so that transfers would not have to occur every time Salem receives a distribution payment;
- 3) An order dedicating all of the relevant settlement payments to the Fund pursuant to the provision accepted above; and,
- 4) An order transferring the funds received to date in FY2023 since the first three provisions have not been accepted prior to receiving these funds.

Please note, these matters would need to be adopted in the order listed above for proper acceptance of these provisions and require approval by a 2/3 vote of the Council. Furthermore, pursuant to MGL, the provisions cited in requested orders #2 and 3 above would not go into effect until July 1, 2023. Thus, if Salem receives any additional distribution payments between now and June 30, 2023, those payments will close out to Free Cash and would require a transfer into the Fund next year.

Also, please be aware that any funds dedicated to the Opioid Settlement Special Stabilization Fund may not be expended without future City Council appropriation.

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

Sincerely,



Anna Freedman  
Finance Director

## ALM GL ch. 40, § 5B

Current through Chapter 267 of the 2022 Legislative Session of the 192nd General Court

*Annotated Laws of Massachusetts > PART I ADMINISTRATION OF THE GOVERNMENT (Chs. 1 - 182) > TITLE VII CITIES, TOWNS AND DISTRICTS (Chs. 39 - 49A) > TITLE VII CITIES, TOWNS AND DISTRICTS (Chs. 39 — 49A) > Chapter 40 Powers and Duties of Cities and Towns (§§ 1 — 69)*

### § 5B. Municipal Stabilization Funds.

Cities, towns and districts may create 1 or more stabilization funds and appropriate any amount into the funds. Any interest shall be added to and become part of the fund.

The treasurer shall be the custodian of all stabilization funds and may deposit the proceeds in a trust company, cooperative bank or savings bank, if the trust company or bank is organized or exists pursuant to the laws of the commonwealth or any other state or may transact business in the commonwealth and has its main office or a branch office in the commonwealth; a national bank, federal savings bank or federal savings and loan association, if the bank or association may transact business and has its main office or a branch office in the commonwealth; provided, however, that a state-chartered or federally-chartered bank shall be insured by the Federal Deposit Insurance Corporation or its successor; or may invest the funds in participation units in a combined investment fund pursuant to section 38A of chapter 29 or in securities that are legal investments for savings banks. At the time of creating any stabilization fund the city, town or district shall specify, and at any later time may alter, the purpose of the fund, which may be for any lawful purpose, including without limitation, an approved school project pursuant to chapter 70B or any other purpose for which the city, town or district may lawfully borrow money. The specification and any alteration of purpose, and any appropriation of funds from any such fund, shall be approved by a two-thirds vote, except as provided in paragraph (g) of section 21C of chapter 59 for a majority referendum vote. Subject to said section 21C of said chapter 59, any such vote shall be of the legislative body of the city, town or district, subject to charter.

Notwithstanding section 53 of chapter 44 or any other general or special law to the contrary, a city, town or district that accepts this paragraph may dedicate, without further appropriation, all, or a percentage not less than 25 per cent, of a particular fee, charge or other receipt to any stabilization fund established pursuant to this section; provided, however, that the receipt is not reserved by law for expenditure for a particular purpose. For purposes of this paragraph, a receipt shall not include taxes or excises assessed pursuant to chapter 59, 60A, 60B, 61, 61A or 61B or surcharges assessed pursuant to section 39M or chapter 44B. A dedication shall be approved by a two-thirds vote of the legislative body of the city, town or district, subject to charter, and may be terminated in the same manner. A vote to dedicate or terminate a dedication shall be made before the fiscal year in which the dedication or termination is to commence and shall be effective at least for 3 fiscal years.

### History

1945. 124; 1957, 215; 1957, 404. §§ 1, 2; 1962, 463; 1966, 62; 1969, 849, § 29; 1971, 766, § 6; 1985, 94; 1991, 138, § 333, approved July 10, 1991, by § 393, effective July 1, 1991; 1998, 463, § 42; 2003, 46, § 14; 2003, 140, § 19; 2015, 218, § 22, effective November 7, 2016.

Annotations

### Notes

## ALM GL ch. 40, § 5B

**Codification**

Acts 1945, 124, enacted this section.

**Amendment Notes**

The first 1957 amendment, (ch. 215), in the second paragraph, inserted authorization to deposit funds in co-operative banks.

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The 1962 amendment made it permissible to invest in federal savings and loan associations situated in the commonwealth.

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**Notes to Decisions**

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**Research References & Practice Aids**

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ALM GL ch. 40, § 5B

**Research References and Practice Aids**

**Cross References**

Local Control of Rents and Evictions, see ALM Spec L c S57, §§ 1, et seq.

Annotated Laws of Massachusetts  
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End of Document



# CITY OF SALEM

In City Council,

**Ordered:**

December 8, 2022

That the City dedicate one hundred percent (100%) of the distributions to Salem from state opioid settlement agreements to the Opioid Settlement Special Stabilization Fund established under Massachusetts General Laws Chapter 40, Section 5B, effective for the fiscal year 2024 beginning on July 1, 2023.



## **CITY OF SALEM, MASSACHUSETTS**

**Kimberley Driscoll  
Mayor**

**Office of the Mayor**

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

As you may recall, the City of Salem has begun receiving funds from settlements reached with opioid industry defendants for the purposes of supporting local harm reduction, substance use disorder treatment, and recovery services.

The enclosed set of four Orders are necessary to establish an Opioid Settlement Special Stabilization Fund (OSSSF), pursuant to guidance from Mass DOR, to appropriately receive and account for these funds, which we anticipate receiving for many additional years.

Order #1: Establishes the OSSSF.

Order #2: Accepts a provision of Massachusetts General Law authorizing all future settlement payments to be deposited directly into the OSSSF without the need for a transfer.

Order #3: Commits the City to depositing 100% of all such settlement payments into the OSSSF for the purposes outlined above.

Order #4: Transfers the existing settlement funds received to date, totaling \$276,560.61, to the new OSSSF.

These Orders require approval by a two-thirds vote at this evening's Council meeting or the current settlement funds received to date will close to Free Cash and not be available for our use until after the certification of FY2023 Free Cash, likely in December 2023 or January 2024.

As the Finance Director notes in the enclosed letter here, the provisions in the second and third Order listed above do not go into effect, per state law, until the start of the next fiscal year, on July 1, 2023. Because of that, if the City receives settlement payments between now and June 30, 2023, they would necessarily close to Free Cash and therefore require an approval from the City Council to transfer the funds into the OSSSF when FY2023 Free Cash is certified.

I strongly recommend adoption of all four Orders, in the sequence in which they are presented here, at your meeting tonight. If you have questions about the City's work around utilizing these funds, please contact Health Agent David Greenbaum. If you have questions regarding the accounting and these Orders, please contact Finance Director Anna Freedman.

Respectfully,

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

Kimberley Driscoll  
Mayor  
City of Salem



## City of Salem, Massachusetts

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

Kimberley L. Driscoll, Mayor

Anna Freedman, Finance Director

December 8, 2022

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

Re: Opioid Settlement Special Stabilization Fund & Related Matters

Dear Mayor Driscoll:

The Commonwealth of Massachusetts has entered into various statewide opioid settlements with opioid industry defendants. Certain agreements provide for municipal distributions to cities and towns for prevention, harm reduction, treatment, and recovery services. Payments from these settlements have begun flowing to municipalities in the past few months.

Pursuant to Department of Revenue – Division of Local Services (DOR-DLS) guidance and Mas.s. General Law (MGL), these settlement payments should be considered General Fund revenue; however, municipalities may set up a stabilization fund to take in these dollars for future appropriation. Salem has received three relevant payments to date (totaling \$276,560.61) in FY2023. Because the funds were received after the city finalized its FY2023 budget, Salem did not have an opportunity to appropriate these funds during its budget process. Additionally, as we are still evaluating the most effective use of these funds here in Salem, I am respectfully recommending that the city establish an Opioid Settlement Special Stabilization Fund, where the funds can be held until a determination is made for appropriation recommendations.

If the requested Opioid Settlement Special Stabilization Fund is not approved and the funds received to date are not transferred into said Fund prior to the city setting its FY2023 tax rate, the city would not have access to these funds this fiscal year. (Municipalities may not increase appropriations from a city's General Fund after the annual tax rate is set.) Thus, the funds would close out to Free Cash at the end of the year, and Salem would not be able to appropriate them until it has certified FY2023 Free Cash next year. This situation would then occur annually whenever funds arrive mid-year if not previously budgeted for. Salem will be receiving payments for several years under the settlement agreements executed to date. At this time, we do not know the total amounts Salem will be entitled to under subsequent agreements, so it would be challenging to assume and budget against a certain amount in the annual budget process. Establishing an Opioid Settlement Special Stabilization Fund would remedy these issues and give Salem access at any point

in a fiscal year to make an appropriation from these funds for purposes consistent with settlement guidelines. It would also allow the funds to build up, if desired, to help fund a larger scale initiative.

The four requested Council Orders relevant to this matter are:

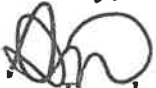
- 1) An order to establish an Opioid Settlement Special Stabilization Fund;
- 2) An order accepting the relevant provision in the MGL that would provide for any future settlement payments to go directly to the Opioid Settlement Special Stabilization Fund, so that transfers would not have to occur every time Salem receives a distribution payment;
- 3) An order dedicating all of the relevant settlement payments to the Fund pursuant to the provision accepted above; and,
- 4) An order transferring the funds received to date in FY2023 since the first three provisions have not been accepted prior to receiving these funds.

Please note, these matters would need to be adopted in the order listed above for proper acceptance of these provisions and require approval by a 2/3 vote of the Council. Furthermore, pursuant to MGL, the provisions cited in requested orders #2 and 3 above would not go into effect until July 1, 2023. Thus, if Salem receives any additional distribution payments between now and June 30, 2023, those payments will close out to Free Cash and would require a transfer into the Fund next year.

Also, please be aware that any funds dedicated to the Opioid Settlement Special Stabilization Fund may not be expended without future City Council appropriation.

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

Sincerely,



Anna Freedman  
Finance Director

## ALM GL ch. 40, § 5B

Current through Chapter 267 of the 2022 Legislative Session of the 192nd General Court

*Annotated Laws of Massachusetts > PART I ADMINISTRATION OF THE GOVERNMENT (Chs. 1 - 182) > TITLE VII CITIES, TOWNS AND DISTRICTS (Chs. 39 - 49A) > TITLE VII CITIES, TOWNS AND DISTRICTS (Chs. 39 — 49A) > Chapter 40 Powers and Duties of Cities and Towns (§§ 1 — 69)*

### § 5B. Municipal Stabilization Funds.

Cities, towns and districts may create 1 or more stabilization funds and appropriate any amount into the funds. Any interest shall be added to and become part of the fund.

The treasurer shall be the custodian of all stabilization funds and may deposit the proceeds in a trust company, co-operative bank or savings bank, if the trust company or bank is organized or exists pursuant to the laws of the commonwealth or any other state or may transact business in the commonwealth and has its main office or a branch office in the commonwealth; a national bank, federal savings bank or federal savings and loan association, if the bank or association may transact business and has its main office or a branch office in the commonwealth; provided, however, that a state-chartered or federally-chartered bank shall be insured by the Federal Deposit Insurance Corporation or its successor; or may invest the funds in participation units in a combined investment fund pursuant to section 38A of chapter 29 or in securities that are legal investments for savings banks. At the time of creating any stabilization fund the city, town or district shall specify, and at any later time may alter, the purpose of the fund, which may be for any lawful purpose, including without limitation, an approved school project pursuant to chapter 70B or any other purpose for which the city, town or district may lawfully borrow money. The specification and any alteration of purpose, and any appropriation of funds from any such fund, shall be approved by a two-thirds vote, except as provided in paragraph (g) of section 21C of chapter 59 for a majority referendum vote. Subject to said section 21C of said chapter 59, any such vote shall be of the legislative body of the city, town or district, subject to charter.

Notwithstanding section 53 of chapter 44 or any other general or special law to the contrary, a city, town or district that accepts this paragraph may dedicate, without further appropriation, all, or a percentage not less than 25 per cent, of a particular fee, charge or other receipt to any stabilization fund established pursuant to this section; provided, however, that the receipt is not reserved by law for expenditure for a particular purpose. For purposes of this paragraph, a receipt shall not include taxes or excises assessed pursuant to chapter 59, 60A, 60B, 61, 61A or 61B or surcharges assessed pursuant to section 39M or chapter 44B. A dedication shall be approved by a two-thirds vote of the legislative body of the city, town or district, subject to charter, and may be terminated in the same manner. A vote to dedicate or terminate a dedication shall be made before the fiscal year in which the dedication or termination is to commence and shall be effective at least for 3 fiscal years.

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1945, 124; 1957, 215; 1957, 404, §§ 1, 2; 1962, 463; 1966, 62; 1969, 849, § 29; 1971, 766, § 6; 1985, 94; 1991, 138, § 333, approved July 10, 1991, by § 393, effective July 1, 1991; 1998, 463, § 42; 2003, 46, § 14; 2003, 140, § 19; 2016, 218, § 22, effective November 7, 2016.

Annotations

### Notes

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**Research References & Practice Aids**

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ALM GL ch. 40, § 5B

**Research References and Practice Aids**

**Cross References**

Local Control of Rents and Evictions, see ALM Spec L c S57, §§ 1. et seq.

Annotated Laws of Massachusetts  
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# CITY OF SALEM

In City Council,

December 8, 2022

**Ordered:**

That the sum of Two Hundred Seventy-Six Thousand Five Hundred Sixty Dollars and Sixty-One Cents (\$276,560.61) shall be appropriated and transferred from the City of Salem General Fund to the Opioid Settlement Special Stabilization Fund as listed below, which represents the amount received to date in fiscal year 2023 in municipal distributions from state opioid settlement agreements, in accordance with the recommendation of Her Honor the Mayor.

Description	Amount
Opioid Settlement Special Stabilization Fund	\$276,560.61
<b>Total</b>	<b>\$276,560.61</b>



## **CITY OF SALEM, MASSACHUSETTS**

**Kimberley Driscoll  
Mayor**

**Office of the Mayor**

**December 8, 2022**

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

**Ladies and Gentlemen of the City Council:**

As you may recall, the City of Salem has begun receiving funds from settlements reached with opioid industry defendants for the purposes of supporting local harm reduction, substance use disorder treatment, and recovery services.

The enclosed set of four Orders are necessary to establish an Opioid Settlement Special Stabilization Fund (OSSSF), pursuant to guidance from Mass DOR, to appropriately receive and account for these funds, which we anticipate receiving for many additional years.

**Order #1: Establishes the OSSSF.**

**Order #2: Accepts a provision of Massachusetts General Law authorizing all future settlement payments to be deposited directly into the OSSSF without the need for a transfer.**

**Order #3: Commits the City to depositing 100% of all such settlement payments into the OSSSF for the purposes outlined above.**

**Order #4: Transfers the existing settlement funds received to date, totaling \$276,560.61, to the new OSSSF.**

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As the Finance Director notes in the enclosed letter here, the provisions in the second and third Order listed above do not go into effect, per state law, until the start of the next fiscal year, on July 1, 2023. Because of that, if the City receives settlement payments between now and June 30, 2023, they would necessarily close to Free Cash and therefore require an approval from the City Council to transfer the funds into the OSSSF when FY2023 Free Cash is certified.

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Respectfully,



Kimberley Driscoll  
Mayor  
City of Salem



## City of Salem, Massachusetts

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

Kimberley L. Driscoll, Mayor

Anna Freedman, Finance Director

December 8, 2022

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

Re: Opioid Settlement Special Stabilization Fund & Related Matters

Dear Mayor Driscoll:

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If the requested Opioid Settlement Special Stabilization Fund is not approved and the funds received to date are not transferred into said Fund prior to the city setting its FY2023 tax rate, the city would not have access to these funds this fiscal year. (Municipalities may not increase appropriations from a city's General Fund after the annual tax rate is set.) Thus, the funds would close out to Free Cash at the end of the year, and Salem would not be able to appropriate them until it has certified FY2023 Free Cash next year. This situation would then occur annually whenever funds arrive mid-year if not previously budgeted for. Salem will be receiving payments for several years under the settlement agreements executed to date. At this time, we do not know the total amounts Salem will be entitled to under subsequent agreements, so it would be challenging to assume and budget against a certain amount in the annual budget process. Establishing an Opioid Settlement Special Stabilization Fund would remedy these issues and give Salem access at any point

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The four requested Council Orders relevant to this matter are:

- 1) An order to establish an Opioid Settlement Special Stabilization Fund;
- 2) An order accepting the relevant provision in the MGL that would provide for any future settlement payments to go directly to the Opioid Settlement Special Stabilization Fund, so that transfers would not have to occur every time Salem receives a distribution payment;
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Please note, these matters would need to be adopted in the order listed above for proper acceptance of these provisions and require approval by a 2/3 vote of the Council. Furthermore, pursuant to MGL, the provisions cited in requested orders #2 and 3 above would not go into effect until July 1, 2023. Thus, if Salem receives any additional distribution payments between now and June 30, 2023, those payments will close out to Free Cash and would require a transfer into the Fund next year.

Also, please be aware that any funds dedicated to the Opioid Settlement Special Stabilization Fund may not be expended without future City Council appropriation.

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

Sincerely,



Anna Freedman  
Finance Director

## ALM GL ch. 40, § 5B

Current through Chapter 267 of the 2022 Legislative Session of the 192nd General Court

*Annotated Laws of Massachusetts > PART I ADMINISTRATION OF THE GOVERNMENT (Chs. 1-182) > TITLE VII CITIES, TOWNS AND DISTRICTS (Chs. 39 - 49A) > TITLE VII CITIES, TOWNS AND DISTRICTS (Chs. 39 — 49A) > Chapter 40 Powers and Duties of Cities and Towns (§§ 1 — 69)*

### **§ 5B. Municipal Stabilization Funds.**

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**Research References & Practice Aids**

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ALM GL ch. 40, § 5B

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**Cross References**

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# City of Salem

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*In the year Two Thousand and Twenty-Two*

**An Ordinance** to amend language relative to the tree donation fund.

**Section 1.** Section 43-62 *Tree donation fund* of Chapter 43 *Trees* is hereby amended by deleting the section in its entirety and replacing it with the following:

**“Sec. 43-62. - Tree donation fund**

Collection of voluntary contributions under this ordinance shall be deposited into the tree donation fund, a separate, identifiable account, provided such fund is administered by the city to be dedicated solely for the planting and maintenance of new trees. The trees warden, with input from the tree commission and commensurate with the reasonably practicable suggestions of any donor, may expend these funds for tree planting, and other tree-related needs.”

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



**CITY OF SALEM, MASSACHUSETTS**

Kimberley Driscoll  
Mayor

Office of the Mayor

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Ordinance corrects the language in our existing Code relative to the Tree Donation Fund.

The existing section refers to the fund as a revolving account; however, per state law, donation funds and revolving funds are expressly separate types of accounts. At the recommendation of the Department of Revenue, we are proposing the enclosed amendment to correctly align the Ordinance with Massachusetts General Law.

I recommend adoption of the enclosed Ordinance. If you have any questions regarding this technical correction, please feel free to contact Finance Director Anna Freedman.

Sincerely,

Kimberley Driscoll  
Mayor  
City of Salem



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

Office of the Mayor

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Each year the City Council must vote to set the residential tax factor and thereby set the tax rate for the fiscal year. In Massachusetts, Proposition 2 ½ caps new property taxes at no more than 2.5% of the previous year's levy; increases over that amount require a Proposition 2 ½ override, which Salem has never required. This year, the tax rate – \$12.51 for residential, a reduction in the residential tax rate by 5.6%, and \$25.25 for commercial, a reduction in the commercial tax rate by 4.0% – is once again under the City's allowable levy limit. Excess levy capacity stands at \$7,077,431, a 7% increase over last year's figure and the largest dollar figure for our levy capacity ever, which is a strong validation of our City's responsible approach to budgeting and managing public finances. We continue to maintain a generally low tax bill increase over time, as well, with the average increase over the last five years for the average single-family taxpayer in Salem coming in at a reasonable 2.9% per year.

Based on the rates above, the change in the average single-family tax bill will be \$289 (4.7%), the average condominium unit change will be \$228 (4.9%), the average two-family tax bill will have a reduction of \$58 (-0.8%), and the average three-family change will be \$132 (1.6%) or \$44 per unit. The average apartment building tax bill change will be \$2,309 (10.0%). Given the range of commercial properties in Salem, from small shops to hotels to large office complexes, it is hard to identify a truly "average commercial property," however the average commercial property tax bill change will be \$499 (2.5%). The discrepancy between commercial and residential rate impacts is due in large measure to the rapid growth of residential values in Salem, which is occurring at a much faster pace than commercial value growth.

Appropriation orders submitted separately applies receipts reserved to help hold down the increase in property taxes, reducing the total amount raised by taxation and saving Salem property owners

an additional \$1,682,136, almost one-third more than the receipts applied to lessen the tax burden last year.

Despite an active housing market increasing values and despite increases in fixed costs for delivering local services by around \$2.5 million this fiscal year, we have managed to keep tax increases relatively low. The reason for this is simple: growth matters. As we grow our tax base, we have been able to successfully distribute the burden of funding critical local services to more taxpayers, alleviating the burden on existing property owners. This is why – in addition to the housing need and the desire to create good, local jobs – it is so very important we consider new growth opportunities with an open mind and strategic approach. We cannot cut our way to stabilized taxes or better services; we can, however, broaden the size of the base that funds our local government, thereby stabilizing taxes and improving services. FY2023 once again demonstrates that exact strategy at work.

We always strive to manage the overall tax burden on our City's homeowners and I am proud that we have never needed or sought a Proposition 2 ½ override. We seek efficiencies and opportunities for regionalization or streamlining. We look to technology and performance improvement strategies to reduce the cost of doing business. We shift the cost of government off property taxpayers by pursuing a substantial number of grant opportunities and by looking to tax options that shift those costs to visitors, when possible, by supporting the development of new hotels, the extension of lodging taxes to short-term rentals, and the responsible growth of the recreational cannabis industry.

The most powerful tool at our disposal, however, is responsible, sensible private development that adds to our tax base. Therefore, we have advocated for the appropriate redevelopment of sites such as the former courthouses, the power plant property, and other under-utilized and vacant former industrial parcels. I am extremely pleased that certified new growth this fiscal year is a very strong \$1,828,203, exceeding our anticipated new growth amount by almost double.

We also continue to be pro-active in pursuing grant opportunities whenever they become available. Since the start of my administration in 2006 we have successfully received over \$200 million in state and federal grants. Just about one-fifth of our revenues is aid from the state, and we still rely on and require a strong state partnership to make much needed infrastructure investments, despite the egregious problems with the Student Opportunity Act formula that has cost Salem millions in state aid for our schools.

We also work to have meaningful partnerships with our anchor institutions and non-profits, including our tax agreement and CBA with Footprint, investments in our schools and neighborhoods from SSU, expanded community support from NSMC, and our ongoing push for a nearly two decades' over-due adjustment in our SESD PILOT.

Combined, new growth, grants, and non-tax revenue opportunities has reduced the average tax bill increase by roughly half when comparing the years of my administration to the same time prior to that. In the 17 years since I took office the average bill increase has been just 3.2%, which is nearly half of the average bill increase of 6.1% in the 17 years prior to that.

One of the biggest challenges we continue to face is pressure from increases in fixed costs. Fixed costs for FY2023, such as state charges, health insurance costs, Medicare, worker's compensation, debt payments, and municipal insurance, increased by \$2.5 million over last year. For every \$3 of spending in our budget, \$1 of that goes to fixed costs.

As we set our tax rate for the current fiscal year, the recommendation is to adjust the CIP split to 1.73, making the residential factor 0.857132.

The vision for our City laid out in our annual budget, and continued with this tax proposal, reflects our collective desire to keep Salem a vibrant, thriving community that delivers quality public services in as efficient and affordable a manner as possible. Upon taking office we faced a \$3.5 million deficit. We spent all our savings just to keep the lights on and were forced to borrow money to pay normal operating expenses. We have worked collaboratively over the years to eliminate prior deficits, improve city finances, and balance our books with an eye on both the needs of today and our aspirations for the future. It has not always been easy. Just as we emerged from those local fiscal trials in 2007 our national economy spiraled into a recession and, just as we were building back from that crisis the pandemic brought a sharp decline in our economy.

But whatever the cause of our challenges, we weathered them and are today still resiliently positioned for success, with strong growth, a declining unemployment rate, record bond ratings, and award-winning balanced budgets. Our City's bond rating from Standard & Poor's was upgraded nine years ago to AA, the highest in the City's history, and remains there today. In their most recent ratings report the agency cited our financial stability and reasonable budgeting practices in affirming that strong rating. This is validation that Salem's fiscal policies are of the highest standard and that the path we have set for ourselves is the correct one for our community.

I am grateful for our partnership in securing a healthy municipal fiscal environment and recommend adoption of the proposed residential factor, which will enable us to finalize property tax rates for this fiscal year. I look forward to discussing this recommendation with you at the December 8<sup>th</sup> tax classification hearing.

Sincerely,



Kimberley Driscoll  
Mayor  
City of Salem



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

December 8, 2022

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am writing to inform you that I will resign from the position of Mayor of the City of Salem, Massachusetts effective at the conclusion of my remarks at the 2023 City Council organizational meeting scheduled to be held on Wednesday, January 4, 2023.

As I prepare to step away from this role and into a new one, I could not be prouder or more satisfied with the work that has been accomplished since I first entered office in January 2005. We – together – have transformed Salem into a vibrant, thriving, and successful community. We fixed bad practices of the past to professionalize municipal operations, rebuild City finances, improve transparency in government, and engage more resident participation. Salem, today, has a new focus on equity, sustainability, professionalism, and livability, all of which is a direct result of intentional actions we have taken and so many of which I am proud to have had the opportunity to initiate and lead.

As a Navy kid, we moved around a lot when I was growing up, so we never really had a hometown - until I came to Salem. Salem is and will always be my hometown. I am so deeply grateful for the chance that I have been afforded over these last 17 years to help shape it and improve it.

When I announced my first candidacy in 2005 I said that we deserved a City government as dedicated, passionate, and forward-looking as the people it serves. I believe we achieved that vision, and I am thankful for your partnership in making it possible.

Sincerely,

Kimberley Driscoll  
Mayor  
City of Salem

CC: City department heads; Salem School Committee members



# CITY OF SALEM

In City Council,

**Ordered:**

December 8, 2022

That the City of Salem adopt a Residential Factor of 85.7132% for fiscal year 2023.





# CITY OF SALEM

In City Council,

**Ordered:**

December 8, 2022

That the City of Salem NOT adopt An Open Space Exemption for fiscal year 2023.



# CITY OF SALEM

In City Council,

**Ordered:**

December 8, 2022

That the City of Salem NOT adopt a Residential Exemption for fiscal year 2023.



# CITY OF SALEM

**In City Council,**

**Ordered:**

December 8, 2022

That the City of Salem NOT adopt a Small Commercial Exemption for fiscal year 2023.



## CITY OF SALEM

In City Council December 8, 2022

**ORDERED:** That the monthly financial reports from June 2022 – October 2022 be received and filed.



# CITY OF SALEM

In City Council, December 8, 2022

Ordered:

In accordance with Massachusetts General Law, Chapter 268A, Section 20(b) the City Council hereby declares that James Rogers has met the requirements for exemption as set forth in this Section and may be retained as an Independent Contractor/Vendor for Pioneer Village Garden Projects by the Park, Recreation and Community Services Department, not to exceed 500 hours in this calendar year.

**ELIZABETH M. RENNARD**  
CITY SOLICITOR  
TEL: 978.619.5633  
[BRENNARD@SALEM.COM](mailto:BRENNARD@SALEM.COM)

**VICTORIA B. CALDWELL**  
ASSISTANT CITY SOLICITOR  
TEL: 978.619.5634  
[VCALDWELL@SALEM.COM](mailto:VCALDWELL@SALEM.COM)



**CITY OF SALEM**

**KIMBERLEY L. DRISCOLL, MAYOR**

LEGAL DEPARTMENT  
93 WASHINGTON STREET  
SALEM, MASSACHUSETTS 01970  
FAX: 978.744.1279

**SHARYN G. LUBAS**  
ASSISTANT CITY SOLICITOR  
TEL: 978.744.0171 x 50106  
[SLUBAS@SALEM.COM](mailto:SLUBAS@SALEM.COM)

**REGINA ZARAGOZA FREY**  
DIVERSITY, EQUITY AND INCLUSION DIR.  
TEL: 978.745.9595 x.41505  
[RZARAGOZA@SALEM.COM](mailto:RZARAGOZA@SALEM.COM)

December 8, 2022

Salem City Council  
City Hall  
Salem, MA 01970

Ladies and Gentlemen of the Council:

Enclosed herewith is a proposed Order approving a Massachusetts Conflict of Interest Law exemption for James Rogers, as provided in General Law c. 268A, § 20(b), to work as an Independent Contractor/Vendor for Pioneer Village Garden Projects for the Park, Recreation and Community Services Department.

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

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

Sincerely,

Elizabeth Rennard

Enclosure

## CHAPTER 268A. CONDUCT OF PUBLIC OFFICIALS AND EMPLOYEES

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

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

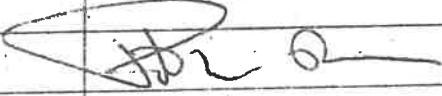
This section shall not apply if such financial interest consists of the ownership of less than one per cent of the stock of a corporation.

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

**FOR CONTRACTS FOR PERSONAL SERVICES ONLY:**

If you are disclosing a financial interest in a contract for personal services with a municipal agency, you must file the Certification below signed by the head of the contracting agency, and you must get approval of the exemption from the city council, board of aldermen, board of selectmen or town council.

**CERTIFICATION BY HEAD OF CONTRACTING AGENCY**


INFORMATION ABOUT HEAD OF CONTRACTING AGENCY	
Name:	Patricia O'Brien
Title/ Position	Park and Rec Superintendent
Municipal Agency:	City of Salem, MA
Agency Address:	401 Bridge Street, Salem
Office Phone:	978-744-0924
CERTIFICATION	
I have received a disclosure under G.L. c. 268A, § 20(b) from a municipal employee who seeks to provide personal services to my municipal agency, identified above. I certify that no employee of my agency is available to perform the services described above as part of his or her regular duties.	
Signature:	
Date:	11/17/22

**APPROVAL BY CITY COUNCIL, BOARD OF ALDERMEN,  
BOARD OF SELECTMEN OR TOWN COUNCIL**

INFORMATION ABOUT APPROVING BODY	
Name:	
Title/ Position	
Agency Address:	
Office Phone:	
APPROVAL	
I have received a disclosure under G.L. c. 268A, § 20(b) from a municipal employee who seeks to provide personal services to a municipal agency, identified above. The exemption under § 20(b) is approved.	
Signature:	On behalf of the Council or Board, I sign this approval.
Date:	

Attach additional pages if necessary.  
File disclosure, Certification and Approval with the city or town clerk.



<p>What is your financial interest in the municipal contract?</p>	<p>- Please explain the financial interest and include the dollar amount if you know it.</p>
<p>Date when you acquired a financial interest</p>	
<p>What is the financial interest of your immediate family?</p>	<p>- Please explain the financial interest and include the dollar amount if you know it.</p>
<p>Date when your immediate family acquired a financial interest</p>	
<p>Write an X to confirm each statement.</p>	<p><b>FOR A CONTRACT FOR PERSONAL SERVICES –</b></p> <p>Answer the questions in this box ONLY if you will have a contract for personal services with a municipal agency (i.e., you will do work directly for the contracting agency).</p> <p>I will have a contract with a municipal agency to provide personal services.</p> <p><input type="checkbox"/> The services will be provided outside my normal working hours as a municipal employee.</p> <p><input checked="" type="checkbox"/> The services are not required as part of my regular duties as a municipal employee.</p> <p><input checked="" type="checkbox"/> For these services, I will be compensated for not more than 500 hours during a calendar year.</p>
<p>Employee signature:</p>	
<p>Date:</p>	<p>11/17/22</p>

Attach additional pages if necessary.

NOT A PERSONAL SERVICES CONTRACT – File disclosure with the city or town clerk.

SEE CERTIFICATION AND APPROVAL REQUIRED FOR PERSONAL SERVICES CONTRACTS, BELOW.

**DISCLOSURE BY MUNICIPAL EMPLOYEE  
OF FINANCIAL INTEREST IN A MUNICIPAL CONTRACT  
AS REQUIRED BY G. L. c. 268A, § 20(b)**

MUNICIPAL EMPLOYEE INFORMATION	
Name of municipal employee:	James Rogers
Title/ Position	STEAM Specialist
Fill in this box if it applies to you.	If you are a municipal employee because a municipal agency has contracted with your company or organization, please provide the name and address of the company or organization.
Agency/ Department	Salem Public School System / Bentley
Agency Address	Memorial Drive
Office phone:	978-741-1222
Office e-mail:	
	Check one: <input type="checkbox"/> Elected or <input checked="" type="checkbox"/> Non-elected
Starting date as a municipal employee.	8/15/22
<b>BOX # 1</b>  Select either <b>STATEMENT #1</b> or <b>STATEMENT #2</b> .  Write an X beside your financial interest.	<p><b>ELECTED MUNICIPAL EMPLOYEE</b></p> <p>I am an elected municipal employee.</p> <p><input type="checkbox"/> <b>STATEMENT #1:</b> I had one of the following financial interests in a contract made by a municipal agency before I was elected to my municipal employee position. I will continue to have this financial interest in a municipal contract. <b>OR</b></p> <p><input type="checkbox"/> <b>STATEMENT #2:</b> I will have a new financial interest in a contract made by a municipal agency.</p> <p><b>My financial interest in a municipal contract is:</b></p> <p><input type="checkbox"/> I have a non-elected, compensated municipal employee position.</p> <p><input type="checkbox"/> A municipal agency has a contract with me.</p> <p><input type="checkbox"/> I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization.</p> <p><input type="checkbox"/> I work for a company or organization that has a contract with a municipal agency, and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the city or town has contracted for my services in particular.</p>
<b>BOX # 2</b>  Select either <b>STATEMENT #1</b> or <b>STATEMENT #2</b> .	<p><b>NON-ELECTED, COMPENSATED MUNICIPAL EMPLOYEE</b></p> <p>I am a non-elected municipal employee.</p> <p><input type="checkbox"/> <b>STATEMENT # 1:</b> I had one of the following financial interests in a contract made by a municipal agency before I took a position as a non-elected municipal employee. I will continue to have this financial interest in a municipal contract.</p>

<p><b>Write an X beside your financial interest.</b></p>	<p><b>My financial interest in a municipal contract is:</b></p> <p><input type="checkbox"/> A municipal agency has a contract with me, but not an employment contract.</p> <p><input type="checkbox"/> I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization.</p> <p><b>- OR -</b></p> <p><input type="checkbox"/> <b>STATEMENT # 2:</b> I will have a new financial interest in a contract made by a municipal agency.</p> <p><b>My financial interest in a municipal contract is:</b></p> <p><input checked="" type="checkbox"/> I have a non-elected, compensated municipal employee position.</p> <p><input type="checkbox"/> A municipal agency has a contract with me.</p> <p><input type="checkbox"/> I have a financial benefit or obligation because of a contract that a municipal agency has with another person or an entity, such as a company or organization.</p> <p><input type="checkbox"/> I work for a company or organization that has a contract with a municipal agency, and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the city or town has contracted for my services in particular.</p>
<p><b>FINANCIAL INTEREST IN A MUNICIPAL CONTRACT</b></p>	
<p><b>Name and address of municipal agency that made the contract</b></p>	<p>City of Salem Park, Recreation and Community Services</p>
<p><b>Please put in an X to confirm these facts.</b></p>	<p><b>"My Municipal Agency"</b> is the municipal agency that I serve as a municipal employee.</p> <p>The <b>"contracting agency"</b> is the municipal agency that made the contract.</p> <p><input checked="" type="checkbox"/> My Municipal Agency is not the contracting agency.</p> <p><input checked="" type="checkbox"/> My Municipal Agency does not regulate the activities of the contracting agency.</p> <p><input checked="" type="checkbox"/> In my work for my Municipal Agency, I do not participate in or have official responsibility for any of the activities of the contracting agency.</p> <p><input checked="" type="checkbox"/> The contract was made after public notice or through competitive bidding.</p>
<p><b>FILL IN THIS BOX OR THE BOX BELOW</b></p>	<p><b>ANSWER THE QUESTION IN THIS BOX IF THE CONTRACT IS BETWEEN THE CITY OR TOWN AND YOU.</b></p> <p>- Please explain what the contract is for.</p> <p style="text-align: center;"><i>Independent Contractor / Vendor for Pioneer Village Garden Projects</i></p>
<p><b>FILL IN THIS BOX OR THE BOX ABOVE</b></p>	<p><b>ANSWER THE QUESTIONS IN THIS BOX IF THE CONTRACT IS BETWEEN THE CITY OR TOWN AND ANOTHER PERSON OR ENTITY.</b></p> <p>- Please identify the person or entity that has the contract with the municipal agency.</p> <p>- What is your relationship to the person or entity?</p> <p>- What is the contract for?</p>

CORRENTI & DARLING LLP

ATTORNEYS AT LAW

70 WASHINGTON STREET, SUITE 310  
SALEM, MASSACHUSETTS 01970

JOHN E. DARLING  
JOSEPH C. CORRENTI  
KRISTIN E. KOLICK

TELEPHONE  
978-744-0212  
FACSIMILE  
978-741-4683

November 22, 2022

**VIA HAND DELIVERY**

Ilene Simons, City Clerk  
City Hall  
93 Washington Street  
Salem, Massachusetts 01970

CITY CLERK, SALEM MASS.  
2022 NOV 22 PM3:20

Re: Salem Wind Terminal, LLC  
67 Derby Street, Salem  
Petition to Amend the Zoning Map

Dear Madam Clerk:

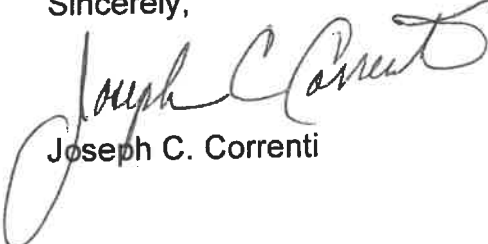
Enclosed for filing please find the following in connection with the above properties:

1. Petition to Salem City Council to Amend the Zoning Map;
2. Descriptive Plot Plan for Zoning Map Petition dated November 3, 2022, prepared by Meridian Associates;
3. Proposed Ordinance; and
4. Owner Authorization Letter.

Pursuant to M.G.L. c. 40A, please notify the City of Salem Planning Board so that the appropriate public hearings, with notice, may be scheduled.

Should you require any further information regarding this Petition, please do not hesitate to contact me.

Sincerely,



Joseph C. Correnti

JCC:dl  
cc: client  
Salem Wind Terminal, LLC

PETITION TO SALEM CITY COUNCIL  
Under Massachusetts General Laws Chapter 40A  
To Rezone Land Shown on Attached Exhibit A

Councillors:

In accordance with the requirements of Massachusetts General Laws Chapter 40A, Section 5, the Petitioner, Salem Wind Terminal, LLC, the owner of the real property situated at 67 Derby Street (the "Property"), bounded and described and consisting of approximately 42 acres, as shown on the plan entitled "Salem Wind Terminal" prepared by Meridian Associates, dated November 3, 2022, attached hereto as Exhibit A, hereby petitions the City Council to amend the City of Salem Zoning Map to rezone the portion of the property in the Residential Two Family (R2) to the Industrial (I) district such that the entirety of the property would be in the Industrial (I) district.

The portion of the Property that is zoned R2 is a small fraction of the total Property area, the rest of which is zoned I. The property is surrounded by I and R2 districts. Surrounding use consists of vacant land, two family residential and industrial. The Property is central to a major offshore wind project, "Salem Offshore Wind Terminal", and will serve as the project's marshalling yard for offshore wind turbines.

Rezoning the small, remnant portion of the property to the I district will be compatible with the adjacent industrial uses and will allow the entirety of the Property to be used in furtherance of the project, which is needed in the transformation of the former coal and oil-fired plant site into a functional offshore wind power marshalling facility, providing jobs and sustainable energy to the local community, as well as generating significant funding and employment to the City of Salem.

The Petitioner respectfully requests that the City Council act favorably on this Petition.

Respectfully submitted,  
Salem Wind Terminal, LLC,  
Owner,  
By its Attorney,

  
\_\_\_\_\_  
Joseph C. Correnti, Esquire

November 22, 2022

Re: Property at 67 Derby Street, Salem, MA

To Whom It May Concern:

Please be advised that Salem Wind Terminal, LLC, as owner of the land and buildings at **67 Derby Street, Salem, Massachusetts** (the "Property"), hereby authorizes Correnti & Darling LLP, to make application to the City of Salem City Council and Planning Board for the rezoning of a residential portion of the Property to the Industrial zone.

Sincerely,

Salem Wind Terminal, LLC

By: John Berry

John Berry Director, Terminal Ops  
Crowley Wind Services

**RECORD OWNER:**

SALEM WIND TERMINAL, LLC.  
9487 REGENCY SQUARE BLVD,  
JACKSONVILLE, FLORIDA 32225  
DEED BOOK 41226, PAGE 244

**REFERENCE**

PLAN BOOK 441, PLAN 99 \*

\*DENOTES DOCUMENTS  
RECORDED AT SOUTH ESSEX  
REGISTRY OF DEEDS.

**LOT 2**

(LAND REMAINING)  
RECORD AREA=  
42.34 ACRES  
(SEE PLAN BOOK 441, PLAN No. 99 \*)

(SEE PLAN BOOK 441, PLAN No. 99 \*)

**NOTES:**

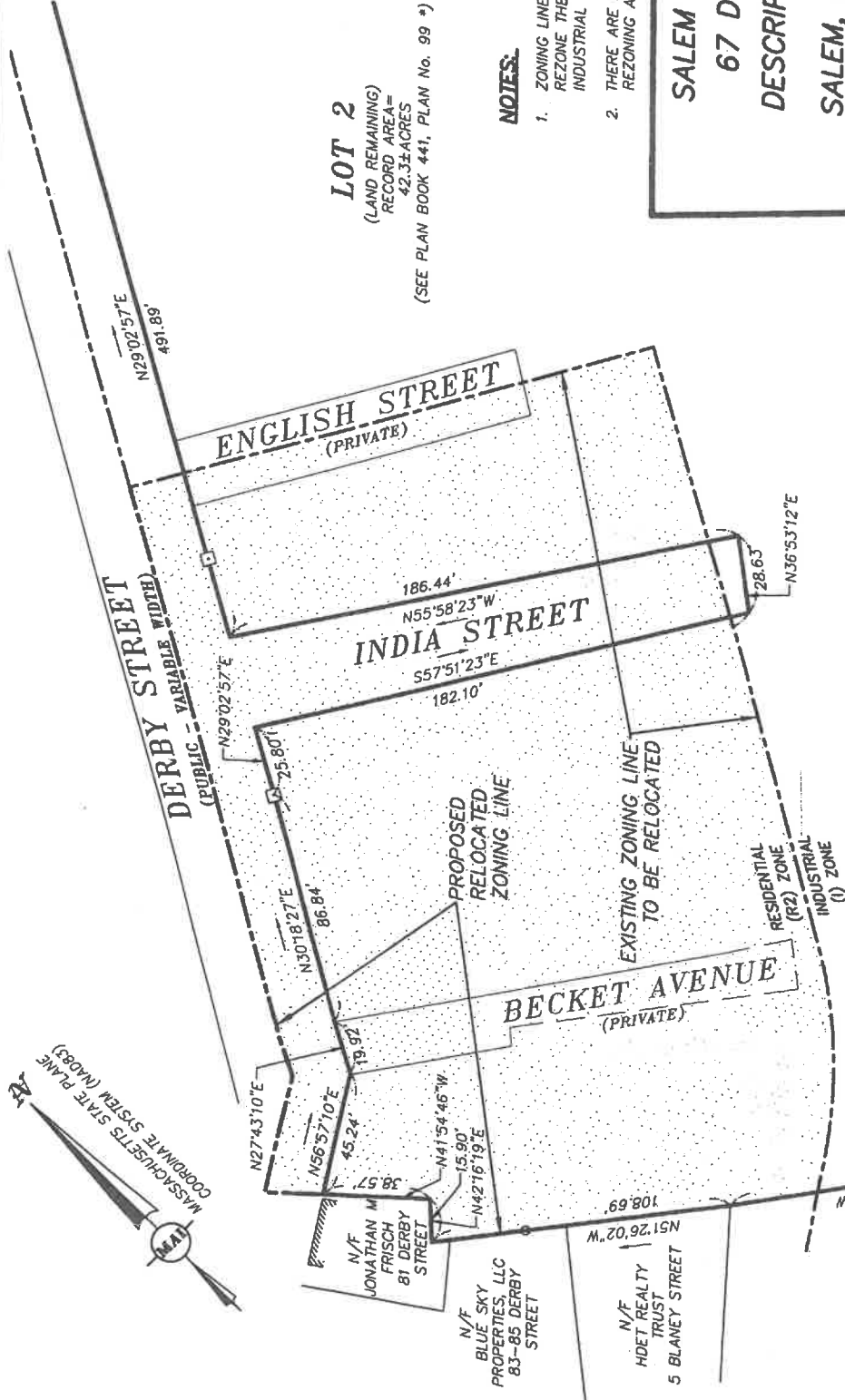
1. ZONING LINE TO BE RELOCATED AS PER PLAN TO REZONE THE RESIDENTIAL (R2) ZONE AS AN INDUSTRIAL (I) ZONE.
2. THERE ARE NO BUILDINGS LOCATED IN THE REZONING AREA

**SALEM WIND TERMINAL  
67 DERBY STREET  
DESCRIPTIVE PLOT PLAN**  
LOCATED IN  
**SALEM, MASSACHUSETTS  
(ESSEX COUNTY)**

PREPARED FOR  
**CROWLEY WIND SERVICES**  
NOVEMBER 3, 2022

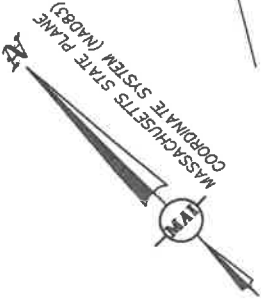
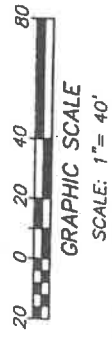


500 CUMMINGS CENTER, SUITE 890  
BEVERLY, MASSACHUSETTS 01915  
TELEPHONE: (978) 299-0447  
WWW.MERIDIANASSOC.COM



**LEGEND:**

- IR
- IR
- STONE BOUND DRILL HOLE IRON ROD
- AREA TO BE REZONED







CITY OF SALEM

In the year 2022

An Ordinance to amend an Ordinance and map relative to Zoning

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

Section 1. In accordance with the requirements of Massachusetts General Laws, Chapter 40A, Section 5, that the following parcel located in the Residential Two Family (R2) and Industrial (I) districts, be rezoned to the Industrial (I) district:

Address

Assessor's Map and Lot Number

67 Derby Street

Map 41, Lot 0339

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

In City Council \_\_\_\_\_

Referred to the Planning Board to schedule a joint public hearing.

\_\_\_\_\_ Joint Public Hearing Held

Advertised in the Salem News on \_\_\_\_\_ and \_\_\_\_\_

Referred to the Planning Board for recommendation

Questions contact – Rob Proude 781-423-3082

**PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS**

North Andover, Massachusetts

To the City Council  
Of Salem, Massachusetts

Massachusetts Electric Company d/b/a 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:

Pope Street - National Grid to install 1 JO Pole on Pope St beginning at a point approximately 156 feet southwest of the centerline of the intersection of Pope St and Boston St. Install new pole ~43ft southwest of Pole # 362 on Pope St.

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 – Pope St - Salem – Massachusetts.

No.# 30646077 November 15, 2022

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.

Massachusetts Electric Company d/b/a  
NATIONAL GRID *Bob Coulter*

BY \_\_\_\_\_  
Engineering Department

VERIZON NEW ENGLAND, INC.

BY \_\_\_\_\_  
Manager / Right of Way

**ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**

To the City Council of Salem, Massachusetts

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

that Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 15th day of November, 2022.

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

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

November 15, 2022. Filed with this order. WR # 30646077.

There may be attached to said poles by Massachusetts Electric Company d/b/a National Grid and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

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

Pope Street - National Grid to install 1 JO Pole on Pope St beginning at a point approximately 156 feet southwest of the centerline of the intersection of Pope St and Boston St. Install new pole ~43ft southwest of Pole # 362 on Pope St.

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.

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

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

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

Attest:  
City/Town Clerk

I hereby certify that on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock, M  
at \_\_\_\_\_ a public hearing was held on the petition of  
Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND, INC.

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

City/Town Clerk.

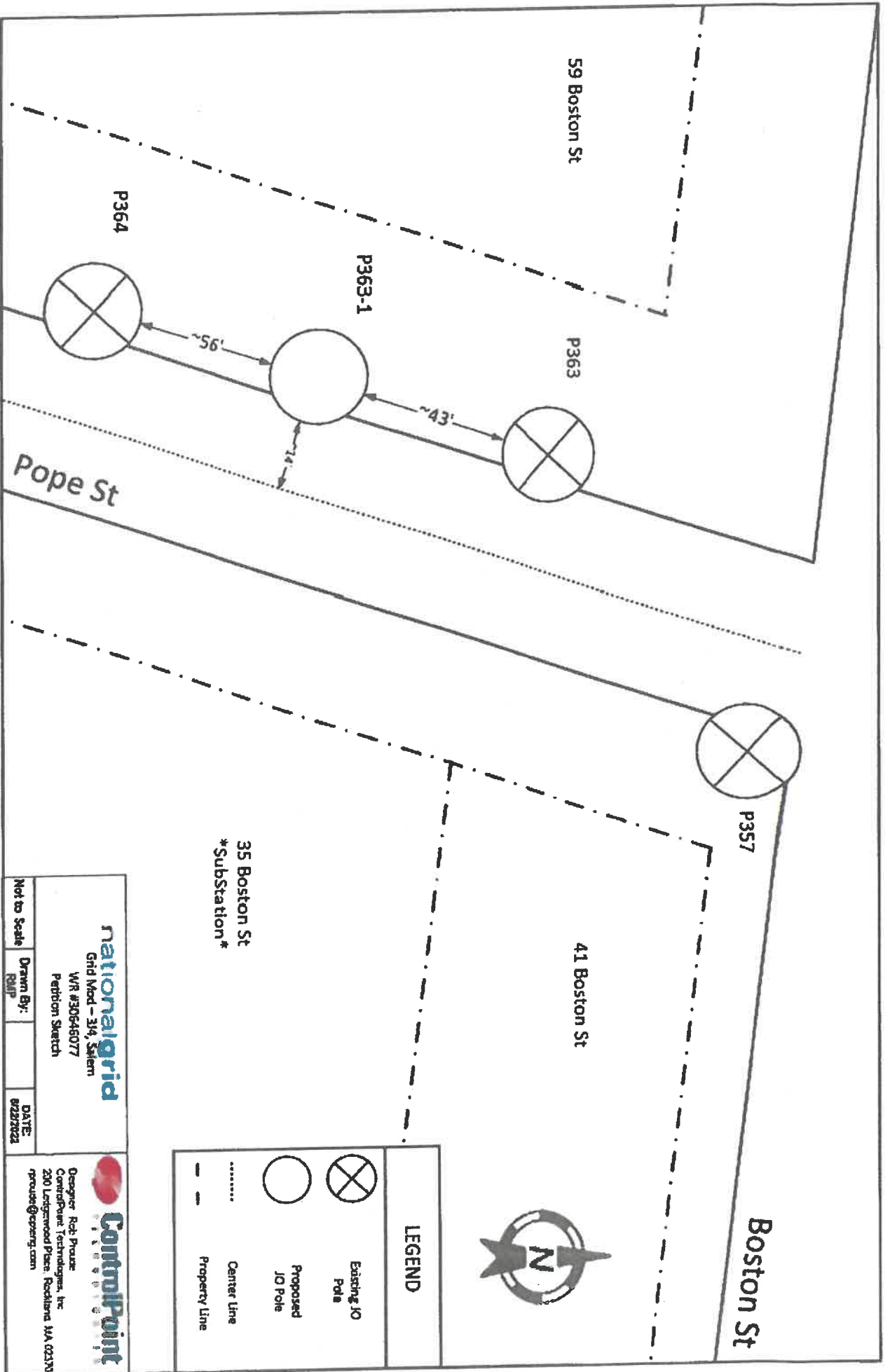
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Board or Council of Town or City, Massachusetts

CERTIFICATE

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

Attest:  
City/Town Clerk



Grid Mod - 314, Salem W/R #30646077 Petition Sketch		Designer: Rob Prance ContourPoint Technologies, Inc. 200 Leightonwood Plaza, Rockledge, FLA 32955 rprance@cpentg.com	
Not to Scale	Drawn By:	DATE:	
	RAIP	02/22/2021	



**CITY OF SALEM, MASSACHUSETTS**  
**Kimberley L. Driscoll, Mayor**  
**Community Preservation Committee**

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

TO: Honorable City Council

FROM: Patti Kelleher, Preservation Planner  
on behalf of the Community Preservation Committee

DATE: November 17, 2022

RE: **CPC Recommendation for CPA Funding**

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At its meeting of November 15, 2022, the Community Preservation Committee (CPC) voted to recommend Community Preservation Act (CPA) funding:

1. For the Salem Willows Phase II Improvements in the amount of \$90,548.49 from the CPA Fund Balance.

In compliance with MGL c.44B, the City Council is requested to take one of the following actions on each funding recommendation:

- Approve recommendation of the CPC
- Reject recommendation of the CPC
- Reduce amount recommended by the CPC

Thank you for your consideration.

<b>APPLICANT:</b>	City of Salem
<b>PROJECT TITLE:</b>	Salem Willows Phase II Improvements
<b>PROJECT LOCATION:</b>	Willows Park
<b>CPA CATEGORY:</b>	Recreational Land: Rehabilitation/Restoration
<b>CPC RECOMMENDED CPA FUNDING:</b>	\$90,548.49
<b>CPC RECOMMENDED SOURCE:</b>	\$90,548.49 Fund Balance

**PROJECT DESCRIPTION:**



The City of Salem Park and Recreation Commission has requested CPA funds for the Salem Willows Phase II Improvements.



**SALEM WILLOWS - PHASE 2A SITE IMPROVEMENTS**

The project will restore and improve the area of the Willows Park located between the historic park gate, the tree allee and the pier. The asphalt expanse will be removed to create a better pedestrian experience and increase greenspace. The pedestrian pathways will be resurfaced and reoriented around a central greenspace to create direction and flow within the space. The entrance near the historic Willows Gate will be improved to add two accessible ramps. One tree may need to be removed due to its poor health, but nine (9) new

trees will be planted and root zone restoration will be performed for the remaining existing trees. Existing fixtures, including benches and waste receptables, will be redistributed throughout the site. Overhead wires will be removed within the project improvement area and conduit will be laid to support the existing light fixtures and lay the groundwork necessary for replacing those fixtures with human-scale lighting in the future. This project will tie-in to the ongoing pier restoration project, increasing water-based recreation opportunities for all park users. Planting will feature a native plant palette selected from the NHESP Coastal Woodland and Coastal Shrubland plant communities and bioretention basins will be added, improving stormwater infiltration and environmental resilience in this popular park.

The CPA funds will also fund a consultant to conduct a preservation study and preliminary archeological survey to ensure protection of historic resources. The consultant will review the

proposed project designs and provide feedback to the City to ensure they are consistent with the Secretary of the Interior's *Standards for the Treatment of Historic Properties and the Guidelines for the Treatment of Cultural Landscapes*.

**FUNDING/TIMELINE:**

In September 2022, the City was awarded a PARC grant of \$400,000 to support this project, which has an overall project budget of \$844,152.00. The City will match the grant with funding from the Signature Parks Bond Fund, but there is not enough left unencumbered in the account to fund the full obligation. In addition, as the project was under consideration for the PARC grant, the City was alerted by the Massachusetts Historical Commission that should the project move forward, a preservation study and preliminary archaeological investigation would be required before the formal design phase could begin. The requested CPA funds will address both the portion of the City's match of the PARC grant and the required preservation study and archeological work.

The City is seeking \$90,548.49 in CPA funding (\$71,396.49 for design costs and \$19,152.00 for preservation study and archaeological investigation) outside of the normal funding round cycle due to PARC grant funding and schedule constraints; design work must be completed by July 2023 with construction to be completed by the end of June 2024. Given this, the City must employ a preservation consultant to begin immediately to ensure the project stays on target for design to be completed by July. CPA funds would ensure that the City is able to comply with the grant requirements and will result in a design for the Salem Willows Phase II improvements that will protect the historic resources of the beloved community park and will improve public access in a more resilient and sustainable environment. For the reasons stated above, failure to secure these funds prior to the CPA's next funding cycle may jeopardize the City's ability to utilize the PARC grant received for this project.

**CPC RECOMMENDATION:**

The Community Preservation Committee voted 8 in favor and 0 opposed to recommend funding this application at \$90,548.49 from the CPA Fund Balance.



**CITY OF SALEM**

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

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

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

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

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

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

In City Council November 17, 2022  
Adopted for first passage

ATTEST:

ILENE SIMONS  
CITY CLERK

**CITY OF SALEM**

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

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

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

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

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

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

In City Council November 17, 2022  
Adopted for first passage

ATTEST:

ILENE SIMONS  
CITY CLERK

**CITY OF SALEM**

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

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

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

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

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

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

In City Council November 17, 2022  
Adopted for first passage

attest;

ILENE SIMONS  
CITY CLERK

**CITY OF SALEM**

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

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

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

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

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

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

In City Council November 17, 2022  
Adopted for first passage

ATTEST:

ILENE SIMONS  
CITY CLERK